

**Town of Duluth  
Planning Commission  
Meeting Minutes  
September 27, 2018**

The meeting was called to order at 6:33 pm by Vice Chair Wayne Dahlberg.

Present: Wayne Dahlberg, John Schifsky, Jerry Hauge, Larry Zanko, and Liz Strohmayer.

Absent: Jo Thompson and Dave Edblom.

Also present: Sue Lawson, Planning Director and Rolf Carlson, Town Board liaison to the Commission.

Wayne asked that a discussion of the SMU-8/Greenwood Road lot requirements be added to the agenda under Old Business. The agenda was approved with that addition.

The August 23<sup>rd</sup> minutes were approved as presented.

On the subject of the August 23<sup>rd</sup> meeting, but not to be added to those minutes, Beth said that there was a written comment on the Lillo hearing that was not received before the hearing. The comment was from James Ulland. He was strongly opposed to the variance because the property has been an eyesore and Lillo's group hunts on his property without permission.

### **New Business**

Sue said that St Louis County is holding a public hearing on their proposed Comprehensive Land Use Plan on Thursday October 18 in Virginia. The draft plan is on St Louis County's website. You don't have to attend the hearing to comment. Written comments are due by October 16. The previous input the Commission had recommended to the Town Board back in July pertained to the County's request for feedback on the draft goals and objectives for the Comprehensive Land Use Plan.

### **Director's Report**

Sue said that the Town Board finished reviewing the Commission's recommended Ordinance changes and plans to approve them at its next meeting. The Board was very thorough. For the Commercial Use, they decided to delete the east-west part of Lismore Road from Ryan to Bergquist from the area where the use is allowed because the lots in that area are large and density is low, so it seemed appropriate to keep it more rural. There was some concern regarding the definition for Commercial Use and what constituted a commercial use. They reorganized the section on solar energy for clarity.

There may be a variance hearing in October for a road setback on the shore.

### **Old Business**

The Commission picked up the discussion of the evaluation of setback and lot size and width requirements for SMU-8 in the Greenwood Road area. The original impetus for considering changing these requirements was the numerous requests for variances submitted to the Commission from that area due to the narrow lots and small lot

sizes which are a result of platting that was done in mid 1930s. The Commission's hope was to bring the dimensional requirements for that area more in line with what actually exists from that platting.

Sue said that the Commission will begin work on substantially updating the Town's Comprehensive Land Use Plan in January. Does it make sense to wait on this discussion until that is done? She said that the CLUP provides the framework for the Ordinance and guides the Commission in decision-making. In addition, there may be other needed zoning changes that become evident once the CLUP is redone.

When the Commission last worked on the SMU-8 dimensional requirements, they looked at lot data from the standpoint of lot width and lot size. It seemed evident that combining those data would be useful to the decision, but that would require some programming effort, so it has not yet been done. In general, if the minimum lot width was 80 ft, that change would result in 78% compliance. Making it 75 ft would result in 80 to 90% compliance. Lot size is a limiting factor, also. There are about 110 lots that are greater or equal to 20,000 sq ft and about 50 that are less than 20,000 sq ft. Everything is complicated by the fact that some lots in that area are combined, and some remain separate but in common ownership. And even though changing the lot width and size requirements might bring many more lots into compliance, nonconforming structures will still be an issue because of setbacks. For firefighting purposes, it is recommended that there be at least 30 ft between structures. The current side yard setbacks are 20 ft for homes and 10 ft for accessory structures.

Liz said that rural fire departments cannot respond as quickly to fires as urban fire departments, so in rural areas being fire wise is important. One benefit to having stricter side yard setbacks in an area that is as densely built up as Greenwood Road, is that it would prevent people from building closer to existing structures. Sometimes 5 or 10 ft can make a big difference in keeping a fire from spreading.

Wayne said that the lots in that area tend to be very narrow and long. A number of structures are already nonconforming. He said that the most common situation is that a property owner wants to add on to their home and they usually want to add on to the side. So, it makes some sense to him to allow the narrower lot widths and smaller lot sizes, but not change the side yard setbacks. In most instances, a home can be added on to at the back, where there is more room than to the side.

Sue noted that there is currently nothing in the CLUP that addresses how close structures are to one another from a fire safety perspective. If the CLUP addressed that, it could change the way the Town looked at density and variances. There is not much at all in the CLUP regarding public safety.

John said that the last time they had worked on this, they had a lot of the data and were close to doing some analysis and making some recommendations. It wasn't clear to him that a community-wide discussion of the principals behind the CLUP would necessarily lead the Commission to significant changes beyond what they are considering now. He has a lot of faith in the combined experience of the Commission. Having been so close to making a recommendation, would it be wise to make a proposal and see what it looks like?

Jerry agreed. He said he would be curious what the numbers would be to have 80% compliance.

Liz said that she thought, especially because it has been awhile since the Commission had looked at this issue, it made sense to wait for the updated CLUP.

Wayne noted that the Commission looked at the CLUP in 2012.

Sue said that one of the recommendations that came from that review was that the plan should be updated prior to 2020. It will take a year to go through it. If we start on it in January, it would be late 2019 or early 2020 before it was ready to recommend to the Board. A lot of public input will be needed for updating the CLUP. With that coming up in January, she thought that it might be better to not confuse the bigger CLUP planning picture with the more local Greenwood Road neighborhood issues when involving the public.

John agreed that there would be potential for confusion between the efforts.

The Commission agreed that it made more sense to address it after the work on the CLUP.

Wayne said that there are other areas that have similar issues that the Commission may want to address.

Liz asked what the timeline for the CLUP would be.

Sue said that the first 4 or 5 months will be spent looking at what has happened since 2002, similar to what the Commission did in 2012. Then values will be developed on which to base the CLUP.

#### **Concerns from the Audience**

None.

The meeting adjourned at 7:21