

CHISAGO COUNTY
PLANNING COMMISSION OFFICIAL PROCEEDINGS
October 7, 2021

The Chisago County Planning Commission met in regular session at 7:00 p.m. on Thursday, October 7, 2021 at the Chisago County Government Center.

Staff Present: Kurt Schneider; Environmental Services Director, Beth Thorp; Land Services Coordinator 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: Shellene Johnson, Chip Yeager, Jim McCarthy, Frank Storm, John Sutcliffe, Kelly Corbin, and Dave Whitney. Also present: Ex Officio: County Commissioner Chris DuBose. A quorum was established with members present.

APPROVAL OF AGENDA – Motion to approve the amended agenda with additional Amador Township Requirement and seven Public Hearing Comments for PID#01.00233.20 made by Chip Yeager. Second by Dave Whitney. The motion was approved 7 - 0 with a roll call vote. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Yeager, Storm, and Chair Johnson. Nays, none. Chair Johnson requested to add Tour Protocols to the agenda and asked County Attorney Jeff Fuge for placement on the agenda. County Attorney Fuge indicated prior to the Public Hearing Items. **Motion** to approve the agenda with the addition of Tour Protocols made by Chip Yeager. Second by Dave Whitney. The amended motion was approved 7 - 0 with a roll call vote. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Yeager, Storm, and Chair 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 John Sutcliffe. Second by Dave Whitney. The motion was approved 7 - 0 with a roll call vote. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Yeager, Storm, and Chair Johnson. Nays, none. Meeting materials distributed in advance to the Planning Commission for their review included: Staff Reports with attachments, Staff Cover Memo with Attachments, Amador Township Requirement, and Seven - Public Hearing Comments for PID#01.0233.20. Copies of all correspondence and meeting materials were made available for electronic distribution and at the entrance of the meeting room.

APPROVAL OF MINUTES – Motion to approve the September 2, 2021 minutes by Dave Whitney. Second by Chip Yeager. The motion was approved 7 - 0 with a roll call vote. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Yeager, Storm, and Chair Johnson. Nays, none.

Tour Protocols

County Attorney Fuge reviewed the use of Planning Commission tours as an ideal opportunity to gather direct evidence and obtain observations of the property. Using the information to review the application provided by the applicant and land use request. The information collected is not part of evidence until voted into record at the meeting. While on tour many questions can be raised; however, best practice is to mentally collect or written down to bring forth for the public hearing. By doing this, it builds a solid base of the public hearing records with minimum error for minutes and appeal. Planning Commission members can ask additional questions and prompt staff or the applicant during the public hearing for the public record. County Attorney Fuge described the rational of what is reasonable. Dave Whitney expressed concerns about the October tour. Staff had reminded Planning Commission members not to ask questions to assure there would be no violation of the open meeting law. Dave Whitney did not think there were many questions and

appropriate for the review process. The Planning Commission has learned a lot from these tours; by exploring background information and asking staff and the applicant questions. Dave Whitney stated that had not been achieved because staff directed it was not appropriate. County Attorney Fuge reviewed appropriate questions such as general questions concerning property with relation to the application; however, site visits are not the place for questions. Questions raised and answered need to take place during the public hearing. These questions can lead to more in-depth questions. Tours are merely asking for basic information or clarification that are discussed at the public hearing. Dave Whitney indicated that was the intent. County Commissioner DuBose commented he encourages questions on tour to reduce the need of tabling the applicant's application for further information. He believed questions can be asked and not debated on tour to allow the Planning Commission to decide during the public hearing. Frank Storm questioned if the tour was a legal meeting. County Attorney Fuge indicated the site visit and tour is legal in the open meeting law with adequate notice. Tours remain at information gathering not a debate. Frank Storm inquired if Planning Commission members can ask questions of the applicant on the tour. County Attorney Fuge advised they could, but caution going into greater detail of the application. It is recommended to save questions and discussion until the public hearing, which is information received into records at the public hearing. Director Schneider suggested working with County Attorney Fuge to create a fact sheet of tour protocols to assist Planning Commission members of appropriate questions and latitude at tours. Director Schneider indicated staff has been cautious with members to refrain from in depth discussion; which can be a difficult task.

