

**CITY OF PARK RAPIDS**  
**REGULAR MEETING**  
**PLANNING COMMISSION**  
**AUGUST 26, 2019, 6:00 p.m.**  
**Park Rapids City Hall, 212 Second Street West**  
**Park Rapids, Minnesota**

**1. CALL TO ORDER:** The August 26, 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 Robb Swanson. Staff Present: City Planner Andrew Mack and Planning/Administrative Assistant Carmen L. Lockhart. Others Present: None.

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

**4. APPROVAL OF PLANNING COMMISSION MINUTES OF JULY 22, 2019:**  
A motion was made by Stone, seconded by Bradow and unanimously carried to approve the July 22, 2019 Regular Meeting Minutes as presented.

**5. INFORMATIONAL/DISCUSSION:**

**Vacation Rentals** – page 8 and 9 of packet – Mack stated the research we discussed last month has been done on the locations. Mack stated he spoke to a lady on Long Lake who has done a considerable amount of research and is trying to convince the county to adopt some regulations as she is beseeched with vacation rentals and is watching what the city is doing and provided additional information on Kelly Reller. Based on the fact that Reller has three units within less than 500 ft. of each other I would be a little leary of doing something retroactively to enforce change in the code and I'm going to suggest moving forward for uses that already appear on our rental inspection list. If they are already an approved rental registration license, I think they should be grandfathered. There was discussion as to the location of Reller's properties on the river. Mack advised he wrote a performance standard (page 6 of proposed ordinance and page 23 of packet) to basically grandfather them in and my proposed language will be subject to review by the city attorney. There was discussion as to contacting the two unregistered rentals to get registered and before the ordinance is adopted we would do another search then they would be subject to go through the IUP process and the registration as a licensed rental but not make them go through the hearing process at this point as I think that's the fairest way to do it. Bradow asked for clarification. Mack said we should grandfather in the four and call the other two and give them a chance to register it and explain why he has a listing number on VRBO.

**5A. Zoning Ordinance Matrix:** Mack provided a draft of the matrix showing yellow highlights representing changes from the existing ordinance. Mack said he spent considerable time going through the matrix and comparing it to the existing ordinance.

The commission reviewed the proposed matrix with additional changes being made as follows:

Page 1 of Matrix (page 10 of packet) – change Transitional or Supportive Housing from P to C. This was not in the existing ordinance. Transitional or supportive means it is people that are homeless and there is a specific program for that and we don't have those types of facilities built in Park Rapids but they take care of it through other means with existing programs through the county and Mahube. Mack stated he is suggesting it should be a conditional use. There is a definition on page 8 of the proposed ordinance or page 25 of the packet. Mack explained there is a project in Bemidji with state funding. Mack explained the ten county area region of northwest Minnesota we are like #6 community with these needs and issues of homelessness so the issue is here in Hubbard County and the city together. Bradow said we need to deal with it then. Mack said this proposed specific definition deals with it. Lockhart pointed out the matrix says conditional use but the definition says interim use? Mack stated it should say conditional use. Lockhart asked if it would be considered a rental? Mack said it meets the definition of a rental. Mack said he could add the word rental in the definition. There was discussion concerning boarding and rooming houses and whether we need to regulate that but it is defined in the existing ordinance but not in the proposed matrix. There was further discussion concerning state licensed residential facilities under MN Statutes 144D so that's a very specific license under the state. It was decided to continue to prohibit temporary rooming/boarding homes and add it to the Lodging section of the matrix as prohibited in all districts.

Page 2 of Matrix (page 11 of packet) Highlighted changes and additions were reviewed. Charter School – all should have been highlighted as it is a new identified use. Art, Business or Vocational School – changed in B-2 District from P to C.

Page 4 of Matrix (page 13 of packet) - Brewery Taproom and Brewery Warehouse Product Storage >10,000 s.f.). There was considerable discussion as to what districts it would fit best in regarding wholesale storage facilities verses a taproom. Mack advised the Dept. of Agriculture has licensing requirements that trigger a permit with the MPCA regarding discharge into the wastewater treatment plant. Mack stated public works agreed there wouldn't be impact on the small taproom but could at a larger scale so on the basis alone we would want to have very careful review of the waste water treatment plan particular because our type of plant so those uses should be conditional and not a permitted use. There was discussion concerning providing more thorough definitions for the difference in taproom verses warehouse and the concern of waste water discharge. Changes were made in the warehouse districts to prohibit the warehouse use in the R-B and B-2 Districts and to make it a C in the B-1, I-1 & I-2 Districts.

