

Becker County Planning Commission
July 19, 2005
Special Meeting, Ordinance Revisions

Present: Commissioner Larry Knutson, Planning Commission Members Jeff Moritz, Jim Kovala, John Lien, Don Skarie, John McGovern, Ray Thorkildson Waldo Johnson; Zoning Staff Patricia Johnson and Debi Moltzan.

Chairman Kovala called the meeting to order at 6:00 p.m. Debi Moltzan took the minutes.

P. Johnson stated that the ordinance revisions were for commercial/transient planned unit developments. The recommendations before the Planning Commission are from the Zoning Ordinance Review Committee, who worked on the issue for several months. The Zoning Ordinance Review Committee is asking the Planning Commission to recommend approval of these revisions to the County Board of Commissioners.

At this time, P. Johnson explained each section of the shoreland commercial/transient multi-unit developments. P. Johnson stated that the text that was underlined is being added; the text that was struck would be deleted; and the plain text already exists in the Ordinance.

Subdivision 1-D – there is a current list from the Department of Health as of this date, that list will be on file with the Zoning Office.

Subdivision 4 pertains to new development.

Subdivision 5-B is consistent with the Department of Health's regulations.

Subdivision 6 will be added to be consistent throughout the Ordinance.

Subdivision 11 pertains to conversions, which was adopted under the residential multi-unit development.

Subdivision 15 pertains to licensed resorts. This section was sent back to the committee for more work. The proposal before the Board was arrived at by Resorters, the Zoning Ordinance Review Committee and the Zoning Office. This section is less restrictive than the State, so approval must be given by the State before final adoption.

The floor was opened for public comment:

Jennifer Bateman – questioned what would happen if the State does not approve this portion of the ordinance. Johnson stated that the issue would have to be revisited at that time and a new solution found. Currently there are two other counties operating under a similar less restrictive ordinance.

Jennifer Bateman - concerned about the wording of licensed resorts and felt that it was not specific enough to cover all types of operation and ownership and more specific definition of business. P. Johnson stated that the committee did not want to get into ownership of property, therefore used the terminology "licensed with the Department of Health"

There were comments and concerns about developments on natural environment lakes. P. Johnson stated that she did not know of any resorts on natural environment lakes, but there were a couple of resorts that were within the shoreland district of a natural environment lake.

Dawn Sullivan questioned the docking and mooring section. Sullivan stated that, on some lakes, mooring is not safe due to wind. Lifts are needed to protect the watercraft. Sullivan felt that the number of lifts should equal the number of mooring slips.

Ray Stordahl stated that the committee was very mindful of resorts. Stordahl felt that the DNR should go along with this proposal because it is moving structures further from the lake. Stordahl felt that if the wording "licensed by the Department of Health" was an issue, the terminology "and continue to operate as a resort" could be added. Stordahl added, that as a committee member, he is in favor of the proposal.

P. Johnson stated that she had a letter from the DNR, stating that they are reviewing the proposal, but they have not sent a letter of approval.

Dan Berg questioned if the State of Minnesota will separate resorts from other planned unit developments. P. Johnson felt that the State would be looking at this.

Bob Bristlin questioned how someone could control a business or tells someone how often he or she could rent a cabin or how much he or she can charge. P. Johnson stated that the State has a two-paragraph definition. P. Johnson felt that if the County had a problem, the County could refer to the State definition.

Dan Berg questioned what the procedure for recommendation was. Kovala stated that the Planning Commission would make a recommendation to the County Board and the County Board will take action next Tuesday (July 26)

Knutson questioned if the lift and mooring situation could be handled through a variance. P. Johnson stated that it could.

Ray Vlasak questioned a new development with rental units under 28 days and rental units over 28 days. Would the units have to be identified. P. Johnson stated that at the time of application, the long term rental units would have to be identified and the short term rental units would have to be identified and could not be changed.

Dan Berg stated that with these restrictions, there probably will not be any new resorts or campgrounds in the county, but will benefit the existing resorts and campgrounds.

Bristlin stated that we need to preserve the existing resort, but new ones are not to be discouraged.

Karen Mulari felt that consideration should be given to allow more boatlifts.

Further discussion was held regarding mooring, boatlifts, docks, variances and language changes.

Motion: Lien made a motion to recommend approval of Section 7C Shoreland commercial Transient Multi-unit Development with the following changes: 1) Subdivision 1 D add after April 26, 2005 “and continue to operate as a resort”; 2) Subdivision 15 F add after addition mooring spaces “lifts”; 3) Subdivision 15 D 3 add between structures and footprint “livable area”; 4) Subdivision 15 D 3 add between one time and without issuance of a variance “per unit”; 5) Subdivision 15 F add between mooring space per and unit/site “allowable. Moritz second. All in favor. Motion carried.

Chairman Kovala called for a recess before the regular meeting began.