Public Hearing Items:

Donald and Ann Jones – Property at 34604 Redwing Avenue, Shafer Township; Sec. 8, T. 34, R. 19, (PID# 08.00083.10). Donald and Ann Jones are requesting a Conditional Use Permit (CUP) to operate a wood working shop within their accessory structure as Rural Retail Tourism. Director Schneider presented background information on the Jones' CUP application. The parcel size is 10 acres, zoned Agricultural (AG), which allows cabinet/wood shops as a CUP. The proposal is to have a small woodworking business that utilizes the detach pole building. Mr. and Mrs. Jones went through the variance process and received approval to add onto the detached pole building closer to the property line and relocate supports for the lean-to on the pole building. Due to a misunderstanding regarding the north property line, the applicants have addressed and resolved the issue. The business proposal would employ up to three employees, one employee is the applicant. Employees would use the residential home bathroom and parcel has plenty of space for parking. Any smaller products would be sold online, with no storefront. Larger items, doors, windows, and cabinets are made to order and delivered/installed. Lumber will be kept out of sight, minimal use of scraps since the applicants use it for kindling and in the chicken coop. Hazardous materials include paint thinner, paint and varnish. Hours of operation are seven days a week from 5 am to 9 pm within the pole building with closed doors. Any outdoor sawing would be conducted occasionally and not start prior to 7 am and finished by 8 pm. Sawmill would not run continuously. Technical Review Committee met on September 8, 2021 and the proposed CUP is consistent with the County's Comprehensive Plan and compliance with the Zoning Ordinance purpose and intent for a CUP. Shafer Township Board recommended approval with no conditions at their September 9, 2021 meeting. Mr. and Mrs. Jones were present to address questions and concerns. Chair Johnson asked each Planning Commission member and the Jones' for additional questions and comments.

Mr. Jones added the variance was approved for the addition on the pole building, and the sawmill will be indoors with a privacy fence along the north property line screening the buildings from the neighbor. Frank Storm questioned the 5 am start time on Sunday and number of employees. Mr. Jones indicated he is awake early and starts working. He would like to hire a teenager to mentor in the woodworking craft. Dave Whitney asked clarifying questions on the north property setback and the proposed fence being installed. Mr. Jones

indicated the fence will start near the front tree line and continue past the pole building just beyond a pond. Discussion followed on the type of sawmill, capacity the mill has for making rough cut wood/lumber, noise, and piles of logs. Mr. Jones indicated the addition will hold the sawmill and logs will be stored indoors or under the lean-to.

Chair Johnson opened the public hearing and sought comment. With no additional person wishing to speak, **motion** by John Sutcliffe to close the public hearing. Second by Dave Whitney. The motion was approved 7 - 0 with a roll call vote. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Yeager, Storm, and Chair Johnson. Nays, none. Each Planning Commission member was asked for additional questions and comments. **Motion** by Frank Storm to approve of the Conditional Use Permit for a woodworking shop as requested at 34604 Redwing Avenue, PID#08.00083.10 as outlined in the Staff's report, site plan, and narrative of record unless Commission members have changes to the conditions. Commission members discussed the Sunday operating hours and suggested 7 am – 7 pm on Sunday or remove Sunday from operating hours. Commission members discussed outdoor wood storage vs storage of firewood and/or logs. Dave Whitney suggested adding a condition the pole building addition be insulated to assist in noise reduce of the sawmill. Frank Storm withdrew his motion. **Motion** by Shellene Johnson to approve of the Conditional Use Permit for a woodworking shop as requested at 34604 Redwing Avenue, PID#08.00083.10 as outlined in the Staff's report, site plan, and narrative of record with the following conditions:

