

**CHISAGO COUNTY
PLANNING COMMISSION
Special Work Session
July 20, 2023**

The Chisago County Planning Commission met for a special work session at 6:00 pm on Thursday, July 20, 2023 at the Chisago County Government Center.

Chair Yeager called the special work session to order. Commissioners Present: Chris DuBose, Eric Leivian, Jim McCarthy, Dave Whitney, Jolene Wille and Chip Yeager. Commissioners Absent: John Sutcliffe.

Staff Present: Kurt Schneider, Environmental Services Director, and Beth Gervais, Land Services Coordinator.

Others Present: Haila Maze of Bolton & Menk.

Zoning Ordinance Topics for Discussion

- A. **Rural Retail Tourism and Home Occupations** – Maze explained that the Work Group had expressed interest in developing additional performance standards related to Rural Retail Tourism (RRT) and Major Home Occupations (MJHO), specifically addressing such issues as parking, screening, minimum lot area, etc., in an effort to mitigate potential negative impacts to neighboring property owners. Maze presented suggested language for RRT for discussion. Whitney questioned the suggested requirement that structures containing RRT and MJHO activity be subject to a 1,000' setback, suggesting that it was too restrictive. Fellow Work Group members concurred and further suggested that the language be refined to state where the setback would be measured from (i.e., neighboring dwellings, property boundaries, etc.). The consensus of the Work Group was to reduce the required RRT setback to 250' measured from property boundaries. On the issue of lot size, the Work Group reached consensus that the minimum lot size for RRT should be 20 acres. Discussion transitioned to MJHOs and the group discussed several examples of possible MJHO activities. Recognizing that MJHO were an allowable use in the Rural Residential Districts and recognizing that there was such a wide variety of possible MJHO activities, the group expressed concern with establishing a minimum lot size at 15 acres as suggested by the consultant. McCarthy suggested expanding the category of Minor Home Occupations to allow activity in a detached structure with a maximum structure size of 1,200 sf. The group discussed Home Occupations at length and ultimately agreed to hold further discussion allowing Maze to develop suggested language for consideration at the next work session.
- B. **Accessory Dwelling Units** – Maze provided suggested language for Accessory Dwelling Units (ADUs) for the Work Group's consideration. The group discussed the difference between accessory structures and ADUs and whether or not accessory structures should be allowed to have sleeping quarters or if sleeping quarters (i.e., bunk house) and habitable spaces should only be allowed in ADUs. It was agreed that accessory structures should not have sleeping quarters. Whitney noted that the draft language only referenced ADUs being allowed as detached structures and not attached to either the principal dwelling or within an accessory structure (i.e., above a detached garage). The consensus of the group was to allow ADUs as either attached or detached dwellings. DuBose noted that the draft language limited ADUs to a maximum of four guest rooms; Gervais added that the Work Group had previously reached consensus that ADUs should be limited to a maximum size of 720 sf rather than being based on number of guest rooms. Schneider shared details about a property owner in Nessel Township who had recently expressed interest in constructing a new principal dwelling and converting an existing cabin into an ADU on his lakeshore

property, adding that the existing cabin was 750 sf. The group recalled previous discussions and again reached consensus that ADUs should be limited to 720 sf and principal dwellings should not be smaller than 720 sf with sizes being measured at the foundation. Schneider commented that the suggested language relating to loss of significant trees and major site alterations would be difficult to interpret and enforce. The group discussed possible revisions and ultimately agreed that the language should be eliminated. DuBose questioned if screening should be required. In response, Maze cautioned that an ADU was a dwelling and was being treated similarly to principal dwellings, and Gervais added that, as a Permitted Use, screening would be a difficult performance standard to enforce. Schneider questioned the proposed requirement for one parking stall per guest room and, after some discussion, the group agreed that the language should be revised to require that all parking be accommodated on-site (i.e., no off-street parking) but should not include a specific number of parking spaces required. Schneider questioned what the term “dedicated utilities” implied. After some discussion, the group agreed that ADUs must be served by utilities with the understanding that they could either have their own well and septic system or be connected to an existing well and septic system if said system was sized appropriately. Gervais noted that the Zoning Ordinance included language defining a habitable structure (refer to Section 4.07 of the draft Zoning Ordinance) and it was suggested that the ADU language provide a reference to said section. The Work Group had general discussion about ADU related topics, including whether or not one dwelling should be owner occupied / the property be homesteaded, setbacks, and possible future subdivision of parcels with both a principal dwelling and ADU. Maze offered to research the possibility and legality of requiring that one of the dwellings be owner occupied.

