
Chisago County Government Center | 313 N. Main Street | Board Room 160A | Center City, MN 55012

1. Zoning Ordinance Issue Identification Tracking Matrix
2. County Board Requested Public Hearing – Adoption of Official Zoning Map with Amendments
 - a. Consolidation of Rural Residential I (RRI) and Rural Residential II (RRII) Districts into Rural Residential (RR) District
 - b. Change all references of Urban Residential (UR) District to Urban Fringe Residential (UFR) District
3. County Board Requested Rural Retail Tourism / Wedding Venue Discussion
4. Commissioner Requested Major Home Occupation vs. Horse / Equine Permitted Use Topic

CHISAGO COUNTY ORDINANCES: ISSUE IDENTIFICATION & POLICY CHANGE TRACKING MATRIX

January 9, 2025

No.	ISSUE TOPIC / SUMMARY	DATE IDENTIFIED	SECTION LOCATION(s)	PAGE(s)	ISSUE NARRATIVE / DETAIL	ALTERNATIVES / SOLUTIONS	COMMISSION / BOARD CONSENSUS & DIRECTION	CONSENSUS DATE	ACTION PRIORITY High / Annual Update / Other
1	Rural Retail Tourism Businesses - Wedding/Gathering Venues	12/18/24	5.06 4.17	119 104	Improve code treatement of Rural Retail Tourism busineses - wedding/gathering venues. Review recent wedding venue proposal on 260th for issues discussion.	Expand and detail wedding/gathering venue performrance standards within the code	County Board Directed	12/18/24	High
2	Major Home Occupation - Horse Equine	01/03/25	5.06 B & C 4.04 3	118 66 9	Proposed by Commissioner Whitney. Horse-Equine Businesses are better suited as Permitted Agricultural Use rather than a Major Home Occupation. An equine facility whether it’s amateur or professional and whether it's focus is on training, breeding, showing, sales or boarding of equine animals is an agricultural business which should meet agricultural standards NOT Major Home Occupation standards.	Ref. Commissioner Whitney research/recommendation paper dated 1/02/2025			Other - Commissoner Whitney does not want this issue to interrupt other high priority issues.
3	Zoning Map Amendment - RR Districts Consolidation &	01/07/25	5.02	116	As a part of the recent comprehensive update of the Chisago County Zoning Ordinance, the Rural Residential Zoning Districts (RRI and RRII) were consolidated into one single Rural Residential (RR) District; and "Urban Fringe" residential terminology is used in place of "Urban Residential".	Amend the zoning map to reflect consolidated RR District and change the map to reflect Urban Residential as Urban Fringe Residential.	Board Directed Public Hearing	01/07/25	High

Chisago County
Zoning Ordinance
Section 4.17 Rural Retail Tourism Businesses

A. Purpose.

In accordance with the stated goals of the Chisago County Comprehensive Plan, the purpose of this section is to:

1. Preserve and celebrate Chisago County's archaeological properties, rural and agricultural heritage, and historical landscapes.
2. To recognize Chisago County's scenic features, exceptional rural ambience, historic sites as desirable local amenities which will draw outside revenue from visitors, that is vital to the local economy.
3. Enhance Chisago County's appeal to visitors who are drawn to its rural atmosphere.
4. Provide opportunities for new economic growth through Rural Retail Tourism businesses.
5. Assist the County's citizens in the transition from primarily agricultural land uses to an expanded variety of rural business opportunities as active family farming continues to diminish in Chisago County.

B. Standards.

Rural Retail Tourism businesses shall meet the following standards:

1. Rural Retail Tourism businesses shall be located within the AG or RVC Zoning Districts.
2. Rural Retail Tourism businesses shall require a Conditional Use Permit in accordance with Section 8.04 of this Ordinance.
3. Rural Retail Tourism businesses shall be shown to have a unique and demonstrable relationship with Chisago County or its region, and its history, culture, traditions, arts, crafts, lore, natural resources, or other features and amenities, in accordance with the above stated purposes.
4. Uses.
Allowed Rural Retail Tourism businesses shall include such things as farm or other historical heritage attractions, single family residential rental properties for retreats, crafting, weddings, receptions, small-scale, low impact special events, corn mazes, holiday celebrations and harvest festivals, country-craft/antique shops, unique local venues providing for the sale and serving of

locally produced raw and/or value-added agricultural products, goods and services, and other reasonably related merchandise, and other uses determined by the Department of Environmental Services to be similar in nature and scope.

