

Planning and Zoning Commission
Minutes – August 31, 2021

The Canton Planning and Zoning Commission met at the Depot Viking Room on Tuesday, August 31st, 2021 at 7:00pm with the following members present: Commissioners Mike Pederson, Dave Gillespie, Ben Oien, Tanya Iverson, and Chairman Jerry Chaon.

Absent: none

Also present: Karen Leffler, Administrative Assistant

Visitors: Dale Kroger and Mr. & Mrs. Petri and others present for the Joint Hearing

CONSENT CALENDAR

Commissioner Oien moved to amend the consent calendar moving the Recreation Board discussion to the first item after the Joint Meeting hearing. Commissioner Iverson seconded to approve the consent calendar consisting of 1) Minutes from July 27th, 2021; and 2) agenda with amendments. All ayes, motion carried.

JOINT HEARING WITH CITY COMMISSION – ORDINANCE 1087 – AMENDING THE PLANNING AND ZONING REGULATIONS

Chairman Chaon asked for a motion to convene jointly with the City Commission.

Commissioner Pederson moved to convene jointly with the City Commission, seconded by Commissioner Gillespie. All ayes, motion carried.

Mayor Lundstrom stated the City Commission and Planning & Zoning Commission will meet jointly for the first part of each commission's meeting.

Commissioner Oien moved to approve the Resolution of Recommendation to the City Commission in regard to the ordinance amending the Planning and Zoning Regulations for Medical Cannabis establishments so that discussion may begin, seconded by Commissioner Iverson. All Ayes. Motion carried.

This being the time and place for the hearing on the proposed resolution for a “AN ORDINANCE ENTITLED, AN ORDINANCE TO AMEND PROVISION 1 GENERAL PROVISIONS, PROVISION 6 CENTRAL BUSINESS DISTRICT, PROVISION 7 GENERAL BUSINESS DISTRICT, PROVISION 11 ADDITIONAL USE REGULATIONS, AND PROVISION 19 DEFINITIONS OF THE CANTON CODE OF ORDINANCES TITLE XV; LAND USAGE, CHAPTER: 153 AND THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT THEREWITH”, Chairman Chaon opened the hearing.

Chairman Chaon asked for any proponents to the Ordinance. City Attorney Larry Nelson came forward to explain the different sections of the ordinance and answer any questions. Questions were raised concerning the inclusion of the General Business District as well as

the Central Business District, also the possibility of the exclusion of establishments within 1000 feet of parks and schools. Discussion ensued.

Chairman Chaon asked for any opponents to the ordinance.

Hearing nothing further Chairman Chaon closed the hearing. Further discussion ensued between the City Commission members and the Planning and Zoning Commission members.

The Chair called for a motion on the Resolution of Recommendation to the City Commission.

Commissioner Oien moved to amend the ordinance to exclude the General Business District from districts allowing a Medical Cannabis establishment, seconded by Commissioner Iverson. All ayes, motion carried.

Commissioner Oien moved to approve the Resolution of Recommendation as amended and forward to the City Commission, seconded by Commissioner Gillespie. All ayes, motion carried.

Chairman Chaon declared the Planning and Zoning Commission to be at ease so the City Commission could conduct the rest of their meeting.

After the City Commission conducted their business and adjourned, Chairman Chaon reconvened the Planning and Zoning Meeting.

RECREATION BOARD PROPOSAL FOR A CONCESSION STAND

Members of the Recreation Board were present to discuss the concession stand they have proposed to replace the two sheds that are located at the Kennedy Ball Park. The Board has obtained approval of the funds they will need for the project. Discussion ensued regarding what would be done with the present buildings, plumbing and sewer to the building, and whether the bathrooms will have changing tables in them and if the bathrooms would be ADA compliant.

Commissioner Oien moved to send to the City Commission approval of the location of the project, seconded by Commissioner Iverson. All ayes, motion carried.

HEARING – DALE KROGER – 326 SOUTH BROADWAY – SETBACK VARIANCE

This being the time and place for the public hearing regarding the setback variance request from Dale Kroger, Chairman Chaon opened the hearing as the Board of Adjustments.

Dale Kroger was present to explain the request and to answer any questions. Discussion ensued regarding the location of the sidewalk. Admin Leffler assured the commission that the issue of the location of the sidewalk would be handled by the Public Works Director.

