

CHISAGO COUNTY
PLANNING COMMISSION OFFICIAL PROCEEDINGS
August 4, 2022 - DRAFT

The Chisago County Planning Commission met in regular session at 7:00 p.m. on Thursday, August 4, 2022 at the Chisago County Government Center.

Staff Present: Beth Gervais, Land Services Coordinator; Kurt Schneider, Environmental Services Director; and Diane Sander, Support Specialist.

Chair Yeager called the meeting to order and led the assembly in the Pledge of Allegiance. A roll call of Board members was taken. Commission members present: Dave Whitney, Kelly Corbin, James McCarthy, John Sutcliffe, Chip Yeager and Frank Storm. Absent: Jolene Wille. Also present: Ex Officio County Commissioner Chris DuBose. A quorum was established with all members present except Wille.

Approval of Agenda – Motion by Frank Storm to approve the agenda; second by John Sutcliffe. The motion passed 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None.

Approval of Minutes – Motion by Frank Storm to approve the July 7, 2022 Regular Meeting minutes as presented; second by Dave Whitney. The motion passed 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None.

Receive all Materials and Submittals into Record - Motion by John Sutcliffe to accept all materials and submittals into the record with one written public hearing comment on the Kasten CUP, and written comments from Commissioners Yeager and Whitney; second by Kelly Corbin. The motion passed 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None. Materials distributed to the Planning Commission in advance of the meeting for their review included: staff reports with attachments, public hearing comment from property owners in Harmony Heights Section on Valley View Lane, and comments from Commissioners Yeager and Whitney. Copies of all correspondence and meeting materials were made available for the public.

Public Hearings – New Applications

Alison Ogren – Coordinator Gervais provided a brief background on the request for a Conditional Use Permit (CUP) for Commercial Recreation Area in order to establish a private campground with up to three campsites on a 5.4-acre tract of land located on St. Croix Trail / Hwy 95, approximately 2,000 feet west of the St. Croix River in the Agricultural (AG) District. The property is located at 28445 St. Croix Trail in Franconia Township (PID# 04.00144.00).

The proposed Recreational Camping Area will have two 4-season tent sites and one cabin, in addition to the existing single-family dwelling and accessory structures. Guests will utilize porta potties until the applicants/property owners can install a full septic system within a couple of years. A future bath house with two bathroom stalls and two shower stalls is being considered. There will be no running water or plumbing at the tent sites. Guests will be limited to one vehicle per site in designated parking areas. Site is heavily wooded and existing vegetation will screen all proposed campsites from all property boundaries. Signs denoting property boundaries will be installed to ensure guests do not trespass onto neighboring properties. Additional details for the recreational area include:

- All campsites will have a designated campfire area for recreation and outdoor cooking.
- Waste removal will be provided by Waste Management.

- The property owners reside within the existing dwelling on the subject site and will be onsite caretakers during all guest stays to supervise the property and enforce site rules.
- The site / grounds will be maintained by the property owners to allow for safe and clear access.
- All campsites will have fire extinguishers, water hoses and fire department contact information.
- Each campsite will have two small ground mounted solar panels to supply a limited amount of power for charging of cell phones, operation of fans, etc.
- Solar lanterns will be installed to light pathways to the campsites and bathroom facilities. Solar or battery powered lanterns will be provided for lighting inside the cabin and tents.
- Guest stays will be offered seven days a week with a two-night minimum stay to reduce the turnover and unique visitor rate.
- The proposed Recreational Camping Area will be open year-round.
- The property owners will not allow parties, loud music, or events.
- The property owners are proposing to enforce quiet hours from dusk to 9:00 am. *Note: Staff has incorporated a proposed condition of approval which would require quite hours to be observed between 10:00 pm and 7:00 am.*
- No pets will be allowed.

The Technical Review Committee met on July 13, 2022 and discussed the established easement to the river, plans for sanitation facilities, quiet hours, and tent specifications. The County's Sanitarian indicated porta potties would be acceptable until a full septic system is installed; a holding tank would not be allowed being since this is a commercial use. The Franconia Town Board reviewed the proposed CUP at its July 19, 2022 meeting and recommended approval with no conditions.