1. This is a Conditional Use Permit to operate a woodworking shop in accordance with Section 8.04 of the Chisago County Zoning Ordinance.
2. The days and hours of the operation are Monday through Saturday 5AM to 9PM; and Sunday from 7 AM to 7 PM year-round for indoor work.
3. Outdoor work, loading and unloading, is limited to 7 AM to 8 PM.
4. There can be no showroom, nor retail customer traffic to the site.
5. Storage of all materials will be underroof and screened from neighboring properties and the road.
6. The use must conform with the relevant criteria of Section 8.04 of the Chisago County Zoning Ordinance as follows:
 - a. Only those persons residing in the home and up to three (3) employees may be employed in the home occupation.
 - b. Signage can consist of no more than one (1) single or double-faced sign with a minimum area of sixteen (16) square feet per side in the AG District.
 - c. No outdoor display or storage of goods or materials is permitted.
 - d. The home occupation is permitted personal vehicles of the residents as well as three employee vehicles, to be stored in the designated area as identified on the site plan as "employee parking".
 - e. The business cannot generate sewage of a nature or type that cannot be treated by a standard on-site sewage system or hazardous wastes without an approved plan for off-site disposal.
7. Verification and approval by the Building Official that the construction work that is commencing falls within the project scope for which the building permit was issued. The Applicant shall be required to amend the building permit to include any work that the Building Official determines to be beyond the building plan approved. Construction must be completed in a manner compliant with the State Building Code, and issuance of a Certificate of Occupancy on the accessory building and addition specifying allowed occupancy of the use as described herein.

8. The permit holder must 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.
9. A 6 ft. tall board on board screening fence shall be constructed and placed along the northerly property line for the full distance of the accessory building, lean-to, and planned building addition.
10. Sawmill activity shall occur in an insulated structure so as to limit noise.

Second by Jim McCarthy. The motion was approved 7 - 0 with a roll call vote. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Yeager, Storm, and Chair Johnson. Nays, none. Director Schneider recommended a motion for the Findings of Fact for the Jones CUP. **Motion** by Dave Whitney to approve the Findings of Fact for Donald and Ann Jones Conditional Use Permit for a woodworking shop. Second by Shellene Johnson. The motion was approved 7 - 0 with a roll call vote. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Yeager, Storm, and Chair Johnson. Nays, none.

Kelsey Zaavedra – Property at 40422 Oriole Avenue, Amador Township; Sec. 11, T. 35, R. 20, (PID# 01.00233.20). Kelsey Zaavedra, owner of Heirloomista, is requesting a Conditional Use Permit for Rural Retail Tourism to establish and operate a stand for the sale of agricultural products; offer small-scale land-based workshops, farm tours, as well as establish a two-site campground with a third caretaker resident campsite. Director Schneider presented background information on the Zaavedra CUP application. The parcel size is 5 acres, zoned Agricultural (AG), with the surrounding area with larger active AG uses and some residential parcels mainly 10 acres in size. Ms. Zaavedra is owner of the property and operates a small-scale intensive vegetable farm using sustainable farming methods while resides on-site in a camping trailer. There is a self-contained porta-potty regularly serviced by a contractor. The site has a standalone well and camper water tank is filled with a hose. The farm stand is a permitted use on the property as long as goods originate on-site. Business proposal includes to expand the services to offer land based educational classes, tours, and continue to grow the farm stand to allow for other locally grown/made items such as jams, pickles, eggs, and bread. Currently, the farm stand is open seasonally from 11 am – 2 pm Saturdays, but additional days and/or hours may be added in the future. Tours would consist of 1 – 6 people and run up to two hours that focus on sustainable farming methods, small scale farming, and operating off-grid. Tours could be held any day by appointment but encouraged on either side of the farm stand hours. Workshops/classes would be held up to 15 people at a time to learn basic beekeeping, making hives, seed saving, and gardening.

