



**AGENDA ITEM # 6.2**

# REPORT TO CITY COUNCIL

**Report Prepared by: Dawn Bittner**

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**Date: January 5, 2016**

**Subject: Planning Department Year End Report**

**Report: Please see attached Report.**

**Council Action Requested: No Action Requested.**

# Planning and Zoning Department

## Year End Review

### Highlights for 2015:

**Rural Road Construction Specifications** – The Public Works Department and Staff developed specifications for Rural Road Construction. The Planning Commission unanimously recommended approval.

**Subsurface Sewage Treatment System (SSTS) Program**– A Policy for SSTS Compliance Inspections was developed outlining the process for the SSTS Compliance Inspection Program.

**Ordinance Amendment** – Public Use in the Business Park. The previous City Council directed the Planning Commission to implement various goals from the Comprehensive Plan.

**Ordinance Amendment** – Transition Residential Zone. There was a disparity in the minimum lot area for this zone which should serve as a medium-density buffer between the Rural Residential and Urban Residential zones.

**Ordinance Amendment** – Appeal Process. The City Code was amended to ensure appeals of a decision by the Zoning Administrator or the Planning Commission/Board of Adjustment were made in a timely manner.

**Ordinance Amendment** – Subdivision Standards. It was determined the development of a Cost/Benefit Analysis form was not necessary.

**Ordinance Amendment** – Rural Residential Zone. The maximum accessory structure limit was eliminated.

**Land Use Incentive** – Council Members Akerson, Karr and Loukota, as well as Planning Commission Members Seils and Hallan, and Zoning Specialist Bittner each took part in the LMCIT Land Use Incentive program which rewards Property/Casualty program members' savings on land use claims.

**Wilderness Resort Review Committee** –The City Council appointed a committee to meet onsite with the Wilderness Resort Villas developer to monitor the removal of trees and vegetation.

**Ordinance Amendment** – Signs. The Sign Ordinance was amended allowing more than one digital gas price per side.

**Future Development at New Intersection** – The City Council received the Memorandum from the Planning Commission outlining discussions that have taken place regarding development at the new intersection of State Highway 371 and CSAH 11.

**Future Road Corridor Plan** – The Council adopted the Road Corridor Plan which protects 10 areas where roadways may be necessary in the future.

## Application Review:

### Zoning Related Applications –

Overall, the City of Pequot Lakes processed 93 applications in 2015. Out of the 93 applications, 1 was returned and 3 were withdrawn.

#### NUMBER AND TYPE OF PERMITS

Type of Permit App.	2007	2008	2009	2010	2011	2012	2013	2014	2015
Land Use									
Over-the-Counter	94	81	53	46	45	61	64	62	82
CUP	13	5	6	5	6	1	3	1	4
Variance	3	3	3	3	2		2	2	1
Preliminary Plat	1	1	1	1		1	2	2	
Final Plat	2	2	1	1		1	1	1	
Subdivision	3	5	3	3	3	3	5	7	1
Rezone		2	3				3	2	
Ordinance Amend.				1	1	1		4	5

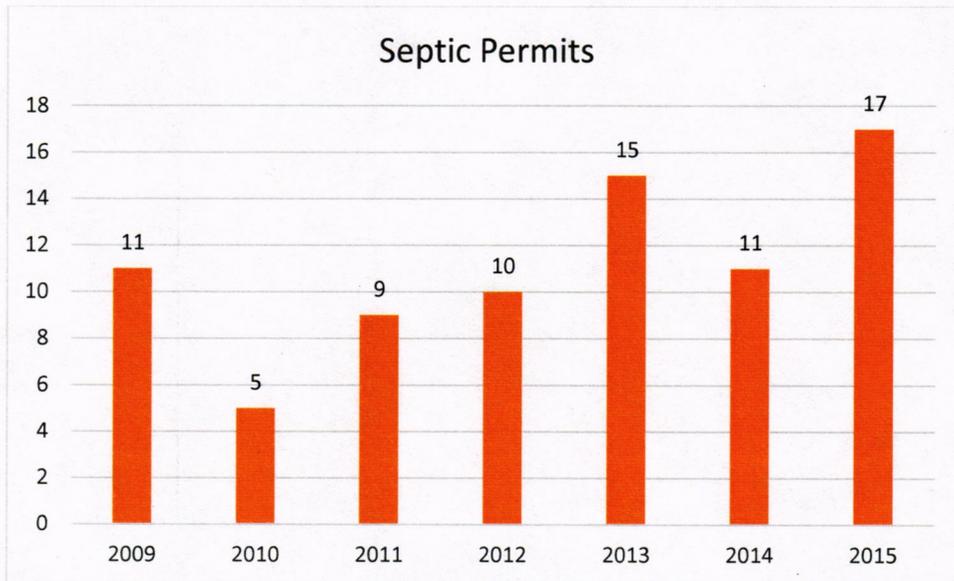
Total	116	99	70	60	57	68	80	81	93
To Planning Commission	19%	18%	24%	23%	21%	10%	20%	23%	12%
<b>NOT To Planning Commission</b>	<b>81%</b>	<b>82%</b>	<b>76%</b>	<b>77%</b>	<b>79%</b>	<b>90%</b>	<b>80%</b>	<b>77%</b>	<b>88%</b>