Applicants Alison Ogren and Garrett Bartholme were present and available to address questions and concerns. Chair Yeager asked the applicants and Planning Commission members for additional questions and comments. Brief discussion was held on the easement to the St. Croix River, the likelihood that water hoses will freeze during winter camping, and tents being left up year-round. Chair Yeager opened the public hearing and sought comment. With no persons wishing to speak, ***motion*** by John Sutcliffe to close the public hearing; second by Dave Whitney. **Motion passed** 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None.

Chair Yeager asked Planning Commission members for additional comments; there were none.

Motion by Frank Storm; second by Dave Whitney to adopt Resolution No. PC2022-0801, a resolution recommending approval of a Conditional Use Permit allowing a Commercial Recreation Area on property located at 28445 St. Croix Trail / Hwy 95 in Franconia Township, as presented with the following amendment:

Conditions:

1. The property shall be developed and used in accordance with the application materials, including site plan and written narrative, dated received June 30, 2022. Any significant deviation, as determined by Chisago County Department of Environmental Services staff, shall require further review by the Planning Commission and approval by the County Board of Commissioners.
2. This CUP shall allow year-round use of the property for Commercial Recreation Area purposes (Recreational Campground Area) with operations allowed seven days a week.
3. The property is limited to a maximum of 3 campsites, to include one cabin and two 4-season tent sites. The maximum number of adult guests shall not exceed 6 at any given time.
4. Campsites shall not be located closer than 50 feet to any property boundary.
5. The Commercial Recreation Area (Recreational Campground Area) must adhere to the strict observance of

quiet hours from 10:00 pm to 7:00 am.

6. The property owner shall install and continuously maintain in good repair permanent property boundary identification along the eastern and southern property boundaries, such as signage and/or fencing.
7. Noise generated from the Recreational Campground Area, including the playing of music, shall be subject to the Chisago County noise standards contained in Zoning Ordinance Section 7.05. No noise, including the playing of music, shall be transmitted beyond the subject site's property boundaries in a manner that disturbs the peace.
8. All parking shall be accommodated on-site, with supervised management of ingress and egress to eliminate conflicts in traffic flow.
9. Permittee shall ensure that adequate access and parking is available and maintained to accommodate emergency vehicles.
10. The property and the s thereon are subject to all applicable local and State codes, including Zoning, Building and Septic Codes.
11. Annual certification of the Conditional Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the CUP is ongoing and the activities being conducted continue to adhere to the conditions of approval. Failure to maintain certification may be a basis to revoke the Conditional Use Permit. The property shall be made open and available for regular inspection at any time during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.

Motion passed 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None.

Matthew Holly – Coordinator Gervais provided a brief background on the Conditional Use Permit (CUP) allowing an Open Storage Yard in the Commercial / Limited Industrial (CLI) District. The property is located at 995 S. Bremer Avenue / CSAH 30 in Rushseba Township (PID# 07.00331.00).

Gervais explained that the open storage yard would provide storage of industrial equipment and recreational vehicles (including boats and snowmobiles). The site is also home to Holly's business, Precision Tunneling. The site is located near downtown Rush City with neighbors including: Perry's Auto Salon, Prefer Paving & Ready-Mix, BNSF Railway and Plastech. Currently, two structures are located on the site with two areas identified as operating activities for existing business. The only existing vegetation/screening on the property is a row of trees along the western boundary. Clarification will be needed from the applicant on site screening to determine if a building will be used as a visual barrier/screen from CSAH 30. In the Commercial/Limited Industrial (CLI) District, the Zoning Ordinance does not identify any required setbacks or other dimensional standards, and the Commission was asked to consider whether setbacks should be added as a recommended condition of approval. The applicant is proposing chain link fencing around the open storage yard. The site plan identifies a septic tank within the open storage yard area.

The Technical Review Committee met with the applicant's representative, Tanner Holly, on July 13, 2022. Holly explained that the Open Storage Yard is intended for the storage of equipment and recreational vehicles owned by others (necessitating the CUP). Holly added that there is no fencing around the perimeter of the property now, but it will be installed as part of the current proposal as well as a security system covering the entire property. The committee did not identify any concerns with the proposed CUP. The Rushseba Town Board reviewed the proposed CUP at its July 11, 2022 meeting and recommended approval with no conditions.

