

CHISAGO COUNTY
PLANNING COMMISSION OFFICIAL PROCEEDINGS
June 3, 2021

The Chisago County Planning Commission met in regular session at 7:00 p.m. on Thursday, June 3, 2021 in a synchronous e-meeting due to Declaration of Local Emergency.

Staff Present: Kurt Schneider; Environmental Services Director and Diane Sander; Land Services & Parks Specialist.

Chair Johnson 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: Jim McCarthy, Shellene Johnson, Frank Storm, Dave Whitney, John Sutcliffe, Jim Froberg, and Chip Yeager. Ex Officio: County Commissioner Chris DuBose. A quorum was established with members present.

Director Schneider provided an overview of the electronic meeting format, review of muted microphones, speaking order, how to “raise hand”, with the Chair Johnson leading and following meeting order/procedures.

APPROVAL OF AGENDA – Motion to approve the agenda made by Frank Storm. Second by Jim Froberg. **Motion amended** by Jim McCarthy to add Discussion on County Board Action on Heggerston Wedding/Event Gathering Venue Conditional Use Permit (CUP) to Old Business. Second by Chip Yeager. The amended motion was approved 7 - 0 with a roll call vote. Ayes: McCarthy, Whitney, Sutcliffe, Storm, Froberg, Yeager, and Johnson. Nays, none.

APPROVAL OF MINUTES – Motion to approve the May 6, 2021 minutes by Frank Storm. Second by Jim McCarthy. The motion was approved 7 - 0 with a roll call vote. Ayes: Yeager, Froberg, Storm, Sutcliffe, Whitney, McCarthy, and Johnson. Nays, none

RECEIPT OF MATERIALS AND SUBMITTALS INTO THE RECORD - Motion that all applications, submittals, reports with attachments, and other materials were received into the record made by Jim Froberg. Second by Chip Yeager. The motion was approved 7 - 0 with a roll call vote. Ayes: McCarthy, Whitney, Sutcliffe, Storm, Froberg, Yeager, and Johnson. Nays, none.

Meeting materials distributed in advance to the Planning Commission for their review included: Staff Memo May 17, 2021 One Acre Buildable Subcommittee Drafts, Staff Memo May 28, 2021 Agenda Packet, Draft Rural Retail Tourism – Gathering Venue Events Tracking List, Stearns County Shooting Range Ordinance with Draft Chisago County Shooting Range Ordinance, and Request for Proposals – Professional Services for Zoning & Subdivision Ordinance Revisions. Copies of all correspondence and meeting materials were made available for electronic distribution.

Public Hearing Items:

There were no public hearing items for this meeting.

Old Business:

Zoning Ordinance Review & Update

Commercial Shooting Ranges

Planning Commission reviewed Stearns County Commercial Shooting Range Ordinance. Concerns that were deliberated and discussed included: assault rifle, noise, setbacks, and acreage size to accommodate an outdoor range. County Commissioner DuBose noted the Chisago Lakes Sportsmen’s Club may need to relocate and to be mindful of future ordinances that could accommodate their needs. John Sutcliffe noted hunter’s need a location large enough to sight in their scope/rifle prior to the hunting season. The use of berms and strict standards could accommodate an outdoor range. Discussion included Forest Lake

Sportsmen's Club (FLSC) movable semi-trailer shooting range, a denied conditional use permit (CUP) for cowboy/horse mounted shooting event, and High School Trap/Skeet Shooting Teams and competition.

Frank Storm provided the following range dimensional additions to the draft Chisago County Section 7.32 Shooting Ranges, 7.33 Hunting Clubs and Shooting Preserves:

Section 7.32 Indoor/Outdoor Commercial Shooting Range

B. Minimum size lot for each type of shooting range

(1) High Power Rifle:

(a) Minimum range length: 5,500 yards

(b) Minimum range width: 3,500 yards

(c) Minimum acreage: 4,000 acres

(2) Shotgun:

(a) Minimum range length: 300 yards

(b) Minimum range width: 400 yards

(c) Minimum acreage: 100 acres

D. No part of any shooting range perimeter property line may be located within ~~seven hundred fifty (750)~~ one thousand (1,000) feet of any residential dwelling, commercial, institutional or industrial building or other structure used for human occupancy in existence at the time of range development, construction or expansion.

Section 7.33 Hunting Clubs and Shooting Preserves

C.3. Adjacent residences and structures within ~~five hundred (500)~~ one thousand (1,000) feet of the property line.

D. Firearms shall not be discharged within ~~five hundred (500)~~ one thousand (1,000) feet of a residential dwelling.

Director Schneider indicated staff will gather legal opinion on restricting and/or limiting high power rifles to indoors, consider single or occasional shooting events and standards, review denied CUP cowboy/horse mounted shooting event and FLSC movable semi-trailer shooting range. **By consensus**, Planning Commission supported Frank Storms additions to Sections 7.32 and 7.33. **Motion** to have staff move forward with suggested additions and gathering additional information/standards for the Commercial Shooting Range Ordinance by Jim Froberg. Second by Dave Whitney. The motion was approved 7 - 0 with a roll call vote. Ayes: Yeager, Froberg, Storm, Sutcliffe, Whitney, McCarthy, and Johnson. Nays, none.