The above table indicates 88% of the applications were dealt with by Staff at City Hall as over-the-counter permits. There were 17 permits issued for new homes, with 7 of those issued for Wilderness Resort Villas.

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### Subsurface Sewage Treatment System (SSTS) Permits-

The City of Pequot Lakes administers the SSTS program pursuant to MPCA Chapter 7080 of the Minnesota Administrative Rules and Crow Wing County Ordinances. In doing so, Staff reviews the applications, issues the permits and inspects each installation. There were 10 new construction permits issued and 7 repair/replacement permits issued.



### Enforcement:

In recent years the City has stressed enforcement as the key to successfully administering the land use ordinances. The City has a policy for addressing violations

and a history of successfully resolving land use violations without a great deal of legal intervention. The Staff and Planning Commission Members have taken a number of trips to properties, met with property owners and worked out details of resolutions to some very complex situations.

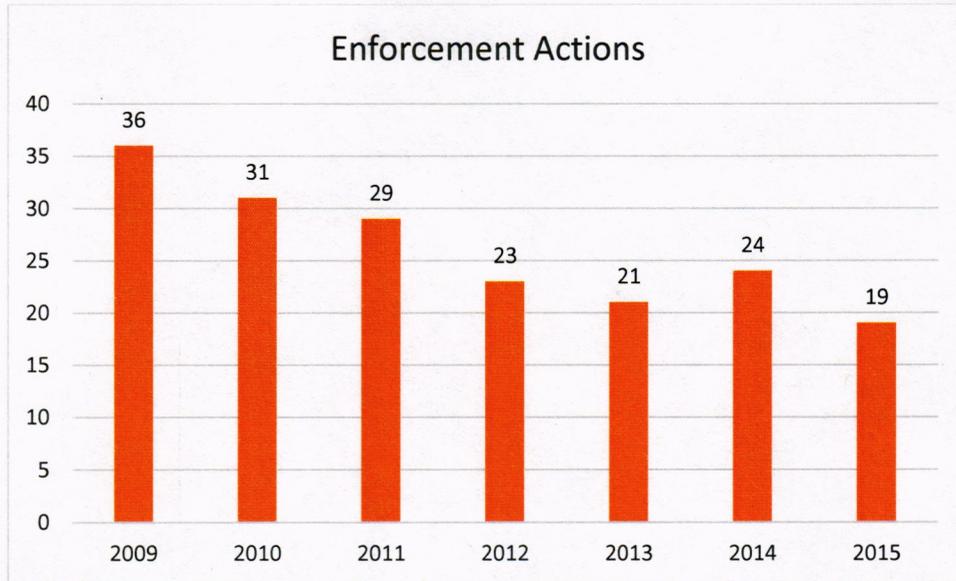
This past year we successfully resolved 15 land use violations. They are as follows:

1. Gorton Properties, LLC – Exterior Storage;
2. James Byrne – Building Height;
3. Gloria Atwater – Exterior Storage;
4. Kenneth and Diane Lund – Exterior Storage;
5. Dave and Andrea Clausen – Shoreline Alteration;
6. Roger Saatzer – Abandoned Vehicles;
7. William Moen – Lawn;
8. Family Dollar/CLA Properties, LLC – Lawn;
9. ABC of Pequot, LLC – Lawn;
10. Elaine Pestello – Lawn;
11. Weichert Realtors – Sign;
12. David Hallbeck – Lawn and Refuse;
13. Stewart Austin – Lawn (bank owned);
14. Jan Lee – Exterior Storage;
15. Delbert & Cherry Nelson – Camping in the Urban Residential Zone.

The City currently has the following outstanding violations:

1. Derksen, John and Barbara – Exterior Storage;
2. McBryde, Cathi – Exterior Storage;
3. McAnnich, Carter – Exterior Storage;
4. Skjod, Gary and Julie – Access Ramp and Shed.