Ms. Zaavedra would like to offer overnight camping to guests with two campsites. One tent site and one recreation vehicle (RV) site for people to experience the farm. The third campsite is identified as Ms. Zaavedra's caretaker/resident site. Campsite Rules include: primitive camping offered year-round to tenters and seasonally for RV (30 feet or less in length) parking, no sewer/water hookups, well and porta potty available for campers, required to pack out any trash/recycling, no more than four campers per site, quiet hours are 9 pm – 7 am. A small parking lot at the farm shop can accommodate up to five vehicles. Overflow parking is available for up to seven spaces, a total of twelve parking spaces. Access to/from the property is County Road 70/Oriole Avenue and a looping onsite driveway. Technical Review Committee was held on September 8, 2021 and discussed potential impacts and identifiable concerns. County Sanitarian confirmed use of porta potties have been allowed for AG sale stands and small tours when approved by Minnesota Department of Health (MDH). The detached buildings do not have water hook-ups to provide indoor restrooms. Sanitarian is researching to determine if showers or other sanitary facilities are required for a small operation, noting MDH does not regulate campsites of less than five units. Building Official will verify structural occupancy standards of detached accessory building as proposed. It may require standard building code occupancy review and upgrade. Some of the farm activities were occurring this past summer/fall and the

CUP application was initiated via recent code enforcement action. The application is consistent with the County's Comprehensive Plan and in compliance with the Zoning Ordinance purpose and intent for a CUP and notes this is a particularly unique small-scale AG related proposal. Amador Township Board recommended denial due to concerns of neighbors and enforceability of conditions at their September 21, 2021 meeting. Ms. Zaavedra was present to address questions and concerns. Chair Johnson asked each Planning Commission member and Ms. Zaavedra for additional questions and comments.

Ms. Zaavedra clarified the months listed for the educational classes, farm stand and camping. Discussion followed on general seasonal temperatures and parking. Educational classes were recommended March through December and farm stand May through December. Frank Storm had concerns with first responders/fire trucks having enough room on the property. He inquired if the overflow parking could accommodate farm stand patrons along with additional people showing up classes. Director Schneider indicated the Code Enforcement Officer was sent to the property. Many code violations use a CUP to fix and/or come into compliance. Ms. Zaavedra explained how she dealt with sanitation. Discussion followed on the current ordinance excluding tiny homes and use a CUP to circumvent the ordinance. Director Schneider indicated tiny homes are not included the current Zoning Ordinance; a traditional house needs to be a minimum 960 square feet with full perimeter frost foundation and septic system. Jim McCarthy noted the ordinance update and discussions on tiny homes and affordable housing. Ms. Zaavedra noted place was 188 square feet and would like to live year-round on the property.

Chair Johnson opened the public hearing and sought comment.

Lin Strong, 37475 Park Trail – I am Amador Township Chair and the Township is questioning why this application is a conditional use permit (CUP) versus interim use permit (IUP). As conditions are applied to both CUPs and IUPs the County needs to enforce the conditions, otherwise it is worthless.

Gail Schemdel, P.O Box 26 – Kelsey is a farmer using whatever means to continue. If having a campground means being able to live and farm, that is important. Discouraged at the rumors and complaints from people. They have not taken time to get to know Kelsey and have not provided a reasonable explanation why they do not want her to continue. Strong independent woman and a backbone of our community with healthy food. Saddens me to see the hoops that could hinder the growth of her farming businesses.

Andrew Finsness, 315134 295th Street – I am a local mushroom farmer and support Kelsey, her farm, and produce. Friends from the metro area enjoy spending time and money at her farm stand. Consider options for tiny homes in the zoning ordinance to make this work for Kelsey. Work within the system we have and get the system we need. Kelsey needs to live and run her business.

Elizabeth Somiecscs, 9536 380th Street – My husband and I met Kelsey, she is a nice person with a common interest of off grid living. We toured her place and she impressed my husband with her knowledge on pipe fitting for irrigation. Campers and RVs have everything inside and will draw interested people to her property. Tiny homes and off grid living are an alternative in our community and will continue to grow.

Jacquelyn Zifa, 15573 River Road – I am a farmer in Amador Township and this county needs young farmers. Kelsey is passionate, has formal training, and is a partner in a veggie prescription program with her vegetables. The program allows health care providers in the community to write prescriptions for fresh fruits and vegetables. Kelsey is a major producer for this program and if we lose her, we will have additional sick people. Diabetics and the sick use her vegetables. Kelsey gives back to the community and promotes healthy foods and healthy communities.

