

City of Empire Planning Commission Meeting Minutes

September 5, 2023

The City of Empire Planning Commission meeting was called to order by Jared Sachs at 8:00 PM.

Present were: Jared Sachs, Elizabeth Haas, Gina Maunu, Julie Stulz, Jenni Faulkner, Brad Fisher, Charles Seipel-Teng, and Mayor Trent Larson. Commission member Doug Clark was absent.

Public Hearing- The meeting was opened to a public hearing to consider an amendment to the Empire Zoning Ordinance to add provisions for commercial and industrial fencing. The city has not received comment from the public regarding the hearing prior to the meeting.

Jenni Faulkner presented a memo regarding the proposed fencing amendments. In the proposed amendments fencing requirements for residential and agricultural areas will remain the same. Non-residential fencing includes fences in commercial, industrial and mining districts.

A zoning or building permit will be required for non-residential fencing. The Planning Commission recommended a maximum fence height of 9 ft. as barbed wire on top of the fence should be included in the fence height. Chain link and aluminum fences would be permitted. Barbed wire or similar materials are prohibited except in conjunction with a principal use and with a Conditional Use Permit. Privacy fences may be allowed with a Conditional Use Permit.

Mitch Kleist with Northern Natural Gas noted that they are working to expand the facility at the northeast intersection of Highway 3 and 170th Street. He understands the process for the fence requirements but is hopeful that they can get their project completed before winter sets in. He is grateful for the good working relationship that Northern Natural Gas has with the City of Empire.

Julie Stulz made a motion to close the public hearing. Gina Maunu seconded. Motion passed 4-0.

Gina Maunu made a motion to recommend adoption of the proposed zoning ordinance amendments for non-residential fencing, with the recommended maximum fence height at 9 feet. Elizabeth Haas seconded. Motion passed 4-0.

It was reported that a business was interested in purchasing the property at 20735 Chippendale Ave. The property did have a non-conforming use permit in the past, but it has been several years since the property was operated as a business. Because the property has quit operating as a business, it may only be used as a residence.

Jenni Faulkner presented a memo regarding the model mining ordinance that was recently developed by Dakota County. The memo outlined a comparison and highlighted the differences between the City of Empire's mining ordinance and the County's model ordinance. The Planning Commission reviewed the differences and recommended more information on the following differences: can the city charge for road repairs in addition to the gravel tax it collects; should the city consider amending the ordinance to require paved access to the site and dust control for unpaved roads; should the types of haul back materials be outlined in the ordinance?

It was reported that a public meeting regarding the Highway 3 corridor in Empire and Farmington will be held on Tuesday, September 19, from 5 to 7 p.m. at Farmington City Hall. Seipel-Teng noted that he plans to attend and can provide information from that meeting to the Planning Commission.

Discussion was held on future development in the northwest portion of the city. Mayor Larson requested that over the winter, the Planning Commission discuss the possibility of creating an overlay district in that area for smaller residential lots. The Commission discussed future sanitary sewer connections for that area. There is the possibility that the sewer connects to the intercept line that flows south from Lakeville into Farmington. There is also the possibility that the line flow east along 170th Street to the intercept on Biscayne Ave. Additional right-of-way on 170th Street may need to be acquired for this option.

The Planning Commission Meeting adjourned at 9:20 PM.