Chairman Chaon asked for any proponents to this issue. Hearing none, the Chairman asked for any opponents. Commissioner Iverson said that she had received some comments about the loud sounds of engines revving that neighbors could hear. Mr. Kroger said that he would deal with that issue.

Hearing nothing further Chairman Chaon closed the hearing.

Commissioner Gillespie moved to approve the variance, seconded by Commissioner Pederson. All ayes, motion carried.

HEARING – DALE KROGER – 326 SOUTH BROADWAY - CONDITIONAL USE – MIXED USE

This being the time and place for the hearing on the Conditional Use request by Dale Kroger to allow a residential portion of the building, Chairman Chaon opened the hearing. Dale Kroger was present to explain his request and to answer any questions. Dale stated that the shop part was for his car hobby and that there would not be any commercial business taking place. The work that will be done is for personal and for friends. He will not have a tax license for any business. Chairman asked for proponents for this issue. Hearing none, Chairman asked for opponents to the issue. Discussion ensued regarding the sound level and that already tire marks are left on the street. Mr. Kroger said he would deal with that.

Commissioner Oien moved to approve the request for the conditional use – mixed use, seconded by Commissioner Gillespie. All ayes, motion carried.

HEARING – DALE KROGER – 326 SOUTH BROADWAY – CONDITIONAL USE – REPAIR SHOP

This being the time and place for the public hearing for Dale Kroger's request for a conditional use for a repair shop, Chairman Chaon opened the hearing. Discussion ensued on the need for this request. Since there will not be a commercial repair shop, as Dale Kroger explained that he does not intend to do anything more than work on his own and maybe friends' cars. And he will not be obtaining a sales tax license. Dale then withdrew his request for this conditional use permit.

Chairman Chaon closed the hearing. No motion was made.

HEARING – CINDY AND MICHAEL PETRI– 415 WEST TENTH - CONDITIONAL USE – BED AND BREAKFAST

This being the time and place for the public hearing on the request by Cindy and Michael Petri to have a Bed and Breakfast located at 415 West Tenth, Chairman Chaon opened the hearing. Mr. and Mrs. Petri were present to explain their project and to answer any questions. Discussion ensued regarding off-street parking.

There were no proponents nor opponents. Chairman Chaon closed the hearing.

Commissioner Pederson moved to approve the request for a conditional use for the property for a Bed and Breakfast, seconded by Commissioner Oien. All ayes, motion carried.

DISCUSSION ON PROPOSED AMENDMENT FOR ATTACHED GARAGES

Admin Leffler reported that Geoff Fillingsness was unable to attend tonight's meeting and had not yet forwarded any other town ordinances on attached garages. No action was taken.

ELECTION OF A VICE-CHAIR FOR THE PLANNING AND ZONING COMMISSION

Admin Leffler explained the reason to elect a vice chair. The City Attorney felt that the P & Z should have a vice chair participate in the committee for selection of a license holder for the medical cannabis establishment. With Chairman Chaon being a City Commissioner as well, he felt someone other than the Chair should be on that committee. Nomination began by Commissioner Pederson to nominate Commissioner Iverson as Vice-Chair. Nominations ceased. Commissioner Pederson moved to elect Commissioner Iverson as Vice-Chair of the Planning and Zoning Commission, seconded by Commissioner Gillespie. All ayes, motion carried.

PLACEMENT OF A CHURCH SIGN BY THE WELCOME SIGN MONUMENT

The Baptist Church has requested to be able to place a sign for their church next to the Welcome sign on the east side of town, as well as the west side monument. Discussion ensued regarding the placement on city land. It was discussed that a directory of churches would look better. It was felt that there would be more churches who would want to post signs there as well.

Commissioner Oien moved to deny approval of the request and suggest to the City Commission to consider the placement of a directory for churches instead, seconded by Commissioner Gillespie. All ayes, motion carried.

DISCUSSION:

The next meeting will be September 28th. If Geoff has gotten the other city ordinances to us, he will be on the agenda.

ADJOURNMENT

Commissioner Gillespie moved to adjourn, seconded by Commissioner Iverson. All ayes, motion carried.

Meeting Adjourned.

Karen K. Leffler
Administrative Assistant