Pam Larson, 40574 Oriole Avenue – I live north of Kelsey and do not support a campground or unspecified number of educational classes. The neighborhood is quiet. Kelsey's application does not address screening for noise and parking. I do not want to stare at a commercial campground like we have been for the last few years. Kelsey was asked by the Code Enforcement Officer to remove her tiny home, but it has remained. Who knows when the Zoning Ordinance will be updated, is there a timeline, and who know what the perimeters will be for a tiny house? I have no issues with the produces and farm stand. I do not recommend approving the campground.

Diana Schleusner, 40576 Oriole Avenue – I live next to Kelsey, she is a friend, but I am opposed to the campground. I do not have a problem with Kelsey and support the farm stand and produce. I do not want to live next to campers with no privacy. The CUP is wrong when not enforced. I will not be able to enjoy my porch due to the view of the campground and noise it will produce. Nothing personal, strongly opposed to the campground because no one wants to live by it and the CUP is loophole for tiny homes.

John Bartholmy, 40567 Oriole Avenue – I am a neighbor across the road from Kelsey. I support people that farm and agree with the previous speakers/neighbors that a CUP is a loophole for a tiny home. I attended Amador Township meeting and had nightmares how the county cannot or will not enforce its ordinances. Do not open the door for a tiny home to do whatever they want with conditions that cannot be enforced. Campers do not pay taxes and I do not want to listen to the noise every weekend from my deck. I would like clarification on the number of events being proposed. I pay taxes and went through the process; we all should have too. Who in the Planning Commission will respond when issues arise?

Sarah Hunt, 15573 River Road – She was reading a letter provided by Tacy Call since she could not attend. Kelsey is in the farm coop which participates and provides quality produce. Kelsey is professional, has drive, and good for the community. She is a resource with farming organizations that reach out to community. Her business is growing and thriving model of small-scale farming done well. She is a resource, and environmentally safe how she handles water and sanitation on the property. She is in a building phase of something special.

Susan Johnson, 13757 400th Street – Move here 52 years ago and was welcomed into the community. Kelsey is young and trying innovative agriculture. People are providing broad complaints about unimportant things and things that are not going to happen. This style of camping is unique. Kelsey is young, energetic, and trying to find solutions for tiny home. Agitated that we are a small community and accept people, it is not like Kelsey showed up last week, she has been here for four years.

Andrew Hanson-Pierre, 35145 Rood Avenue – I have a vegetable farm in Shafer Township. Read through the county values and Kelsey's business is in line with that value. She is drawing outside revenue into the county with small-scale produce. Large scale farming is not appealing anymore. Appreciate a tiny home ordinance to help Kelsey along with new residences. Happy the Planning Commission is reviewing the application and addressing concerns.

Alyson Sood, 36945 Park Trail – I grew up on large scale farm in southern MN. Difficult to start farming and the willingness to open her farm to others. Not many are willing to do that. Good for the community, appreciate you looking at her application.

Frank Waletzko, 39174 Oriole Avenue – I am Michelle Waletzko, reading a letter on behalf of Frank and Alice Waletzko. Over the years we have seen large farms and the loss of smaller farms. Farms had cows, large families, and worked with neighbors. It has been fun to watch Kelsey make it. She is friendly and stops to visit. People who do not know Kelsey, she means no harm, and brings happiness and produce to people. Kelsey is growing the kind of food we need and is different than large farming. We need more young people, need more small farms, and more farm families. Approve that she stays.

Susie Sandberg, 415 Osceola Avenue South – I struggle why Kelsey's business Heirloomista, a small organic farm has had this negativity? Soaps, open gardens, and infrequent campers a reason to have issue with a tiny house? While not popular in Chisago County, she chooses to live in that space with good water and sanitation. She has moved her small farming business into camping. A thorn for being noncompliant, but the CUP will need to be followed. Amador Township reports the County has enforcement issues, which should not impact Kelsey. Need to find common ground and adjustment. Kelsey is a farmer and trying to fulfill her business. The size of her home is her business and just different in the neighborhood.

