

**CITY OF PARK RAPIDS  
REGULAR MEETING  
PLANNING COMMISSION  
JUNE 14, 2021, 5:00 p.m.  
Park Rapids City Hall, 212 Second Street West  
Park Rapids, Minnesota**

**1. CALL TO ORDER:** The June 14, 2021, Regular Meeting of the Park Rapids Planning Commission was called to order at 5:00 p.m. by Chair Swanson.

**2. ROLL CALL:** Present: Commissioners, Nancy Newman, Scott Hocking and Robb Swanson. Absent: Bruce Johnson and City Council Member Liz Stone. Staff Present: City Administrator Angel Weasner, City Planner Ben Oleson and Planning/Administrative Assistant Carmen L. Lockhart. Others present: None.

**3. APPROVAL OF AGENDA:** A motion was made by Newman, seconded by Hocking, and unanimously carried to approve the agenda as presented.

**4. APPROVAL OF MINUTES OF MAY 18, 2021:** A motion was made by Hocking, seconded by Newman, and unanimously carried to approve the May 18, 2021 Minutes as presented.

**5. INFORMATIONAL/DISCUSSION:**

**5A. Shouse Regulations:** Oleson explained he mentioned last month that we are seeing more and more of these in the communities that I work in and you agreed you are starting to see them too. There is a wide range of how they can look. Some look like farm sheds and have very few windows if any and others can look pretty nice and similar to a house in a lot of ways. The question right now is there is no mention of these in the ordinance and two basic approaches that I laid out are:

A. Treat them like any other house and attached garage and the regulations that apply to those would apply to these which means we would be allowing for them.

B. Or we can regulate them in some different way than traditional homes and attached garages. Some of the regulations I've seen have been the shed portion can't be any larger than the house in terms of square footage and height. You can require eaves on the roof edge. You can address certain design elements like if it has to have some kind of a decorative feature on the bottom like a wainscoting kind of thing or something.

There are a number of things you could do with them if you wanted to regulate them differently. Usually the debate on these comes down to whether there is enough differences between that and other homes and attached garages that also can be built in kind of strange ways and not the most attractive so whether they deserve to be treated differently or not.

Oleson stated the third approach would be kind of an offshoot of the first one which is to treat them the same as other buildings but maybe to adopt new regulations

that will apply to those buildings as well as new ones so you're treating them the same whether it is a shouse or not but they are going to have to meet standards like the maximum size of the accessory building or shed portion and the maximum height.

Oleson asked the commission for some direction and discussion regarding how we want to proceed and move forward with this.

Hocking said from his standpoint of being new, are there any regulations currently with the size of garages compared to the size of houses that we have written right now?

Weasner commented there is a percentage for accessory structures. Oleson advised the section on accessory uses says the maximum size is based on the lot and building comparison so for every 10 sq. ft. of lot area you can have 1 sq. ft. of building area. That's for an accessory building and it's only in residential districts so if it is an attached garage so to speak I don't know that we're necessarily going to have that same requirement. If it is for a multi-family dwelling an accessory building can't be more than 3,000 sq. ft. unless it gets a conditional use and if it is an attached garage then it just has to be made to meet the building code.

Swanson stated he is of the mindset and thought of looking at our Comprehensive Plan and even addressing the future Comprehensive Plan thinking what is our city going to look like? I think we absolutely should have regulations and restrictions on this because I would hate to see our city look, nothing against Foltz Building, but I wouldn't want that to be the look of our town and when you look at Nisswa or certain other cities, they will make commercial buildings follow a certain appearance theme, not that we need to get to that point but I think that there should be some things that we maybe set another meeting for to really dial in and do some more research and discuss what should we add to shouse regulations.

Newman and Hocking agreed. There was further discussion regarding the following:

- The look of big commercial garage doors on sheds with a tiny house;
- Size of the buildings;
- Nothing to distinguish the living space from the storage space;
- Look at what other cities are doing;
- Pole shed verses stick built;

Lockhart asked do you want to put a moratorium on anyone building them until we get to the point of having an ordinance in place?

