

**Council Meeting
Workshop Minutes
6/19/19 – 6:00 p.m.**

In Attendance: Mayor Dudley, Vice-Mayor Howell, Councilmembers Hauft and Roberts, Manager Campbell and Attorney Mora. Councilmember Troup arrived at 6:09.

Mayor Dudley stated that in the last workshop, which was discussing certain portions of Chapters 54 & 66, concerning parking of vehicles, boats and recreational vehicles. There was a consensus reached on the first 5 action items, although the Council can still have further discussion on these items.

Code Discussion on certain portions of Chapters 54 & 66, concerning parking of vehicles, boats and recreational vehicles.

Recap of last meeting:

Action 1: Clarify Sec. 54-110 - Adding definition for prohibited vehicles and equipment,

Action 2: Modify Sec. 54-113 (b) - Revise code to set limits on truck length and weight, versus basic ¾-ton truck provision

Consensus vehicles that are 23 feet or less and 10,000 pounds or less.

Action 3: Modify Sec. 54-173 (b) - Define restrictions for parking on public right-of-way and clarify grass parking prohibition

Consensus no parking of vehicles on grass, parking on street, but one side only

Fire Department stated there is a minimum 20-foot-wide clearance for emergency vehicles to pass. The Town roads are between 20-23 feet and 28 feet.

Action 4: Add to Sec. 54-173 (e) - "recreation vehicles must be parked on paved surface, perpendicular to main building" - Consensus

Action 5: Modify Sec. 54-174 (4) - Distance that a vehicle can be parked from the back of the curb - Consensus for three feet

Length of the boat, would actually be the total length of the boat, on the trailer with the motors.

Attorney Mora stated if this is an important element in the Council's understanding on how this is to work, then the definition needs to be defined.

Manager Campbell stated that Kenneth City has the front yard set-back of 30 feet, which is the distance from the forward plane of the house to the front lot line.

Councilmember Roberts would like to limit it to 25-30 feet, in order to park 2 vehicles in the driveway.

Vice-Mayor Howell would like 30 feet, as the maximum.

Councilmember Troup and Hauft agree on a 30 feet total package

Open Forum

- Bob Strawhecker, 6382 44th Ave.- driveways are 45 feet long, he has 4 vehicles and 2 boats, of which everything is up on his property. He presented a couple of pictures to the Council, to put it into

perspective. If he parks both trucks back to back it is a total of 42 feet, however the visibility is better around his boat.

- Lonnie Gresley, 6541 44th Ave N – Motorhome is 36-foot long; it has been off the street and in the spot for 25 years. He believes if his RV is off the street it should be allowed to park there.

Attorney Mora received a question about the Grandfather clause. He stated it would be difficult to administer, with many questions. Who creates the registry? What is the official date and cut off time? What evidence will need to be provided? He does not think it would be appropriate in this context. As a legal principle you don't create a rule to exempt one person. The Council is trying to develop a uniform method of enforcement for the Town's code. Attorney Mora advised Council to be mindful of the global approach to Law making, as opposed to the individual approach to law.

Councilmember Roberts stated some neighbors might not like what is parked in their neighbor's yard, but they will not complain to their neighbor. She stated these are ordinances for the future and for the whole Town. The object is to make most of the people happy with what we chose to do.

Mayor Dudley stated the purpose and the justification for this whole code was maintaining property values and what the neighborhoods look like. What residents are looking at on a daily basis.

Attorney Mora stated rather than developing an exception, develop a policy that captures that, for example a recreation vehicle maybe parked in the driveway of a residential property, regardless of its length, so long as it is parked in the driveway and meets within certain confines.

Councilmember Hauft stated it is really what everyone is seeing from their property. He stated a decision needs to be made, that is reasonable acceptable to the Town. He agrees with the 30 feet for a vehicle.

Consensus was for 30 feet total package.

Action 6: Modify Sec. 54-174 (4) - Option (A): vehicle parking/parking pad no closer than 3' from side lot line, bordering garage, Option (B): 1' from side lot line

Vice-Mayor Howell asked the question if a 6 -foot fence would be allowed between neighbors, if the option of a 1-foot setback from the lot line was approved. Maximum driveway width is 20 feet.

