



**AGENDA ITEM # 6.3**

**REPORT TO CITY COUNCIL**

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**Date:** January 8, 2019

**Subject:** Planning Department Year End Report

**Report:** Please see attached Report.

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



# Planning & Zoning Department

Year End Report

2018

# Planning and Zoning Department

## Year End Review

### Highlights for 2018:

**Rental Property Ordinance** – The City Council directed the Planning Commission to research a Rental Housing Ordinance to establish a minimum standard for rental units to make rental homes safe for occupants. The Planning Commission reviewed ordinances from several municipalities and it was the consensus to not pursue a Rental Property Ordinance at this time.

**Ordinance Amendment** – Fence Height. The City Code was amended to reduce the fence height for front yards in the Urban Residential and Downtown Mixed Use zones.

**Comprehensive Plan Review** – The Planning Commission gathered comments from many City and community groups and prepared an updated Comprehensive Plan based on the feedback and edits collected over several months. The update was adopted by Council on November 14, 2018.

**Ordinance Amendment** – Exterior Storage and Exterior Maintenance. Language was added to the City Code better defining expectations for compliance.

**Ordinance Amendment** – Land Use Matrix. Uses were added as “permitted”, reducing the necessity and expense of a Conditional Use Permit.

**Ordinance Amendment** – Offsite Signs. The Planning Commission was directed by Council to amend the sign ordinance to allow a minimum of two double sided billboard signs to be placed on City property along State Highway 371. The Planning Commission held two Special Meetings and the Council approved the amendment.

**Ordinance Amendment** – Offsite Sign Overlay District. This Overlay District was established to provide an area with safe visibility from Minnesota Highway 371 where offsite signs are allowed.

**Ordinance Amendment** – Animal Units. The definition for Animal Units was expanded to include additional animals.

**Ordinance Amendment – Metes and Bounds Subdivisions.** The ordinance was amended to allow parcels 10 acres in size or greater to be allowed a minimum 33-foot wide road access to a designated right-of-way.

**Enforcement Policy –** The City Council directed Staff to streamline enforcement of Code violations. The Policy for Enforcement of Administrative Penalties has been adopted.

**Ordinance Amendment – Enforcement.** Enforcement of zoning violations was very difficult and the City Attorney recommended amendments to the Administrative Offense Code.

**Ordinance Amendment – Offsite Sign Overlay District.** Property owner requested his parcel be included in the Offsite Sign Overlay District.

**Ordinance Amendment – Short-term Rental Ordinance.** After receiving complaints, the Planning Commission developed an enforceable ordinance limiting the number of short-term rentals such as VRBO, Airbnb, etc. between May 20 and September 10.

**2018 City Work Plan –** The Planning Commission completed their review and submitted their report to the Council in December, 2018.

## Application Review:

### Zoning Related Applications –

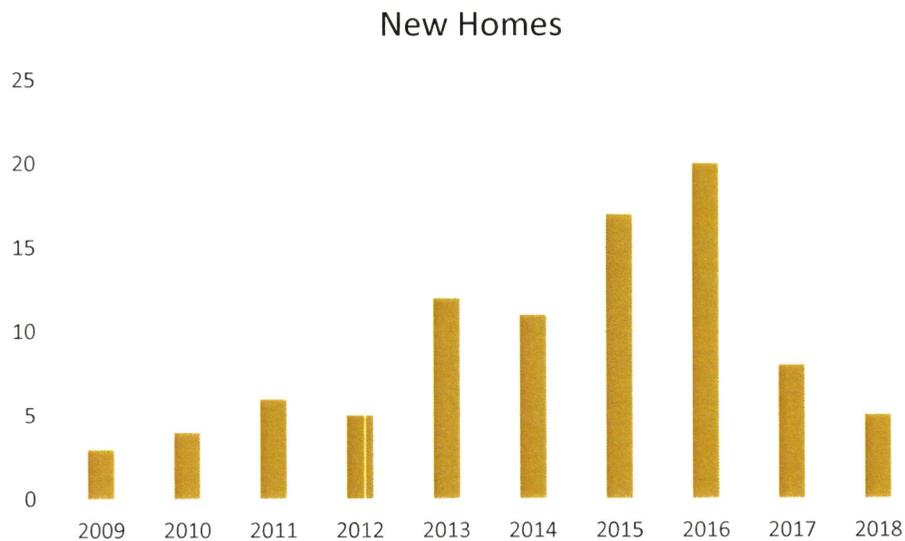
Overall, the City of Pequot Lakes processed 96 applications in 2017. Out of the 96 applications, 2 were withdrawn.

