

**BIG LAKE PLANNING COMMISSION
REGULAR MEETING MINUTES**

APRIL 6, 2016

1. CALL TO ORDER

Chair Marotz called the meeting to order at 6:30 p.m.

2. PLEDGE OF ALLEGIENCE

The Pledge of Allegiance was recited.

3. ROLL CALL

Commissioners present: Ketti Green, Seth Hansen, Jennifer Joseph, Scott Marotz, Patricia May, Larry Sundberg, and Scott Zettervall. Commissioners absent: none. Also present: City Planner Michael Healy, Community Development Director Hanna Klimmek, and Administrative Assistant Sandy Petrowski.

4. ADOPT AGENDA

Commissioner Green moved to adopt the agenda. Seconded by Commissioner May, unanimous ayes, agenda adopted.

5. OPEN FORUM

Chair Marotz opened the Open Forum at 6:31 p.m. No one came forward for comment. Chair Marotz closed the Open Forum at 6:31 p.m.

6. APPROVE MEETING MINUTES

6A. APPROVE JOINT CITY COUNCIL/PLANNING COMMISSION WORKSHOP MINUTES OF MARCH 2, 2016

Commissioner Hansen motioned to approve the March 2, 2016 Joint City Council/Planning Commission Workshop Minutes. Seconded by Commissioner Zettervall, unanimous ayes, Minutes approved.

6B. APPROVE REGULAR PLANNING COMMISSION MEETING MINUTES OF MARCH 2, 2016

Commissioner Sundberg motioned to approve the March 2, 2016 Planning Commission Meeting Minutes. Seconded by Commissioner May, unanimous ayes, Minutes approved.

7. BUSINESS

7A. PUBLIC HEARING: ORDINANCE AMENDMENT – ALLOW ISSUANCE OF INTERIM USE PERMITS FOR CAREGIVERS TO TEMPORARILY LIVE ON-SITE IN RV'S IN MEDICAL HARDSHIP SCENARIOS

City Planner Michael Healy reviewed the April 6th memorandum regarding the inquiry from a resident who is requesting approval to place a Recreational Vehicle (RV) on her parents' 20-acre farm that is located within city limits in order for her to provide care to her aging parents but to still have the privacy of her own dwelling space, and could give her parents the opportunity to remain in their home longer as their daughter would be on-site to provide supportive care.

Healy reported that the current City ordinance prohibits the use of RV's, boats, and tents as living quarters, both temporarily and permanently, in all cases except for emergencies, in which the Zoning Administrator (City Planner) could issue an administrative permit. He stated that City policymakers have been re-evaluating the rules regarding RV's as living quarters and are considering an ordinance amendment to expand RV use from being just for emergencies in order to also allow caregivers to live temporarily in RV's on properties of five (5) acres or larger via the issuance of an Interim Use Permit (IUP) when it is a case of medical hardship.

Healy discussed following conditions being proposed for issuance of an Interim Use Permit for medical hardship: 1) the RV must meet specific design and site placement standards; 2) motorized RV would be prohibited and the exterior of the RV must meet the exterior material standards for single-family homes; 3) RV would be required to be set back at least fifty (50) feet from all public streets and be screened from view from the public road; 4) RV is to be no older than 20 years old at the time of IUP issuance; 5) RV will not be placed on a permanent foundation; 6) no separate well will be permitted to be drilled for the RV's use; 7) each renewal of the IUP will require proof of medical hardship.

Also discussed was an escrow requirement to ensure that the RV is removed after the IUP is no longer in effect and also to potential legal and miscellaneous costs (i.e., capping/closing of separate septic systems, paying for administrative and legal fees, and for repayment of delinquent personal property taxes). Healy stated that he would work with the City Attorney to determine a suitable escrow amount.

Chair Marotz opened the public hearing at 6:40 p.m.

George Quinn, Big Lake, stated that he believed that the proposed restrictions were pretty high and could keep people from doing this. He stated that the definition for RV's should be very specific as to what is allowed so that it is not abused. Mr. Quinn further stated that if the use of an RV for caregivers is restricted only to lots larger than 5 acres, it would be unfair to everyone else that has a lot smaller than 5 acres.

No one else came forward for comment. Chair Marotz closed the public hearing at 6:45 p.m.

The Commission discussed: 1) Escrow Fee: what an appropriate escrow fee would be to cover potential removal of the RV and other associated costs (legal fees, etc.) if the IUP expires or is terminated; 2) Screening and Setback of RV: the type/size of screening should be reviewed/determined on a case-by-case basis, and what should the setback requirements be of the RV; and 3) Length of IUP Permit: what is an acceptable length of time for an IUP to be in effect (i.e., one year) and/or what conditions should be set for review of the IUP (i.e., annually, etc.)

Commissioner Green motioned to recommend approval of the text ordinance to allow recreational vehicle usage caregivers on parcels of five (5) acres or more based on medical hardship by issuance of an Interim Use Permit; establishment of an escrow (as determined by City staff) to cover potential removal of the RV and other associated costs (legal fees, etc.) if the IUP expires or is terminated; and RV occupancy limits and RV screening requirements are to be reviewed/determined on a case-by-case basis. Seconded by Commissioner Joseph, unanimous ayes, motion carried.

