

**PLANNING & ZONING COMMISSION MEETING MINUTES**  
**September 1, 2009 - 7:00 p.m.**

Chairman Smith called the meeting to order at 7:00 p.m. and called roll. Commission members present: Glenda Miller, Jim Pagles, John Killeen, Terry Smith, Jim Carbonetti and Don Moede. Member Ken Gabrys was absent. Also present were Mayor Nolan, Administrator Nelson and Community Development Director Santeler.

**Planning and Zoning Commission Minutes of August 4, 2009 – Approved**

Moved by Killeen, seconded by Miller to accept the minutes of the Planning and Zoning Commission meeting of August 4, 2009, as presented. All ayes. Motion carried.

**City of Harvard Text Amendment Outside Storage in Manufacturing and Business Districts**

Chairman Smith opened the hearing in the petition of the City of Harvard for a text amendment with respect to Chapter 17 in relation to outside storage in business and manufacturing districts. The Certificate of Publication was noted and entered into the record. Clerk Wells presented into record the signed petition submitted by the petitioner.

City Administrator Dave Nelson was sworn in by Chairman Smith. Administrator Nelson stated that the City received a request from Arrow Industries to store sheets of graphite outside behind the building at which time staff noted a conflict in the zoning code as it relates to outside storage in the Manufacturing District. One section says you cannot have outside storage and another section says that you can. The code currently allows outside storage and a contractor storage yard in the B-3 zoning district, but not in manufacturing districts. Additionally about 80% of the manufacturers in town already have outside storage.

Administrator Nelson reviewed the City's petition for a text amendment:

• **Amend Section 17.36.040 Regulations for Specific Accessory Uses to add the following:**

E. Outdoor Storage as an Accessory Use. Any outside storage, display or sales supplemental to the principal use in Manufacturing or B-3 Use Districts shall be considered an accessory use and shall be based on the following standards:

1. A site plan prepared in accordance with the City's project review standards and guidelines shall be submitted to the Community Development Department prior to construction and shall demonstrate no negative impact on the surrounding properties.
2. Accessory use shall not interfere with on-site pedestrian and vehicular circulation, nor shall it encroach upon or reduce the number of required parking spaces.
3. All outside storage areas in Manufacturing or B-3 Use Districts shall be fenced or otherwise displayed so as to not create a negative impact on the surrounding properties.
4. All activities involving the manufacture, assembly, disassembly, repair, servicing, cleaning and testing of materials, products, vehicles or other goods shall take place solely within an enclosed building.
5. All materials shall be secured so as not to become windblown and all refuse containers shall be screened.
6. All outside storage areas shall be paved with asphalt or concrete, unless the applicant can demonstrate that an alternative surface will not have an adverse impact.
7. Outside storage, display and sales areas, which are accessory to the principal use, shall meet setback requirements for accessory uses in the applicable zoning district.
  - a. In a B-3 Use District, where a principal building is setback well behind the front yard setback line, display may occur between the front of the building and the setback line only if the applicant can demonstrate that there are no adverse impacts.
8. Outdoor storage of bulk materials capable of becoming airborne, including but not limited to, coal, sand, sulfur, etc. is prohibited.

- **Amend Section 17.36.020(A) to read as follows:**  
*Excepting as provided in Section 17.36.040(E)* no accessory building shall be located in a required front yard in any zoning district.
- **Amend Section 17.36.050(A) to read as follows:**  
....., other than manufacturing zoning district lots *or B-3 district lots*, .....
- **Amend Section 17.36.050(B) to read as follows:**  
.....accessory use on any manufacturing zoning district lots *or B-3 district lots*, .....
- **Amend Section 17.24.040 to read as follows:**

**17.24.040 Operations Within Enclosed Buildings**

- A. M-1 Manufacturing District: All activities involving the manufacturing, fabricating, processing, assembling, disassembling, repairing, cleaning, servicing and testing, ~~and storing~~ of materials, products, and goods shall be conducted within completely enclosed buildings.
- B. M-2 Manufacturing District: Within five hundred feet of any residence district, all activities involving the manufacturing, fabricating, processing, assembling, disassembling, repairing cleaning, servicing, and testing ~~and storing~~ of materials, products, and goods shall be within completely enclosed buildings. ~~or if outdoors, effectively screened by a solid wall, uniformly painted solid fence, or chain link fence with dense plantings of trees and shrubs, provided open storage is not of a greater height than that of the enclosed fence or wall. Outdoor storage of uncontained bulk materials capable of becoming airborne such as coal, sand, sulfur, etc., is prohibited.~~

The Commission discussed whether or not to prohibit outside storage in the manufacturing district in any portion of the front yard as opposed to just the required front yard setback.

The Commission further discussed how the text amendment would impact businesses that already have outside storage. Administrator Nelson indicated that businesses that currently have outside storage would be considered legal non-conforming uses. Should the business make any changes or alter their existing business, the City would make them comply at that point with the requirements for outside storage such as fencing and paving.

Chairman Smith closed the public hearing.

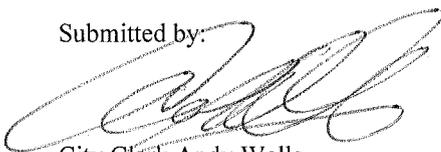
Moved by Carbonetti, seconded by Pagles to recommend to the City Council approval of the City’s petition for text amendments as discussed. Roll call vote: Miller, aye; Pagles, aye; Killeen, aye; Smith, aye; Carbonetti, aye and Moede, aye. Motion approved six to zero.

Clerk’s Report  
No report at this time.

Chairman’s Report  
No report at this time.

At 7:20 p.m., moved by Pagles, seconded by Miller to adjourn the meeting. All ayes. Motion carried.

Submitted by:



City Clerk Andy Wells

Date: 09/02/09