



Mayer Community Center – Council Chambers - 413 Bluejay Avenue, Mayer, MN 55360

**PLANNING COMMISSION
REGULAR MEETING**

**Tuesday
September 3, 2024
6:30 PM**

- 1. Call the meeting to order.**
- 2. Approval of the agenda.**
- 3. Approval of the minutes from the August 6, 2024 Planning Commission meeting.**
- 4. PUBLIC HEARING - Text amendment to amend Title XV: Land Usage, Chapter 152 Zoning, Section 152.003 Definitions, Section 152.090 Outside Storage and Section 152.091 Screening of the municipal code for the City of Mayer.**
- 5. Next Meeting - Tuesday, October 1, 2024.**
- 6. Commissioners Report.**
- 7. Adjournment.**

City of Mayer
Planning Commission
Meeting Minutes
Tuesday, August 6, 2024

Commission Members Present: Chairperson Tom Stifter, Commissioner Les Hahn, Commissioner Michael Sommerfeld, and Commissioner Sarah Strand.

Commission Members Absent: City Council Liaison Nikki McNeilly.

Others Present: Don Wachholz.

Staff Present: City Administrator Nicholas Johnson and Consulting Planner John Anderson of Municipal Development Group.

CALL MEETING TO ORDER.

Meeting called to order at 6:33 PM by Chairperson Tom Stifter.

ADOPT AGENDA.

City Administrator Johnson added item 4b. to the agenda in regards to a discussion regarding two applicants, Dan Levitz and Ryan Kusske to the vacant Planning Commission seats.

A motion to approve the agenda was made by Commissioner Sommerfeld and seconded by Commissioner Strand. Motion carried 4/0.

APPROVAL OF MINUTES.

A motion to approve the July 2, 2024 Planning Commission meeting minutes was made by Commissioner Hahn and seconded by Commissioner Strand. Motion carried 4/0.

DISCUSSION ON PROPOSED STORAGE CONTAINER TEXT AMENDMENT.

Consulting Planner Anderson presented the materials and explained the draft text. He also stated tonight's meeting is for discussion purposes only and if the Planning Commission is ok with the draft text amendment, that staff will prepare a text amendment for the next Planning Commission meeting in September and will hold a public hearing at that time.

Chairperson Stifter asked if staff checked the requirements in other cities.

Planning Consultant Anderson stated he had and that the draft Mayer text was less restrictive than most other cities.

City Administrator Johnson talked about the matching color requirement and that if someone is renting the storage container for a short period of time that it may not be feasible to keep the color the same as the principal structure on the lot.

Planning Consultant Anderson stated that rather than specifying same color that wording like complimentary color could be used and that the colors should be limited to earth tone colors.

Commissioner Sommerfeld stated he is ok with the complimentary color language as discussed.

Planning Consultant Anderson stated that another item that needs discussing is whether storage containers can be allowed in side yards and if so, will they only be allowed in the C/I Commercial/Industrial zoning district.

City Administrator Johnson talked about a future industrial zoning district that does not include commercial type uses and whether or not storage containers should be allowed to be located in the side yards. He also said maybe they should only be allowed in side yards in the rear 50% of the side yard.

Commissioner Sommerfeld asked about the fire department training facility that is made up of three storage containers that are welded together. He stated there has been discussion of enlarging the training facility by stacking storage containers on top of each other and if that would be allowed under the current draft language.

Planning Consultant Anderson stated that in the case of the fire department training facility that if they wanted to stack them, that this may be a case where a variance is needed since this is a unique use of storage containers and they are not technically being used for storage.

Planning Consultant Anderson also discussed certain lots within the City and how the side yard area would work if storage containers were limited to 50% of the side yard.

Commissioner Sommerfeld stated he was ok if storage containers were limited to the rear 50% of the building in the side yards.

Planning Consultant Anderson discussed the number of storage containers per lot and if that number should be different for different districts like the C/I Commercial/Industrial District and C-1 General Commerce District. He also said that there may be a few properties that are currently using more storage containers than what will be allowed and they would be grandfathered in under any new rules.

Commissioner Hahn stated he is fining allowing storage containers anywhere in the side yards as long as they are either screened or used complimentary colors.

