

AGENDA
GREATER BEMIDJI AREA JOINT PLANNING BOARD
City Hall Council Chambers/Webex
(For log in information <https://www.jpbgba.org/planning-actions>)
Wednesday, August 11, 2021 REGULAR MEETING – 6:00 p.m.

- **Roll Call** **Chair**
- **Pledge of Allegiance**
- **Approval of the Agenda**

A. MINUTES **Chair**
Approval of July 14, 2021 Minutes

B. CONSENT AGENDA
Items in the Consent Agenda are approved with one motion without discussion/debate. The Chairman will ask if any Board member wishes to remove an item. If no items are to be removed, the chairman will then ask for a motion to approve the consent Agenda.

1. Approve/Pay Bills (see attached list of bills) **Chair**

C. VISITORS **Chair**

D. NEW BUSINESS

1. **City of Bemidji – Resolution No. 2021-12 –V-21-80.04871.00 & 80.04872.00 – Doug & Kim Williams** **NP**
2. **City of Bemidji – Resolution No. 2021-15 –IUP-21-80.06216.00 – Hagen’s Bark Avenue** **NP**
3. **Northern Township – Resolution No. 2021-16 – V-21-31.01265.00 – Sonja & John Upton** **NP**
4. **Northern Township – Resolution No. 2021-17 – CUP-21-31.00184.02 – Dollar General** **MF**

E. OLD BUSINESS

1. **Ordinance 2021-02 Short Term Vacation Rentals** **MF**

F. OTHER BUSINESS

1. **Ordinance 2021-07 Amended Fee Schedule**
2. **Industrial Park Zoning Discussion**

G. DIRECTOR’S REPORT **JC**

H. ENFORCEMENT UPDATE **NP/MF**

I. UPCOMING MEETINGS **Chair**

- | | | |
|-----------------------|---------|---------------------|
| 1. August 26, 2021 | 6:00 pm | JPC Regular Meeting |
| 2. September 8, 2021 | 6:00 pm | JPB Regular Meeting |
| 3. September 23, 2021 | 6:00 pm | JPC Regular Meeting |
| 4. October 13, 2021 | 6:00 pm | JPB Regular Meeting |

J. ADJOURN **Chair**

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J. ADJOURN **Chair**

GREATER BEMIDJI AREA JOINT PLANNING BOARD
Meeting Minutes
August 11, 2021

Pursuant to due call and notice, a regular meeting of the Greater Bemidji Area Joint Planning Board, Beltrami County, Minnesota, was held on Wednesday, August 11, 2021, at 6:00 p.m. Chair Jess Frenzel called the meeting to order and roll call was taken.

Upon roll call, the following members were declared present: Prince, Erickson, Kelly, Frenzel, Rivera (alternate).

Members absent: Peterson (utilized alternate).

Staff present: Jamin Carlson, Nick Phillips, Melissa Fahrenbruch

Others in attendance: Douglas Williams, Kim Williams, John Upton, Sonja Upton, Jared DeVoursney, Dan Hinzmann.

Pledge of Allegiance was performed.

AGENDA

Motion by Kelly, second by Erickson, to approve the agenda. Motion carried unanimously.

MINUTES

Motion by Prince, second by Kelly, to approve the July 14, 2021 minutes as presented. Rivera abstained. Motion carried.

CONSENT AGENDA

- 1) Bills for the total amount of \$16,516.58 were presented for payment.

Motion by Erickson, second by Prince, to approve the consent agenda. Motion carried unanimously.

VISITORS WITH BUSINESS NOT ON THE AGENDA

No visitors.