Applicant Matthew Holly and Tanner Holly were present and available to address questions and concerns. Chair Yeager asked the applicant and Planning Commission members for additional questions and comments. M. Holly indicated the chain link fence will have plastic inserts to increase the visual barrier of the site. Discussion followed on traffic flow, security gate, and future building. Dave Whitney asked clarifying questions on the existing and new business. M. Holly provided a brief overview of the storage items and racking. Frank Storm inquired about the holding tank location and location of where the fence would end. Frank Storm stated the shipping container on the property is not allowed by the current Zoning Ordinance and it should be removed. M. Holly indicated the shipping container is used for items that cannot get wet.

Chair Yeager opened the public hearing and sought comment. With no persons wishing to speak, ***motion*** by Frank Storm to close the public hearing; second by Kelly Corbin. **Motion passed** 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None. Chair Yeager asked Planning Commission members for additional comments. Commission members held an extensive discussion on the fence, timeframe to install fencing around the perimeter of the property, and time limit for renters/stored items. Frank Storm indicated he talked with the Rush City City Administrator and City Council members and they had suggested it would be nice for the entrance of the property to be cleaned up. Kelly Corbin had concerns with capacity of storage space and emergency vehicles access. M. Holly indicated part of the yard needed soil amendments to create a better gravel, useable area.

Motion by Chair Yeager; second by John Sutcliffe to add conditions that address surface material of the storage area, customer access and hours of operation. **Motion passed** 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None. Discussion continued on fencing material, fencing length/location, and timeframe of installation. M. Holly indicated fencing/screening could be completed within three years and he is planning on soil remediation to increase use of open storage space. If fencing was to be installed within one year, he would have to remove sections for soil amendments and install fencing again. Discussion followed on gate location and flow of traffic inside of property. Dave Whitney had concerns with visibility of stored equipment through the gate from CSAH 30; he suggested that fencing should be installed along CSAH 30 and wrap around on the north and south property boundaries about 1/3 of the way down to the west to reduce visibility from CSAH 30. Commissioner DuBose asked what a reasonable timeframe for installation of fencing would be and if the proposed future building would act as part of the screening. M. Holly affirmed the future building would be part of the screening and fencing could be done within three years, adding that everything will be stored behind the fencing. Discussion continued on gate locations, future building location, fencing height and specific distance of fencing on the north and south property boundaries. Kelly Corbin raised concerns with ability to enforce the proposed conditions and accessibility for emergency vehicles. M. Holly indicated a security system had been installed and some areas will need to be reshaped and soil amended. John Sutcliffe noted if the conditions were not met, the Conditional Use Permit could be subject to revocation. M. Holly verbally acknowledged that the CUP could be revoked if the conditions were not met. ***Motion*** by Kelly Corbin; second by Dave Whitney to add a condition requiring that the entire property be accessible to emergency vehicles. **Motion passed** 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None. ***Motion*** by Dave Whitney; second by Frank Storm to modify proposed condition nos. 2 and 3 requiring that the portion of fence – with screening – adjacent to CSAH 30 be installed within three years, the fence with screening should be installed 150 ft along the north and southern boundaries, and all fencing shall be 8' in height. **Motion passed** 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None.

Motion by Jim McCarthy; second by John Sutcliffe to adopt Resolution No. PC2022-0802, a resolution recommending approval of a Conditional Use Permit allowing an open storage yard on property located at 995 S. Bremer Avenue / CSAH 30 in Rushseba Township, as amended, with the following conditions:

1. The Open Storage Yard shall be operated in general conformance with the proposal elements identified in the application for Conditional Use Permit, including the written narrative and site plan dated received June 30, 2022. Any significant deviation, as determined by Chisago County Department of Environmental Services staff, shall require further review by the Planning Commission and approval by the County Board of Commissioners.
2. The permittee shall install a fence to enclose the entire Open Storage Yard area. ~~Per Zoning Ordinance Section 4.09,~~ The fence shall be 8 feet in height as measured from finished grade.
3. The permittee shall incorporate screening with the 8-foot fence located adjacent to the eastern property boundary as well as 150' westerly along the north and south property boundaries to create a visual barrier from S. Bremer Avenue / CSAH 30. Acceptable forms of screening shall include fence with landscaping, chain link fence with slats, or solid fence material / board-on-board fencing. This portion of the fence must be installed within three years of the date of approval.
4. The septic holding tank must remain accessible.
5. The entire Open Storage Yard shall remain accessible to emergency vehicles at all times.
6. Surface Material of the Open Storage Yard shall be gravel.
7. Customers shall not have direct access to the Open Storage Yard.
8. Hours of operation for the Open Storage Yard shall be limited to 7:00 am – 7:00 pm.
9. Any change involving enlargement, intensification or expansion of use, or change not specifically permitted by the Conditional Use Permit shall require a Conditional Use Permit Amendment.
10. Annual certification of the Conditional Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the CUP is ongoing and the activities being conducted continue to adhere to the conditions of approval. Failure to maintain certification may be a basis to revoke the Conditional Use Permit. The property shall be made open and available for regular inspection at any time during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.
11. Violations of the conditions contained herein shall be cause for the revocation of the Conditional Use Permit upon action of the County Board.

Motion passed 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None.

Ani Dagmar Kasten – Coordinator Gervais provided a brief background on the request for an Amendment to a Conditional Use Permit (CUP) allowing Rural Retail Tourism (art studio) in order to add a camping area with up to two campsites on a 10.3-acre tract of land in the Agricultural (AG) / Highway 8 Overlay (HO) Districts. The property is located at 29815 Unity Avenue in Franconia Township (PID# 04.00003.00).

The CUP Amendment is needed to add a camping area on the property as well as modify previously approved conditions. The original CUP was granted in 1979 (known as a Special Use Permit at that time) to allow a wood carving shop in an existing barn. In 1996 a CUP Amendment was granted to operate an art studio; the CUP Amendment was approved with ten conditions. The property has Hwy 8 frontage with main entrance off of Unity Avenue, and the property has been developed with a single family dwelling, pottery / art studio, outdoor bathroom facility for customers / guests, and various parking areas. A tent site is currently located on the property for personal use. The proposed CUP Amendment would allow the existing tent site to be used for commercial purposes and allow for up to one additional tent site. Gervais explained that the 1996 CUP Amendment required the closure of the Hwy 8 access and encouraged the Planning Commission to discuss

whether this condition should remain or be eliminated. The request also includes two condition modifications by the applicants:

- The art studio is to be ~~educational in nature, rather than commercial~~ used for the production of art to be sold commercially.
- Days and hours of operation shall be limited to ~~seven days per week from 10:00 am to dusk from April 1st to December 1st of each year~~ Monday through Friday year-round from 9:00 am to 5:00 pm.

Additional details for the recreational area include:

- Tents will have bed, lounge chairs, tent stove, first aid kit, and rechargeable camping lanterns.
- Each campsite will allow for a maximum of two guests.
- Solar lanterns light pathway from campsite and bathroom facilities. Bathroom includes flush toilet and cold-water sink plumbed into existing septic system.
- The proposed Recreational Camping Area will be open spring, summer, and fall. No winter camping.
- Gravel parking pad can accommodate two small vehicles or one vehicle with trailer.
- Tent area is screened with two decorative fences planted with lilacs for privacy and heavily forested area on other sides.
- All campsites will have fire extinguishers, signage with instructions for fire safety and fire department contact information.
- A hose will be provided at all times to control fires.
- In-ground stone fire pit located 20' from existing tent
- The property owner will install signage and provide a handbook to illustrate the property boundaries to prevent trespassing.
- The decorative fence located just east of the existing tent includes an electrical outlet for guest use.
- Guest stays will be offered seven days a week with a two-night minimum stay to reduce the turnover and unique visitor rate.
- The property owner is proposing to enforce quiet hours from 10:00 pm to 7:00 am.
- The property owner will not allow additional guests, parties, noise, or pets.
- The property owner resides and works on the subject site and will be the onsite caretaker during all guest stays to supervise the property and enforce site rules.
- The site / grounds will be maintained by the property owner.
- Waste removal will be handled by the property owner's current provider.