5. Size.
The maximum number of attendees allowed at a Rural Retail Tourism site shall be identified in the CUP application and shall not exceed three hundred (300) persons and may be reduced as a condition of approval.
6. Hours of operation.
Hours of operation are only permitted between 7:00 a.m. and 10:00 p.m. and may be reduced as a condition of approval. Quiet hours shall be observed outside of hours of operation.
7. Outdoor amplified music and fireworks shall be prohibited.
8. Screening Required.
Screening shall be required for Rural Retail Tourism businesses. A screening plan shall be submitted as part of the CUP application and shall adhere to the following general standards:
 - a. Required screening shall consist of a fence, or berm and plant material with eighty (80) percent opacity within three (3) years of planting, while separate or in combination thereof shall achieve a height of not less than five (5) feet high and shall not extend within fifteen (15) feet of any driveway and at least twenty (20) feet from the street right-of-way.
 - b. Trees shall be setback a minimum of fifteen (15) feet from property lines in all districts. Distance is measured from the center of the trunk at the time of planting. This requirement may be waived where there is mutual written consent between property owners.
9. Parking.
All parking generated by the Rural Retail Tourism business shall be on-site in the AG District. The RVC District does not require on-site parking. A parking plan shall be submitted as part of the Conditional Use Permit application.
10. The minimum lot size for the Rural Retail Tourism business shall be twenty (20) acres in the AG District. The minimum lot size for the Rural Retail Tourism business in the RVC District shall be the minimum lot size for the RVC District.
11. In the AG District, the minimum setback for any structure in which the Rural Retail Tourism business is being conducted or any appurtenances shall be two

hundred fifty (250) feet from residentially zoned or used properties or active neighboring cattle of livestock yard or pasture. Said setback may be waived with written consent of the neighboring property owners. The minimum setback for the Rural Retail Tourism business in the RVC District shall be the minimum required structural setback for the RVC District.

12. Code Compliance.

An existing structure or SSTS which is subjected to a change in occupancy or GPD loading as a result of an approved Conditional Use Permit for a Rural Retail Tourism business shall be retrofitted and/or upgraded to conform to current code requirements. All existing buildings proposed for use in association with the business shall be certified by an architect or engineer to be in compliance with current structural standards for the new occupancy prior to any use of the structure.

C. The terms “small-scale” and “low-impact” shall be construed to refer to land uses which:

1. Do not create an excessive demand upon existing services or amenities.
2. Are screened or able to be screened adequately, or are sufficiently separated from adjacent development or land, to prevent undue negative impact to nearby properties.
3. Will not have an appearance that is inconsistent or incompatible with the surrounding area.
4. Will not cause traffic hazard or undue congestion as determined by the road authority.
5. Will not negatively impact the neighborhood by intrusion of noise, glare, odor, or other adverse effects.

D. All conditional uses for Rural Retail Tourism businesses shall be subject to the applicable requirements of Section 8 Administration and Enforcement.

HORSE/EQUINE BUSINESSES ARE BETTER SUITED AS AN AGRICULTURAL USE RATHER THAN A MAJOR HOME OCCUPATIONS

Horse/Equine businesses whether they focus on the training, breeding, boarding, sale or showing of equine animals are agricultural businesses and should meet agricultural standards NOT Major Home Occupation standards.

1). Equine businesses by their very nature are agricultural. They involve farm animals and farm supplies, agricultural buildings, hay, grain, veterinarians & vet supplies, trucks, tractors, trailers.

2). Minnesota classifies horses as agricultural animals?

The Minnesota Statutes defines horses as livestock when raised for a variety of purposes, including riding, driving, racing, and breeding.

Section: 17.459 HORSES.

Subdivision 1. Classification as livestock.

"Horses and other equines raised for the purposes of riding, driving, farm or ranch work, competition, racing, recreation, sale, or as breeding stock are livestock. Horses and their products are livestock and farm products for purposes of financial transactions and collateral".

Subdivision 2. Agricultural pursuit.

"Raising horses and other equines is agricultural production and an agricultural pursuit. A horse breeding farm, horse training farm, horse boarding farm, or a farm combining those purposes is an agricultural operation."

3). Chisago Zoning Ordinances also define horses and other equine animals as agricultural.

DEFINITIONS from the Chisago Zoning Ordinance

Animals, Farm

*"Cattle, hogs, bees, sheep, goats, chickens, turkeys, **horses**, and other animals commonly accepted as farm animals in the State of Minnesota."*

Commercial Agriculture

*"**The production principally for the sale to others of** plants, animals, or their products, including but not limited to: forage and sod crops, grain and feed crops, dairy animals, and dairy products; **livestock, including dairy and beef cattle, poultry, sheep, swine, horses, ponies, mules, and goats; including the breeding and grazing of all such animals;** bees and dairy products; fruits of all kinds including grapes, nuts, and berries; vegetables; nursery, floral ornamental and greenhouse products, and other commodities as described in the Standard Industrial Classification for agriculture, forestry, fishing, and trapping. Commercial agriculture shall not include poultry or swine production or animal feedlot operations."*

4). Equine Facilities can't meet several of the basic requirements of a Major Home Business.