NEW BUSINESS

RESOLUTION 2021-12 – V-21-80.04871.00 & 80.04872.00 – DOUG & KIM WILLIAMS

Doug & Kim Williams are seeking a variance in order to construct a new accessory structure consisting of a shop with a covered patio and attached garage on a lot located at 3345 River Park Ct NE within the City of Bemidji. This parcel lies within the (R-2) Suburban Residential Zoning District and Forested River Shore land Overlay. The requested variance is for an ordinary high water mark structure setback reduction from the required 150 feet per Section 901(D) to 123 feet. Staff noted that the legal non-conforming lot is currently recorded as two lots of record, however a combination request has been approved and filed with the County Recorder to join parcels 80.04871.00 and 80.04872.00, bringing the property closer to conforming size. This planning case came before the

Joint Planning Commission and Joint Planning Board last month with a Staff recommendation for denial.

While denial of the request is still recommended by Staff, and no recommendation has been forwarded by the Commission, revised findings of fact for approval have been drafted at the direction of the Board considering the additional information presented by the applicants in response to board inquiry at the regular July 14th, 2021 meeting:

Findings of Fact

1. Has the applicant demonstrated a practical difficulty?

Yes. This is an existing lot that is currently developed. Without a variance, the lot could not be improved or further developed while keeping the character of the locality and maintaining existing stormwater layout and vegetative cover. While economic considerations may be a factor in the resolution some of these issues, it is not the only factor as the essential character of the property would change as a result of the combined mitigation needed to address onsite conditions while providing for the proposed reasonable use.

2. Are there exceptional circumstances, unique to this property, which have not been created by the land owner?

Yes. Previous site development has been influenced by changing zoning and land use restrictions in such a way that the specific layout of the site was established in the spirit of the official controls at such times the governing bodies were consulted. The amount of lot reconfiguration that is required to address the current controls works against all past best management decisions, and would disrupt the site beyond what is proposed in the variance request.

3. Can the variance be granted and that such action will be in keeping with the spirit, purpose and intent of the Zoning Ordinance?

Yes. This request is proposing to make use of the property in a reasonable manner while improving environmental quality and not increasing the impact of existing nonconformities.

4. Can the variance be granted without altering the essential character of the surrounding area?

Yes. This existing neighborhood has continued to see redevelopment through variances in recent years

Conditions

The following conditions are recommended by staff as part of an approval of the variance request:

1. Buildings shall be staked by a licensed surveyor prior to construction to mitigate setback encroachment.
2. An erosion control plan shall be submitted and be in place before any construction commences on the property.
3. Trees on the property shall be protected from construction disturbance, which includes any activity that may damage the root zone. If tree removal or disturbance is necessary to accomplish the proposed work, a landscaping plan shall be submitted to JPB staff indicating compliance with all ordinance requirements.
4. A stormwater mitigation plan shall be provided by the landowner from a design professional to be reviewed and approved by the Planning Director before a land use permit can be issued.
5. JPB site verification form and fee shall be submitted prior to construction.

6. A building permit shall be obtained prior to construction and any site disturbance.
7. The variance shall expire and become void if the project is not substantially started within twelve (12) months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate the use are mostly complete. The JPB may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

BOARD DISCUSSION AND DECISION

Board members had the following comments:

- Prince inquired if the Applicant provided Staff with additional information. Staff confirmed that no additional information was obtained.
- Prince inquired of the outcome if the proposed variance was granted and if the DNR had issue with the variance. Staff addressed that the DNR could potentially review the shoreland ordinance and may recommend training or updates to the ordinance.
- Kelly made comment regarding the Mississippi Headwaters Board reviewing this variance. Staff clarified that the subject lot is within city limits and therefore does not need to be approved by the MHB, but Staff contacted Tim Terrell of the MHB regarding this case and he had no comment.
- Rivera expressed concern over the DNR's evaluation of the case.
- Rivera inquired about the effects of stormwater if the variance was approved or denied. Staff responded.
- Erickson noted her support of Staff recommendation.

Motion by Kelly, second by Frenzel, to approve Resolution 2021-12 to approve an OHWM variance in order to build the accessory structure at 3345 River Park Court NE with the findings of facts and conditions as presented.

Ayes: Frenzel, Kelly.

Nays: Rivera, Erickson, Prince.