It should be reiterated that the City's policy on violations is that the Staff investigates only violations that are reported. Individuals that report violations are confidential, as per state laws. The City Staff does not initiate violation notices without a complaint from a member of the City Council, the Planning Commission or the public.



## Survey Results:

In an ongoing effort to provide exceptional customer service the Planning and Zoning Department mailed questionnaires to all persons who have made permit applications with the City in 2015. The purpose of the questionnaire is to see how the public perceives the quality of service that is provided through the process and to ensure that a high level of customer service is met throughout the process. The following tables reflect the survey results for 2015 and represent a 34% return rate.

The Planning and Zoning Department will continue to monitor the results and recommend changes as needed to ensure a seamless permitting process and exceptional customer service.

Did your application require a public hearing?	Yes – 1	No – 19			
	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>Not Applicable</b>
I was provided with complete and accurate information.	11	9	2		

The service or information that I received was provided promptly.	13	8	1		
The staff person who helped me was friendly and respectful.	15	7			
My overall experience was satisfactory.	12	9	1		

**Please rate your experience in working with the City Staff in processing your application:**

	Excellent	Fair	Poor	Don't Know	Not Applicable
Answering your questions:	16	3			
Helping you understand the Ordinance:	13	5			
Explaining the process for public hearings:	12	2		3	1
Offering feedback and guidance on your plans:	13	4		1	

**What could we do to improve our service to you?**

- Give out all of the info when first asking about the process. I was not informed about the septic check until much later.
- Clarification on the SCA & WAC costs – water meter should be included in this fee.
- The City Staff were very gracious & respectful. At this time I cannot think of any improvements needed.
- Not a thing. Ms. Dawn Bittner is truly a professional at all times. It's always a smooth transaction getting a permit with the City.
- None at this time.
- None thanks.
- Weekend cabin and homeowners have to be there by 4 p.m. I live and work in the Twin Cities.

- Keep Dawn Bittner!!
  - Reduce number of potential zoning scenarios on one parcel.
  - For us, the entire process was something we've never done before. It is important to remember that while these hearings are routine for a lot of people, it can be a bit intimidating if you don't know what to expect. Some sort of primer would help but I don't know what form that would take.
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## Comprehensive Plan Implementation:

A good Comprehensive Plan is not just a guide, but it is an implementation tool. The actions of the Planning Department are driven largely by the policies and implementation strategies adopted in the Plan. The following goals or objectives were accomplished:

- ✓ Establish a Subsurface Sewage Treatment System (SSTS) monitoring program to ensure ongoing maintenance and compliant operation of systems throughout the City.
  - ✓ Adjust the zoning code to clearly reserve all space within the industrial park for uses that are not public, will pay property tax and will employ people.
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## Wellhead Protection:

The Wellhead Protection Team met and received a report of implementation activities that have taken place. The Team includes George Minerich, Dept. of Health; Mayor Sjoblad; Mike Loven, Public Works Supervisor; Nancy Malecha, City Administrator; and Dawn Bittner, Wellhead Protection Manager.

The following implementation activities were completed:

- Updated the MRWA's "Where Does My Drinking Water Come From?" brochure;
- Moved the WHP signs to depict new WHPA and published a news release describing placement of the signs, what WHP is and the City's efforts to protect the water supply;
- Annually update and educate the Council on importance of WHP and WHP activities;
- Verified Crow Wing County includes Pequot Lakes DWSMA in their Water Plan;
- Updated the Water Conservation Tip sheet, placed on website and included in utility bill;

- Provided information on proper management and sealing of wells to property owners within the DWSMA;
- Reminded City Staff of importance of monitoring the Used Oil Recycling Station;
- Provided MN/DOT with amended DWSMA map and reminded them to consider road run-off and storm water infiltration concerns in the DWSMA as part of road construction;
- Evaluated city cross connection control requirements for backflow prevention;
- Updated list of wells and their status in the DWSMA;
- Annually reviewed WHP Plan and identified measures to complete in upcoming year;
- Held semi-annual WHP Team meetings;
- Monitored for new potential contaminant sources within the IWMZ of the City wells;
- Reviewed and updated Emergency Contingency Plan as needed.

The Wellhead Protection Evaluation Form will be provided to the Council prior to being submitted to the Department of Health.

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### **State Highway 371 Alternate Alignment:**

- Reviewed the Transportation Section of the Comprehensive Plan;
  - Reviewed the Donjek Report included in the Highway 371 Alternate Route Study Group Report;
  - Prepared a Memorandum from the Planning Commission outlining the discussions that have taken place regarding future development at the new intersection of State Highway 371 and CSAH 11.
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