These options were derived from listening to the residents, so they could extend their driveway and not go into the front of their house. It is currently a 5-foot setback.

Councilmember Troup – would like it at 3 feet

Councilmember Hauft - would like it 1 foot, as the purpose is to get residents cars off the grass.

Councilmember Roberts – 1 foot, in favor of the flair on both sides of the driveway.

Open Forum

- Jill Frederick, 4331 56th St N.- is on their neighbor's lot line, her water meter is on her driveway, her driveway needs to be replaced, 1 foot would help her
- Erica Johnson, 5669 45th Ave N- her neighbor's driveway butts up to her property line, who's responsible for mowing, edging, broken sprinkler heads
- Bob Strawhecker, 6382 44th Ave.- questioned the public comment procedure. Bob questioned if a neighbor had to signed off on a driveway variance.
- Don Kurant, 6071 50th Ave N- questioned, use of another impervious surface to park on, instead of the grass.

Attorney Mora stated public comment is usually opened once in the discussion of an issue and then closed.

Manager Campbell stated there is an option that includes pervious space for a parking pad, provided it has sufficient border material.

Consensus was for 1 foot, by all Council

Action 7: Modify Sec. 54-174 (6) - Consider eliminating 3' setback from any building/structure, or lot line, within the lot where the vehicle may be parked

Manager Campbell has stated the setback was established for safety reasons.
Vice-Mayor Howell, doesn't think the residents should be told where to park in driveway,

Mayor Dudley is against it, she believes it won't be enforced.

Councilmember Troup and Hautt also agree, it should be eliminated.

Open Forum

Paul Asche, 6412 44th Ave N – against this action, he questioned how the ordinances are going to be enforced, He asked that everyone speak into the microphone, so they can be heard.

Consensus to eliminated the 3-foot set back relative to the residential structure.

Action 5: Modify Sec. 54-174 (4) - Distance that a vehicle can be parked from the back of 3 feet set back to the curb

Attorney Mora wanted a consensus for the setback at the curb, with absence of a sidewalk.

The County has a 6-foot, setback from the curb.

Councilmember Troup agrees on 3-feet.

Councilmember Hautt strongly agrees it should be 3 feet for safety reasons.

Open Forum

- Erica Johnson, 5669 45th Ave – against the 3-foot setback. She doesn't believe it is a problem and doesn't believed it can be enforced.
- Bob Strawhecker, 6382 44th Ave.- believes codes are contradictory, the set back is for safety, but cars can park in the road.
- Linda Williams, 6133 51st Terr N – has 4 vehicles, which are 1 ½ feet from the curb currently, doesn't agree with the three feet.
- Fran Howell, 5931 56th Way- doesn't want anyone getting hurt, she doesn't agree with the 3 feet, it is too much

Vice-Mayor Howell doesn't agree with the 3 feet, he believes it should be eliminated.

Councilmember Roberts believes this should be eliminated.

Consensus to park to the curb.

Action 8: Clarify Sec. 54-176 - Consider reducing the number of recreational vehicles permissible within any driveway to one unit.

Councilmember Troup, Roberts, Hautt agree with 1 recreational vehicle.

Vice-Mayor Howell also agrees.

Open Forum

- Bob Strawhecker, 6382 44th Ave.- believes Kenneth City is a young community and these ordinances would limit people's lives and force them to move out.
- Maureen Boberg - believes that limiting it to 1 recreational vehicle sends the message that we don't want young families moving to Kenneth City
- Fran Howell – wanted the definition of a recreational vehicle clarified. She believes if they comply with the size, there should be able to be more than one.
- Erica Johnson, 5669 45th Ave N – questioned if two recreational are on one trailer, is it considered 1 or 2

The current code is two boats or RV's within the driveway, with sufficient space to park your cars.

Manager Campbell state the current code says you can have a two licensed recreational vehicle in a garage, if that requirement can't be met, it can be put in the back yard, if that requirement can't be met it can be put in the side yard, if that requirement can't be meet it can be put behind the forward plane of your yard, if that requirement can't be met you can put it in your driveway. The two water crafts on one trailer would be considered one.

Attorney Mora stated that recreational vehicles include unmounted boats or other aquatic vehicles, whether motorized or human propelled, which have been removed from a trailer or other vehicle. Section 54.173, sub D of the current code reads recreational vehicles shall not reduce or displace minimum onsite parking, as otherwise required in this code.

