

**CHISAGO COUNTY
PLANNING COMMISSION
Special Work Session
January 16, 2025**

The Chisago County Planning Commission met for a special work session at 6:00 pm on Thursday, January 16, 2025 at the Chisago County Government Center.

Acting Chair Wille called the special work session to order. Commissioners Present: Chris DuBose, Eric Leivian, Jim McCarthy, John Sutcliffe, Dave Whitney, Jolene Wille, and Chip Yeager. Commissioners Absent: None.

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

Others Present: Ex Officio County Commissioners Dan Dahlberg and Rick Greene.

Zoning Ordinance Issue Identification Tracking Matrix – Director Schneider explained that staff created a tracking matrix as a way to organize and track issues over time, with the goal of addressing issues by way of Ordinance Amendments on a routine basis, if endorsed by the County Board. Commissioners were encouraged to introduce issues that they wished to be placed on the matrix for discussion. Schneider noted that the matrix already featured Rural Retail Tourism Businesses / Wedding and Gathering Venues, Major Home Occupations / Horse Equine Uses, and Zoning Map Amendment.

County Board Requested Public Hearing – Adoption of Official Zoning Map with Amendments – Director Schneider shared that the County Board, at its January 7, 2025 meeting, moved to direct the Planning Commission to schedule a public hearing in consideration of Official Zoning Map adoption consistent with the recently enacted Zoning Ordinance. Coordinator Gervais explained that the proposed Map Amendments would include the consolidation of the Rural Residential I (RRI) and Rural Residential II (RRII) Districts into the Rural Residential (RR) District and changing all references of the Urban Residential (UR) District to the Urban Fringe Residential (UFR) District. Gervais added that GIS Analyst Wulf had prepared a draft Official Zoning Map which was still in the process of being further refined for the February 6, 2025 public hearing. Schneider noted the importance of adopting the Zoning Map in a timely fashion being that the Zoning Ordinance and Zoning Map were in conflict, and, following adoption, the Planning Commission could continue discussing other possible Map Amendments, such as modifications to the Rural Village Center (RVC) District. Director Schneider asked the Planning Commission if they had any feedback. Commissioner DuBose inquired whether the Zoning Map would be scheduled for a public hearing on February 6, 2025. Staff responded in the affirmative. Commissioner McCarthy sought clarification, asking if the map staff presented would be adopted at that time, and whether any further modifications would be made, given the importance of adopting the map in a timely manner. Schneider explained that the process mainly involved relabeling certain districts on the Zoning Map, and the County's GIS Analyst had removed all highway layers and additional lines so that it was strictly a Zoning Map. Commissioner Sutcliffe asked if discussions regarding other possible Amendments to the map would take place later in the year. Schneider encouraged the Planning Commission to add the Zoning Map to the tracking matrix and suggested scheduling a work session to discuss how to proceed with each Rural Village Center (RVC) District. McCarthy recommended exploring the Chisago Lake area and reaching out to the local communities to see if they had any plans for expansion, ensuring that the County's Zoning Map reflected these potential changes.

Acting Chair Wille sought final clarification on the next steps, asking that staff distribute the final draft to the Planning Commission prior to the February 6, 2025 public hearing. Schneider explained that the Zoning Map

was adopted by reference in the new Zoning Ordinance; however, due to the consolidation of some districts and the renaming of another, the labels no longer matched, and provided insight on the public hearing notification process for the Zoning Map Amendment.

County Board Requested Rural Retail Tourism / Wedding Venue Discussion – Director Schneider began the conversation by referencing a handout that staff had prepared and distributed at the beginning of the work session, noting that the first part of the document highlighted the recently adopted Zoning Ordinance and regulations specific to Rural Retail Tourism uses. The handout also posed questions for Planning Commission discussion, including:

- Should wedding and reception type venues be called out separately from other rural retail tourism uses??
- What performance-based scale/scope criteria could be implemented?
- Should independent Road Authority engagement be required prior to applying for zoning approval?
- Should the County implement a septic system design policy for Rural Retail Tourism uses, possibly requiring a preliminary Licensed Septic System Design and site installation plan to be submitted with the CUP application?

Sutcliffe noted that he had attended a class that same day from the PCA, during which wedding venues were discussed. He shared that the PCA was working with local governments to ensure that bathroom facilities were adequate for the number of guests attending events. He mentioned that some wedding venues were reported as having only one porta-potty, despite hosting more than 200 guests. Schneider explained that the County had received and approved venue requests where the solution for restrooms was to use portable toilets, and suggested that the Planning Commission could recommend that venues be required to install septic systems. Sutcliffe clarified that, while porta-potties would be acceptable, it was essential to ensure that there were enough of them. Schneider asked Sutcliffe if the PCA had a recommended number of porta-potties per event. Sutcliffe advised that the best approach would be to consult the company providing the porta-potties to determine the capacity per unit per day.

