

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

Planning Commission Tour: Wednesday, February 5, 2025 at 9:00 am
Departing from Chisago County Highway Department, 31325 Oasis Road, Center City, MN

1. Call to Order and Pledge of Allegiance

2. Roll Call and Determination of a Quorum

3. Election of Officers

The Planning Commission will elect a Chair and Vice Chair for 2025.

4. Approval of Agenda

5. Approval of Minutes

a. December 5, 2024 Regular Meeting

6. Receive all Materials and Submittals into Record

Previously Distributed:

a. Complete meeting packet including staff report(s) with attachments for agenda item(s) 7a, 7b, 7c, 7d, and 10a.

7. Public Hearings

- a. **Joshua Fields** – Property owner Joshua Fields is requesting an After-the-Fact Interim Use Permit allowing a Contracting Business Owned and Operated by Persons Residing at the Property. The proposed business, known as Fields Contracting, will offer excavation services. The 25.93± acre subject site (combination of two parcels) is zoned Agricultural (AG) District and located at 45134 John Avenue in Sunrise Township, S14+23, T36, R21 (PIDs 09.00545.00 and 09.00567.00).
- b. **Craig & Patti Peltier** – Property owners Craig & Patti Peltier are requesting approval of the Preliminary Plat of Peltier Estates involving the creation of one lot from a 45.8± acre tract of land. The subject site is zoned Agricultural (AG) District and generally located south of Furuby Road / CSAH 20 and west of Park Trail / CSAH 12 in Chisago Lake Township, S14, T34, R20 (PID 02.00557.00).
- c. **Steven Olson & Ann Byers and Gary & LaDonna Olson** – Property owners Steven Olson & Ann Byers and Gary & LaDonna Olson are requesting approval of the Preliminary Plat of Amador Meadows involving the creation of two lots from a 26.8± acre tract of land. The subject site is zoned Agricultural (AG) District and generally located approximately one-tenth of a mile north of 392nd Street on the east of Oriole Avenue / CR 70 in Amador Township, S14, T35, R20 (PID 01.00266.50).
- d. **Adoption of Official Zoning Map with Amendments** – Chisago County is seeking comment on the County's Official Zoning Map and proposed amendments to the Zoning Map consistent with the Chisago County Board of Commissioners' enactment of an updated Chisago County Zoning Ordinance on December 18, 2024 and effective on January 1, 2025. The purpose of the public hearing is to consider adoption of the Official Zoning Map with

proposed amendments that correspond with the updated Zoning Ordinance, including, but not limited to, consolidation of the Rural Residential I (RRI) and Rural Residential II (RRII) Districts into a single Rural Residential (RR) District and to change all references of the Urban Residential (UR) District to the Urban Fringe Residential (UFR) District. Copies of the proposed Zoning Map may be viewed during regular business hours at the Chisago County Department of Environmental Services located at 313 N. Main Street, Center City, MN. For more detail, refer to the complete public hearing notice published for this item on January 23, 2025.

8. Public Hearings – Continued Hearings

None

9. Old Business

None

10. New Business

- a. Annual Review of *Planning Commission and Board of Adjustment and Appeals Policy on Commission / Board Structure, Meeting Order and General Procedure*

11. Communications and Reports

- a. County Board Liaison Reports – Commissioners Greene and Dahlberg

12. Miscellaneous

13. Adjourn Meeting

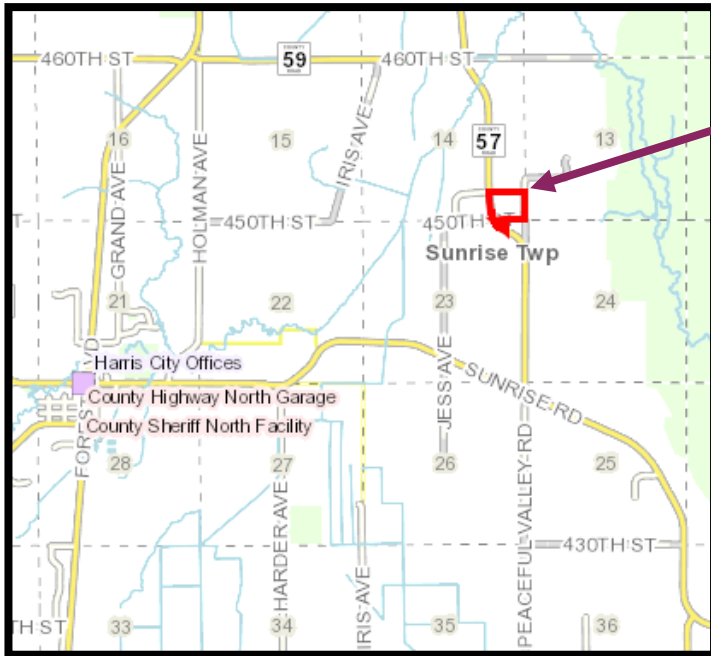
- The next special work session is scheduled for Thursday, February 20, 2025 at 6:00 pm.
- The next regular meeting is scheduled for Thursday, March 6, 2025 at 7:00 pm.

