

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE PLANNING COMMISSION  
MONDAY, MAY 10, 2010 – 7:30 P.M.

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a regular meeting of the Independence Planning Commission was called to order by Chair Crespo at 7:30 p.m.

2. ROLL CALL.

PRESENT: Chair Crespo, Commissioners, Gardner, Phillips and Triplett.

ABSENT: Commissioner Gardella.

STAFF: Recording Secretary Scipioni, Planner Kaltsas.

VISITORS: Brad Spencer, Jan Gardner, Lynda Franklin.

3. APPROVAL OF APRIL 12, 2010 MEETING MINUTES.

**Motion by Gardner, second by Triplett, to approve the minutes as written. Ayes: Crespo, Gardner, Triplett. Abstention: Phillips. Nays: None. MOTION DECLARED CARRIED.**

4. DISCUSSION AND REVIEW OF PENDING TEXT AMENDMENT TO THE ZONING ORDINANCE PERTAINING TO RURAL VIEW LOTS, NOMIAL LOT SIZE AND MINIMUM LOT SIZE.

Kaltsas stated the City Council directed the Planning Commission to begin the process of updating the Rural View Lot Ordinance. Staff wanted to have a discussion with the Planning Commissioners before a public hearing in order to come back to the Commission with more specific ordinance changes. The City's Comprehensive Plan has been approved by the Metropolitan Council, which means the City Council will soon be approving a final version and then the City will have 9 month to update its ordinances.

Kaltsas discussed Rural View Lot Ordinance. The Comp Plan update specifies that 40-acre parcels in the Agricultural zoning district are eligible for one Rural View Lot, which is a change from the previous requirement of 50 acres. He explained the proposed Ordinance update in the staff report would allow one Rural View Lot eligibility for properties at least 40 acres.

Gardner stated the problem with using 40 acres as a cutoff for eligibility is that many parcels that are considered 40 acre parcels are really slightly less than 40 acres.

Kaltsas stated the proposed change in the staff report adds a specific provision that would include road right-of-way when calculating a property's acreage.

Gardner suggested setting a limit slightly less than 40 acres.

Crespo stated there is a problem with deciding where to put the limit because there will always be some properties that will not be allowed to subdivide.

Phillips asked how often the density transfer option had been used.

Gardner responded that the density transfer option had been used on a property along County Road 90.

Phillips stated he wants to leave the eligibility limit at 40 acres. He noted that whatever the limit is, there will still be properties that do not qualify for a Rural View Lot.

Kaltsas suggested staff should count how many lots there are that are near 40 acres in size.

Gardner suggested creating a provision in the code that would allow the Council to make exception for lots with a nominal 40 acres.

Phillips stated that no one at the Comp Plan public hearings mentioned a problem with the 40-acre minimum.

Triplett asked if the 40 acre minimum was related to the Ag Preserve Program.

Kaltsas responded the Ag Preserve Program required properties not be smaller than 40 acres.

Phillips stated the Commission could discuss the minimum lot size issue at the next meeting after staff had researched parcel sizes in the City.

Crespo asked why Rural View Lots are limited to 10 acres in size.

Phillips stated he did not see why the Rural View Lot size had to be limited to 10 acres.

Kaltsas responded the intent of a Rural View Lot size limitation is to allow for the preservation of larger tracts of agricultural land.

Crespo noted the Rural View Lot size also preserves larger tracts for easier development in the future.

Gardner stated he does not have a problem with leaving the Rural View Lot size limitation at 10 acres.

Crespo noted applicants could apply for a variance if they wanted to have a Rural View Lot larger than 10 acres.

Kaltsas discussed the suggestion in the staff report to clarify the minimum lot size in the Rural Residential zoning district and to make the minimum lot size consistent in the Rural Residential and Agricultural districts. The Planning Commissioners did not have any comments regarding this suggested change.

Kaltsas asked the Commission for its opinion regarding the lot depth-to-width requirement. He noted application of the requirement has been inconsistent and noted that the road frontage requirement already prevents the creation of flag lots. He also asked if the application of the lot depth-to-width ratio should be the same for new subdivisions and a subdivision in an existing neighborhood.

Gardner noted the lot depth-to-width ratio is another tool to help prevent flag lots. He noted that exceptions to the requirement can be made on a case-by-case basis.

Gardner asked if the Council had made a decision about creating different zoning requirements around the lakes where there are smaller lots.

Kaltsas responded the Council indicated it would like to continue dealing with the lot setback issues on a case-by-case basis.

Spencer stated the Council felt it would be easier to handle setback variances for smaller lots on a case-by-case basis because there are so few of them throughout the City. He noted that the lake areas are fully developed and the only time setbacks are an issue is when homes are being torn down or remodeled.

Gardner noted there are many areas in the City that have small lots.

Spencer stated the Council likes to have more control over the setbacks on smaller lots. He noted that the small lots on Lake Sarah are from carving up old resorts with cabins on them.

Kaltsas noted the Planning Commission would be holding a public hearing at its June 14 meeting to listen to comments about the Ordinance updates.

5. OPEN/MISC.

Nothing was added.

6. ADJOURN.

**Motion by Phillips, second by Triplett, to adjourn the Planning Commission meeting at 8:14 p.m. All present voted aye. MOTION DECLARED CARRIED.**

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Respectfully submitted by Christina Scipioni, Recording Secretary