When a driveway is designed it is designed to accommodate two motor vehicles, the intent is not to displace your two vehicles.

Mayor Dudley and Councilmember Roberts stated we do allow recreational vehicles, which was not allowed in the past.

Councilmember Hauft, questioned if they can park the recreational vehicles in the back yard, side yard or garage.

The issue is the number of recreational vehicles allowed in front of the forward plane of the house.

Councilmember Troup asked about the Commercial property in unit 12. Would you be able to park a recreation vehicle there? There are curb makers on the grass. Parking for Multifamily could also be clarified.

Manager Campbell stated the building, was built in a time that preexisted the codes. Realistically we can't go in and tell them they have to pave, unless the Council chooses to do that.

Attorney Mora stated the conversation is outside of what you are debating at this moment.

Consensus was to have 1 recreational vehicle

Action 9: Modify Sec. 66-111 (2) & 66-114 - Increase maximum driveway width for single-family residence to 26' (provided ISR requirements are met first)

Currently the Town codes allow a maximum driveway with of 20 feet. Impervious surface ration requirements must be meet, all properties are required to contain all the water they produce.

45% impervious on the entire lot, 55% of the property, as pervious surface, (green space)

It depends on the amount of property already, with an impervious surface, if a parking pad could be constructed.

Councilmember Troup questioned what the distance could be between houses.

Open Forum

- Dan Kurant, questioned whether the front plane of the house to the property line, was the distance that was measured. He questioned if the pad needs to be the length of the driveway.
- Dave Mason, his boat is on concrete blocks, on which the wheels sit and he thinks that is good enough
- Fran Howell, if they are driving over grass to get to the parking pad, that should be fine.

By expanding 1 foot of within the property line, but extend driveway to the street. The goal is to flair the pad into your main driveways, so it makes it easier to back up onto your pad, which can be a stabilized surface, such as crushed shells or rocks with a concrete boarder to prevent creep.

Consensus was given by the Council to widen the driveway to 26 feet, as long as we meet the ISR requirements,

Action 10: Modify Sec. 66-111 (5) - Decrease minimum driveway distance to the property line nearest the garage to ___ feet for single family residences

Parallels, action 6, parking pad within 1 foot of the property line. Focusing on nearest to the garage, eliminating flair on this side.

Action 11: Add to Sec. 66-120 (4) - Define Impervious Surface Ratio (ISR), and define max 45% of front yard impervious or non-vegetated/greenspace

Restating the definition, that is in the code.

Action 12: Add to Sec. 66-39 - (2) Concrete and pervious surface requirements for front yard parking areas adjacent to driveways (i) hard surfaces (ii) loose surfaces

The design of the driveway and parking pad, need to meet certain criteria.

When putting in parking pad, recommending permanence. Asphalt or concrete, need to stabilized paver base, it will last and support the weight of a vehicle.

Consensus is to allow the adding of item 2 on page 10 of the packet.

Action 1 was not clarified, so there are more exhibits that were distributed.

It was not clear on what type of vehicles would be allowed. The Code is generic, ¾ ton vehicle permissible, which is difficult to enforce. There is a need for clarify, on what the Council is looking to regulate, type, length, weight, and function of truck.

Consensus to this point is only restriction of the length to 23 feet.

Councilmember Roberts questioned what does the Council want the neighborhoods to look like.

Vice-Mayor Howell stated he makes his living with his truck.

Attorney Mora stated we need clarity, on what looking to regulate, type, length, weight, utility of a truck. There needs to be objective criteria.

There was concerned about distinguishing the types of trucks.

At present there is not a distinction between the uses of the vehicles.

Open Forum

- Maureen Boberg, she believes we should place a limit on the number of work trucks allowed.
- Fran Howell, 5931 56th Way -questioned if you can you eliminate certain categories of trucks.
- Erica Johnson, commented that the categories of trucks should be separated.

Motion to Approve:

Vice-Mayor Howell

Second:

Councilmember Troup

Motion passed unanimously.

The meeting was adjourned at 9:07 p.m.

Respectfully submitted,
Cindy McCarthy Matson, Town Clerk