

**City of Two Rivers
Plan Commission**

**Monday, January 8, 2018
5:30 PM
City Hall Council Chambers**

Minutes

1. Call to Order

The meeting was called to at 5:35 PM by Chairman Buckley.

2. Roll Call

Attendee Name	Title	Status	Arrived
David England	Commissioner	Present	
Greg Buckley	Chairman	Present	
Bill Niquette	Commissioner	Present	
Rick Inman	Commissioner	Present	
Connie Loden	Commissioner	Present	
Jayne Rulseh	Commissioner	Absent	
Jim McDonald	Commissioner	Present	

Also Present: Vicky Berg, Recording Secretary

3. Action Items

A. Consider Zoning Code Text Amendment to allow gardening in street side yards

Current ordinance allows street side yard gardens provided they do not encroach into the minimum required street side yard.

The proposed amendment would allow street side yard gardens to be located at least ten (10) feet from all property lines within the street side yard.

Discussion included:

- Underground utilities (water, sewer, gas, phone, cable, etc) may be located in the street side yard.
- Owners would not have to contact the City prior to creating a street side yard garden because it is proposed as a permitted land use.
- Accessory structures are not permitted in street side yards by ordinance.
- Location and height of fencing shall be in accord with the fence ordinance.
- It appears many corner properties have reasonable rear and/or interior side yards where gardening is currently permitted.
- There will be properties where a street side yard garden will not be possible due to setbacks. Gardens are currently allowed in interior and rear yards.
- A street side yard is adjacent and located within the same setback as the neighbor's front yard. Providing an explanation to the neighbor why a garden is not allowed in their front yard when the corner property is allowed a garden in the street side yard may prove difficult, especially if the corner lot has area available in the interior or rear yard for a garden.

- Vision clearance complaints may be received.
- City ordinance allows flower gardens in front yards. The only difference between flower and produce gardens is consuming the produce.
- Weed complaints would be addressed in accord with the weed ordinance.

Motion to recommend approval of the proposed amendment and forward to Council for public hearing. Upon a roll call vote, motion failed.

RESULT: DENIED [3 TO 3]
MOVER: Rick Inman, Commissioner
SECONDER: David England, Commissioner
AYES: England, Inman, Loden
NAYS: Buckley, Niquette, McDonald
ABSENT: Rulseh

Motion by Commissioner England and seconded by Commissioner Buckley to include the Commission's actions from the October 9, 2017 and this meeting related to front yard and street side yard gardens for discussion on the next City Council Agenda.

After further discussion, it was determined front and street side yard gardens shall be included as a formal item, not only for discussion, on the next City Council Agenda. No action was taken by the Commission.

4. Adjournment

- A. At 6:00 PM motion to adjourn. Upon a voice vote, motion carried.

RESULT: APPROVED [UNANIMOUS]
MOVER: Jim McDonald, Commissioner
SECONDER: David England, Commissioner
AYES: England, Buckley, Niquette, Inman, Loden, McDonald
ABSENT: Rulseh

Vicky Berg, Recording Secretary