Marisa Harder-Chapman, 1501 Elm Street South – I am a former manager at the farmers market and has worked with Kelsey. Farmers are busy, over worked, and under paid. Kelsey has gone about solving this problem a different way. Her farm looks different, has an off grid tiny home, farm stand, grows small scale crops, with families touring the farm. Kelsey has gone above and beyond to be a good neighbor and is a treasure. We need to support our local farms and farmers.

Kifah Mayfield, 27626 Quinlan Avenue – I believe in Kelsey with my whole heart. Immigrant befriend elders in the community that have grown up in community like Kelsey. Our forefathers tried to survive through winter until spring. Everyone cannot afford a mansion. I have seen starvation, mental health issues, and lack of healthy food in my social work career. We need more young people helping in this community. We care about our kids, elders, and natural resources. All that said, I am truly aware of what our county can do. Immigrants strive for liberty, independence, through hard work in this country, that is what I love about this country. Tonight, I have seen and heard the dignity of working hard from Kelsey. I believe Kelsey can follow the CUP conditions. Let's not throw away an asset in our community. Our asset has brought in money into the county from tourism, passionate about our natural resources, and does not hesitate to get healthy food to our children.

Paula Behr, 32448 Elk Court – I am here with my family and Kelsey has been our family farmer for four years and delivers fresh produce to our family. Kelsey has converted the area and it looks beautiful. Need to support rural community, hard work, and her business. Make her farm work with a tiny home that offers a glimpse of the beautiful area with a wide variety of food in a smaller space. Support her livelihood.

Antonio Valdovinos, 6771 Sunrise Road – I am a friend of Kelsey. I have a tiny home in Pine County. I worked with the county to get the tiny home approved. Tiny homes are popular with modern day society. We need to advance our area and ordinances.

Kelsey Zaavedra, 40422 Oriole Avenue – I would like to respond to some comments. I am a farmer and wake up with the sun. I am very sensitive to noise for sleeping. My neighbors have a different noise level acceptance than I do. I have made calls in the middle of the night to report it. I hate to think my neighbors assume it was me. I try to get rest at night and being noisy is not accurate statement. I pay property taxes and my property is classified and assessed as residential instead of AG. I questioned the assessor's office on the criteria for AG. I need a new greenhouse for storing AG equipment, my building permit is around \$200, it adds up. Farmers are

over worked and underpaid, but I am not complaining. I pay my taxes but would like to change my parcel from residential to AG. Appreciate the county figuring out different possibilities to help find resolution.

Written public comments submitted in advance of the meeting:

Lin Strong, Amador Township – 37475 Park Trail

Rick Cedergren – 4624 412th Street

Carissa Espey –

Tacy and Chuck Call – 43700 Balsam Avenue

Craig and Susan Johnson –

Craig Trytten – 5052 440th Street

Vicki Trytten – 5052 440th Street

Casey and Misty McCormick – 17443 260th Street

Submitted public comments above have been accepted into the record and are viewable upon request at the Environmental Services Department upon request.

With no additional person wishing to speak, ***motion*** by Frank Storm to close the public hearing. Second by Jim McCarthy. The motion was approved 7 - 0 with a roll call vote. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Yeager, Storm, and Chair Johnson. Nays, none. Each Planning Commission member was asked for additional questions and comments. An extensive discussion followed on tiny homes, current ordinance and timeline for updating the ordinance. It was suggested to extend the application to allow for additional time. Director Schneider indicated it was possible the applicant could waive their 60 – day appeal or rights to extend the time period. County Attorney Fuge reported once the County has utilized all time period afforded under Minnesota State Statute, the matter could be extended under the applicant. Discussion followed on the annual CUP Intent to Continue process/review. County Commissioner DuBose asked Ms. Zaavedra if the CUP application was a way to achieve for her to stay in the tiny home. Ms. Zaavedra indicated it was part of the overall function of the farm. She explained her interest, off grid living, and difficulty for young farmers. Chip Yeager explained the county has a zoning ordinance to promote health and safety for residences; tiny homes do raise concerns, but willing to find a way to make this application work. Discussion followed about recommending approval of the CUP application and leave the tiny home decision to County Board. John Sutcliffe asked for clarification if a tiny home pays taxes or need a vehicle license/tab. Director Schneider indicated the accessor's office could address that question. Commission members discussed edits to the conditions of the CUP and not in compliance with state code. ***Motion*** by Frank Storm to approve a Conditional Use Permit for Rural Retail Tourism and small scale three (3) site campground as requested for 40422 Oriole Avenue, PID#01.00233.20 as outlined in the Staff's report, Findings of Fact, site plan, and narrative of record with the following conditions:

1. This CUP shall allow for seasonal rural retail tourism to offer and host agricultural oriented educational and recreational classes, farm market, and associated activities and a three-site campground with the following elements:
 - Farm Stand and Market for sale of agricultural products, merchandise, and goods
 - Farm tours to take place on Saturdays, or by appointment for groups of 6 or less during daylight hours
 - Educational classes not to exceed 25 participants per class and 2 classes per week March thru December.
 - Mandatory on-site caretaker campground campsite occupancy and management of the two (2) designated camp sites (RV site and Tent Site).
2. Seasonal farm stand hours of operation shall be conducted on Saturdays from May through December from 9 AM to 6 PM.

3. Camping may occur year-round for the single tent campsite. Camping may occur seasonally (May – December 15th) for the RV camp site. Caretaker must be in full time residence for the duration of all camping activities. Camping may occur with the following restrictions/conditions:
 - Campsite quiet hours shall be designated from 9 pm to 7 am with no sustained audible noise or camper activities heard beyond the designated property boundaries during such times.
 - Solid waste shall be sufficiently contained, screened, and protected on-site so as to prevent nuisance conditions and shall be self-hauled/removed weekly.
 - Porta potty waste pumping contract(s) and records shall be maintained documenting full-service year-round pumping and disposal of all effluent/waste.
 - One (1) campfire site is allowed per campsite conditioned on a suitable fire plan / fire extinguisher provided per site.
 - No outdoor amplified music shall be permitted at campsites.
4. The maximum attendance at any given time with camping, sales, tours, and workshops associated with the CUP shall be no more than 25 people.
5. All parking shall be accommodated on-site. Additional parking stall area to be designated to accommodate for at least 15 visitors attending workshops at any given time. Proof of parking diagram to be provided and placed on file with staff.
6. Signage shall be in accordance with Section 4.14 of the Zoning Ordinance.
7. The Permittees shall provide documentation to the County Building Official for the construction of any buildings which will house the public for sales or workshops. All remodeling or retrofitting of the existing buildings shall be subject to relevant State Building Codes, permits, and inspection requirements.
8. Minnesota Building Code/ SSTs, and all other relevant MDH codes shall be applicable to the project, all permits and Certificates of Occupancy and Compliance shall be obtained prior to occupancy, and CUP approval shall be considered provisional until such time as these requirements are met. On-site porta potty may be replaced with compliant SSTs tank privy and/or approved effluent dumping station in accordance with State SSTs regulations and permitting. Pumping and SSTs service records shall be provided upon demand to demonstrate effluent disposal compliance.
9. The Applicants shall provide documentation of contractual porta-potty effluent pumping service agreements per State MDH and SSTs requirements. Outdoor restrooms shall be screened from Oriole Avenue with adequate plantings or fencing so as to not be visible from the road right-of-way.
10. 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. 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. Year-round access and parking for multiple emergency vehicles is required on site, including space to maneuver/turn vehicles on the site. If emergency vehicles are damaged due to the lack of maneuverable space/adequate driveway width/height, owner will receive a bill for items that need repair. Contact the Almelund Fire Chief with questions.

Second by John Sutcliffe. The motion was approved 7 - 0 with a roll call vote. Ayes: Corbin, McCarthy, Sutcliffe, Yeager, Storm, Chair Johnson, and Whitney. Nays, none.

Communications and Reports

County Commissioner DuBose reported County Board reviewed the Accessory Structures Ordinance update and had no changes. Commercial Shooting Range Draft Ordinance was contentious with the County Board. It was recommended the draft ordinance go back to the Planning Commission for further review to address setbacks and develop language to limit hours and days of operation for outdoor ranges. County Board agreed a public hearing for this ordinance was premature.

