

Trustee Wanggaard called the meeting to order at 4:15 p.m. In attendance were:

Committee Members: Trustee Kevin Wanggaard, Trustee Dave Prott

Department Managers: Village Administrator Tom Christensen, Village Engineer Tony Bunkelman

Also present: Attorney Elaine Ekes

1. Approval of minutes

Trustee Prott moved to approve the minutes as printed from March 6, 2017, Trustee Wanggaard second. Motion carried.

2. Transient Merchant Application/Eric Johnson/The Window Store

Applicant was not present. The clerk denied the original application and the applicant is appealing the decision to the committee.

Prott motioned denial based upon the results of the background check and the applicant not attending. The background check results found criminal convictions reasonably related to the licensing activity proposed in the application. Wanggaard second. Motion carried.

3. Referral from Plan Commission with recommendation to allow pet grooming in the B-1 zoning district regulations

Applicant was not present.

Concept plan was presented to the Plan Commission for a dog grooming business to be located at the corner of Hwy 31 and Tabor Rd. This property is currently zoned B-1 and the nature of the proposed business is a B-2. Classifications were included in the packet. Plan Commission recommended to modify the B-1 zoning district regulations to add Dog Grooming as a permitted use.

Christensen stated that the Village cannot list every possibility that could fit into a B-1 classification. Ekes stated that the zoning staff has generally classified dog grooming and pet related businesses as B-2.

Discussion was held whether adding the use to the B-1 District would be feasible or if a conditional use in this instance would be a better option giving the Village more control on a case-by-case basis when it comes to location, etc.

Prott asked if the building was empty. Ekes stated that the other portion of the building is possibly storing restaurant equipment and that the Health Department would be responsible to regulate the

use next to the proposed business. The grooming business would be located in the front of the building.

Pratt moved to make a recommendation to the board that they instruct an Ordinance be prepared and public hearing to be scheduled to allow as a conditional use in the B-1 zoning district a pet grooming business. Wanggaard second. Motion carried.

4. Discussion Regarding An Ordinance To Amend Section 7-2-6(C) Of The Code Of Ordinances For The Village Of Caledonia Pertaining To Publication Costs For Licenses

The Village Clerk found a decrease in publication fees for liquor licensing publication. Fees were last changed in 2012-13.

Pratt moved to approve and forward to the Village Board, Ordinance 2017-04 for the reduction of publication fees to \$25. Wanggaard seconded. Motion carried.

5. Discussion regarding revisions to platting and certified survey map requirements in Title 14 and revisions required for Title 18 for roads and public improvement requirements due to statutory changes

Ekes stated that the committee discussed changes at the end of 2016 and presented a draft implementing policy changes and technical aspects of Title 14 & Title 18.

Wanggaard asked if the security features in the policies are being changed? Elaine stated no and that the Village increased their security requirements but the legislature has clamped down. Bunkelman stated that one of the ways the Village be stronger is to add sunset dates. For example, instead of requiring the surface course to be added when 95% of the houses are complete in a subdivision, we add a sunset clause that the surface course would need to be placed on the road after a certain time period. Pratt asked if we are working on the road standards and Title 18, can the Village still ask for a bond from the developers for the roads. Bunkelman stated yes.

Ekes stated fundamental changes include treatment of urban in sewerred areas versus rural in unsewerred areas. The decision of the last committee meeting was not to require open space in the urban but still include the requirement in the rural areas at 60%. Changes requested were to eliminate the requirement for a conservation easement and allow restrictive covenants as an option. The Village wanted to be less involved in those pieces.

Ekes stated the changes in most of the draft is taking the word conservation out and refer to the Ordinance generally as a subdivision. Ekes presented the changes being considered.

Discussion was held about density in both the rural and urban areas.

Areas determined to be environmentally sensitive may be included as Common Open Space in a Subdivision but shall not be included in the development yield analysis under Section 14-3-3(b)(2) or in the Net Density calculations in Section 14-3-2(n) unless otherwise included or excluded in those sections. These lands shall be identified as an outlot or other designation that indicates the land is not available for development.

Discussion was held about what would be included on an outlot in a subdivision and upkeep of common areas. Outlots would then be supported and maintained by the owners of the parcels in the subdivision. Requirements on what features were to be included in an open space will depend on if it is in a urban or rural area. These features would be taken out when calculating the development yield for the number of lots in a development.