Swanson said he would definitely entertain a motion to do that. Oleson and Weasner said they believe we can institute that because we are going to be addressing the issue.

Hocking said he would make a motion to make a moratorium for that until we get time to sit down and discuss it and get a plan set forth. Let's stop it up front before it gets to that point. I would agree with you one hundred percent.

Oleson said I think we can do this between now and the City Council meeting when they would adopt it but define what we mean by shouse which is a definition and if you are comfortable with us coming up with a definition as staff? Swanson said yes I would trust staff to research it and come up with a definition and whether we need a

motion or not to set a moratorium.

Weasner advised you will make a recommendation to the City Council so they can approve it.

**A motion was made by Hocking, seconded by Newman and unanimously carried to recommend to the City Council to approve a moratorium in effect on any new shouse (shed/house) construction until we have definitions and regulations in place for all residential districts.**

**5B. Status of Proposed Matrix:** Oleson said he did some reading of the minutes to understand the history of this. It seems to me that part of this was just trying to reformat existing ordinances to make them easier to read and understand and to follow. But then, in addition to that, you were filling out the blank spots within this chart which was how to handle things in different districts. I've done that same thing with communities when they say they would rather have a table format and then you find that there are holes and gaps in the chart and then okay how are we going to fill these in and you go through that process of doing that. You spent a lot of time doing this, it sounds like mostly in 2019 and then kind of stopped in January of 2020 and didn't really come back to it ever and why was that? There was discussion concerning Covid and not meeting publicly.

Oleson said more recently there's been some concern on Weasner's part about the mechanics of adopting all this and the publication costs and that's really expensive and not in the budget. Weasner said even on the back page, almost everything is yellow is representing changes. Oleson said part of the cost is publishing the changes in the newspaper and reprinting all the code books. We are looking into whether publishing summaries is an option and on top of that there is concern about if we change this, is it affecting other parts of the ordinance that we haven't realized yet and haven't discussed yet and that would take some time to make sure we're not creating a conflict that we didn't have before.

There was further discussion regarding:

- History of what was trying to be accomplished;
- What a potential new planner would like as a format;
- Completely abandoning the matrix;
- Beneficial use for staff when explaining things quicker;
- If there is a value of the matrix format as just a tool;
- All the changes made from existing ordinance;
- Discussion on the status of the project list items as a to do list;
- Adding IUP's to the existing ordinance and assigning them in the matrix format;

Swanson stated he would like to look into the costs of continuing with the land use matrix and I think with having to add interim use permits, which I do think we should, is having a separation between property owner being permitted or the property itself being permitted. I think that is going to require a lot of ordinance writing and changing and I would like to know what the cost options are? Having just even digital available on line and one printed. Weasner advised it will have to be printed in the paper no matter what, that's the requirement but every employee would need their code book updated and it can go on line. Oleson said so you work with your codifier and you have to pay them to put it all back in and it costs money and that's going to come in no matter what changes we make? Weasner said but if we do one or two at a time.

Oleson said if you can limit it to one section it's not a big deal but when you're touching every part of the ordinance that's what your concern is and now we're codifying everything all over again and it's a whole re-organization of stuff. In my mind you just want to make sure that you've decided it's worth it and give yourself enough time and budget to figure that out.

Swenson said I certainly want to be fiscally responsible with it. Weasner said okay, I will pull together the numbers.

**5C. Lot Coverage:** Oleson asked the Chair to discuss 5C & 5D before 5B because those discussions may have impact on 5B.

Oleson stated 5C and 5D are two issues that since he started as Planner that Weasner and I have had a number of discussions on these things and trying to figure out in terms of past practice. I have attached the sections of the ordinance there. The first one has to do with the definition of lot coverage percentage. My understanding is that the past practice has been throughout the city, shoreland or nonshoreland we treat that as all hard surface coverage on the lot. Lockhart said that's the way I believe the planners have done it but maybe different planners have interpreted it differently but I don't know that. Oleson said right, so it's maybe varied over the years. When I looked at that definition just because and I made a point to look at it because I've dealt with this same question in another community just recently. It seems to be pretty clear that it's saying it's only the buildings on the lot in nonshoreland areas that count. Not the driveways and the sidewalks and the decks and all that kind of stuff. In the shoreland areas it seems pretty clear that everything counts towards that limit. So for instance in the R-1 District we have a 30% limit for maximum lot coverage. My question is should I only be counting buildings in the nonshoreland areas of the city based on this definition?

