

**MEETING OF THE PEQUOT LAKES PLANNING COMMISSION
MONDAY, OCTOBER 28, 2024 **DRAFT**
PEQUOT LAKES CITY HALL**

Members Present: Commission Chair Andy Ellering; Commission Members Greg Seils, Kent Johnson, Eric Larson, Paula Lang, and Paul Luger

Members Absent: Commission Member Nathan Norton

Staff Present: Thomas Roloff, City Planner; Traci Pederson, Zoning Administrator; Laura Larson, Council Liaison

Others Known Presence: No others present tonight

1. Call Meeting to Order

Commission Chair Ellering, called the meeting of the Pequot Lakes City Planning Commission to order at 6:00 p.m.

2. Consider Agenda

COMMISSION MEMBER JOHNSON MOVED TO ACCEPT THE AGENDA AS IS. COMMISSION MEMBER E.LARSON SECONDED THE MOTION. MOTION CARRIED 6-0.

3. Public Hearing(s)

COMMISSION MEMBER E.LARSON MOVED TO OPEN THE PUBLIC HEARING. COMMISSION MEMBER JOHNSON SECONDED THE MOTION. MOTION CARRIED 6-0.

Public Hearing open at 6:00 p.m.

City Planner, Thomas Roloff, presented one packet to the PC which included a red line version with language for all three possible Ordinance Amendments in Chapter 17.

3a: Sign Concept Plan:

Chapter 17, Article 7. Performance Standards, Section 17-7.1 Signs

This amendment intends to remove the requirement for a Conditional Use Permit and allow for Sign Concept Plans to be presented as new business items during the Planning Commission's regularly scheduled meetings.

3b: Extractive Use and Interim Use Permits (IUP):

Chapter 17, Articles 6.4, 8.5, 11.13.

Article 6.4, Extractive Use Overlay District (EX)

Article 8.5, Extractive Uses and Restoration

Article 11.13, Interim Use Permits

The amendment intends to remove the language in subpart 2 regarding conditional use permits to maintain consistency with the Pequot Lakes Land Use Matrix. In Articles 6.4 and 8.5, all CUP language is to be struck out and IUP will take its place. In Article 11.13 we would strike the verbiage in B1 that notes a set

number of years for the IUP to expire, but rather allowing the PC and applicant to agree upon the amount of time needed for the IUP to expire.

3c: Subdivision/Boundary Line Adjustments

Chapter 17, Article 11.9: Subdivisions, addition of #6/language to current Article This is regarding the submission of a “boundary line adjustment” application for review by the City prior to recording and approval by Crow Wing County. This amendment intends to add a definition for a Boundary Line Adjustment and add language to Section 11.9 regarding the City approval process prior to County Recording.

Commission E.Larson asked if having a septic compliance inspection (if due) is necessary for all parties involved when doing a Boundary Line Adjustment as a part of the application process/request, especially when the request is due to fixing or cleaning up a boundary line on a parcel. This is a large expense if not needed for a correction. After discussion, it was decided for each BLA submission coming in, the need for a compliance inspection could be waived by the zoning administrator for one, both, or none of the parties and parcels involved, all based on each circumstance for the BLA request coming in.

Commission E.Larson recused himself from the voting of the Ordinance Amendment recommendations due to the possible conflict of interest on boundary line adjustments.

COMMISSION MEMBER JOHNSON MOVED TO RECOMMEND THE COUNCIL APPROVAL OF ALL THREE PROPOSED ORDINANCE AMENDMENT CHANGES. COMMISSION MEMBER LANG SECONDED THE MOTION. MOTION CARRIED 5-0.

COMMISSION MEMBER JOHNSON MOVED TO CLOSE THE PUBLIC HEARING. COMMISSION MEMBER E.LARSON SECONDED THE MOTION. MOTION CARRIED 6-0.

Public Hearing closed at 6:09 p.m.

