

# 11-07 Meeting Minutes: Agricultural Use Requirements and Ordinance Compliance

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Agricultural Use Ordinance Compliance Recreational Use

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## Meeting Information

- Date & Time: 2024-11-07 17:34:51
- Location: Community Room, Auburn Hall 60 Court Street Auburn
- Attendees: Chris Carson, David Bell, David Griswold, Joe Gray, Barbara Mitchell, Philip Savignano, David Trask, and John Cleveland Absent: Amy Dieterich, Planning Staff: John Blais and Natalie Thomsen Member of the Public: Steve Beale.

## Meeting Minutes Notes

### 1. Discussion on agricultural use requirements and related documentation.

- **Approval of Minutes**  
The meeting began with the approval of the minutes, which were emailed out the previous day. The minutes were approved unanimously.
- **Bona Fide Agricultural Use Requirement Checklist**  
Discussion on the draft checklist for bona fide agricultural use requirements. Suggestions included adding a header to clarify farm and home use, and creating a data layer for mapping requirements.
- **Financial Plan Requirement**  
Discussion on whether a financial plan should be required for homesteads. Concerns were raised about the necessity of formal financial documentation.
- **Historic Preservation and Natural Areas**  
Discussion on the inclusion of historic preservation and natural areas in the checklist. It was noted that State agencies do not publicize sensitive information about endangered species or archaeological sites but is available generally upon request.

### Conclusion

1. Minutes approved unanimously.
2. The checklist is considered a draft and will be refined with feedback.

3. No definitive conclusion; reason for financial information was explained.
4. Acknowledged the need for careful handling of sensitive information.

## 2. Land Use and Ordinance Compliance

- **Archaeological and Environmental Concerns**  
Discussion on the impact of construction on archaeological sites and the importance of preserving them.
- **Farming and Land Use Ordinance**  
The conversation focused on the requirements for maintaining a farm and the implications of selling farmland. The ordinance requires continued use as a farm, but exceptions may apply for personal circumstances.
- **Property Transfer and Ordinance Compliance**  
Discussion on how property transfers should comply with existing ordinances, especially regarding farming and recreational use. The need for recorded documents to ensure compliance was highlighted.
- **Recreational Use and Zoning**  
The meeting covered the types of recreational uses allowed in certain zones, including golf courses, sports fields, and campgrounds. The need for clear definitions and zoning compliance was discussed.

### Conclusion

1. Once archaeological layers are disturbed, they cannot be restored, emphasizing the need for careful planning and adherence to regulations.
2. There is a suggestion to make ordinance changes to ensure compliance during property transfers.

## 3. Defining and Regulating Recreational and Residential Use in Agricultural Zones

- **Recreational Use and Business Planning**  
The discussion focused on defining recreational use for businesses like fishing guides and outdoor educational training. The conversation included whether activities like ropes courses and constructing facilities for leisure activities qualify as recreational use.
- **Residential Use in Agricultural Zones**  
A committee member raised the question of individuals wanting to build homes on agricultural land for independent living. The discussion centered on whether this was their sole option and if it was permitted under the ordinance. as an accessory use to the land's primary use.
- **Liability and Insurance for Recreational Activities**  
The discussion covered liability issues for landowners offering recreational activities, distinguishing between free and charged activities, and the need for liability insurance.

- **Inclusion of Various Recreational Activities**

The conversation explored including activities like motocross and horse boarding in recreational use definitions, considering the need for business plans and facilities.

#### **Conclusion**

1. Recreational use should involve outdoor activities with physical facilities.
2. Residences must be subordinate to the primary recreational use of the land.
3. State law dictates liability requirements; due diligence is necessary for those offering activities.
4. Activities must align with recreational use and may require business plans.

### **4. Defining and establishing criteria for bona fide recreational use and related requirements.**

- **Defining Bona Fide Recreational Use**

The discussion focused on defining what constitutes bona fide recreational use, considering factors like seasonality, infrastructure, and business plans. The group debated whether examples or definitions should guide this determination.

- **Parking Requirements**

The meeting addressed the need for parking in recreational areas, discussing whether there should be specific requirements based on the scale of the business.

- **Business Plan Requirement**

The need for a business plan for recreational activities was discussed.

- **Checklist for Recreational Activities**

The group discussed creating a checklist for recreational activities to ensure they meet the bona fide criteria, similar to the agricultural checklist.

#### **Conclusion**

1. The group agreed that bona fide recreational use may include various activities but is not limited to them, and a checklist should be developed to help define it.
2. It was noted that while there is no specific ordinance requiring parking spaces, it is reasonable to include parking considerations in the checklist.
3. The consensus was that a business plan is necessary to demonstrate the sustainability of the recreational activity.
4. A checklist will be developed for recreational activities, using existing guidelines and adapting them as necessary.

### **5. Planning and scheduling meetings to finalize reports and checklists for city council, with discussions on natural resources and agricultural operations.**

- **Meeting Scheduling**

The group discussed scheduling meetings to finalize the natural resources

checklist and other topics. They considered dates in November and December, ultimately deciding on November 13th, 21st, and December 5th, with flexibility for those who cannot attend all meetings.

- **Natural Resources Checklist**

The group aims to finalize the natural resources checklist for the city council. They discussed the need for a comprehensive review and input from the group before presenting it to the council.

- **Agricultural and Farming Plans**

Discussion if small-scale, family farming operations that may not generate a profit but are sustainable could meet the requirements of the ordinance. A marketing plan for such operations may not be necessary.

- **Natural Resource Operations**

Discussion on the limited natural resource opportunities in the AGRP zone for the development of a natural resource operation.

### Conclusion

1. Meetings scheduled for November 13th, 21st, and December 5th.

## Next Arrangements

Create a recreation checklist for the next meeting.

Review the natural resources draft document provided by John Cleveland in preparation for the next meeting.

Meetings scheduled for November 13th at 4:30 PM, November 21st, and December 5th at 5:30 PM.

### Staff Suggestion

1. Clarification is needed on the financial documentation requirements for homesteads to ensure compliance with ordinance requirements
2. Further discussion is required on the ordinance changes necessary to ensure compliance during property transfers, as well as developing a clear process for recording documents related to land use compliance.
3. There is a need for final review of the bona fide agricultural, recreational and natural resource use requirement checklists based on feedback, to ensure it meets all necessary criteria.
4. Finalizing the natural resources checklist requires further discussion and input from the group to ensure all necessary elements are included and agreed upon.