

DICKINSON COUNTY PLANNING AND ZONING COMMISSION

Monday, November 19, 2007

1:00 P.M.

The Dickinson County Planning and Zoning Commission met Monday, November 19, 2007 at 1:00 p.m. in the conference room of the Zoning/Engineer's building.

Members present were: Sally Nielsen, Mike Roach, Tim Fairchild, Jon Gunderson, Duane Moser, and Tony Weber. Absent was Bob Chaffin.

Sally Nielsen called the meeting to order at 1:00 p.m.

First on the agenda was approval of the minutes of July 16, 2007. Moser moved to accept the minutes as written. Fairchild seconded. All in favor.

Second on the agenda was discussion of Statewide Urban Designs and Specifications (SUDAS).

Dan Eckert, Dickinson County Engineer, gave a brief overview of the standards that are in the process of being written and adopted in sections. The goal is to eventually have statewide standards in place for drainage, culverts, bridges, roads etc. In closing Eckert said he would encourage developers and designers of subdivisions to consider using SUDAS standards.

Questions followed with a good discussion.

Third on the agenda was discussion of Zoning Ordinance 102, Article 14, Resort Enterprise District, Section 5, Bulk Regulations, to add paragraph J., wording for requirements of storm water runoff control.

Kohlhaase said it was brought to his attention there is nothing that addresses drainage in the resort enterprise district. The proposed wording is "When more than one (1) acre of land is going to be developed, the post-development rate of runoff shall not exceed the pre-development rate of runoff for a 10 year, 24 hour storm, designed by a licensed engineer. Low Impact Development (LID) and Statewide Urban Designs and Specifications (SUDAS) are encouraged."

There was lengthy discussion of at what point the drainage control should be required, taking runoff to the lake through subsurface tile versus rain garden and what is required by other cities and the state.

The commission agreed to move on and come back to agenda item #3.

Fourth on the agenda was discussion of Zoning Ordinance 102, Article 17, Additional Area and Height Regulations, to add Section 12, wording for drainage plan requirements on zoning compliance applications.

Kohlhaase said there is no description in the zoning ordinance of what is required for a drainage plan for a zoning compliance permit. Proposed wording is "A design, either being a statement or drawing, addressing drainage as a result of the structure being permitted, with minimal impact to surrounding properties. Use of Low Impact Development (LID) practices are encouraged."

There was general discussion of what constitutes "minimal impact" and the best way to address drainage.

The Commission agreed to move on to next agenda item.

Fifth on the agenda was a discussion of Subdivision Ordinance 103, Article 3. Improvements, Section 3.3 D. Storm Sewer Systems, to change the wording on the first paragraph, last sentence.

Kohlhaase said the proposed wording is: "The post-development rate of runoff shall not exceed the pre-development rate of runoff for a 10 year, 24 hour storm designed by a licensed engineer. Low Impact Development (LID) and Statewide Urban Designs and Specifications (SUDAS) are encouraged.

After some discussion, Weber recommended to accept the wording as proposed. Gunderson seconded. All in favor.

Steve Anderson said maybe Wayne Peterson could come to the next meeting and answer any questions the board may have.

Weber said one concern he has is the board members don't have access to copies of SUDAS and LID regulations to become familiar with them.

Anderson said he would e-mail a website to access the LID requirements.

The commission returned to agenda item #3. After discussion, Moser moved to recommend the wording change to "When more than 10,000 square feet of land is going to be disturbed, the post-development rate of runoff shall not exceed the pre-development rate of runoff for a 10 year, 24 hour storm, designed by a licensed engineer. Low Impact Development (LID) and Statewide Urban Designs and Specifications (SUDAS) are encouraged." Weber seconded. All in favor.

The commission returned to agenda item #4, drainage plan requirements on the zoning compliance application. After discussion, it was agreed to eliminate the words "minimal impact to surrounding property."

Weber moved to recommend the wording "A design, either being a statement or drawing, addressing drainage as a result of the structure being permitted. Use of Low Impact Development (LID) practices are encouraged." Moser seconded. All in favor.

Kohlhaase said there is no definition in the ordinances for Low Impact Development.

Weber moved to include a LID definition in Zoning Ordinance 102 and Subdivision Ordinance 103. Fairchild seconded. All in favor.

Sixth on the agenda was a discussion of air conditioning units in the side yard setback. Kohlhaase said the Board of Adjustment asked the Planning and Zoning Commission to revisit this issue as they are getting some variance applications asking to leave the A/C units in the side yard at less than 5'. The board of adjustment members commented that there would be little if any difference in noise levels for the adjoining neighbor between a 3' and 5' setback.

Weber said to look at the size of the condenser units; they are getting larger and larger. They are usually set one foot away from the foundation. It becomes a fire safety issue, having most of the side yard blocked with the air conditioning condenser. He said it is inconvenient sometimes for designing a home with an extra niche, or placing it in the front or rear yards, but it can be done.

The commission members agreed they would like to leave the requirement as is because of the fire safety consideration.

Seventh on the agenda was any old or unknown business. The next meeting will be December 17, 2007.

The meeting adjourned at 3:30 p.m.

Filed By: Barbara Woodley Date: November 20, 2007