

## OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park Planning Commission was held on October 23, 2023, at the City Hall, at 7:00 PM

### 1. CALL TO ORDER

Vice Chair Delfs called the meeting to order at 7:00 PM.

### 2. ROLL CALL

#### MEMBERS PRESENT

Commissioner Rick Cobbs  
Commissioner Eric Julien  
Commissioner Brad Delfs  
Commissioner Sharon Weighous

#### MEMBERS ABSENT

Chairperson Hans Hanson  
Commissioner Kelsey Hollihan

#### STAFF PRESENT

Building Official Jeff Baker, Administrator Daniel Buchholtz

#### OTHERS PRESENT

Lisa Dircks, 773 83<sup>rd</sup> Avenue NE, Spring Lake Park  
Alexandra Rivera Cedno, 7925 6<sup>th</sup> Street NE, Spring Lake Park  
Marcos Muniz, 7925 6<sup>th</sup> Street NE, Spring Lake Park

### 3. PLEDGE OF ALLEGIANCE

### 4. APPROVAL OF MINUTES

#### A. Approval of Minutes – February 27, 2023

Motion made by Commissioner Cobbs, seconded by Commissioner Julien, to approve the minutes from the February 27, 2023 Planning Commission meeting.

Voting Yea: Commissioner Weighous, Commissioner Cobbs, Commissioner Julien, Vice Chairperson Delfs. Motion carried.

### 6. PUBLIC HEARING

#### A. Public Hearing - Conditional Use Permit Applications at 7925 6<sup>th</sup> St NE to Allow a Residential Kennel

Administrator Buchholtz reported the City received an application from Alexandra Rivera Cedeno requesting a Conditional Use Permit (CUP) for her property located at 7925 6<sup>th</sup> Street NE to increase the number of dogs in her single-family home from three to four. He stated that the definition of a Kennel- Private in the ordinance that is triggering the CUP.

Administrator Buchholtz stated that the property is in a residential neighborhood between 80<sup>th</sup> Avenue NE and 79<sup>th</sup> Avenue NE. He said the property is guided Single Family Residential in the 20240 Comprehensive Plan.

Administrator Buchholtz reported that the applicant is requesting a CUP for the housing of one additional dog on the residential parcel. He said that the that the building is a single family 1 story dwelling. The backyard is fenced in, and it is approximately 75 feet by 45 feet. He states that the applicant states there is no effect on others use and enjoyment of other properties. The applicant states no odor and other nuisance.

Administrator Buchholtz said that Chapter 9.12 of the Code of Ordinance requires kennels to be licensed. He stated that this applies to any person who owns more than three dogs over the age of six months. He stated that each individual dog is required to be licensed and registered with the City.

Administrator Buchholtz states that staff recommends that the Planning Commission recommend to the City Council approval of the application for a CUP to allow a Kennel- Private in the R-1 Single Family Residential district with the following conditions:

1. The owner shall keep up-to-date licenses for the Kennel and individual dogs.
2. The owner shall take appropriate steps to clean up the yard at regular intervals through the entire year to eliminate smell for adjacent neighbors.
3. The dogs shall be contained within a fenced yard.
4. All actions necessary shall be taken to reduce incessant dog barking outside.

Vice Chairperson Delfs opened the public hearing at 7:05 PM.

Marcos Muniz, 7925 6<sup>th</sup> Street NE, stated that all of the dogs are fixed and trained. He stated that the yard is fenced in for the dogs and that the dogs spend the majority of the time in the house.

Vice Chairperson Delfs asked if Mr. Muniz if he will be breeding dogs in the future. Mr. Muniz said no.

Commissioner Cobbs inquired if under the Private Kennel License if the applicant could board for profit. Administrator Buchholtz said no, stating that the applicant would need a Commercial Kennel License.

Commissioner Weighous inquired if there was a restriction on the breeds allowed. Administrator Buchholtz stated there is no restriction on dogs but if a dog is determined to be dangerous there are special licensing procedures a resident would need to follow.

Hearing no additional comments, Vice Chairperson Delfs closed the public hearing at 7:08 PM.

Motion made by Commissioner Cobbs, second by Weighous to approve Conditional Use Permit/Dog Kennel at 7925 6<sup>th</sup> Street NE with the following conditions:

1. The owner shall keep up-to-date licenses for the Kennel and individual dogs.
2. The owner shall take appropriate steps to clean up the yard at regular intervals through the entire year to eliminate smell for adjacent neighbors.
3. The dogs shall be contained within a fenced yard.
4. All actions necessary shall be taken to reduce incessant dog barking outside.

Voting Yea: Commissioner Weighous, Commissioner Cobbs, Commissioner Julien, Vice Chairperson Delfs. Motion carried.

## 7. OTHER

### A. Cannabis Discussion

Administrator Buchholtz gave an update on the Legalization of Cannabis. He reported on the City Council's Interim Ordinance. He stated that the City Council's Interim Ordinance does three things:

- The ordinance prohibits various cannabis-related activities, including sale, testing, manufacturing, cultivation, transportation, and distribution within the City.
- The interim ordinance will allow the City time to study the impact of cannabis businesses and products concerning land use and zoning to ensure public health, safety, and welfare.
- The interim ordinance will be effective until January 1, 2025, unless repealed earlier.

Administrator Buchholtz gave an overview of the local control and restrictions. He said that state law limits local control over cannabis; however, the City Council has control over Public Consumption, Business Licenses and Operational Restrictions.

Administrator Buchholtz said that the law permits residents to cultivate up to eight cannabis plants; however, the City has concerns from a code enforcement perspective. He stated that Code Enforcement is concerned with potential fire hazards, mold infestations, strong odors, and theft.

Administrator Buchholtz stated that the State created the Office of Cannabis Management (OCM). The OCM will license the shops, and the City will register them and complete compliance checks on the shops. He stated that once the OCM drafts model ordinances, the staff will review them and present recommendations to the Planning Commission and City Council for potential action.

## **8. ADJOURN**

Motion made by Commissioner Julien to adjourn.

Voting Yea: Commissioner Weighous, Commissioner Cobbs, Commissioner Julien, Vice Chairperson Delfs. Motion carried.

Meeting adjourned at 7:20 PM.