

**GREATER BEMIDJI AREA JOINT PLANNING BOARD
BELTRAMI COUNTY, MINNESOTA
Ordinance No. 2017-02**

**AN ORDINANCE AMENDMENT REMOVING BEMIDJI TOWNSHIP FROM THE
REGULATIONS OF THE GREATER BEMIDJI AREA JOINT PLANNING BOARD**

THE GREATER BEMIDJI AREA JOINT PLANNING BOARD ORDAINS:

SECTION I. The Policy portion of the Preamble of the Greater Bemidji Area Zoning and Subdivision Ordinance is hereby amended by deleting the ~~stricken~~ language and adding the double underlined language as follows:

The uncontrolled use of land within the Greater Bemidji Area affects the public health, safety and general welfare not only by contributing to pollution of land and waters, but also by impairing the local tax base. It is, therefore, in the best interest of the public health, safety and welfare of Bemidji Area residents for their local governmental entities to work together to develop plans for governing as one community and to provide for the wise utilization of land, water, and cooperative resources through the planned regulation of land uses within the Greater Bemidji Area. The Minnesota Legislature, through enabling legislation, has delegated responsibility to local units of government in Minnesota to conduct planning, regulate the subdivision of land, and enact official controls for the development and use of land within their jurisdictions. This includes shoreland regulation of public waters and wetlands in the Greater Bemidji Area. This responsibility is hereby recognized and embraced by the City of Bemidji, ~~Bemidji Township~~ and Northern Township acting together as the Greater Bemidji Area Joint Planning Board, and will be accomplished through the enactment and enforcement of this Zoning and Subdivision Ordinance.

SECTION II. Article 1, Section 101 of the Greater Bemidji Area Zoning and Subdivision Ordinance is hereby amended by deleting the ~~stricken~~ language and adding the double underlined language as follows:

Section 101. Title, Jurisdiction and Application

This Ordinance shall be known, cited, and referred to as the Greater Bemidji Area Zoning and Subdivision Ordinance. The jurisdiction of this Ordinance is intended to apply to the use of land and water resources within the approximate 72 51 square mile Greater Bemidji Area, comprised namely of the City of Bemidji, ~~Bemidji Township~~ and Northern Township, and including any land hereafter annexed into the City from surrounding Townships. ~~other than Northern and Bemidji.~~

Application of these regulations shall be in part by establishment of districts, including overlays for such features such as shoreland and special use areas, and which district provisions include regulation of the location, size, use and height of buildings, the placement of buildings on lots, and the density of population for the purpose of promoting the public health, safety, order, convenience and general welfare of the Greater Bemidji Area.

This Ordinance supersedes all City and Township Zoning and Subdivision Regulations promulgated under Bemidji Code Chapter 22, Sections 22-1 through 22-73 and Chapter 28, Sections 28-1 through 28-845; and the Northern Township Zoning and Land Use Ordinance ~~and, Bemidji Township Zoning and Land Use Ordinance.~~

Application of this Ordinance shall also be consistent with other official controls regulating land use and waters within the Greater Bemidji Area, including Mississippi Headwaters Board (MHB) Ordinance No. 10 (Comprehensive Plan), State Shoreland Standards as administered through the Beltrami County Shoreland Management Ordinance, as amended, which shoreland management authority within the Greater Bemidji Area subject of this Ordinance is delegated to the Greater Bemidji Area Joint Planning Board, and consistent also with Airport Zoning Regulations promulgated under Minnesota Statutes, Chapter 360 and Minnesota Rule, Part 8800.2400, as administered under the Revised Airport Joint Powers Agreement between the City of Bemidji and Beltrami County.

*Before shoreland within Orderly Annexation Areas currently under the jurisdiction of the MHB Plan is annexed into the City of Bemidji, the City and Joint Planning Board (JPB) shall pursue a cooperative agreement with the MHB Board for development and administration of appropriate controls and standards consistent with the provisions of the MHB Plan of and for the shoreland to be annexed. The JPB may similarly initiate cooperative agreement discussions with the MHB Board for shoreland outside the City's current corporate limits, but which is to be served with municipal water and sewer utility services prior to annexation. The following standards shall apply to all zoning districts and property, unless otherwise noted in this Ordinance.

**Passage of this ordinance will not impact the current responsibility(s) for administration of Wetland Conservation Act regulations (WCA). Unless subject of a subsequent agreement between the City, County and the Township Townships, the City through its agent, the Beltrami County Soil and Water Conservation District (SWCD), will continue to administer the WCA within the corporate limits of the City and as to lands annexed thereto, while Beltrami County will continue to administer the WCA on lands outside the corporate limits of the City of Bemidji.

