

**Cannon Falls Planning Commission  
Regular Meeting  
City Council Chambers  
September 11, 2023**

**COMMISSIONERS PRESENT:** Chair Steve Gesme, Commissioners Bruce Hemmah and Diane Johnson

**COMMISSIONERS ABSENT:** Commissioner Jay Behnken

**OTHERS PRESENT:** Neal Jensen, City Administrator; Zach Logelin, Permit and License Technician

**1. CALL TO ORDER**

Chair Gesme called the meeting to order at 6:30 p.m.

**2. ROLL CALL**

Roll call was conducted. Chair Gesme and Commissioners Hemmah and Johnson were in attendance.

**3. APPROVAL OF AGENDA**

A motion was made by Johnson, seconded by Hemmah, and unanimously carried to approve the agenda as presented.

**4. APPROVAL OF MINUTES: August 14, 2023**

A motion was made by Hemmah, seconded by Johnson, and unanimously carried to approve the meeting minutes as drafted.

**5. PUBLIC INPUT**

Chair Gesme reviewed the public input procedure.

Greg Kurtz introduced himself as a representative of the Cannon Valley Fair Board. He reviewed a proposal for an electronic sign on the ticket office to let the public know about upcoming activities and events at the Fairgrounds. He reviewed the dimensions of the proposed sign. He stated his opinion that the signage would not be a nuisance to the surrounding area, as there are only two homes in the vicinity, both located more than 300 feet from the front gate of the Fairgrounds. He noted that the sign could be turned off and that the brightness could be adjusted.

City Administrator Jensen stated his understanding that the exemption from zoning ordinances pertains to the use of the Fairgrounds for agricultural and Cannon Valley Fair purposes. He noted that Mr. Kurtz indicated that weddings are being held at the Fairgrounds. Mr. Kurtz stated his understanding that the exemption covers rental of the Fairgrounds. Administrator Jensen suggested further discussion of this matter, as the proposed sign does not comply with the zoning regulations for that district.

Mr. Kurtz provided additional background information and stated that the proposed sign would benefit the Fairgrounds property and the community.

Commissioner Johnson requested clarification of the sign regulations. It was noted that electronic signs are not allowed in the residential zoning district where the Fairgrounds is located. Administrator Jensen suggested researching the zoning exemption and the types of information that could be communicated via the electronic sign, if allowed under an exemption or variance to the sign regulations.

## **6. PUBLIC HEARINGS**

### **A. Leon Endres, Ordinance Text Amendment for City Code 151.112 Relating to Well and Septic Utilities.**

Permit and License Technician Logelin provided background information. He stated that the applicant, Leon Endres on behalf of the Timber Ridge development, is requesting to amend City Code 151.112 to allow for a well and septic system to serve the estate lots located in the southeast corner of the development, which are separated from the main portion of the development. Mr. Logelin stated that the current City Code requires water and sewer lines to be connected to the City's public system.

Chair Gesme opened the Public Hearing for this item at 6:42 p.m. No one spoke during the Public Hearing. Chair Gesme closed the Public Hearing at 6:43 p.m.

### **B. Amending City Code 152.355 Relating to Sponsorship Signage at Parks and Athletic Complexes.**

This item was discussed following discussion of Item 7A.

Permit and License Technician Logelin provided background information. He stated that the City is initiating a City Code amendment to allow sponsorship signage at City parks and City or School District athletic complexes. He noted that the City Code was amended in 2019 to allow sponsorship signage at John Burch Park. He stated that the amendment under discussion would allow sponsorship signage at City parks and at City and School District athletic complexes.

City Administrator Jensen provided additional information relating to sponsorship signage at School District facilities.

Chair Gesme opened the Public Hearing for this item at 6:53 p.m. No one spoke during the Public Hearing. Chair Gesme closed the Public Hearing at 6:54 p.m.

## **7. DISCUSSION ITEMS**

### **A. Resolution 2023-07 Ordinance Text Amendment for City Code 151.112.**

This item was discussed following the Public Hearing relating to this matter (Item 6A).

Commissioner Johnson stated her understanding that the estate lots would be required to hook up to City services when this becomes available, and this was confirmed. Commissioner Hemmah asked whether the City is able to service these lots. City Administrator Jensen described the location of these lots. He discussed the potential timeline and challenges of extending City services to these lots, citing the topography of the area and a utility easement that would be required. Commissioner Hemmah expressed concerns that changing the City Code would potentially allow other properties to utilize well and septic systems. Administrator Jensen suggested potential language revisions to reinforce the requirement to hook up to City services when available. Commissioner Hemmah asked about language specific to this area. Administrator Jensen suggested language that specifies when hook-up to City services would be required, giving the Planning Commission and / or City Council the discretion to determine what is reasonable, based on availability. Examples were discussed. Commissioner Hemmah asked who would determine the standards. Administrator Jensen provided additional information and referenced ordinance language in this regard.

Commissioner Johnson asked about a variance, as opposed to an ordinance change. Administrator Jensen stated that the matter could be tabled until next month, to allow time to gather additional information and address concerns. He indicated that he will ask City Attorney Ryan whether another Public Hearing would be required, noting that this may depend upon whether the proposed ordinance language is significantly changed.

A motion was made by Commissioner Hemmah, seconded by Chair Gesme and unanimously carried, to table this item until the next Planning Commission meeting.

**B. Resolution 2023-08 Ordinance Text Amendment for City Code 152.355.**

This item was discussed following the Public Hearing relating to this matter (Item 6B).

A motion was made by Commissioner Hemmah, seconded by Commissioner Johnson and unanimously carried, to adopt Resolution 2023-08, approving an ordinance text amendment to City Code 152.355, allowing sponsorship signage at City parks and City and School District athletic complexes.

**C. Moratorium Relating to Residential Treatment Facilities.**

Permit and License Technician Logelin stated that City staff requests guidance in terms of licensing requirements or regulations allowing these types of facilities as a conditional use in residential zoning districts. The current moratorium was discussed. City Administrator Jensen provided additional background information and referenced concerns about allowing inpatient residential treatment facilities in residential zoning districts.

Commissioner Johnson asked about the current ordinance language. Administrator Jensen indicated that these types of facilities are currently allowed in a residential area, as are nursing homes.

Commissioner Johnson asked whether the League of Minnesota Cities would be able to offer any guidance in this regard. Administrator Jensen indicated that this question could be researched. He asked Commissioners to provide input in the meantime.

Chair Gesme referenced past discussion of the need for these types of facilities and the areas in which these should be allowed. Commissioner Hemmah discussed issues that have arisen with an existing facility. Administrator Jensen reviewed the Conditional Use Permit process and discussed some of the lessons that have been learned in terms of fencing and security. Law enforcement impacts were discussed. Potential re-use of the former nursing home facility for this purpose was discussed. It was noted that the moratorium will be in place until May of 2024.

Commissioner Johnson commented that there are different types of residential treatment facilities. She suggested considering potential zoning ordinance revisions in terms of standards and enforcement of violations. Administrator Jensen asked Commissioners whether residential treatment centers should be allowed in residential areas at all. Commissioners suggested providing better definitions of the types of facilities.

The condition of the former nursing home building was discussed. Concerns were expressed about safety and security.

## **8. ADJOURN**

Planning Commission membership was discussed. Chair Gesme encouraged interested residents to contact City Hall. It was noted that there are two vacancies on the Planning Commission.

A motion was made by Commissioner Johnson, seconded by Commissioner Hemmah and unanimously carried, to adjourn the meeting. The meeting adjourned at 7:12 p.m.