In an Urban Subdivision, the Base Development Yield shall be established by determining the Net Density using the designated density ranges from the Village's Comprehensive Plan, as amended from time-to-time, and zoning requirements applicable to the Parent Parcel. When a range of lot sizes is provided in the Village's Comprehensive Plan under a land use category, the Village Board may establish the actual size of the lot for purposes of this calculation based on the character and sizes of lots of the surrounding subdivisions. The Plan Commission is a recommending body that will review the concept and make a recommendation to the Village Board. It allows the Board discussion when dealing with Land Use & Density.

Open Space requirements were discussed. 60% for rural, unsewered areas and 0% for urban, sewerred. It was agreed that 60% may be too much. Attorney Ekes will research the minutes from the prior meeting and the Committee will revisit this with the next set of changes.

Bonus Criteria for subdivisions were discussed. Eliminating Bonus Criteria all together would give developers no incentives to make accommodations for neighborhoods. With lowering the Open Space requirement, lots would already be larger. It was agreed that the Committee would look at where Open Space and Bonus Criteria have had short comings in the past and improve the incentives. Bunkelman will provide examples of how Bonus Criteria can affect lots and layouts and present them at the next committee meeting.

Performance standards were changed under the directive of the committee to make the stewardship requirements more simple.

Residential Lot Requirements for the urban subdivisions that are served with public sanitary sewer would be zoned for a Planned Unit Development. It was also discussed that a Rural Subdivision Net Density calculation will be one dwelling unit per 5 acres and for a conservation subdivision to still be clustered on the area that is allowed to be developed upon. Shape of lots were discussed, Flag Lots are not permitted.

The committee agreed to delete the requirement that a rural subdivision shall be adjacent to or within so many feet on a central green space or physical amenity such as a meadow, stand of trees, stream or other body of water.

Fences. Perimeter fences shall be allowed in Urban Subdivisions in accordance to the Village's Code of Ordinances. Perimeter fences shall be allowed on lots within a Rural Conservation Subdivision containing common open space when the proposed perimeter fence complies with the requirements of this subsection. The Subdivider shall record a restrictive covenant that includes filing with the Register of Deeds to provide notice to the prospective property owners. Applicants should apply for a fence permit with the Village, not to exceed 4 feet in height in front side and rear yards and be aesthetically appealing and made of high quality materials. No fences of a chain link variety. Exception would be a privacy fence adjacent to hot tubs and swimming pools. It was agreed upon to change the word privacy to security or safety fence.

It was decided to revisit the Common Open Space Preservation Ranking priorities in the future.

There was a discussion about street lights in subdivisions. The Village covers costs associated with the operation of street lights. The Subdivider is responsible for payment of a street light fee per light which is for the installation and equivalent of the first three years of operation.

Ownership and Maintenance of Open Spaces. Any Common Open Space and/or Common Facilities shall be owned by the lot owners in equal shares and maintained and managed by a homeowners' association as applicable. To the extent there is no association or the association has gone defunct, the owners of the lots in the subdivision or condominiums as applicable shall be collectively liable for maintaining and managing the Common Open Space. Ownership for fees remain with the lot owners to avoid homeowners' associations expiring. This avoids lots and fees on the lots belonging to entities that are no longer operating. If the costs are divided by the lot owners, no tax bill will be generated for that Open Space.

Restrictive Covenants. Common Open Space and/or Common Facilities shall be subject to at a minimum Restrictive Covenants requiring maintenance and management of the Common Open Space by the lot owners. The Restrictive Covenants shall be approved as to form and content by the Village. In no case, shall the Village have the obligation to maintain or manage the Common Open Spaces. In the alternative, the Common Open Spaces and Common Facilities may be subject to a Conservation Easement conveyed to a qualified holder. These are options not a requirement.

Discussion was held about deposits charged to a Subdivider for maintenance and management of the Common Open Space. It was agreed upon to be consistent with other parts of the Ordinance and make the term 3 years.

Ekes will research the background information about the 60-40% rules and email the committee a timeline for changes.

6. Adjournment

There being no further business, Trustee Prott moved to adjourn the meeting at 5:59 p.m. Trustee Wanggaard seconded. Motion carried.

Respectfully submitted,

Sara Spencer
Deputy Village Clerk
Village of Caledonia