Planning Commission Tour

Date and Time:

Wednesday, February 5, 2025 at 9:00 am

Departing from Chisago County Highway Department
31325 Oasis Road, Center City, MN 55012



Joshua Fields

45134 John Avenue

Sunrise Township

PIDs 09.00545.00 & 09.00567.00

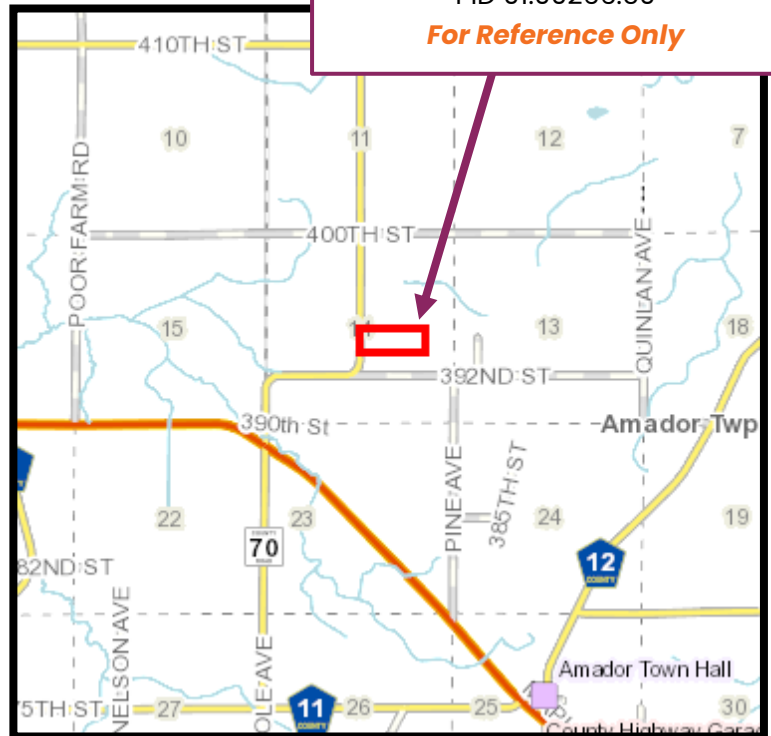
Steven Olson & Ann Byers and Gary & LaDonna Olson

xxxxx Oriole Avenue / CR 70

Amador Township

PID 01.00266.50

For Reference Only



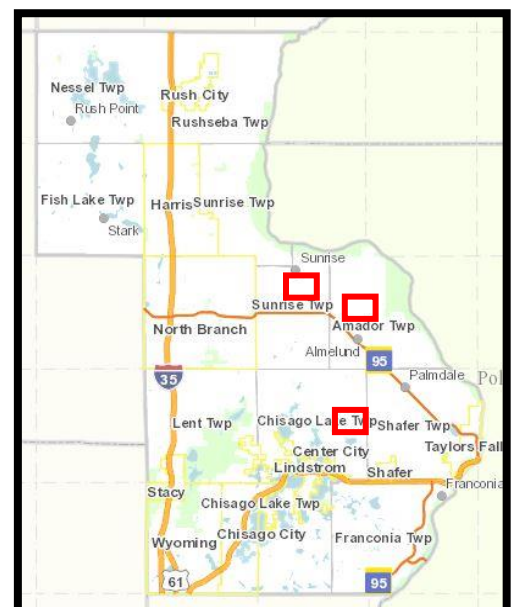
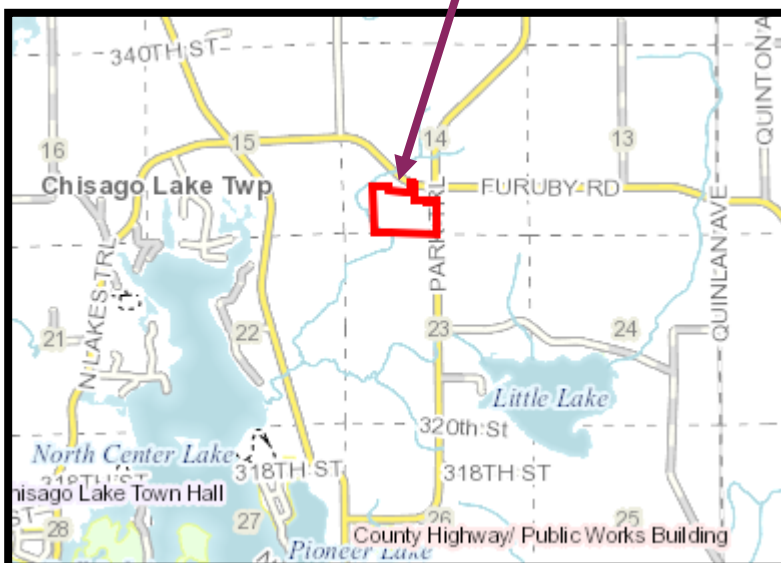
Craig & Patti Peltier