Schneider asked the Planning Commissioners how they would like to proceed with wedding venues. DuBose suggested that wedding venues should be specifically addressed in the Zoning Ordinance, as they were fundamentally different from other Rural Retail Tourism uses. He also agreed that a minimum requirement for septic systems or porta-potties should be established. Additionally, DuBose emphasized the importance of involving the Road Authority early in the process by holding a preliminary meeting to provide recommendations that could assist in advancing the application.

McCarthy explained that when the Rural Retail Tourism land use category was created, wedding and gathering venues were not initially included. The land use category was originally intended for businesses like wineries and pottery studios. However, when a request for a wedding venue was made, the Planning Commission added wedding venues to the Rural Retail Tourism category without fully understanding how different the use was. McCarthy believed that wedding venues did not fit within the rural area and suggested that a maximum occupancy of 125 people would be appropriate. He also expressed that it should not be the applicant's responsibility to design the road and prove its safety to the Road Authority. Instead, McCarthy recommended that County staff evaluate the road on behalf of the Township, so the applicant would not have to bear the cost of a road study.

Yeager suggested creating two tiers for Rural Retail Tourism uses, including one for low impact uses and one for high impact uses, each with unique performance standards. The Planning Commission discussed whether campgrounds should be classified as a high impact use. Ultimately, the Commission decided that

campgrounds had already been thoroughly addressed in the new Zoning Ordinance. Schneider summarized, based on the Planning Commission's discussion, that the key factor for determining whether a particular use would be classified as either a low or high impact was the occupancy level. DuBose added that the type of activity also played a role. He provided a winery as an example, noting that it could involve ten people tasting wine, or it could involve significantly more people with various activities, including amplified music.

Whitney noted that audience member, Rick Prah, lived across the street from a very active wedding venue, and invited Prah to provide feedback and insight. Whitney also shared that he would be open to eliminating wedding venues altogether and capping the number of venues allowed, noting that there were already a variety of venues for people to hold their weddings. He ultimately proposed the idea of eliminating wedding venues as an allowable use moving forward.

Acting Chair Wille invited Prah to address the Planning Commission. Prah explained that he owned land next to a wedding venue. He noted that he hadn't had any issues with noise but expressed concern about the expansion of a parking lot with impervious materials, resulting in added runoff onto his land. Whitney clarified for Prah that any Zoning Ordinance changes would affect future venues and not previously approved venues.

DuBose suggested implementing a minimum parking lot setback requirement. He also raised the question of whether a parking lot expansion would trigger the need for a Conditional Use Permit (CUP) Amendment. Gervais responded that a parking lot expansion could possibly trigger the need for a CUP Amendment, depending on the wording of the conditions when approved. The discussion continued with further consideration of conditions for parking lots to prevent runoff onto neighboring properties.

Acting Chair Wille asked the Planning Commission whether they would like to Amend the Zoning Ordinance to further refine wedding and gathering venue performance standards or eliminate such venues altogether. Leivian expressed that he was not in favor of banning wedding venues. He believed that wedding venues aligned with the purpose of Rural Retail Tourism but suggested that venues should be addressed separately with stricter requirements. Leivian also expressed support for Yeager's idea of implementing a tiered system. Sutcliffe inquired about the legality of allowing wedding and gathering venues and then later deciding to prohibit them. Schneider responded that staff would need to seek legal counsel on that question.

There was lengthy discussion about whether to eliminate wedding venues as an allowable use. McCarthy shared that he would support eliminating the use but emphasized that any decision should be clearly stated in the Zoning Ordinance—whether wedding venues were an allowable use or not. DuBose added that the County Board had previously discussed the possibility of eliminating wedding venues but ultimately decided that they wanted to keep them, while adding stricter requirements / performance standards. County Commissioners Greene and Dahlberg provided insight, noting that the County Board would not support a ban on wedding venues. DuBose reiterated that he favored a tiered system and agreed with Leivian's position.

The Planning Commission then discussed noise concerns and the importance of having applicants provide expected daily, weekly, or event-specific occupancy levels to help categorize venues within the tiered system. There was also discussion on how many days per week events should be allowed, along with considerations for road safety.