7B. PUBLIC HEARING: ORDINANCE AMENDMENT – AUTOMATIC TERMINATION CONDITIONS GOVERNING INTERIM USE PERMITS

Healy reported that, currently, an Interim Use Permit (IUP) can be terminated with the rezoning of the land, which may restrict businesses from wanting to move into the City. He stated that staff is recommending an amendment to the Code so that a rezoning that results in an Interim Use becoming non-conforming no longer mandates the immediate termination of the Interim Use Permit, which would allow that the business can finish out the terms of the IUP and can continue to operate for the remaining years or until an event triggers termination of the IUP.

Chair Marotz opened the public hearing at 7:17 p.m. No one came forward for comment. Chair Marotz closed the public hearing at 7:17 p.m.

Commissioner Hansen motioned to recommend that the CC adopt a text amendment eliminating rezoning as an automatic termination event for Interim Use Permits and replacing it with language that states that Interim Use Permits will not be eligible for renewal if they are a nonconforming use in their district. Seconded by Commissioner Zettervall, unanimous ayes, motion carried.

7C. PUBLIC HEARING: ORDINANCE AMENDMENT – ALLOW FOR SOLAR FARMS AND/OR SOLAR GARDENS IN CITY’S AGRICULTURAL AND INDUSTRIAL DISTRICTS

Healy reported that Big Lake is partnering with SolarStone, a solar garden company, to set up a solar garden on City-owned 27-acre parcel that will be annexed into the City in the near future. He explained that the City’s current solar ordinance does not provide a framework for large-scale solar installations, such as the project that is being proposed with SolarStone. Healy stated that a new solar ordinance would be necessary to establish the property regulatory framework for the City to welcome solar gardens into the community in a way that respects existing land use and conforms to the City’s comprehensive plan.

The proposed ordinance/text changes and additions regarding solar energy were reviewed and included: 1) adding definitions relating to solar gardens and solar farms; 2) replacing the existing solar ordinance; 3) adding solar farms and solar gardens as an Interim Use in the Future Restricted Development district; and 4) setting standards for solar farms and solar gardens in the Agricultural district.

Chair Marotz opened the public hearing at 7:42 p.m. No one came forward for comment. Chair Marotz closed the public hearing at 7:42 p.m.

Commissioner Sundberg motioned to recommend approval of the proposed text ordinance amendment to adopt a solar ordinance for solar garden and solar farms, and to strike the previous language and include new language for agricultural zoning districts as discussed. Commissioner Hansen moved to amend Commissioner Sundberg’s motion to recommend that the screening language of the original solar ordinance be retained. Seconded by Commissioner Green, the motion passed on a vote of 6 to 1, with Commissioners Green, Hansen, Marotz, May, Sundberg, and Zettervall voting aye and Commissioner Joseph abstaining.

7D. COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

Klimmek briefly reviewed the following items:

- BR&E Visits: Staff has visited a total of three (3) businesses since in the first half of March (i.e., BP Athletics, Lake Café, and White Bear Clothing Co).
- Training Opportunity: Staff is currently attending the 2nd class in the Economic Development Finance series (April 4th through April 8th); the class is focused on Business Credit Analysis.

- Broadband: Staff has been approached by a local internet provider that is interested in providing another option for the gap in internet service within the Big Lake Industrial Park. The provider has initiated its own feasibility study within the industrial park to better understand the needs of the businesses. This provider has met one-on-one with many business owners and is currently trying to get enough commitments from them to justify pursuing becoming a tenant on the City water tower. With 40% of business commitment within the industrial park, the internet provider will have the ability to provide high-speed, wireless internet the first year of service and then seamlessly connect everyone to fiber within the 2nd year.
- Farmers Market: Staff is in the process of hiring an intern to fill the Farmer's Market Coordinator internship opportunity. The intern will begin his/her assignment as soon as possible and will be with the City through September, with a final presentation given to the City Council during at their October 12th meeting. Also, the City is accepting vendor applications through April 29th and the Application/Policy Packets can be found on the City's website. To date, there are seven (7) approved vendors.
- Big Lake Economic Development Authority: BLEDA has adopted their 2016 Goal and Action Plan, which includes the following goals: 1) Market EDA properties that are for sale; 2) Retain and assist the expansion of existing business; and 3) Retain and create Big Lake cultural and community events.
- Comprehensive Housing Study Update: The City of Big Lake has been awarded a \$4,000 project grant from the Initiative Foundation to be used for an update of the Comprehensive Housing Study. The update will be done sometime in June 2016 and will be completed by Maxfield Research & Consulting, LLC.
- New Development:
 - Town Square Luxury Apartments – Multi-family, market rate, rental building consisting of 29 units, which provides an economic value of \$2.6 Million to the City.
 - Kwik Trip - Broke ground the first week of March and is scheduled to open in July 2016. This project adds \$4.9 Million of economic value to the City. Kwik Trip will be hiring 25-30 people.
- Code Enforcement: The City of Big Lake is starting to solicit complaint-based code enforcement.
- Building Permit Activity YTD through February 29, 2016:
 - Single-Family New Builds = 8
 - Remodels = 17
 - Total Valuation of All Permits = \$1,112,183.23

8. PLANNER'S REPORT

Healy reported on the following:

- The Norland Park development contract is in the process of being finalized.
- He recently attended a 4-day development conference in Phoenix, Arizona.

9. COMMISSIONERS' REPORTS – None.

10. OTHER – None.

11. ADJOURN

Commissioner Hansen motioned to adjourn at 7:54p.m. Seconded by Commissioner Zettervall, unanimous ayes, motion carried.