33xxx Park Trail / CSAH 12

Chisago Lake Township

PID 02.00557.00

For Reference Only



**CHISAGO COUNTY
PLANNING COMMISSION
OFFICIAL PROCEEDINGS
December 5, 2024**

The Chisago County Planning Commission met in regular session at 7:00 p.m. on Thursday, December 5, 2024, at the Chisago County Government Center.

Staff Present: Beth Gervais, Land Services Coordinator; Kurt Schneider, Environmental Services Director; and Sarah Scheunemann, Office Support Specialist – Land Services.

Chair Wille called the meeting to order and led the assembly in the Pledge of Allegiance. A roll call of Commission members was taken. Commission members present: Dave Whitney, Jim McCarthy, Eric Leivian, Chip Yeager, Chris DuBose, and Jolene Wille. Absent: John Sutcliffe (excused). A quorum was established. Also present: Ex Officio County Commissioners Rick Greene and Dan Dahlberg.

Approval of Agenda – Whitney requested that the Planning Commission add “Discussion with Staff Regarding the Draft Zoning Ordinance” under Miscellaneous. **Motion** by Yeager to approve the agenda as amended; second by Leivian. The **motion passed** 6-0.

Approval of Minutes – Yeager noted a typo on page 7 of the November 7, 2024, regular meeting minutes under the “Chisago County Ordinance Relating to the Regulation and Registration of Cannabis Retail Businesses and Lower-Potency Hemp Edible Retailer Businesses” discussion, commenting that there was reference to “help” where it should have read “hemp”. **Motion** by McCarthy to approve the November 7, 2024, regular meeting minutes as amended; second by Whitney. The **motion passed** 6-0.

Receive all Materials and Submittals into Record – **Motion** by Leivian to accept all materials and submittals into the record; second by Yeager. The **motion passed** 6-0. Materials distributed to the Planning Commission in advance of the meeting for their review included the full meeting packet with staff reports and attachments. Copies of all materials were made available to the public.

Public Hearings

Garrett Kerkow – Coordinator Gervais provided background on the request for an after-the-fact Conditional Use Permit (CUP) for a Major Home Occupation for a business, known as Kerkow Barrel Horses, LLC, offering horse training and boarding services. The subject site was located at 19239 310th Street / CSAH 37 in Shafer Township, S33, T34, R19 (PID 08.00330.10).

Coordinator Gervais shared that property / business owner Garrett Kerkow had applied for an after-the-fact CUP for a Major Home Occupation for a business, known as Kerkow Barrel Horses, LLC, offering horse training and boarding services on a 5± acre property located in the Agricultural (AG) District. Gervais reviewed topography of the site and noted that, based on the County’s GIS Viewer, staff approximated that 1.5 acres were used as pasture, along with approximately .3 acres on the neighboring property to the south. Surrounding properties were also located within the AG District and they ranged significantly in size from 2.5 acres to nearly 112 acres, with the majority of properties used for residential and / or agricultural purposes. The subject site had been developed with a dwelling and multiple detached accessory structures. Access to the site was currently gained from 310th Street / CSAH 37, which was a well-established and well-maintained County road.

Gervais reviewed details of the application materials sharing that Kerkow Barrel Horses, LLC trained and competed in the equine sport of barrel racing. The business would train a maximum of ten horses per month, with training services provided on a month-to-month basis. A horse in full-time training would be boarded at

the subject site for the duration of training. The written narrative suggested that some horses were owned by the business / property owner while others were owned by customers. The application materials offered details about hours of operation, employees, buildings and structures, access, landscaping and screening, vehicles and equipment, manure and waste disposal, and setbacks from neighboring properties. Gervais highlighted that the property owner would be constructing a 70' x 112' (7,840 sf) structure which would serve as an indoor arena.

The Technical Review Committee met with property / business owner Garrett Kerkow on November 13, 2024. Kerkow indicated that he had been working with Shafer Township, serving as Road Authority, on permitting and installation of a second driveway, with the second driveway being accessed from Teal Avenue. The Committee did not identify any immediate concerns with the request. The Shafer Town Board considered the request at its November 14, 2024 meeting and recommended approval with the conditions that either trees be planted or a fence be installed along 310th Street / CSAH 37 and lighting be down cast. The State mandated 60-day review period was scheduled to expire on January 3, 2024.