Motion failed.

Motion by Erickson, second by Rivera, to approve Resolution 2021-12 for denial of an OHWM variance in order to build the accessory structure at 3345 River Park Court NE with the following findings of facts:

Findings of Fact

1. Has the applicant demonstrated a practical difficulty?

No. The applicant has not provided sufficient evidence to show that alternate site plans or configurations could not work to meet the uses described while meeting existing setbacks. The addition of fill and replacement of sections of the existing driveway would allow for a smoother topographic transition into a garage meeting the required setbacks, however the applicant has stated that option to be unfavorable to the overall site plan. Staff believe that the difficulty arises from the owner's past choice in placement of the single family dwelling and driveway fills, and that the work needed to address the topographic relief issue represents an economic consideration, but

that alone does not represent a practical difficulty.

2. Are there exceptional circumstances, unique to this property, which have not been created by the land owner?

No. While this is a previously platted and developed lot of record within the shore land overlay, which limits available space on the lot to meet the required setbacks, the past variance allowing the dwelling at a 75' setback has allowed establishment of the primary use of the parcel without sacrificing all buildable areas available to the owner.

3. Can the variance be granted and that such action will be in keeping with the spirit, purpose and intent of the Zoning Ordinance?

Yes. This request is proposing to make use of the property in a reasonable manner. This proposal, if approved, would be required to provide mitigation for excess storm-water runoff.

4. Can the variance be granted without altering the essential character of the surrounding area?

Yes. This neighborhood has seen development on small lots within the allowed setbacks via past variances, and the existing structures to the south and north of the proposed structure are already set closer to the river than the 125 foot setback the applicant has proposed.

Ayes: Rivera, Erickson, Prince.

Nays: Frenzel, Kelly.

Motion carried.

RESOLUTION 2021-15 – IUP-21-80.06216.00 – HAGEN’S BARK AVENUE

Kelly Hagen representing Hagen’s Bark Avenue LLC, is requesting approval of an Interim Use Permit (IUP) to provide canine day care and grooming services at property located on Anne Street NW at the intersection of Tamarack Ave NW, within the City of Bemidji. The facility will be in an existing building, under a similar name and same use as the previous IUP holder at this property. This property is located in the Low Density Commercial (B-1) district, adjacent to a Suburban Residential (R-3) district.

RECOMMENDATION & FINDINGS

JPC and Staff recommend approval of an Interim Use Permit to allow Hagen’s Bark Avenue LLC to provide canine day care and grooming services at property located on Anne Street NW at the intersection of Tamarack Ave NW in the Low Density Commercial (B-1) District, within the City of Bemidji, with the following conditions and findings of fact:

Conditions

1. The IUP shall terminate upon a change in use, a change in the owner/operator (leaseholder), or a change in the lease space.
2. Any signage must meet Section 712 of the Ordinances and a permit must be granted if necessary before any signage is placed on site.
3. All dumpsters shall be fully enclosed with a gate complying with Section 1002 of the Ordinance.
4. If a change in type of services offered were to occur or an intensification of services provided such as increased allowable clientele, JPB staff shall be notified. If staff see a change or intensification warrants review it will be brought to the Joint Planning Board for further action.
5. The IUP shall be reviewed for compliance one (1) time upon six (6) months of operation by the JPB, the applicants shall participate in a review of the IUP.
6. An interim use permit shall expire and become void if the use it allows is not substantially

started within twelve (12) months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate the use are mostly complete. The JPB may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

Findings of Fact

1. Whether the proposed use adversely affects the public safety, health, morals, convenience and general welfare of the occupants of the surrounding land.

The proposed use will not adversely affect the surrounding area. The surrounding land uses are:

North – Mobile Home Park
South – Single Family Homes
East – Single Family Homes
West - Heavy Commercial

There are two concerns for local residents; excessive noise and animal waste. The applicant has indicated that no animals will be boarded outside overnight. A condition has been placed on the outdoor exercise area, limiting the amount of time an animal can be left outside. A waste management plan shall be provided to JPB staff. No waste shall be left onsite longer than 10 days.