The Technical Review Committee reviewed the proposed CUP Amendment on July 13, 2022; no concerns were identified. The Franconia Town Board recommended approval with no conditions at its July 19, 2022 meeting.

Ani Dagmar Kasten was present and available to address questions and concerns. Chair Yeager asked the applicant and Planning Commission members for additional questions and comments. Kasten indicated she was not aware of the exiting condition requiring the closure of the Hwy 8 access and indicated that the access was primarily used during events such as a pottery tour. Kasten further explained that the Hwy 8 access is used to control traffic flow as an exit-only for smoother operation and improved safety. Kasten indicated she would like to keep the access but could use a chain to block access unless needed for deliveries or events. Kasten acknowledged concerns from Valley View residents and indicated her use of the land is less intensive/impactful than the former sculpture park use since she is only a one-person studio. Discussion was held on the Hwy 8 access and its usefulness in maintaining traffic flow during events and emergency vehicle accessibility.

Chair Yeager opened the public hearing and sought comment.

Marianne Calhoun – 20989 Valley View Lane. Residents of Valley View Lane have concerns with the property being zoned AG with a commercial/recreational use. Currently the use is small but there are concerns with expansion of operation and events, in addition to more vehicles, tourists, and campers coming down Valley View Lane. The change in use of the property creates opportunity for additional development near the neighbors. There is camping in the area; we do not need additional camping.

Fuller Cowles – 29615 Unity Avenue. I am an adjacent landowner and was the property owner who requested the 1996 CUP Amendment. We support the project and short term rental for families camping/visiting the area. I doubt we will see an impact of people wandering down to Harmony Heights, instead you see my dog visit more often. Additional traffic is a concern and should be addressed. Hwy 8 access has been a valuable safety feature for traffic flow during.

Virginia Anderson – 20995 Valley View Lane. Hwy 8 is a bad road with many accidents. It is a high speed racetrack from the roundabout. We had Franconia Township install no parking signs during the sculpture park because residents could not get through nor emergency vehicles. Valley View Lane is not a large road for passing. People are curious even if property line boundaries have been identified. People are curious on where the road goes and they end up in our properties. Signs in Taylors Falls indicate no parking or no road crossing and people still do it. Providing a guidebook is not going to work. We have a quiet road and would like to keep it that way.

Coordinator Gervais read the following submitted written public hearing comment:

John Calhoun/Marianne Calhoun, Roger Anderson/Virginia Anderson, Phillip Goldstein, Kathleen Bennet, and Darrel Boyce/Joan Boyce – Residents in Harmony Heights Section, residing on Valley View Lane. We are property owners on Valley View Lane and have concerns and oppose the Kasten CUP request. The CUP asks to change the usage of the property from agricultural to commercial/recreation. First objection, it opens future possibilities for uses expanding on the property and affect our residential properties with noise, unsightly commercial use, and scenic beauty leading to Interstate Park. Second objection, it sets precedent for more commercial or recreational use along Highway 8 corridor. Third objection, environmental damage to trees, native species, and agricultural land along the Highway 8 section. Also, there is an open existing access to Highway 8.

With no additional persons wishing to speak, ***Motion*** by John Sutcliffe to close the public hearing; second by Frank Storm. **Motion passed** 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None. Chair Yeager asked Planning Commission members for additional comments. ***Motion*** by John Sutcliffe; second by Frank Storm to eliminate the condition requiring the closure of the Hwy 8 access. **Motion passed** 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None. Frank Storm asked for clarification on the property boundaries. Dave Whitney asked for clarification on days of operation for camping and the art studio. ***Motion*** by Frank Storm; second by John Sutcliffe to add hours of operation for camping, with those hours being 7 days a week, and strict observance of quiet hours between 10:00 pm and 7:00 am. **Motion passed** 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None. Kelly Corbin asked for clarification on the specific months for camping. ***Motion*** by Kelly Corbin; second by Dave Whitney to add specific dates for camping, with those dates being April 1st through October 31st. **Motion passed** 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None. Commissioner DuBose addressed audience concerns regarding potential expansion of the camping area, stating that any expansion would require a CUP Amendment. Coordinator Gervais confirmed that a CUP Amendment would be required for an expansion and commented that neighbors would receive public hearing notices. ***Motion*** by John Sutcliffe; second by Dave Whitney to amend a proposed condition so that the maximum number of “adult” guests shall not exceed 4 at

any given time. **Motion passed** 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None. Jim McCarthy asked for clarification on the property boundaries.

