

## **Minutes for the Planning Commission Meeting of Thursday, July 10, 2025**

Chair Kleissler called the meeting to order at 7:00 pm.

PRESENT: Address, Derr, Granger, Kelly, Klein, Kleissler, Petty

ABSENT: None

STAFF: Rachel Juba, Community Development Director  
Max Gort, Associate Planner

Pledge of Allegiance.

## **Approval of Minutes for the Planning Commission Meeting of March 27, 2025**

Commissioner Petty made a motion, seconded by Commissioner Klein, to approve the minutes for the Planning Commission meeting of March 27, 2025.

All ayes.

Motion carried.

## **Public Hearing: Minor Subdivision – 8991 130<sup>th</sup> Street North, Barton Guthrie**

Associate Planner Gort presented background on the request for a minor subdivision of property located at 8991 130<sup>th</sup> Street North. The property is currently 39.75 acres, and the request would create two lots that are 29.75 and 10 acres in size. There is an existing single-family home on site, which will remain on the proposed 10-acre parcel. The property is located in the AG zoning district, which has a minimum lot size of 10 acres and a minimum lot width of 300 feet. The proposed parcels will have access via 130<sup>th</sup> Street North, and a potential future subdivision of the larger parcel could create a lot with access onto 126<sup>th</sup> Street North. Washington County Public Health has reviewed the minor subdivision request and confirmed that there are suitable soils to serve both parcels with septic systems. Staff is of the opinion that the request meets requirements in City Code and guidelines outlined in the 2040 Comprehensive Plan. Staff is recommending approval of the requested minor subdivision.

Commissioner Klein asked if the existing home is currently occupied, Gort said yes.

## **Chair Kleissler opened the Public Hearing at 7:05 PM**

No one spoke.

## **Chair Kleissler closed the Public Hearing at 7:05 PM**

Commissioner Petty asked if the City has received any comments by mail relating to the request, Gort said no.

Commissioner Klein made a motion, seconded by Commissioner Petty, to recommend approval of the minor subdivision request, subject to the conditions in the resolution.

All ayes.

Motion carried.

The request will be reviewed by the City Council at their July 21, 2025 meeting.

### **Public Hearing: Ordinance Amendment – Fences**

Associate Planner Gort presented background on the proposed amendments to the fence ordinance. Currently, the fence ordinance requires approval of a Conditional Use Permit (CUP) for fences placed within a drainage and utility easement. Most residential lots in the City have these easements, some of which have public improvements, such as underground utilities, or provide access to a public outlet for maintenance purposes. When a resident is constructing a fence on their property line, they are almost always going to be locating the fence within the easement. Staff has been requiring that residents constructing a fence within an easement request an Encroachment Agreement instead of a CUP, whether or not the easement has any public improvements. The Encroachment Agreement request lengthens the approval process for a fence, and the proposed amendments are intended to streamline the process for residents.

In addition to items relating to placing fences within easements, staff identified a number of items within the ordinance that should be updated to better reflect administrative practices. Staff has drafted text amendments that include the following:

- A statement that any fence placed within an easement may be removed in the event that work needs to be performed within the easement.
- A requirement that any fence placed within an easement where public improvements are located, or access to public improvements is located, must receive administrative approval from the Public Works department, and be recorded at the county.
- Removal of the requirement that a fence receives a permit from the city building official.
- Simplifying the height and setback requirements table to better reflect current zoning districts.

Staff recommended that the Planning Commission hold a public hearing and take all comments, and that the Planning Commission recommend approval of the proposed text amendments to the City Council.

Commissioner Petty asked how residents would know if they need an encroachment agreement, and how the City would be able to correct situations where a fence is constructed without prior approval. Gort said that reducing the number of instances where an encroachment agreement is required makes it easier to notify those who do need one. Community Development Director Juba said that it may not

be possible to catch every instance of a fence being constructed incorrectly, but that staff will notify the public of the changes that will make it easier to approve fences.

Commissioner Kelly asked if the rules regarding easements will apply to landscaping. Gort said that the City will still want to evaluate anything that is placed within an easement, but that landscaping typically isn't as impactful as man-made structures.

Commissioner Derr asked if the homeowner is responsible for costs of replacing a fence that is removed, Gort said that they are. Juba said that in an emergency the City will likely remove the fence, but that typically homeowners will be notified in advance of the City needing to access the easement. Juba said that part of the intent behind the proposed ordinance revisions is to allow residents to be able to utilize more of their yard space.

**Chair Kleissler opened the Public Hearing at 7:21 PM**

No one spoke.

**Chair Kleissler closed the Public Hearing at 7:21 PM**

Commissioner Klein said he felt that the proposed amendments make the process easier for residents and staff, and recognizes that not everyone understands what's on their lot survey when purchasing their property.

Commissioner Klein made a motion, seconded by Commissioner Petty, to recommend approval of the proposed text amendments to the City Council.

All ayes.  
Motion carried.

The text amendments will be reviewed by the City Council at their July 21, 2025 meeting.

**New Business – 165<sup>th</sup> Street AUAR Open House**

Juba said that part of the EDA, Planning Commission, and City Council's goals for 2025 was to review the 165<sup>th</sup> Street corridor. Staff is currently working on an Alternative Urban Areawide Review (AUAR), and the first public open house is scheduled for Wednesday, July 30<sup>th</sup> in the Oneka Room at City Hall. Juba said that the open house will be noticed as a Planning Commission meeting, and that a large attendance from the surrounding area is expected.

**New Business – Citywide Bus Tour**

Juba invited the Planning Commission to attend the citywide Bus Tour on Saturday, October 4<sup>th</sup>. The Planning Commission will receive a formal invitation as details are determined.

**Old Business**

None.

**Adjournment**

Commissioner Klein made a motion, seconded by Commissioner Granger, to adjourn at 7:26 PM.

All ayes.

Motion carried.

Respectfully Submitted,  
Max Gort, Associate Planner