

**CITY OF PARK RAPIDS**  
**REGULAR MEETING**  
**PLANNING COMMISSION**  
**APRIL 22, 2019, 6:00 p.m.**  
**Park Rapids City Hall, 212 Second Street West**  
**Park Rapids, Minnesota**

**1. CALL TO ORDER:** The April 22, 2019, Regular Meeting of the Park Rapids Planning Commission was called to order at 6:00 p.m. by Chair Bradow.

**2. ROLL CALL:** Present: Commissioners Dick Bradow, Nancy Newman and City Council Member Liz Stone. Absent: Bruce Johnson and Thomas Petschl. Staff Present: City Planner Andrew Mack and Planning/Administrative Assistant Carmen L. Lockhart. Others Present: Tanya Boyer.

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

**4. APPROVAL OF PLANNING COMMISSION MINUTES OF MARCH 25, 2019:**  
A motion was made by Stone, seconded by Bradow and unanimously carried to approve the March 25, 2019 Special Meeting Minutes as presented.

**4A. APPROVAL OF PLANNING COMMISSION/CITY COUNCIL JOINT WORK SESSION MINUTES OF APRIL 9, 2019:** A motion was made by Newman, seconded by Stone and unanimously carried to approve the April 9, 2019 Planning Commission/City County Joint Work Session Minutes as presented.

**5. GENERAL BUSINESS:** None.

**6. INFORMATIONAL/DISCUSSION:**

**6A. Zoning Ordinance Updates:** Mack provided an updated project list dated 4-22-19 stating the status of the 18 items.

1. Zoning Table Matrix: Mack provided a draft listing the uses for the zoning districts but it has not been populated with the appropriate zoning district. Mack indicated he added an Interim Use column and will be preparing language for that as well as preparing Findings of Fact pursuant to State Statute. There was discussion about the format of the matrix, clarifying titles and cross-referencing definitions, and populating the matrix with the existing uses for review by the commission at the May meeting. There was further discussion on the purpose of interim uses.

2. Multi-Family Density CUP vs. Permitted by Right: Not started yet.

3. Business District Height: There was discussion concerning the fire department's ability to fight fires effectively with the existing equipment. The Fire Chief is researching this issue but had advised the height of the ladder reaches 100 ft. which is a straight up extension but you have to have it at an angle when fighting a fire. There was also

discussion concerning fire suppression systems in buildings. Mack mentioned the height of buildings in the shoreland overlay. Lockhart stated on page 61 the height of structures -no building shall exceed 25 ft. in height in shoreland areas. There was discussion on how the height of the building is calculated and what our ordinance uses which is on page 18 of the definitions in the zoning ordinance.

4. Interim Uses vs. CUP's: Not started but should be ready for May meeting.

5. Non-Conforming Lots of Record: Mack said he knows this body is not a fan of variances. Mack said in his opinion, this is probably a good place to use variances, where you have substandard nonconforming lots of record. Mack suggested a percentage threshold be considered of either 70% or 66% of the minimum requirement that allows the lot width and size within that percentage of the minimum requirement. If they have that percentage or higher they can apply for a building permit without a variance and if lower than that percentage then it should not be permitted without a variance process. There was further discussion by the commission concerning 50 ft. lots and taking them out of nonconformity, setbacks, fire separation, location of substandard lots within the city, shoreland lots, and the existing code on Page 71 – Substandard Lots of Record.

Bradow stated he doesn't want to increase variances. Bradow asked why do you want to add percentages, what would that do? Mack responded to afford greater protection to the neighboring properties and to allow an opportunity for those neighbors to provide their input and concerns and express it to a body that's charged with a variance decision. Mack said if you don't want to increase variances, then you wouldn't take that approach, but that would be my recommendation. Bradow asked to take that approach? Mack said yes. Bradow stated he would have to think about that and he doesn't want to increase variances, that is my position. Stone asked what would that do for neighborhoods? Mack said it would give greater scrutiny over them and the magic of the threshold percentage is a degree of reasonableness. There was further discussion regarding setbacks and greater control with thresholds. Mack stated he hasn't done any work on this yet. Mack stated he will bring this to the May meeting.

Lockhart reminded everyone the May meeting is on the 20<sup>th</sup> due to the Memorial Day Holiday. Newman stated she will not be available on May 20<sup>th</sup>.

Mack introduced Tanya Boyer who was in the audience and is up for appointment to the Planning Commission at the April 24<sup>th</sup> City Council meeting. Stone advised she is communicating with Rob Swanson to become a Planning Commissioner.