Whitney asked staff what kind of report was required for each CUP holder to submit annually if they wished to continue into the next year. Gervais provided insight stating that CUP and IUP holders were required to submit an "Intent to Continue" form annually. Gervais added that the form was generated by the County and listed the conditions of approval. By signing the form, the applicant acknowledged that they were adhering to the

approved conditions. Whitney followed up, asking if the County was able to confirm how many events were held per year. Gervais stated there was no way of monitoring how many events a venue hosted per year. Whitney also discussed with staff if the Building Inspectors verified and ensured that building plans / construction followed the conditions of approval, explaining that the specific concern had to do with sound proofing of the building. Gervais reviewed the building permit process sharing that, when the applicant applied for a building permit, a copy of the CUP was attached to the submittal signifying that the use was permitted. There was discussion between Yeager and Schneider about what the process would look like if an applicant originally applied for a low impact use permit and later decided that they wanted to expand beyond the original scope. Schneider answered that they would need to apply for the high impact use as it would be beyond the intent of the original permit. McCarthy inquired whether venues could utilize or be eligible for an agricultural permit for a wedding venue. Schneider explained that they would not be able to apply for a site permit, and added that during the Technical Review Committee meeting staff reviews various aspects of the proposal with the applicant covering any concerns with septic and building.

The Planning Commission further discussed and brainstormed ideas about how they could enhance the wedding and gathering venue land use as part of Rural Retail Tourism. Items that were discussed, included:

- Requiring engineered drainage and stormwater plans and parking plans for proposals with attendee counts greater than 50, 75, or 100.
- Minimum lot size. In the Agricultural (AG) District the lot size requirement was currently 20 acres and, in the Rural Village Center (RVC) District, it was 11,500 square feet. Building off of this idea there was additional discussion about having a tiered approach on the lot size based on occupancy level.
- Setback requirements. The existing setback requirement in the Agricultural (AG) District was 250' from residentially zoned or used properties or active neighboring cattle or livestock yards or pastures. The discussion highlighted that the existing setback requirement was very restrictive and could prevent the use.
- Would they need to have a 20-acre minimum lot size requirement for the other Rural Retail Tourism uses if they were calling out wedding and gathering venues separately. The Planning Commission discussed that the other uses could also fit into a tiered system, as they would most likely qualify as a low impact use.
- Possible qualifiers for a tiered system: number of attendees, noise levels, number of events and expected occupancy, setbacks based on expected occupancy, screening standards, parking lot setbacks.
- Having a requirement based on the number of residential homes nearby the proposed wedding or gathering venue.
- Pottery Studios and how some were considered legal non-conforming uses as some were not on 20 acres. There was additional discussion with Pottery Studios and hosting one or two events that would occasionally draw significantly more traffic compared to the usual traffic.
- Adding a general condition of approval requiring that the County be notified of parking lot expansions.

Whitney asked the County Commissioners present if they had any additional thoughts to add to the discussion. County Commissioner Greene shared that, during the County Board's discussion about a previously requested CUP for Rural Retail Tourism, the County Attorney advised that the County did not have jurisdiction over City or Township roads; therefore, he was in favor of requiring that the applicant discuss road concerns prior to submitting application for CUP. There was lengthy discussion about how to better work with Townships on road concerns in regard to gathering venues.

Gervais informed the Planning Commissioners that they were provided with new reimbursement forms for 2025, and the Auditor-Treasurer's Office would prefer that the forms be completed electronically. Gervais

noted that the mileage included on the new form was determined by the Auditor-Treasurer's Office and it was based on the most direct route from each of the Commissioners' homes to the meeting location.

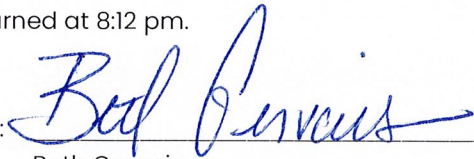
Commissioner Requested Major Home Occupation vs. Horse / Equine Permitted Use Topic – Commissioner Whitney briefly covered his concerns with classifying certain agricultural uses, such as horse arenas, as a Major Home Occupation. He believed that horse related uses and agricultural uses did not match the definition of a Major Home Occupation. Whitney had prepared a document highlighting the State's definition and classification of horses, excerpts from the Chisago County Zoning Ordinance, and suggested zoning actions. Due to time, the Planning Commission decided to further discuss the issue at a future work session and add it to the newly implemented tracking matrix.

With no further business to discuss, the work session adjourned at 8:12 pm.



Jolene Wille
Acting Chair

ATTEST:



Beth Gervais
Land Services Coordinator