Commissioner Strand stated she felt three is the maximum number of storage containers to be allowed on a lot.

Planning Consultant Anderson stated that if larger industrial type lots are platted in the future, the rule could be re-looked at to determine if the number of storage containers allowed should be increased.

Commissioner Hahn said he is not in favor of allowing storage containers in the P/I Public Institutional District.

Commissioner Sommerfeld stated that in regards to allowing storage containers in the side yard that he is ok with allowing them in the rear 50% of the side yard of the lot but no farther forward then the front of the principal structure located on the lot.

DISCUSSION ON PLANNING COMMISSIN APPLICANTS DAN LEBITZ AND RYAN KUSKE.

City Administrator Johnson said there are two applicants for the two vacant Planning Commission seats. They are Dan Lebitz and Ryan Kuske.

It was discussed if an interview was needed and Commissioners Hahn and Sommerfeld stated they were interviewed by the City Council and former City Administrator when they were reinstated on the Planning Commission.

NEXT MEETING.

Next scheduled meeting is Tuesday, September 3, 2024.

COMMISSIONERS REPORT.

None.

ADJOURNMENT.

A motion was made by Commissioner Hahn and seconded by Commissioner Sommerfeld to adjourn the meeting at 7:57 PM. Motion carried 4/0.



APPLICATION DATA

Meeting/Public

Hearing Date: September 3, 2024

Applicant: This is a City of Mayer initiated text amendment.

ACTION REQUESTED

To recommend to the City Council to approve or deny a text amendment adding language regarding storage containers under Title XV: Land Usage, Chapter 152: Zoning, Section 152.003 Definitions, Section 152.090 Outside Storage and Section 152.091 Screening of the municipal code for the City of Mayer.

BACKGROUND DATA

Background: At the July 2, 2024 Planning Commission meeting, the Planning Commission discussed storage containers and how they should be regulated within the City of Mayer. The consensus at that meeting was to amend the zoning ordinance in relation to storage containers and staff was directed to draft language for review at the August 6, 2024 Planning Commission meeting. At that meeting discussion took place regarding the draft language with a few recommendations to be included by the Planning Commission.

The public hearing has now been scheduled and the draft language has been included with this memo for review by the Planning Commission. The underlined text is the new text, the striked-through text is proposed to be deleted and the regular text will remain as is.

Title XV: Land Usage, Chapter 152: Zoning, Section 152.003 Definitions.

STORAGE CONTAINER. Is a container with strength suitable to withstand shipment, storage, and handling. Storage containers consist of large reusable steel boxes used for intermodal shipments and is designed to be moved from one mode of transport to another without unloading and reloading.

Title XV: Land Usage, Chapter 152: Zoning, Section 152.090 Outside Storage.

152.090 OUTSIDE STORAGE.

In all districts, all material and equipment shall be stored within a building or be fully screened (see § 152.091) so as not to be visible from adjoining properties, except in the following instances:

- (A) Construction and landscaping materials, ~~and~~ equipment temporarily being used on the premises and storage containers, as long as they are kept in a manner so as not to create a blighting issue and meet the requirements of this section.
- (B) Agricultural equipment and materials if these are being used or intended for use on the premises.
- (C) Private recreational vehicles, boats and equipment, as long as they are in an operable state.
- (D) Public recreational equipment and facilities.