Chair Johnson called for a five-minute recess.

Accessory Structures Ordinance Amendment

Director Schneider provided a brief overview of the ordinance amendment and highlighted additional language. Chair Johnson opened the public hearing and sought comment. With no additional person wishing to speak, **motion** by Frank Storm to close the public hearing. Second by John Sutcliffe. The motion was approved 7 - 0 with a roll call vote. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Yeager, Storm, and Chair Johnson. Nays, none. Each Planning Commission member was asked for additional questions and comments. Chip Yeager inquired if the ordinance amendment will need legal review. County Attorney Fuge reported he did review the ordinance amendment as presented. Frank Storm commented he did not agree with A#3 on parcels ten acre or larger in size, a IUP may be issued to allow a singular accessory building to be constructed for personal storage/use only without the presence of a principal use structure and which no overnight or residential living quarters are allowed. He will be voting against it. **Motion** by Dave Whitney to recommend the County Board take action on the Chisago County Zoning Ordinance as it pertains to the use of accessory buildings in the Agricultural Zoning District. Second by Shellene Johnson. Jim McCarthy clarified Frank Storm's comment. The motion was approved 5 - 2 with a roll call vote. Ayes: Whitney, Corbin, Sutcliffe, Yeager, and Chair Johnson. Nays, McCarthy and Storm. John Sutcliffe commented he had received a significant amount of calls on the ordinance amendment.

Board of Adjustment Variance Request Update

Director Schneider provided a brief overview of the Keith Johnson – Johnson 2 solar project. This project has been reviewed by the Planning Commission twice. The Board of Adjustment and Appeals (BOA) approved a variance for road setbacks and will not be part of the Planning Commission's review of this application for the third time. The BOA approved different setbacks than the current ordinance. There was great discussion with this unique application. There were convincing comments with persuasive findings. The Planning Commission will review the application at their next meeting, using the current solar ordinance for screening, fencing; except setbacks.

Old Business:

Commercial Shooting Ranges

County Commissioner DuBose had provided the overview during the County Board Liaison communication update. County Attorney Fuge is reviewing several ordinances; how other legal jurisdictions determine/define a private versus public shooting range. County Board has recommended the Planning Commission to identify different scenarios (setback from housing, density of housing, setbacks) and draft ordinance language to address concerns. Dave Whitney suggested referencing State Statute. County Attorney Fuge provided overview of what the Attorney's office has been requested to do and will work with Director Schneider. Jim McCarthy raised his concerns on noise being produced from a shooting range. Frank Storm reviewed best practices and the National Rifle Association (NRA) Handbook. Frank Storm stated his opinion that indoor ranges should be in an industrial park. Chair Johnson asked how soon would the draft language be presented.

Director Schneider indicated December, but there is a possibility of a November review. County Attorney Fuge noted the noise standards will be a priority on the list of concerns to be addressed.

Zoning Ordinance Review & Update

Director Schneider indicated the Bolton & Menk professional services agreement is almost complete with a few items left to be finalized. A schedule has not been developed for the consulting firm. Director Schneider reported the Land Services Coordinator position has been filled by Beth Thorp. Director Schneider and Coordinator Thorp provided a brief background of her previous work/experience. **Motion** to cancel the October 21, 2021 Planning Commission Special Work Session by Frank Storm. Second by Dave Whitney. The motion was approved 7 - 0 with a roll call vote. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Yeager, Storm, and Chair Johnson. Nays, none. Discussion followed on the commercial shooting research and cancelled tours of each facility. Director Schneider indicated the tours would have provided valuable information but made sense to cancel with the review and comments provided by the County Board on the draft ordinance.

ADJOURNMENT: There being no further business, motion by Frank Storm and second by Shellene Johnson to adjourn. The motion was approved 7 - 0 with a roll call vote. Ayes: Whitney, Corbin, McCarthy, Sutcliffe, Yeager, Storm, and Chair Johnson. Nays, none. Meeting was adjourned at 10:37 p.m.