Motion by Frank Storm; second by John Sutcliffe to adopt Resolution No. PC2022-0803, a resolution recommending approval of an Amendment to a Conditional Use Permit allowing Rural Retail Tourism and Commercial Recreation Area on property located at 29815 Unity Avenue in Franconia Township, as modified, with the following conditions:

1. This approval allows the property to be used for Rural Retail Tourism (art studio) and Commercial Recreation Area (Recreational Camping Area) purposes in accordance with the application materials, including site plan and written narrative, dated received July 1, 2022. Any significant deviation, as determined by Department of Environmental Services staff, shall require further review by the Planning Commission and approval by the County Board of Commissioners.
2. The property is limited to a maximum of two Recreational Camping Area tent sites. The maximum number of adult guests shall not exceed four at any given time.
3. This CUP shall allow use of the property for Recreational Camping Area purposes seven days a week from April 1 through October 31 and the use must adhere to the strict observance of quiet hours from 10:00 pm to 7:00 am.
4. Noise generated from the approved uses shall be subject to the Chisago County noise standards contained in Zoning Ordinance Section 7.05. No noise resulting from said uses, including the playing of music, shall be transmitted beyond the subject site's property boundaries in a manner that disturbs the peace.
5. All guest and customer parking shall be accommodated on-site, with supervised management of ingress and egress to eliminate conflicts in traffic flow.
6. The permittee shall ensure that adequate access and parking is available and maintained to accommodate emergency vehicles.
7. Any and all MnDOT permits and approvals shall be obtained prior to work done in or near Highway 8 right-of-way (i.e., berming, sodding, etcetera).
8. Natural-appearing physical screening of the subject site from the Highway, including existing berming, shall be maintained.
9. Signage to be limited in accordance with ordinance provisions.
10. The art studio is to be used for the production of art to be sold commercially.
11. Not more than three Rural Retail Tourism commercial / retail special events are to be held annually, on non-holiday weekends.
12. Days and hours of operation shall be limited to Monday through Friday year-round from 9:00 am to 5:00 pm for the art production component of the Rural Retail Tourism use (art studio). No evening Rural Retail Tourism events are to be held.
13. No special lighting shall be permitted.
14. Annual certification of the Conditional Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the CUP is ongoing and the activities being conducted continue to adhere to the conditions of approval. Failure to maintain certification may be a basis to revoke the Conditional Use Permit. The property shall be made open and available for regular inspection at any time

during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.

- ~~15. The existing access from Highway 8 is to be permanently closed, and the existing Unity Avenue access is to be the only access to the subject site.~~

Motion passed 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None.

Ordinance Amendment, Chisago County Zoning Ordinance Section 8.03 – Public Comment is sought on Amending Section 8.03 Functions of the Planning Commission of Chisago County Zoning Ordinance 08-03, known as the Zoning Ordinance, by repealing and replacing subsection A. and repealing subsection C. and renumbering, amending, or altering additional subsections accordingly. The proposed ordinance amendment pertains to Planning Commission membership terms and residency locations following redistricting of the County in 2022.

Director Schneider provided an overview of the impacts of the County redistricting to Planning Commission appointments and structure, commenting that the Commission and County Board will need to amend Section 8.03 by January 2023.