6. Sidewalk Requirements: Low priority. Mack said what is interesting about this is it's not just a code requirement as there is policy involved too. Mack said he spent time talking to the transportation person from the HRDC regarding sidewalks, trails, complete streets, active living and policy for requiring and paying for sidewalks. Mack suggested it be addressed through the Comprehensive Plan Update.

7. Parkland Dedication: Not started.

8. Vacation Rentals vs. B&B's: Mack stated he provided a first draft of Short Term Vacation Rental in the packet. Mack said Red Bridge Inn did obtain a CUP but hasn't provided state inspection reports to the city.

Mack said his greatest concern is the short-term rentals are not inspected. Mack stated reasonable life safety things are not unreasonable things for the city to regulate. Mack recommended defining the use as a rental so it triggers a requirement for a short-term vacation rental to register with the city as a rental and have it inspected like every other rental property. There was discussion regarding the following:

- existing units and inspections
- clarifying the definition
- whether it should be an interim use and processed through the Planning Commission
- previously proposed legislature that didn't pass
- cities being more stringent
- complaints and revocations
- what other cities require
- regulation of density and concentration of vacation rentals in areas and impacting neighborhoods
- tourism
- parking restrictions for vehicles and boats, etc.
- enforcement issues
- county regulations
- rental contracts between owner and renter
- city attorney legal review of proposed language

Mack said he would bring this back to the May meeting.

9. C-1 Minimum Lot Size Requirements: Low priority. Not started.

10. Small Cell Wireless Requirements: Public ROW adopted by CC 1-22-19. Mack said the training he attended at League of Minnesota Cities on April 11<sup>th</sup> was interesting. He learned what the league is doing in terms of helping communities get ready for this eventual new technology that is coming. Mack suggested regulating private use and we can probably adopt the same policy by reference for how the appearance of these should be. Mack didn't think these should be a CUP, but we're not ready for a final ruling on this right now. We now have controls in place. The question is whether they are too stringent or not for more extensive deployment of 5G technology? Mack said at the training he found it interesting that even if it is not on the city's equipment, we would not be required to put together a lease agreement for mutual use of the city's equipment for the cell providers equipment. We can still issue a right of way permit and continue to regulate the aesthetics. We could have a restriction on spacing or co-locating so we're not having every light pole used by different providers. Bradow said he doesn't think this is an issue for at least the next six to nine months so we can push this item backwards.

11. Solar Requirements CUP vs. Small Units Permitted by Right: Not started. Low priority.

12. Strengthened Rental Housing Requirements: May 14<sup>th</sup> work session with City Council & Building Official scheduled for 5 p.m. Mack said he will recommend adopting the International Property Maintenance Code. The building official went to training for a week earlier this year through the state and he feels strongly this will help us. There was discussion concerning whether the PC needs to be involved. Bradow said he is willing to concede that if the City Council doesn't need our recommendation let's not take up our time.

13. New Commercial Zoning District: Low priority. Mack said he is advocating this but it is tied to the Comprehensive Plan Update.

14. Craft Brewery Land Use & Licensing Requirements: High Priority. Mack advised a craft brewer applied to amend the code. Mack stated he drafted the ordinance and it will go directly to the City Council after review by the City Clerk and City Attorney.

15. Definitions: Mack said we may have more definitions to add to further define some of the land uses in the matrix.

16. Land Divisions: Low Priority. Nothing started.

17. Urban Agriculture/Livestock: High Priority. Mack recommended forming a PC subcommittee to work on this topic with some citizen interest. There was discussion concerning previous discussions with the former planner and City Council, community interest, not allowing roosters, number of allowed chickens, coop size, setbacks, MPCA regulations, permitting process, nuisance complaints and enforcement, walking chickens, revocation procedures, and the number of people on committee. Boyer and Stone agreed to serve on the subcommittee. Mack will let the paper know a subcommittee will be formed. Boyer said she knows of four households that want to have chickens. The commission agreed no other animals would be allowed other than stated in city ordinance for Agricultural Zone.

18. CUP & Variance Expirations: High to Medium Priority. Not started yet. Mack said he doesn't want CUPs sitting out there for a project that isn't going to happen. Mack will draft some language for the code for CUP, IUP and Variances for the June meeting. Mack stated he wants to incorporate as many items on public hearing notices in order to save on publication costs.

**OTHER DISCUSSION:** Mack advised Johanneck withdrew his CUP application for seven storage units which the PC approved at the last meeting.

**7. ADJOURNMENT:** A motion was made by Stone, seconded by Bradow, and unanimously carried to adjourn the meeting at 7:33 p.m.

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Chair Richard Bradow

ATTEST:

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Carmen L. Lockhart  
Planning/Administrative Assistant