SECTION III. Article I, Section 109 of the Greater Bemidji Area Zoning and Subdivision Ordinance is hereby amended by deleting the ~~stricken~~ language and adding the double underlined language as follows:

GREATER BEMIDJI AREA: The approximate 72 51 square mile area comprised of the City of Bemidji, ~~Bemidji Township~~ and Northern Township, and including any land hereafter annexed into the City from surrounding Townships. ~~other than Northern and Bemidji.~~

JOINT PLANNING BOARD: The Greater Bemidji Area Joint Planning Board as created under a Joint Powers Agreement between the City of Bemidji, ~~Bemidji Township,~~ and Northern Township.

LAND USE PERMIT: A permit issued by the Joint Planning Board or its authorized agent authorizing the use of land in the Township Townships pursuant to the requirements of this Ordinance.

SECTION IV. Article II, Section 203 of the Greater Bemidji Area Zoning and Subdivision Ordinance is hereby amended by deleting the ~~stricken~~ language and adding the double underlined:

Section 203. Zoning Map – See next page

The official zoning map of the Greater Bemidji Area is located at the offices of the Joint Planning Board. This map is hereby adopted by reference. A copy of this map is included in this Ordinance. Copies are also available at ~~the Bemidji Town Hall, Bemidji City Hall and Northern Town Hall.~~

SECTION V. Article II, Section 204 of the Greater Bemidji Area Zoning and Subdivision Ordinance is hereby amended by removing the Official Zoning Map dated May 2015 and replacing it with the Official Zoning Map dated April 2017 which is attached hereto as Exhibit A. The new zoning map removes Bemidji Township from the map.

SECTION VI. Article VIII, Section 801, paragraph B of the Greater Bemidji Area Zoning and Subdivision Ordinance is hereby amended by deleting the ~~stricken~~ language and adding the double underlined language as follows:

- B. All private and public SSTS shall meet the Minnesota Pollution Control Agency's (MPCA) standards for individual sewage treatment contained in Minnesota Rules Chapters 7080 through 7083, "Subsurface Sewage Treatment Systems Program", which is hereby adopted by reference as may be amended and declared to be a part of this Ordinance. A copy of these rules is on file at the JPB office at Bemidji City Hall ~~and Bemidji and Northern Town Halls.~~

SECTION V. Article XII, Section 1202, paragraph B of the Greater Bemidji Area Zoning and Subdivision Ordinance is hereby amended by deleting the ~~stricken~~ language and adding the double underlined language as follows:

- B. The Planning Commission shall consist of ~~twelve (12)~~ nine (9) members. Six (6) of those members shall be appointed from names recommended by the Bemidji City Council; ~~three (3) members shall be appointed by names recommended by the Bemidji Township Board,~~ and three (3) members shall be appointed from names recommended by the Northern Township Board. The initial appointments shall be made by the Joint Planning Board so that each jurisdiction shall have an equal proportion of its appointees serving terms of one, two and three years respectively. There is no limit to the number of terms that a Planning Commissioner may serve.

SECTION VI. Article XII, Section 1210 of the Greater Bemidji Area Zoning and Subdivision Ordinance is hereby amended by deleting the ~~stricken~~ language and adding the double underlined language as follows:

Section 1210. Fees

In order to defray the administrative costs associated with the processing of applications for building and related permits, conditional use permits, interim use permits, variance requests, amendments, appeals, and subdivision plat approval, a schedule of fees shall be adopted by the Joint Planning Board. The schedule of fees shall be adopted by ordinance, reviewed by the Joint Planning Board on an annual basis, and amended as needed. The Fee Ordinance shall be posted at the Bemidji City Hall, ~~Bemidji Town Hall,~~ and Northern Town Hall, and may be altered or amended only by ordinance of the Greater Bemidji Area Joint Planning Board.

SECTION III. Effective Date. This Ordinance shall be effective immediately upon its passage and publication.

Adopted this 14 day of June, 2017.