Whitney questioned the language pertaining to temporary manufactured home permits for medical hardships, specifically questioning the requirement for adequate sewage facilities. Gervais explained that this was existing language which had been previously mistakenly eliminated and then added back in. Gervais further explained that, due to the temporary nature of this use, the County did not want to see separate sewage systems installed and therefore required that these uses connect to existing systems.

- C. **Campsites and Outdoor Recreation** – Maze noted that the current draft Zoning Ordinance included standards specific to Recreational Camping Areas, including density and general standards. Work Group members discussed preferences for density, reaching a consensus on one campsite per two acres in the Agricultural and Rural Residential Districts. Schneider questioned the suggested requirement for 100% opacity screening and, after a brief discussion, the consensus was to require 80% opacity screening. It was also decided that campsites should have a 100’ setback from any property line rather than the suggested 200’ setback. The group briefly discussed impacts of campgrounds on lakes and surrounding permanent residents. In regard to the proposed number of campsites allowed in the Shoreland Management District, McCarthy explained that he was suggesting that the number of campsites be based on lake size and that the maximum allowable number of campsites would be cumulative for each lake. The group discussed the challenges of tracking the number of cumulative campsites and the difficulty of interpreting and explaining the regulations to the public. It was agreed that the language specific to campsites in the Shoreland Management District would be further reviewed and refined. The group discussed the possibility of establishing a minimum lot size for this use, but ultimately determined that a density requirement was sufficient.
- D. **Dimensional Standards** – Maze presented the Work Group with proposed dimensional standards for all zoning districts. Maze noted that the required Home Site Area of 21,500 sf exceeded some of the minimum required lot areas (i.e., UFR and RVC Districts) and commented that adjustments would be needed. Gervais commented that the ordinance adopting the Home Site Area standard may have addressed this but she would need to research to be certain. The group discussed various

dimensional standards and reached consensus that the CLI and RR Districts should have a minimum lot width of 150' and a minimum lot depth of 200'. Schneider noted that the existing dimensional standards reduced the required Home Site Area to correspond to the minimum lot area in the UR District. The group discussed required roadway setbacks and potential consolidation and clarification of information to simplify the dimensional standards table. Schneider suggested discussing appropriate roadway setbacks with County Engineer Triplett.

Overlay Districts

Dubose commented that the Sunrise Lake Overlay District appeared to be very restrictive and only allowed two possible Conditional Uses, including in-home haircutting and hair care services and bed and breakfast inns. DuBose added that he would like to see Minor Home Occupations allowed as a Permitted Use. Staff speculated that Minor Home Occupations were already allowed as a Permitted Use.


Subdivision Ordinance Topics for Discussion

- A. **Platting Requirements** – Maze introduced the topic of creating 20-acre parcels and the requirement that these parcels meet a 500' dimensional standard. Whitney commented that he had raised this issue and believed that the 500' dimension requirement did not correspond well to 20 acres or 40 acres or larger and suggested that there should only be a 5:1 depth-to-width ratio rather than a 500' dimensional standard or the 500' dimension should be reduced. DuBose noted that if the 500' width was reduced to even 400', it would result in a depth-to-width ratio that exceeded 5:1. The group continued discussing the current language for creating 20-acre parcels, acknowledging that it was confusing and needed revision. DuBose advocated for eliminating the 500' dimensional requirement and maintaining the 5:1 depth-to-width ratio or reducing the 500' dimensional standard to 400' in order to maintain the required 5:1 depth-to-width ratio.
- B. **Block Length** – Whitney raised the issue of existing block length requirements and sought clarification on the relation of cul-de-sacs and connection to future roads. The Work Group discussed references to block length and cul-de-sac standards contained in Subdivision Ordinance Sections 4.02, B. and 4.06, suggesting that both sections should cross-reference the other. The group also discussed temporary cul-de-sacs and the possibility of requiring roadway easements to ensure the ability to extend temporary cul-de-sacs and the possible usage of / requirement for signage to clearly indicate that the road may extend in the future.

Shoreland Management Ordinance Update

Maze shared with the Work Group that she and her team had prepared a draft ordinance based on the DNR's model ordinance and presented the group with the draft ordinance for review. Whitney raised the issue of differences between shoreland regulations in cities within the County and the County itself, providing an example of a recently approved plat in the City of Wyoming. The group briefly discussed possible reasons for differences and agreed that there were many unknown variables and the group needed to focus on the County's ordinance. The group briefly discussed differing regulations for riparian and non-riparian lots and how these regulations may impact subdivisions. Maze encouraged the group to review the draft ordinance and bring any concerns to the next work session.

With no further business to discuss, the work session adjourned at 8:46 pm.



Chip Yeager
Chair

ATTEST: 

Beth Gervais
Land Services Coordinator