Accessory Structures

County Commissioner DuBose provided his opinion on accessory structures and expressed opinion that scenarios exist where a dwelling should not be needed to build an accessory structure. Commissioner DuBose provided examples of intensive permitted uses for accessory structures in the agricultural zoning district, such as a sawmill. He is looking for common sense permitted uses for accessory structures. Jim McCarthy indicated two issues with the current ordinance. First issue is the unique situation where an accessory structure would need to be torn down is of parcel was split. Second issue is the requirement of the dwelling prior to accessory structure. Jim McCarthy suggested an accessory building could be constructed first and owner would have up to three years to build the dwelling for the accessory building to stay. At the end of the third year, an interim use permit (IUP) could be applied to determine use of the accessory building. The zoning ordinance review and update could address permitted uses in each zoning district. Chip Yeager supported the IUP concept but questioned how to address landowners who have no intention of constructing a dwelling. Director Schneider conveyed that ordinance Section 4.08.1 Accessory Structures and Uses in Agricultural (A), Agricultural Preserve (AP), and Protection and Transfer (PAT) Districts could be modified to introduce an exemption or IUP application process to prevent accessory structures being torn down or parcel without a dwelling on it. Jim McCarthy questioned if that would be considered spot zoning. County Commissioner DuBose supported the

IUP concept and ability to limit outside storage and use by conditions yet provide an opportunity for additional uses other than agricultural. Chisago City Accessory Structure ordinance and One Acre Buildable was discussed. It was distinguished that it was acceptable for an accessory structure to be used for equipment storage prior to a dwelling being constructed; but not to live in. The suggested three-year limit would assist with the dwelling being constructed. Director Schneider indicated staff will develop ordinance language for IUP process for a stand-alone accessory structure without a dwelling and ordinance language to prevent removal/demolition of accessory structure after land split. Director Schneider did ask the Planning Commission for priority of ordinance revision of commercial shooting ranges, accessory structures, and one acre buildable. **Motion** of staff priority for providing draft ordinance language from highest to lowest priority are: One Acre Buildable, Accessory Structures, then Commercial Shooting Ranges by Chip Yeager. Second by Jim Froberg. The motion was approved 7 - 0 with a roll call vote. Ayes: Yeager, Froberg, Storm, Sutcliffe, Whitney, McCarthy, and Johnson. Nays, none.

Committee Report/Discussion on One Acre Buildable and Septic Ordinance

Chair Johnson provided brief overview of the committee's one acre buildable concepts. Dave Whitney and Jim McCarthy provided additional thoughts on their one acre buildable concepts. Concepts are similar except for two items. First item is if clean fill may be used to meet Home Site Area: General Provision requirement. Second item is soil area is not mottled at one foot below surface under Home Site Area: Specific Provisions. Robust discussion was held on the building pad's lower floor level. County Commissioner DuBose suggested rewording Home Site Area: Specific Provisions for Home location of the lower floor and garage. Seems confusing and will need some clarification. Concepts have provided a conservative to liberal modification to One Acre Buildable Ordinance and the public can react during the public hearing. **Motion** for staff to draft ordinance language for One Acre Buildable and Septic Ordinance utilizing Dave Whitney's Home Site concepts with Jim McCarthy highlights/differences and schedule a public hearing by Frank Storm. Second by John Sutcliffe. The motion was approved 7 - 0 with a roll call vote. Ayes: Yeager, Froberg, Storm, Sutcliffe, Whitney, McCarthy, and Johnson. Nays, none. Director Schneider will work with Chair Johnson, Dave Whitney and Jim McCarthy on draft ordinance language and will seek County Attorney review. Staff will strive to schedule a public hearing for next month but it will be a complex process to convert concept to ordinance language.

Discussion on County Board Action on Heggerston Wedding/Event Gathering Venue CUP

Jim McCarthy inquired to the County Board discussion on the Heggerston CUP for rural retail tourism to allow a gathering venue for events and weddings. County Commissioner DuBose reported the applicant had provided additional information that addressed concerns for the parking area during wet weather and maximum number of attendees. The County Board reviewed and was satisfied with the additional information and determined not to postpone the decision for another month. The County Board can work out minor clarifications with the applicant; large concerns will be postponed for additional time and review.

Communications and Reports

County Commissioner DuBose provided a brief review of County Board items that included: CUP denial, City of North Branch's tour of industrial parks, and Congressman Stauber request for additional funding. The North Branch tour provided alternative building materials and could help with the transition of expanding home occupation to industrial park. County Board did withdraw mask mandate and allow boards to meet in-person. County is looking into funding for countywide broadband. Director Schneider reported on the request for proposal (RFP) for consultant/planner to assist with zoning work and ordinance development. The RFP will provide an idea of cost for the ordinance work. This would not include additional staff but consulting firm to handle ordinance development and update. Director Schneider provided brief update on the Land Services Coordinator posting.

Motion to cancel the Planning Commission's June 17, 2021 Special Work Session by Frank Storm. Second by Dave Whitney. The motion was approved 7 - 0 with a roll call vote. Ayes: Yeager, Froberg, Storm, Sutcliffe,

Whitney, McCarthy, and Johnson. Nays, none. Planning Commission discussed in-person meetings and option for TEAMS electronic format. **By consensus**, Planning Commission supported meeting in-person.

ADJOURNMENT: There being no further business, motion by Chip Yeager and second by Jim Froberg to adjourn. The motion was approved 7 - 0 with a roll call vote. Ayes: McCarthy, Storm, Whitney, Froberg, Yeager, Sutcliffe and Johnson. Nays, none. Meeting was adjourned at 9:25 p.m.