2. Whether the proposed use adversely affects traffic conditions and parking on adjacent streets and land.

No changes to access or traffic circulation flow on adjacent streets are proposed. Increases in traffic or other negative impacts are not anticipated.

3. Whether the proposed use adversely affects property in the surrounding area.

There are no adverse effects to property in the surrounding area anticipated as a result of this proposal. While noise from dogs exercising outside is expected to occur, this is no different than if the subject property were a residential property having dogs kept outdoors. The use does not introduce additional nuisance that other residential properties in the neighborhood could also produce in their ordinarily permitted uses.

4. Whether the proposed use is in conformance with the community's Comprehensive Plan or Land Use Plan.

The proposed use is consistent with the goals and policies of the JPB Land Use Plan.

5. Whether adequate utility, drainage and other such necessary facilities have been or can be provided.

Adequate public infrastructure exists to provide services in this location.

Motion by Erickson, second by Prince, to approve Resolution 2021-15 for a Interim Use Permit (IUP) to provide canine day care and grooming services at property located on Anne Street NW at the intersection of Tamarack Ave NW, within the City of Bemidji, with the above stated conditions and findings of fact.

BOARD DISCUSSION AND DECISION

Board members had the following comments:

- Frenzel inquired if there were any issues or complaints in regards to this case. Staff confirmed that there was a complaint, and the complainant attended the public hearing and stated that they had worked through their issues with the new owners.

Ayes: Rivera, Frenzel, Kelly, Erickson, Prince.

Nays: None.

Motion carried unanimously.

RESOLUTION 2021-16 – V-21-31.01265.00 – JOHN & SONJA UPTON

Sonja and John Upton are requesting multiple variances in order to rebuild a single-family summer house on their substandard lot of record located at 6327 Lavinia Rd NE in Northern Township. This property is within the (R-3) Suburban Residential Unsewered Zoning District and Shoreland Overlay. The requested variances are as follows:

1. A reduction of 37,504 square feet in lot size from the underlying R-3 Zoning District requirement of 45,000 square feet;
2. A one-hundred (100) foot reduction in lot width from the underlying R-3 Zoning District requirement of one hundred and fifty (150) feet per Section 402;
3. A fifty and one-tenth (50.1) foot reduction in lot depth from the underlying R-3 Zoning District requirement of one hundred and fifty (200) feet per Section 402;
4. An ordinary high water setback reduction for the deck of forty and six-tenths (40.6) feet from the required one-hundred (100) feet per Section 901;
5. An ordinary high water setback reduction for the principal structure of thirty and a half (30.5) feet from the required one-hundred (100) feet per Section 901;
6. A side-yard setback reduction for the deck of nine and four-tenths (9.4) feet from the required ten (10) feet per Section 901;
7. A side-yard setback reduction for the principal structure of seven and nine-tenths (7.9) feet from the required ten (10) feet per Section 901;
8. An additional twelve (12) percent or nine-hundred twelve (912) square feet of impervious surface coverage throughout the property per Section 901;

RECOMMENDATION & FINDINGS

JPC & Staff recommend approval of eight (8) variances in order to reconstruct a single family structure at 6327 Lavinia Rd NE.

Approval recommended with the following conditions and findings of fact:

Conditions

1. Buildings shall be staked by a professional surveyor to mitigate setback encroachment.
2. An erosion control plan shall be submitted and be in place before any construction commences on the property.
3. Trees on neighboring property shall be protected from construction disturbance, which includes any activity that may damage the root zone. If tree removal or disturbance is

necessary to accomplish the proposed work, a signed agreement between property owners shall be submitted to the JPB for review before the land-use permit is issued.

