

MENDOTA PLANNING COMMISSION
REGULAR MEETING - ACTION MINUTES
Wednesday, March 27, 2024
Mendota VFW - 1323 Sibley Memorial Highway, Mendota, MN

Commission Members Present: Debbie Donnelly, Dana Schumacher, Jim Rasmussen, Mary Samoszuk, Rachel Golias

City Council Ex-Official Member Present: Steve Golias

Staff Present: Jennifer Haskamp (City Planner, Swanson Haskamp Consulting), and Jenna Shoosmith (Planner, SHC)

Members Absent: Erick Lehet

Call to Order: The meeting was called to order at 7:00 PM by Debbie Donnelly.

1. **Oath of Office**

The Oath of Office was taken by Debbie Donnelly, Dana Schumacher, Jim Rasmussen, Mary Samoszuk, and Rachel Golias.

2. **Approval of the Agenda**

Approval of the agenda with one correction was moved by Debbie Donnelly and seconded by Dana Schumacher.

Action Taken: **Approved 6-0**

3. **Minutes**

Approval of the February 28, 2024 Minutes with one correction was moved by Debbie Donnelly and seconded by Rachel Golias.

Action Taken: **Approved 6-0**

4. **New Applications and Public Hearings**

a. **PUBLIC HEARING to consider Amending Chapter VIII Zoning of the City Code to add Section 803.10 Fences**

i. **Background**

Jennifer Haskamp provided background on the City Council's request to prepare new language incorporating fence standards into the city's zoning code and introduced a draft of the proposed ordinance.

1. Dana Schumacher asked if existing fences that do not follow the new ordinance could be repaired or replaced. They are considered legally non-conforming and state statute allows repairs or replacing the fence within a certain period of time if the fence is damaged. If the property owner wants to modify or redesign the fence and would need new posts, they would need to apply for a fence permit and follow the ordinance.

ii. **Public Hearing - Opened at 7:24 PM.**

1. Patricia Jung (1320 3rd St.) asked to clarify the difference between a Building Permit and a Fence Permit. The Fence Permit would verify that the height,

location and material of the fence follows the code. A Building Permit is required for fences over 5 feet to confirm structural integrity.

2. Mary Samoszuk asked if a survey would be needed for fences to verify location. It is the property owner's responsibility to confirm property location. Surveys are very costly for property owners. Some fence companies require customers to do a survey. There are pins for many properties along Highway 13, but not many in the residential area.

The Public Hearing closed at 7:33 PM.

iii. **Planning Commission Discussion**

1. Surveys: The commission discussed the need for surveys for some properties. Jennifer Haskamp said wording that "a certificate of survey may be required" could be added to the code. Mary Samoszuk expressed concern about fences encroaching on critical river bluff area. Good contractors will verify they are putting the fence on the property, but not all contractors or diyers may do that. Commission agreed that surveys do not need to be required for everyone, but the wording should be added to allow city staff to request it as needed. Wording will be added in section D - Appearance, Location and Facing.
2. Gates and Pools: Dana Schumacher asked if there should be language in the code about fences around pools or gates across driveways. The commission agreed to stay silent in the fence ordinance about pool enclosures and follow state code. Gates across driveways would require a conditional use permit to ensure emergency services have proper access to the property. The commission discussed that some property owners with long driveways may want the opportunity to have a gate for security. The commission agreed to allow the possibility for gates across driveways with a conditional use permit. Gate stipulations (such as locks) would be addressed in the conditional use permit for each situation.
3. Dumpster Enclosures: Dana Schumacher asked if the fence code would include dumpster enclosures. The draft ordinance addressed open storage areas for commercial and mixed-use properties that abut residential properties. The commission discussed if dumpster enclosures should be required for commercial and/or residential properties. The commission was concerned about large dumpsters at multifamily properties that are visible in the residential section of town. Jennifer Haskamp said that garbage container enclosures for residential properties better fit in the screening section of the code because they could be screened by a fence or landscaping. The commission determined to change the section 2 title under the E. Height section to "Commercial, Mixed Use and Multi-Family." They clarified open storage areas in the following 'i' section by adding "including dumpsters." The phrase "during all season" was removed because fences were being required, not landscape screening.
4. Farm Fences: Rachel Golias asked for clarification on the meaning of farm fences that was listed on the prohibited materials list. The commission discussed that more decorative style fences such as split rail fencing could be included with wood listed as an allowed material and would fit the character of the community. More industrial farm fencing such as barbed wire or electric fences are individually included on the prohibited materials list. The fence ordinance is focused on fencing around yards, not specifically gardens or chicken coops. The

commission agreed to remove “Farm fences, unless used for the keeping of chickens or similar” from the prohibited materials list in Section C.

5. Front Yard Fences: Rachel Golias asked about the decisions for front yard fence requirements including the 4-foot height, 75% opacity, and 10-foot sight corner and why those were recommended. Jennifer Haskamp said that 4 feet is a standard size for materials at hardware stores. Different cities vary height, opacity and sight corner requirements, but these were common choices that she felt fit the existing character of Mendota and size of lots.

iv. **Motion to recommend** the draft *Ordinance to Amend Chapter VIII Zoning to add Section 803.10 Fences* with the 5 changes discussed was moved by Debbie Donnelly and seconded by Rachel Golias.

Action Taken: **Approved 6-0**

5. **Old Business**

None

6. **New Business**

None

7. **Communications and Reports**

a. **Planning Commission Reports/Comments**

i. **Discussion regarding Regular Meeting Date, Night and Time**

Action Taken: Meetings will remain on the fourth Wednesday of the month at 7:00 PM at the VFW through 2024.

ii. **Debbie Donnelly:** There was interest from Mary Samoszuk and Dana Schumacher to review the ordinance on screening, especially as it relates to residential properties.

Action Taken: Jennifer Haskamp will bring the current language on screening to the next Planning Commission meeting to review what is in the current code and discuss what would like to be achieved.

b. **City Staff Reports/Comments**

i. **Jennifer Haskamp**

1. There is training available for the Planning Commission through the League of Minnesota Cities. She will email commissioners when Christina, the City Attorney, resolves login issues.

2. An application for an apartment building is expected soon. It would require a public hearing at the Planning Commission for the MRCCA application. The staff report will be sent a week before the meeting.

8. **Adjourn**

Motion to adjourn the meeting at 8:33 PM was moved by Mary Samoszuk and seconded by Dana Schumacher. Approved 6-0.

Minutes submitted by Rachel Golias. Approved by the Planning Commission 4-25-2024.