Swanson said right because the definition kind of reads that in the city nonshoreland it's the exterior perimeter of the building, including the porches, decks, breezeways, but not driveways. Swanson said but a paver patio that doesn't have walls would not be? Oleson said right, that's how I would read that. Oleson said the secondary question is going to be if we agree that I'm only supposed to count buildings is that what we want? Or do we want to limit the same in shoreland and nonshoreland where it's the driveways and the sidewalks and everything too.

Swanson said thinking about our last months meeting, if we lost all greenspace and just put parking lots in R-B-, R-1 and R-2's because the impervious surface doesn't matter, that doesn't make much sense to me. I would think it would be the structure plus the parking, driveways, etc. Oleson said right. Swanson said the goal is to make sure we've got the greenspace and the permeable surface still available for water. Oleson said in the older parts of town I would image you would have a lot of variances and maybe you've had a lot of variances? Lockhart said she doesn't recall a lot of variances for that. Oleson said that to me that means people are just doing it and we don't know about it or are sticking to the 30% because the planners over the years have told them they have to stick to 30% and they just do. In another community where this was coming up, they have a lot of applications for variances to the same 30% limit and they have the same definition that reads it's only supposed to be buildings but they've always interpreted it as everything.

There was further discussions regarding:

- Having many variance requests for the %;
- Some ordinances have a limit for buildings plus an overall % limit;
- Noncompliant properties;
- Different % for commercial and residential;
- How to proceed;

The commissioners agreed that until the definition is rewritten or we come up with percentages, we have to stick to how it is written now. Hocking said to consider cause and effect of making nonconforming lots. It was agreed to consider percentages in the future so we don't end up with concrete jungles and that most property owners don't want their entire yard to be driveway and want some greenspace. Oleson suggested keeping 30% for buildings for consistency and then say 40% or 50% is the maximum. Oleson said he could talk with Burlingame about any drainage problems in the city. Oleson said that gives him some direction for now.

**5D. Parking Requirements:** Oleson said this is an interpretation question and we talked about this last month with the parking. Oleson said it excepts the B-2 District from the requirements so that's the first question. Do we all agree that B-2 has no minimum parking off street standards? Swanson said that's the way it reads.

Oleson said the secondary question is it seems to arguably say only for structures and buildings erected after the effective date of this chapter have to meet the following requirements. Arguably, and this could go either way and I'm not saying it should be interpreted this way but I think there is an argument to be made that none of the rest of this section applies to buildings that were built at the time this rule was put in place.

There was further discussion regarding:

- When the regulation was put in place;
- When the building was built;
- When the use changes and requires more parking;
- Business owners taking parking challenges into account when locating a business in that location;
- Existing ordinance standards and meeting 50% of that or it will require a CUP;
- Encouraging businesses to open;
- Requirements for additions to preexisting buildings;
- Staff approval with percentages;

Oleson said that's where I think you can have that kind of safety valve, well you've got to at least meet, to have me just approve it, you've got to have at least 50% or 25% or whatever it is of the normal requirement and if you can meet that great, and if you can't then we're going to have you go through the CUP process. Swanson reiterated so instead of just staff approved, setting something? Oleson said right, that will give you an opportunity to say hey this is just too much, too big of a change and you're way too short on parking.

The consensus of the commission is to have Oleson restructure the verbiage to put a 50% excess requires a Conditional Use Permit for pre-existing structures.

**OTHER DISCUSSION:** Newman asked about follow up on pending projects like Ferrellgas and Beaudry Oil regarding landscaping, trees and fencing? Oleson said he will review them.

**6. ADJOURNMENT:** A motion was made by Hocking, seconded by Newman, and unanimously carried to adjourn the meeting at 6:00 p.m.

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Chair Robb Swanson

ATTEST:

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Carmen L. Lockhart  
Planning/Administrative Assistant