- (E) Off-street parking facilities except as otherwise herein regulated and except in residential districts where any off-street parking area containing over six spaces may be required to be screened. Auto repair shops shall at no time have in excess of six disabled vehicles on the premises that are not screened from view. A disabled vehicle shall be maintained on the premises for no longer than six months.
- (F) Storage Containers. Storage containers shall be considered outside storage and shall be allowed in the A Agricultural District and C/I Commercial/Industrial District. Storage containers shall not be allowed in any residential districts, the C-1 General Commerce District, the C-2 Central Business District or the P/I Public Institutional District unless being used on a temporary basis for construction purposes or moving, in which case the requirements of this section do not apply. Applications for storage containers shall be submitted to the City to be reviewed for zoning compliance under the following requirements.
- (1) Accessory Use. No storage container shall be considered a principal use and instead shall be considered an accessory use and shall not be located on a lot prior to the construction of a principal structure.
 - (2) Number Allowed. There shall not be more than three (3) storage containers located on a lot.
 - (3) Use. Storage containers shall not be permitted to be rented or leased to third parties for storage purposes and shall only be for used by the owner or occupant of the lot.
 - (4) Dimensions. Storage containers shall not exceed the dimensions of forty feet (40') in length, eight and a half feet (8.5') in width and ten feet (10') in height and shall not be stacked on top of each other.
 - (5) Location. Storage containers shall meet all accessory building setback requirements and shall only be located in the rear yard of the lot or in the side yard of the lot, if the storage container is located in the rear fifty percent (50%) of the lot, but in no case shall the storage container be located further forward than the front of the building.
 - (6) Lot Coverage. Storage containers, unless being used on a temporary basis for construction purposes or moving, shall count towards the lot coverage requirement of the zoning district the storage container is located in.
 - (7) Signs. No signs or lettering shall be permitted on storage containers other than what comes on a storage container as manufactured.
 - (8) Screening. Storage containers shall meet the screening requirements of Section 152.091 Screening of this Chapter unless the owner paints the storage container an earth tone color to compliment the principal structure on the lot. Screening shall be required when the storage container abuts a residential district or public right-of-way.
 - (9) Exterior Appearance. Storage containers shall be maintained in a good condition free from structural damage, rust, deterioration and shall be painted an earth tone color to compliment the principal structure on the lot if the storage container is not screened per Section 152.091 Screening of this Chapter.

Title XV: Land Usage, Chapter 152: Zoning, Section 152.091 Screening.

152.091 SCREENING.

- (A) Outside Storage. The screening of outside storage areas and solar farms required herein shall consist of a solid fence or wall that is on hundred percent (100%) opaque and not less than six

feet or more than eight feet in height. Such a screen wall or fence shall be designed and constructed as to be architecturally harmonious with the principal structure or solar farm and located so as to not extend within twenty-five feet (25') of any street. Landscaping (trees, shrubs, grass and other plantings) shall be on the right-of-way side of any screening or fencing. A screen planting may be substituted for a screen wall or fence or incorporated into a screen wall or fence at the discretion of the Council, provided that any such screen planting shall fulfill the foregoing height and opacity requirements throughout each season of the year within twenty-four (24) months after date of planting, and that no such screen planting shall be located across any existing easements.

(B) *Commercial and Industrial Screening.* All commercial and industrial uses abutting and/or adjacent to a residential district shall be required to provide screening according to this section. All screening shall consist of either a fence or a green belt planting strip as provided for below:

- (1) A green belt planting strip shall consist of evergreen trees and/or deciduous trees and plants and shall be of sufficient width and density to provide an effective visual screen. This planting strip shall be designed to provide complete visual screening to a minimum height of six feet. Earth mounding or berms may be used, but shall not be used to achieve more than three feet of the required screening. The planting plan and type of plantings shall require the approval of the city.
- (2) A screening fence may be incorporated into the green belt planting strip and shall be constructed of masonry, brick, or wood. Such fence shall provide a solid screening effect six feet in height. The design and materials used in constructing a required screening fence shall be subject to the approval of the City.

PLANNING COMMISSION ACTION REQUIRED

After the public hearing is closed and review and discussion by the members of the Planning Commission, a motion is in order to recommend to the City Council to approve or deny the text amendment request.

Possible action items - Text Amendment

1. Recommend approval of the text amendment.
2. Table the text amendment to a date specific, and provide direction on the issues that have been discussed.
3. Recommend denial of the text amendment.
4. Other specific action as directed by the Planning Commission such as continuing the public hearing to the next Planning Commission meeting.

If you have any questions relating to the text amendment prior to the Planning Commission meeting, please feel free to contact me at: jandersonmdg@gmail.com or call my cell phone at 612-598-4987.

Sincerely,

MUNICIPAL DEVELOPMENT GROUP, LLC

John Anderson

John Anderson, Associate
Consulting Planner, City of Mayer

LIST OF ATTACHMENTS

None