4. A stormwater mitigation plan shall be provided by the landowner from a design professional to be reviewed and approved by the Planning Director before a land use permit can be issued.
5. JPB site verification form and fee shall be submitted prior to construction.
6. A land use permit shall be obtained prior to construction and demolition; once certification approval received from Mississippi Headwaters Board (MHB).
7. The variance shall expire and become void if the project is not substantially started within twelve (12) months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate the use are mostly complete. The JPB may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

Findings

1. Has the applicant demonstrated a practical difficulty?

Yes. This is an existing lot of record that is currently developed; the surrounding area is heavily developed on small substandard lots. Without a variance, the lot could not be improved or further developed.

2. Are there exceptional circumstances, unique to this property, which have not been created by the land owner?

Yes. This is a previously platted and developed lot of record. No improvements could be made to the residence or redevelopment on this property can be permitted without approval of a variance, this includes the existing structure and the septic system.

3. Can the variance be granted and that such action will be in keeping with the spirit, purpose and intent of the Zoning Ordinance?

Yes. This request is proposing to make use of the property in a reasonable manner while improving environmental quality and not increasing the impact of existing nonconformities.

4. Can the variance be granted without altering the essential character of the surrounding area?

Yes. This existing neighborhood has continued to see redevelopment on small lots through variances in recent years.

BOARD DISCUSSION AND DECISION

Board members had the following comments:

- Kelly commented that his visit to the site revealed that the tree impact from the proposal is likely more significant than expected, considering the installation of footings and foundation so close to the boles of mature trees. He feels that the trees would not be salvageable and that there are no good places to plant new trees. The septic also gave him some concern, as it is 30 years old and a shared system. He wasn't sure where the room would be for

system replacement, and was curious if there was an agreement for long term system management.

- Erickson also questioned the ability to replace the septic system if it failed.
- Phillips responded to Erickson and Kelly by highlighting the possibility of expansion of the existing system to meet increased system load, but reiterated that the system isn't likely to provide long-term service.
- Rivera asked about the trees surrounding the cabin and their age/condition, if there was room for a landscaping plan to meet the shoreland standards, and what the appropriate measures would be to protect the existing trees.
- Phillips responded that he did not know the age of trees, but that they are likely stunted due to root-zone encroachment. That there is little room to plant additional trees outside of the shore impact zone, and that measures to protect the existing trees typically included exclusion of work around the root zone, but that such measures were not the most feasible in this scenario.
- Carlson noted that the ordinance requires that 40% of the root-zone be protected from damage during construction, but that a large portion could be disturbed if necessary.

Motion by Prince, second by Erickson, to approve Resolution 2021-16 for multiple variances in order to rebuild a single-family summer house on a substandard lot of record located at 6327 Lavinia Rd NE in Northern Township, with the above stated conditions and findings of fact.

- Kelly reiterated that the trees were likely to be gone after construction, and that this variance has little show for attempting a reduction of impact. He stated that the applicant is in a difficult situation, with questionable long-term suitability for the site.
- Erickson asked Carlson if the structure was an expansion in any way.
- Carlson stated that the structure footprint is not expanding outside of the existing footprint, and the need for the variances is due to the additional height of the proposed structure, which would otherwise not require a variance approval.
- Frenzel asked Phillips about the suitability of the existing septic for the proposed use.
- Phillips responded that this is a gray area, in that the current certificate of compliance is adequate for the proposed layout, but that this is based on an older design and the assumption that use or number of bedrooms would not significantly increase between the two lots.
- Rivera worked from Kelly's comments by reiterating that the lot is 1/6th the required lot size, a 1/3rd the width, and that those setbacks are small but they are working with a small portion of the typical space.
- Erickson reiterated that this lot is a case of demonstrating a practical difficulty. That the first case of the meeting was an otherwise conforming lot, but that this lot will forever be a non-conforming lot with the only option to develop by going vertically. She explained that this is why she can support such a request.

- Prince commented that he looks to the staff recommendation and attempts to find errors in the reasoning, and that he could not find error with the findings or conclusions.