4. Open Forum

Commission E.Larson brought up a discussion point on impervious percentages, asking if pervious pavers and bitumen pavement should be counted as impervious coverage, as water can get through them, meaning they are pervious. Roloff read the impervious surface definition in our code which states: *The horizontal area of buildings, patios, walks, driveways, accessory structures and other surfaces generally impervious to the penetration of stormwater, including gravel drives and parking.* Thomas continued in stating in the Shoreline Residential zone our max is 20%, with the ability to request up to 5% more, totaling 25%, through a CUP. A note is that our 20% in this zone is 5% less than DNRs and Crow Wing County’s provided/suggested amount. We could look to scrap the CUP language in SR and up the percentage of impervious to 25% to

be in line with DNR and CWC. This could allow us to leave the current definition as it is. Larson stated he'd like to entertain both ideas, changing the definition, by removing *gravel drives and parking*, and changing the impervious percentage allowed in the SR zone from 20 to 25% and removing the CUP language. Roloff said to keep in mind definitions of patios in the SR zone. Chair Ellering asked Roloff to bring to the November meeting what DNR and CWC have noted in their code for the SR zone regarding pervious and impervious, as well as outside of the SR zone. The PC would like to look further at these two definitions in our code. Commission Johnson asked if we could find out when the 20% was implemented in the SR zone for Pequot. Thomas and Traci will investigate this and report back on their findings.

5. New Business

1. Cannabis Discussion

Roloff shared a recap of the Pequot Lakes Cannabis Subcommittee meeting that took place on October 15, 2024. From there, Roloff stated for ultimate ease down the road for any changes needed to be made regarding cannabis ordinances, that the PC recommended to Council only a portion of cannabis should go in Chapter 17, which would include the addition of some cannabis definitions/uses and adding to the Land Use Matrix. The remainder of the Cannabis Ordinance be put in a separate chapter in which the Council would have the ability to amend and make changes as needed without a public hearing. The only public hearings that would need to take place would be for anything in Chapter 17.

How we see the process going: We would get notification from the State regarding a pre-approval of a license in Pequot Lakes. That notification would go to the City Clerk/Treasurer. City Clerk verifies with Zoning Administrator on their portion of code, which is the use/zone based on the Matrix. City Clerk works through our registration guides/process and reports back to State within 30 days a decision from the City on a final decision of approval/denial. Applicants then register with the city as noted by the process made from the State level.

The PC went over the matrix with Cannabis uses noted, using only permitted "P", accessory use "AC", and excluded "E" as options in zones. It was asked what the difference was between cultivation and manufacturing was. Roloff stated by State definition cultivation is 'growth' and manufacturing is 'turning that product into something else in that building'.

Regarding the proximity of a cannabis business near a school, park, daycare, or residential treatment center, Chair Ellering reiterated the reasoning behind the subcommittee's decision to use the words 'not adjacent to' or 'not sharing a property line' and adding 'is separated by a city street or road' vs. using a parameter or calling out a specific distance/buffer from a business to a school. If we used a buffer, we'd eliminate most everything in the DMU zone for retail use, downtown Pequot. Roloff shared a visual with the group of what a 1000 foot and a 500-foot buffer looks like. The challenge with this is licensed daycares, those businesses do not register with the city, especially in-home licensed daycares.

We would likely need to communicate this with the community because if they're a licensed daycare, we'd want them to provide their name and address to the City office, for this purpose only.

Commission Johnson asked about the process in our Parks. It was brought up to put signage up or update what's currently posted to include 'no cannabis use' at our parks. This would be in addition to what could be noted in the cannabis ordinance, in another chapter, regarding public consumption/substance use. Traci to relay this idea to the Park Board for them to process and bring to Council.

PC likes the idea of having up to two registrations available for retail use. We'll need to verify if the State has provided a cap for the other 12 cannabis business types, or if we need to suggest a cap for each.

6. Old Business

Nothing tonight.

7. Approval of Minutes

COMMISSION MEMBER JOHNSON MOVED TO ACCEPT AND APPROVE SEPTEMBER 30, 2024 MINUTES AS IS. COMMISSION MEMBER E.LARSON SECONDED THE MOTION. MOTION CARRIED 6-0.

8. Planning & Zoning Administrator's Updates

Zoning Administrator, Traci Pederson, talked through the report and answered questions.

9. Adjournment

THERE BEING NO FURTHER BUSINESS, COMMISSION MEMBER JOHNSON MOVED TO ADJOURN. COMMISSION MEMBER E.LARSON SECONDED THE MOTION. MOTION CARRIED 6-0.

The meeting of the Planning Commission adjourned at 6:48 p.m.

Respectfully submitted,

Traci Pederson
Zoning Administrator