

**CITY OF PARK RAPIDS
SPECIAL MEETING
PLANNING COMMISSION
DECEMBER 16, 2019, 6:00 p.m.
Park Rapids City Hall, 212 Second Street West
Park Rapids, Minnesota**

1. CALL TO ORDER: The December 16, 2019, Special 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, Robb Swanson and City Council Member Liz Stone. Absent: Bruce Johnson and Planning/Administrative Assistant Carmen L. Lockhart. Staff Present: City Planner Andrew Mack. Others Present: None.

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

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

5. PUBLIC HEARING:

5A. Zoning Ordinance Amendment to Section 151.243 adding new Language for Conditional Use Permits; adding a new provision for Approval of Interim Use Permits, including standards and criteria to use in consideration of evaluating both types of requests; and also amending Section 151.003 by adding several new Definitions:

Mack explained after city attorney review, there were a number of legal changes made and some of it just made the ordinance fit better in the existing code and other parts were tightened up some of the language per the city attorney. We've previously been through this and per the city attorney need to proceed with another public hearing and it should be adopted by the end of January, 2020. We are working on updating applications for major and minor amendments. If the criteria is not met, a full public hearing process would be necessary. New fees will be applied in the future. Mack stated he recommended approval.

Bradow asked about changes made for the ADU and we didn't really touch on those a lot. Mack said the ADU is just putting something in for what we already have in the matrix and the attorney said we can wait for the ADU definition, because when the city opted out it was for the temporary health care facilities for residences. We didn't opt out of ADUs and we didn't have it defined yet but we do have it in the matrix. We can revisit that discussion. Basically, in the matrix it's in the residential section and we don't want them anywhere in town and still want to stay opted out of them because I think

there are a lot of similarities. ADU is more of a permanent defined thing and you might also call it a guest house for a lakehome and I think we make some provision there. For ADU on the matrix we are looking at allowing them by IUP in an AG, actually we didn't get to it yet, it's under accessory uses, page 8 tonight's packet page 26. I just didn't take that out with the other ones and the attorney and I went around a little on this but he said he thought it was fine to leave in since we are coming right behind it here pretty quick with a new permitted use.

Bradow asked did we not have a definition for accessory dwelling? Mack said no. Bradow asked we never had a definition for that? Mack said no, we may have had it for an accessory structure and there is a term for an accessory use, but nothing for accessory dwelling unit which is an actual state statutory definition.

Bradow asked what kind of changes to that shoreland review criteria? Mack asked what page. Bradow said page 12 of the packet. Mack said this is already in our CUP section so this language is just basically leaving this in here. What I did was a delete all and I just replaced everything and the attorney says, no, no you don't want to do that so she left everything in there that wasn't changing and just put the changes in, that's the formatting part I'm talking about with the attorney's office. Really the only changes are that we are adding in the term IUP as a part of shoreland review so we could still do an IUP in the shoreland district. Some of the additional criteria having to do with the utility availability, that's new language from my original draft that fit in this section.

The Public Hearing was opened at 6:10 p.m. No comments.

The Public Hearing was closed at 6:10 p.m.

The Findings of Facts were reviewed. The commissioners came to the following conclusions:

- 1. Is the zoning amendment consistent with the Park Rapids Comprehensive Plan? YES. Why?*
- 2. Have there been changes in the character of development in this vicinity? N/A.*
- 3. Is the amendment request a result of an error made in the Zoning Ordinance/Zoning Map or Comprehensive Plan? NO.*

A motion was made by Swanson, seconded by Bradow, and unanimously carried to recommend to the City Council approval of a Zoning Ordinance Amendment to Section 151.243 adding new Language for Conditional Use Permits; adding a new provision for Approval of Interim Use Permits, including standards and criteria to use in consideration of evaluating both types of requests; and also amending Section 151.003 by adding several new Definitions.

6. INFORMATIONAL/DISCUSSION:

6A. Zoning Ordinance Matrix: Mack provided an updated matrix with track changes. Discussion started at Retail Sales on page 5 of the packet, page 23 of packet. Mack stated Johnson provided comments stating no concerns.

There was discussion concerning the completion of the Ferrellgas site. Newman and Bradow stated an emergency plan needs to be implemented as well and they should adopt what Bradow researched and provided. Bradow stated properties in the industrial park are still within a half mile of the hospital so what if one of these companies wanted to come in and put in a Blue Rino filling station there where they are filling hundreds of 20# gas cylinders and shipping them out around the region. In the research I had done that's the type of operation that blows up and is very dangerous, not the big tanks, but the type of operation where they are filling these 20# gas grill tanks. That's where the major problems are with these propane tanks. Would we want a conditional use there to prohibit small tank filling? I don't think we want small tank filling near hospital. Mack said he recommends adding an asterisk so we add a definition for this use. We need to clearly define it and right now we haven't. Bradow said he is not talking about the small retail filling like they have at the lumber yard or Smokey Hills, I'm talking about the bulk refilling and storage of a lot, hundreds, thousands, units for distribution in these cages you see in all of the stores. There was further discussion concerning what the definition would be, where allowed, storage, maximum size of filling tanks, etc.

Bradow stated from what he previously researched, we don't want these type of filling stations in the city limits. Stone said she needs clarification on for instance, you can go get a tank at Walmart so do they have a filling station there? Swanson said no trucks bring full ones in and you can bring your empty and grab a full one. Bradow said I'm talking about the facility that fills those tanks, puts them on the trucks and distributes them and I don't think we want them in town, that's the problem child of this propane.

Mack asked you don't want them in the I-1 and I-2 districts? Bradow said no, we don't want them period. We want to prohibit them. Mack said he will research it. Bradow said if you read what he put in the previous information, that's where those massive fires that burn for days, the kind of filling plant that caught fire and burned and blew up. Mack said he will research it for a definition and prohibit it everywhere in town. Bradow said we don't want them in the city limits because that will blow our whole city up. The one in Texas took out five miles and it was Blue Rino, Ferrellgas and it was human caused.

There was discussion about making nonconformities.

There was discussion concerning retail propane filling stations located at other businesses and research should be done as to where these are located and in what district.

There was discussion and additional changes/corrections made to the matrix as follows:

Page 23 of Packet – page 5 of Matrix: Bulk Fuel Sales. . . - make new accessory use level definitions and determine where to allow and to define and prohibit large scale filling facilities in the city. Bulk fuel size and quantity needs to be determined and defined.

Page 23 of Packet – page 5 of Matrix: General Retail Sales Large >20,000 s.f. - remove C from R-B.

Page 23 of Packet - page 5 of Matrix: Liquor Store Off Sale – remove C from R-B and I-1.

At the next meeting review will start at Industrial Land uses.

6B. Zoning Definitions: Mack indicated more definitions would be drafted in the future.

7. ADJOURNMENT: A motion was made by Bradow, seconded by Swanson, and unanimously carried to adjourn the meeting at 7:10 p.m.

Chair Richard Bradow

ATTEST:

Carmen L. Lockhart
Planning/Administrative Assistant