Frenzel called for a roll call vote to the motion:

Ayes: Rivera, Frenzel, Erickson, Prince

Nays: Kelly.

Motion carried.

RESOLUTION 2021-17 – CUP-21-31.00184.02 – DOLLAR GENERAL

Dollar General, Midwest, MN LLC (Represented by SEH) is requesting a conditional use permit (CUP) to construct a general retail store larger than 10,000 square feet at 9200 Irvine Ave NW within Northern Township, parcel 31.00184.02.

Midwest, MN LLC. (Dollar General) currently has a purchase agreement in place to purchase this vacant parcel located at 9200 Irvine Ave NW, next to the Animal Clinic and the Northern Township Hall. Midwest plans to build a new building approximately ten thousand six-hundred forty (10,640) square feet of gross floor area. This parcel was subdivided from the southern parcel in May of 2020 for the construction of the Animal Clinic to the south. Per Section 302 of the Greater Bemidji Area Zoning & Subdivision Ordinance, general retail stores larger than ten-thousand (10,000) square feet in size are allowed in (B-1) Low density Commercial zoning district through the issuance of a conditional use permit (CUP).

Fahrenbruch noted that there are 39 proposed parking spaces, and there is a shared access with the Animal Clinic to the south. Fahrenbruch addressed that seven (7) community members submitted written comment in opposition to the proposed retail store, citing traffic and safety concerns during the school year and the character of the area, however, the use is an allowed use that fits with the GBAJPB's Comprehensive Plan.

Staff received comments from Beltrami County Highway Department and email thread from Commissioner Smith per JPC request on July 29, 2021 and is made available in the packet to the JPB. Staff also received a modified site plan after the public hearing and based on community and commission concerns and feedback. A right turn lane has been added to the plans based on Beltrami County Highway Department suggestions and is available to the board under updated plans.

RECOMMENDATION & FINDINGS

JPC and Staff recommend approval of a conditional use permit (CUP) for a general retail store on parcel 31.00184.02, located at 9200 IRVINE AVE NW within Northern Township with the following conditions and findings of fact:

Conditions

1. Final building plans will need to be approved by the JPB staff and Bemidji Fire Department, and a building permit shall be obtained prior to construction.
2. All exterior lighting on-site shall comply with Section 1008 of the JPB Ordinance; a lighting plan shall be submitted with final building plans for JPB review.

3. All signage needs to meet Section 712 of the JPB Ordinances and a permit must be obtained prior to any signage being placed on site.
4. All dumpsters on-site shall be fully enclosed complying with Section 1002 of the JPB Ordinance.
5. The developer/owner shall enter into a development agreement with the JPB prior to construction.
6. **The applicant shall install a right turn lane off of Irvine Ave NW per the Beltrami County Highway specifications. (added based on recommendation by JPC)**
7. The CUP shall expire and become void if the use it allows is not substantially started within twelve (12) months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate the use are mostly complete. The JPB may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

Findings of Fact

1. **Whether the proposed use adversely affects the public safety, health, morals, convenience and general welfare of the occupants of the surrounding land.**

No. A general retail store use conforms to the zoning regulations as a permitted CUP in the (B-1) Low Density Commercial Zoning District. The proposed use is not anticipated to adversely affect, nor create an unreasonable level of disruption or interference upon the surrounding commercial areas.

2. **Whether the proposed use adversely affects traffic conditions and parking on adjacent streets and land.**

No. Increases in traffic or other negative impacts are not anticipated as this building will be next to an animal clinic. The site will have adequate off-street parking and the ingress and egress to and from the site is a shared access road.

3. **Whether the proposed use adversely affects property in the surrounding area.**

No. Adverse impacts upon the surrounding area are not anticipated with this proposal as a general retail store is within the zoning regulations. Any future changes shall be reviewed in accordance with all zoning requirements.