Bradow inquired on page 25 of packet, the definition of Practical Difficulties, in the last sentence – inadequate access to direct sunlight for solar energy systems. Mack said that is right out of statute and supreme court that remanded some of that work back to the legislature and the following year they amended this definition for what was hardship and amended it to practical difficulties. Practical difficulties is in our code for variances as a criteria but is wasn't defined. Bradow asked what would that mean for us here if we're not allowing ground solar use, they are on top of buildings and houses? Would that mean the property owner would have to cut their trees down to gain solar sunlight? Mack said if they are doing a variance for a house they may want to do a roof top solar but based on another structure or trees they want to move it closer to a position where they can gain the right solar gain. When this was created years ago, this is more about passive solar energy than it was about active solar energy.

Page 7 of Matrix (page 16 of packet) Solar or Renewable Energy Power Generating Facility Large Scale Commercial and Wind Energy Conversion System WECS Small Commercial. There was further discussion about currently prohibiting ground solar. Mack read the existing ordinance. Mack said he changed the rooftop mounting on a personal/residential home to an administrative permit so no hearing is required. Mack said the language will be put in performance standards. The commissioners did not approve allowing them as Mack proposed in Matrix and want further information and discussion regarding this. Bradow said solar fields are not a prudent use of B-1 property. Bradow stated he is for prohibiting solar farms and doesn't have a place in the city, who's it going to benefit? If you tell me it benefits residences in the way of lower electric premiums you might have something you could convince me of but if it is going to benefit MN Power I don't see that as being helpful to our community residents here. Stone stated she feels the same way about wind farms. Mack said we don't have the wind pattern here.

The commission requested Mack draft new definitions and language for personal and commercial and ground and rooftop solar and list this on the next agenda. Bradow and Stone said they are a no on solar farms in the city. There was also discussion about common sense solar lights for things like flag lighting within so many watts.

Bradow requested stopping at this point and continue at the next meeting starting on Page 3 of Matrix (page 12 of packet).

**5B. Interim Uses:** Mack provided comments in a memo stating draft language is included in the proposed draft ordinance – see attached. Mack stated he numbered the memo items incorrectly so they should be 5 and not 8. Mack advised he didn't make any changes to this language from last month but did expand the ordinance to include more definitions under the 8D portion of the memo.

**5C. Performance Standards:** Mack provided comments in a memo stating the performance standards elements of the listed uses will be moved to this section.

**5D. Definitions:** Mack explained at the bottom of the matrix it says – Please see definition section and/or additional performance standards requirements if it has an asterisk so they know there is somewhere else to look. Mack stated he is recommending changes to the Home Occupations (see page 24-25 of packet) and the matrix presented three types of home occupations which is a departure from our existing code which says that any home occupation requires a conditional use permit and I would suggest those might be good candidates for interim use permits and some administrative approvals that would be appropriate verses taking everything to a public hearing. A simple sign in the yard would be a type II which could be done administratively as a sign permit if they don't have any other potential impacts like you wouldn't want in the neighborhood. If those types of things come up the definition talks about the types of uses and they go through the public hearing process. Those permits run with the applicant and is a C in the matrix under the business uses.

Stone asked for a clarification on the definition under Food Beverage, Indoor Entertainment – page 3 of Matrix – page 12 of packet, what is definition of adult use or entertainment? Mack provided the existing definition concerning adult use (page 14 of existing zoning ordinance Chapter 152 and Chapter 119.02 of City Code). Mack stated he added it to I-2 and that all uses from I-1 cumulates to I-2.

**OTHER DISCUSSION:** Mack asked for direction on accessory building requirements where we don't have any standards of what it has to look like. They would like to install a cargo container box. Stone said this addresses her concern with the look of chicken coops and everyone blew her off. Mack said they are metal containers about 8 ft. wide and varying lengths and are being sold locally and are cheaper than conventional accessory buildings. We don't currently require that a shed be mounted on a foundation for a shed or regulate the design or look of that shed as compared to the materials of a house. It would have walls and roof and they may be \$4,000 to \$6,000 cheaper than a constructed or traditional shed. Mack advised he told the resident he had to research this further. Mack said Bemidji is struggling with the same thing and Brainerd has a clause in their ordinance that it be harmonious in design with the materials of the principal structure. Stone said that's what she had suggested on the chicken coops. Mack said we don't enforce any other standard on accessory buildings so we backed off of that. There was further discussion and varying opinions as to allowing storage containers as accessory structures because of aesthetics and neighbors complaining. It would have to meet setbacks, impervious restrictions, etc. Mack said we could make it a provision for a maximum of six months on a temporary basis and prohibit it that way.

The commission members may take up the subject further at a later point in time.

**6. ADJOURNMENT:** A motion was made by Stone, seconded by Bradow, and unanimously carried to adjourn the meeting at 7:46 p.m.

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Chair Richard Bradow

ATTEST:

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Carmen L. Lockhart  
Planning/Administrative Assistant