**BY THE GREATER BEMIDJI
AREA JOINT PLANNING BOARD**



Micheal Kelly, Chairperson

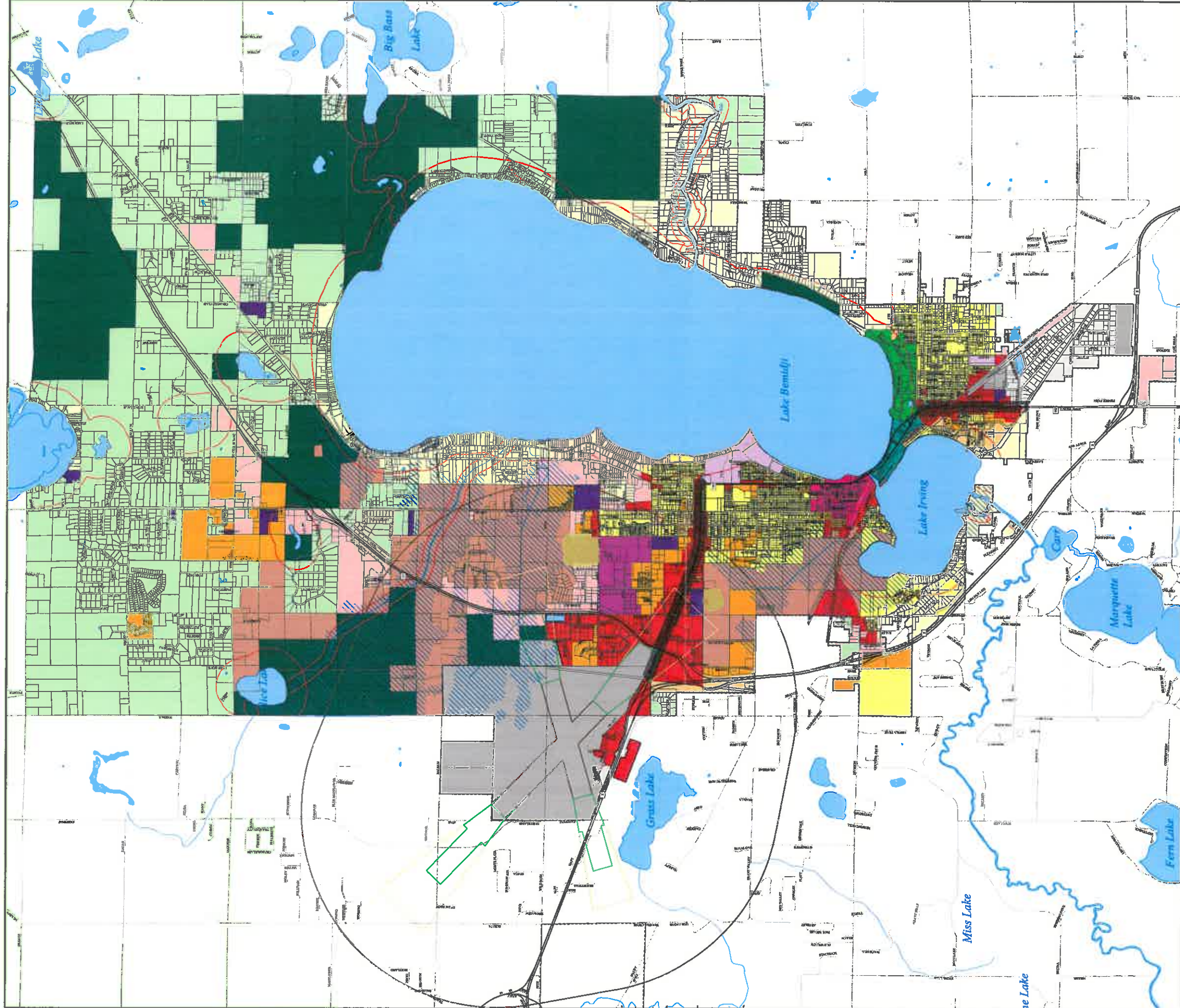
Attest:



Casey Mai, Planning Director

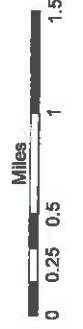
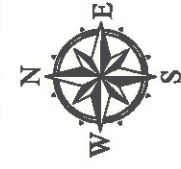
EXHIBIT A
Revised Zoning Map

(attached hereto)



Greater Bemidji Area Zoning Map

- Legend**
- B1 - Low Density Commercial
 - B2 - General Commercial
 - C - Conservation
 - I1 - Light Industrial
 - I2 - General Industrial
 - LC - Lake Oriented Commercial
 - LD - Lake Oriented Development
 - MH - Manufactured Home Park
 - OM - Office/Medical
 - R1 - Rural
 - R2 - Suburban Residential
 - R3 - Suburban Residential
 - R4 - Moderate Density Residential
 - R5 - High Density Residential
 - R6 - Multiple Family
 - U - University
 - UR - Urban Renaissance
 - HWY Overlay
 - Airport Zone A
 - Airport Zone B
 - Airport Zone C
 - Shoreland Buffer
 - Sensitive Area Overlay
 - Closed Landfill Overlay
 - Bemidji City Limits
 - Section Lines
 - State
 - Other



Updated 6/2017



A005648607*
OFFICE OF COUNTY RECORDER
COUNTY OF BELTRAMI, MINNESOTA

THIS IS TO CERTIFY
THAT THIS INSTRUMENT
WAS FILED IN THIS

OFFICE ON 05/27/2017 AT
09:59:57AM BY DOCUMENT NUMBER

A00564860

Charlene D. Stork DEPUTY

CHARLENE D. STORK
COUNTY RECORDER

PAGES: 7