4. **Whether the proposed use is in conformance with the community's Comprehensive Plan or Land Use Plan.**

Yes. The proposed use is consistent with the goals and policies of the Greater Bemidji Area Comprehensive Plan as well as the JPB Zoning & Subdivision Ordinance through an approved CUP.

5. **Whether adequate utility, drainage and other such necessary facilities have been or can be provided.**

Yes. The property will have adequate infrastructure and will be served by on-site septic system and well.

BOARD DISCUSSION AND DECISION

Board members had the following comments:

- Rivera asked if all complaints and concerns voiced have been addressed. Fahrenbruch responded that the Beltrami County Highway Department reviewed the plans and traffic in the area. Fahrenbruch noted that the Highway Department would likely have to do some sort of mitigation in the future because of the amount of traffic in this area.
- Kelly noted that in addition to the traffic complaint, neighboring properties expressed their desire not to see a retail store open on this property, but the property is zoned correctly and meets the other criteria.

Motion by Kelly, second by Erickson, to approve Resolution 2021-17 for a Conditional Use Permit for a general retail store on parcel 31.00184.02, located at 9200 Irvine Ave NW within Northern Township, with the above stated conditions and findings of fact.

Ayes: Rivera, Frenzel, Kelly, Erickson, Prince

Nays: None.

Motion carried unanimously.

ORDINANCE NO. 2021-02 – SHORT-TERM RENTALS

Fahrenbruch presented the updated proposed ordinance amendment allowing short term rentals. Fahrenbruch addressed the changes that Staff had made to the ordinance amendment. Fahrenbruch noted changes to definitions, the appeals process, and the removal of the required interim use permit.

BOARD DISCUSSION AND DECISION

Board members had the following comments:

- Prince inquired about those properties currently operating as short term rentals. Staff noted that there will need to be enforcement of these properties, letters sent, etc. Staff also noted that some properties are currently acting as home shares which are an allowed use, and some properties are outside of city limits.
- Fahrenbruch addressed items included in the packet for the short term rental permit process, and identified the enforcement section and the complaint process.
- Kelly requested clarification on the short term rental fees. Staff identified that the fees include an initial \$1,000 permit fee, and an annual renewal fee of \$500.
- Board members and Staff discussed enforcement and regulating properties currently operating as short term rentals, and the complaint process.
- Staff clarified that when a permit is issued, letters will be sent out to neighboring properties within 500 feet of the subject property to give notice of the short term rental with contact info for the manager of the property.

Motion by Erickson, second by Rivera, to approve Ordinance 2021-02 to allow short term rentals within the City of Bemidji and Northern Township.

Ayes: Rivera, Frenzel, Kelly, Erickson, Prince

Nays: None.

Motion carried unanimously.

OTHER BUSINESS

ORDINANCE NO. 2021-07 – AMENDED FEE SCHEDULE

Carlson presented the updated proposed fee schedule to include those fees associated with short term rentals.

Motion by Kelly, second by Prince, to approve Ordinance 2021-07 Amended Fee Schedule.

Ayes: Rivera, Frenzel, Kelly, Erickson, Prince

Nays: None.

Motion carried unanimously.

INDUSTRIAL PARK ZONING

Staff and board members discussed industrial park zoning. Board members addressed that they would like to see the representatives from the industrial park submit a proposal of updates and changes they would like to happen.

DIRECTOR'S REPORT

Carlson described year-to-date activity as well as completed, current and upcoming development projects. Carlson noted upcoming planning cases.

Fahrenbruch addressed current enforcement issues.

UPCOMING MEETING DATES

| | | |
|--------------------|---------|---------------------|
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| October 13, 2021 | 6:00 pm | JPB Regular Meeting |

ADJOURNMENT

There being no further business, motion by Prince, second by Kelly, to adjourn the Joint Planning Board meeting at 8:07 p.m. Motion carried.

Respectfully submitted,

Ainslee Knudson
Planning & Building Administrative Assistant

JPB Minutes Approved and attested by:

Joint Planning Board Representative