Chair Yeager opened the public hearing and sought comment. With no persons wishing to speak, **motion** by John Sutcliffe to close the public hearing; second by Kelly Corbin. The **motion passed** 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager Nays: None. Chair Yeager asked Planning Commission members for additional comments. Frank Storm inquired if any written comments had been received. Staff indicated there were no submitted comments for this public hearing. Extensive discussion followed on recommended changes. Commissioner DuBose noted a minor correction was needed on line 50 on page 2, "...shall continue to serve his or her present term until June...". Chair Yeager provided his written comments to fellow Commissions and recommended striking lines 56 – 64 (C.1 and C.2) on page 2. **Motion** by Chip Yeager; second by Dave Whitney to remove Section 8.03 Functions of the Planning Commission C.1 and C.2 on page 2 of the draft ordinance. Frank Storm commented on the need for more discussion and suggested holding all votes until all options were heard. **Motion and second withdrawn.** Dave Whitney suggested striking lines 81-84 (D.2) on page 2 and replace with, "County Commissioners in Districts 2 & 5 must nominate Planning Commission members from an unincorporated area of their district unless a qualified applicant residing in the unincorporated area of the district does not apply and an applicant residing in an incorporated area of the district with township and planning experience does apply." Dave Whitney commented it would provide a broader view and flexibility. Kelly Corbin stated language should reflect a qualified applicant, not just limiting their experience to just township and planning. Frank Storm indicated this is a unique situation and suggested keeping the current ordinance and reappoint at the first County Board meeting with a resolution, explaining that the resolution effective January 1, 2023 would appoint supernumeraries to the Planning Commission for the duration of time necessary to finish the revisions and updates to the County Zoning Ordinance, participate in work sessions, but would not be allowed to participate in normal Planning Commission work/meetings. Storm suggested keeping the existing members through the ordinance update process since they have been involved/have the knowledge. Frank Storm pointed out that the proposed resolution helps the Planning Commission get through the unique timing sequence of existing/new Planning Commission appointments. Discussion followed on incorporated vs. unincorporated representation, qualified applicants and willing volunteers. Chair Yeager indicated that the Planning Commission had time to review the draft ordinance as presented, create an updated draft incorporating Chair Yeager's and Dave Whitney's suggestions, and consider Frank Storm's recommendation of text change to current ordinance A. with resolution appointing supernumeraries to deal with unique timing sequence. Extensive discussion followed on timing of existing and new appointments and the potential ease of Storm's suggested resolution/addendum instead of another

public hearing for a text amendment to Zoning Ordinance that covered the unique timing sequence. Chair Yeager commented it was a good idea to keep existing members instead of having new appointments in the middle of the Zoning Ordinance update. **Motion** by Frank Storm; second by Kelly Corbin the have staff review and provide three drafts that would include: working draft, working draft incorporating Chair Yeager/Dave Whitney's suggestions, and current ordinance with Frank Storm's suggestion. **Motion passed** 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None.

Public Hearings – Continued Hearings - None

Old Business - None

New Business

Ordinance Amendment, Chisago County Subdivision Ordinance No. 99-2, Sections 2, 3.06 and 3.07 – Director Schneider provided a brief overview of the acceptable forms of title evidence required for plat approvals. Commissioner DuBose provided an update of the draft ordinance. Cities will be notified once the draft is ready and scheduled for a public hearing.

Director Schneider provided an update on the Jim and Sher Investments LLC CUP request for Rural Retail Tourism to open and operate a winery and gathering venue. Jim Goodpaster & Sherry Timmermann Goodpaster, applicants and owners of Jim & Sher Investments LLC, have appealed the County Board's denial of the CUP.

Kelly Corbin announced this was her last Planning Commission meeting, due to relocation outside of Chisago County.

Brief discussion was held on shipping containers and Commission members' research. Frank Storm commented that he has not found any examples of shipping containers being allowed in other jurisdictions for permanent use, adding that he has only seen containers being allowed for temporary purposes.

Communications and Reports

County Board Liaison Report / Update

County Commissioner DuBose reported on the following: budget updates, review of pay study and difference in departments, and grant application from Frontier.

Miscellaneous – None

Adjourn Meeting – **Motion** by Frank Storm to adjourn the meeting; second by Kelly Corbin. **Motion passed** 6-0. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Storm, and Chair Yeager. Nays: None. The meeting was adjourned at 9:19 p.m.