**NUMBER AND TYPE OF PERMITS**

Type of Permit App.	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Land Use Over-the-Counter	53	46	45	61	64	62	82	74	62	66
CUP	6	5	6	1	3	1	4	1	2	4
Variance	3	3	2		2	2	1	2	1	2
Preliminary Plat	1	1		1	2	2				1
Final Plat	1	1		1	1	1				1
Subdivision	3	3	3	3	5	7	1	4	6	4

Subd. > 10 acres										5
Rezone	3				3	2		1	2	3
Ordinance Amend.		1	1	1		4	5	3	6	8
Total	70	60	57	68	80	81	93	85	79	94
To Planning Commission	24%	23%	21%	10%	20%	23%	12%	13%	22%	25%
<b>NOT To Planning Commission</b>	<b>76%</b>	<b>77%</b>	<b>79%</b>	<b>90%</b>	<b>80%</b>	<b>77%</b>	<b>88%</b>	<b>87%</b>	<b>78%</b>	<b>75%</b>

The above table indicates 75% of the applications were dealt with by Staff at City Hall as over-the-counter permits. All but one of the Ordinance Amendments were directed by Council or initiated by Staff. There were 8 permits issued for new homes, with none of those issued for Wilderness Resort Villas.

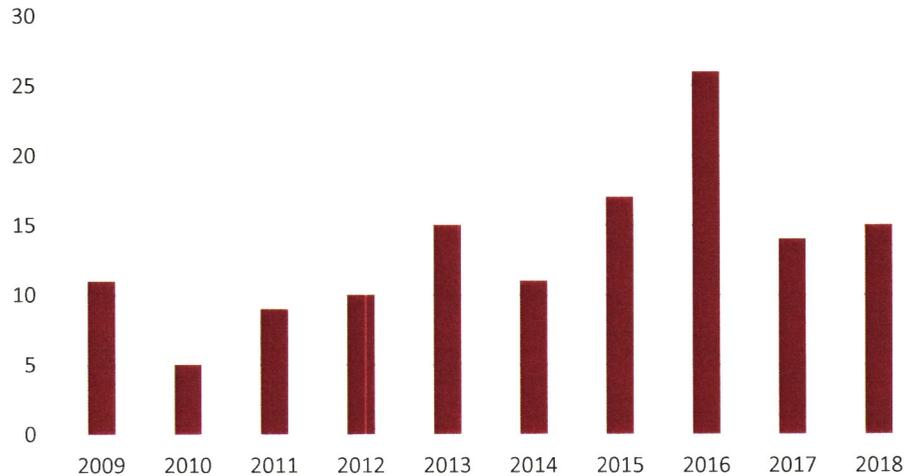


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### **Subsurface Sewage Treatment System (SSTS) Permits-**

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 8 new construction permits issued and 7 repair/replacement permits issued.

## Septic Permits



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## 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, Planning Commission Members and Council 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 11 land use violations. They are as follows:

1. Cathi McBryde – Exterior Storage;
2. Carter McAnnich – Exterior Storage/Public Nuisance (Probate Matter);
3. Eric & Tina Forster – Dock Encroachment;
4. Glen Wilmes – Animal Husbandry in Rural Residential Zone;
5. William Moen – Lawn;
6. James & Shannon Watkins – Lawn;
7. Wesley T. Johnson – Lawn;
8. J. Amelia’s LLC – Exterior Storage;
9. Erek Hamilton – Maintenance;
10. Mike & Stephanie Blair – Camping Trailer
11. Chris Brown – Exterior Storage.

The City currently has the following outstanding violations:

1. Gary Galle – Incomplete Construction;

2. Derksen, John and Barbara – Exterior Storage (declared a public nuisance);
3. Koval, Diane – Exterior Storage;
4. Swenson, Robert & Kimberly – Maintenance & Exterior Storage (declared a public nuisance);
5. Crist, Timothy & Kristi – Exterior Storage;
6. Kennedy, David & Christine – Maintenance;
7. Lee Moren – Maintenance, Exterior Storage and Lawn;
8. A. Scott and Susan Pederson – Exterior Storage;
9. Nathan & Danelle Walberg – Violate CUP Conditions;
10. Wesley T. Johnson – Maintenance;
11. Steven and Barbara Best – Maintenance;
12. Castoffs, Dana and Kimberly Firkus – Signs in Right-of-Way.

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.