EXAMPLES

4.04 Home Occupations

C. Major Home Occupations Requiring a Conditional Use Permit. Standards require:

- **Purpose: “moderate business activities from the home. . . . The home and residency of the subject property must remain a principal focus of any major occupation location” p. 49 & 50**
 - **An equine business is conducted outside the home and has no major focus within the home!**
- **4. “No outdoor display or storage of goods or materials is permitted.”**
 - **Most equine businesses require signage to help customers find their location;**
 - **Equine businesses must have outside storage: hay, round pens, trailers, tractors, animal pens, manure, etc.**
- **Screening Required, “Screening shall be required for Major Home Occupations” p. 51**
 - **A permit holder shall install a “6’ tall privacy fence or a double, staggered row of 6’ tall evergreen or other non-deciduous trees planted no greater than 16’ on center which meet or exceed 75% opacity within three years.”**
 - **Think about it, a building with 14’ walls, + 5’ roof rise becomes 19’ tall.**
 - **Requiring a 6’ fence or 6’ tree will never meet 75% opacity within three years, probably 75% opacity can never be achieved, whether trees or a privacy fence is used.**
 - **Requiring screening for equine buildings will make it impossible for applicants to fulfill the ordinance requirements.**
- **Several of the requirements for a Major Home Business are not appropriate for an equine business and can set the applicant up for the possible revocation of their CUP.**

5). Our current ordinance has horses (horse barns) and Major Home Occupation as two separate uses.

- **Within the Zoning Ordinance, each zoning district has a list of Permitted Uses and Conditional Uses. Under each topic, there are a list of business types that meet each category. The Equine (Horse) use is listed as a separate item, not a sub-set of Home Occupations. See below:**
 - **Within the Agricultural District, 5.06 Agricultural District (A),**
 - **C. Conditional Uses:**
 - **#23. “Horse barns as a principal or accessory use.” then**
 - **#24. “Home Occupations” are listed immediately after horse barns as a separate use. Horse barns are not a subset of Home Occupations, they are their own use**

6). Why has the equine business been classified as a Major Home Occupation rather than an Agricultural business? **The current zoning language regarding horses and the equine business is unclear, missing or misleading. Clarification of terms is needed.**

- The equine business needs to be categorized as an agricultural business in the definitions.
- Equine terms need to be defined: A non-commercial horse barn is referenced as a Permitted Use, but there is no definition and no mention or definition of a commercial horse barn which does require a CUP e.g.
 - A Permitted Use is: *"15. Non-commercial horse barns containing no living quarters."*
 - A Conditional Use is defined as: *"23. Horse barns as a principal or accessory use."*
 - **No mention of a commercial use. What does horse barns as a principal or accessory use actually means? Unclear and inconsistent language use.**
- In the horse business, the **words amateur and professional delineate more meaning** to horse people than non-commercial and commercial as almost all amateur and professional horseman have their facilities as a business thus under our terms, all horse facilities would fall under a commercial enterprise.

RECOMMENDED ZONING ACTIONS:

1. Add and Define Equine Terms:

- **Equine Animals:** Horses, ponies, mules
- **Equine Facility:** The amateur or professional training, breeding, showing, selling or boarding of equine animals for the purposes of riding, driving, farm or ranch work, competition, racing, recreation, sale, or as breeding stock.
- **Equine Facility, Amateur:** An agricultural operation used for recreation purposes and/or to train, breed, show or sell the owners equine animals and the boarding of customers equine animals.
- **Equine Facility, Professional:** An agricultural operation used to train, breed, show, or sell customers equine animals for a monetary fee.

2. Under 5.06 Agricultural District (A)

- **Replace #15 under Permitted Uses which says:**
 - *"15. Non-commercial equine facility containing no living quarters."*
 - *with*
 - *"15. Amateur equine facility containing no living quarters, used for recreational purposes and/or the training, breeding, showing or sale of the applicant's equine animals or the boarding of customers equine animals."*

3. 5.06 Agricultural District (A)

- **Replace #23 under Conditional Uses which says:**

- *“23. Horse barns as a principal or accessory use.” with*
 - *“23. Professional equine facility including a possible living facility, used for the training, breeding, showing, sale or boarding of customers equine animals for a monetary fee.”*
4. 5.08 Rural Residential District (RR)
- Replace #9 under Permitted Uses which says:
 - *“9. Horse keeping at a maximum density of one (1) horse per two (2) acres.” with*
 - *“9. Amateur equine facility containing no living quarters, used for the training, breeding, recreation, sale or showing of the oenrtd equine animals with a maximum density of one (1) equine animal per one (1) acre.*

SUMMARY:

An equine facility whether it's amateur or professional and whether its focus is on training, breeding, showing, sales or boarding of equine animals is an agricultural business which should meet agricultural standards NOT Major Home Occupation standards.

Implementing the above recommended zoning additions and changes will significantly clarify the use and role of equine facilities in Chisago County.

1/2/2025