Coordinator Gervais concluded by offering a recommendation of approval with draft Findings of Fact and conditions and reviewed options available to the Planning Commission.

Chair Wille invited the applicant to address the Planning Commission. Property / business owner Garrett Kerkow was present but had no additional information to provide. DuBose asked Kerkow whether Shafer Township had approved the second driveway. Kerkow responded that he had submitted an application to the township and had been working with two township officials, neither of whom had raised any concerns. Yeager inquired whether Kerkow was aware of staff-recommended condition no. 8, which required screening along the north property boundary. Kerkow confirmed that he was aware, as it had been part of his discussions with the township. Kerkow added that he had already planned to install a privacy fence due to having young children and animals on the property. McCarthy asked whether the proposed five employees would be full-time or part-time. Kerkow clarified that the proposed employees would be part-time, as horse training was not his primary career. Kerkow added that he had no intention of hiring full-time employees at this time. McCarthy then asked whether Kerkow intended to host barrel racing competitions in the proposed arena. Kerkow replied that he did not plan to host competitions on the property. McCarthy indicated his desire to add a condition of approval which would prohibit competitions from taking place on the property.

Chair Wille opened the public hearing and sought comment.

Tony Lombardo of 30847 Teal Avenue, Shafer Township, expressed concerns regarding the condition and maintenance of Teal Avenue, traffic and watershed impacts, and the absence of a culvert on the second driveway.

With no additional members of the audience wishing to speak, **motion** by Yeager to close the public hearing; second by Whitney. The **motion passed** 6-0.

Chair Wille addressed Lombardo's concern regarding the culvert by stating that the County would need to defer to Shafer Township as it was the Road Authority for Teal Avenue, and suggested following up with the township directly.

Whitney and Kerkow discussed the operations and logistics at the training facility. They reviewed several details, including whether the riding arena would be heated, the availability of bathroom facilities, the number of horses that would be kept on site, and whether clients would visit to check on the progress of the training. Kerkow explained that the arena would not be heated at this time, that four of the horses on the property were his (with an additional two currently in training), and that he planned to either have a porta-potty on site or allow staff to

use his home for restroom facilities. Kerkow also mentioned that client visits to the site would depend on the individual client and that, at present, he primarily shared progress updates with clients through videos and photos. Whitney emphasized the importance of clearly defining the number of customer-owned horses allowed on the property in recommended condition no. 2 to avoid any confusion.

Leivian, Yeager, and Kerkow discussed the logistics of maneuvering trailers on the property, as well as the process for entering and exiting the site. Kerkow explained that a second driveway was being added to allow customers to enter the site from either 310th Street / CSAH 37 or Teal Avenue and exit the site from the other, ensuring that customers would not need to back out into traffic.

Chair Wille sought clarification on the number of proposed horses, noting that the application mentioned ten horses in training, and asked if the total number of horses on site would include the ten horses in training plus Kerkow's four personal horses. Kerkow stated that ten horses in total would be his maximum capacity.

Leivian asked Kerkow whether he planned to board any horses that were not in training. Kerkow replied that he did not intend to offer boarding services as part of his business.

Motion by McCarthy to add a condition of approval which would prohibit the facility from being used for public barrel racing competitions or any other equine competitions; second by Whitney. The **motion passed** 6-0.

DuBose asked if the Planning Commission needed to include any recommended conditions of approval specific to the driveway and the need to work directly with Shafer Township. Gervais responded that she didn't believe the suggested condition was necessary as the property owner would be required to work with the township / Road Authority regardless of a condition being added.

Whitney expressed the view that the second part of recommended condition no. 6 was unnecessary and could unnecessarily limit the applicant in the future. Whitney argued that customers should be able to visit and observe the progress of their horses without County-imposed limitations and it was up to the business owner to establish appropriate guidelines. Yeager inquired about the intent behind staff's recommended condition. Gervais clarified that the intention was to restrict customer access to the property such that visits would be by appointment only, rather than unrestricted access. McCarthy agreed with Whitney's point, noting that the property owner would be responsible for establishing and explaining the facility's operating rules to customers.

Motion by Whitney to amend recommended condition no. 2 by adding "customer" after ten (10) and recommended condition no. 6 to omit "nor will customers of the business have direct access to the structures or land."; second DuBose. The **motion passed** 6-0.

Motion by Whitney to adopt Resolution No. PC2024-1201, a resolution of the Planning Commission of Chisago County, Minnesota, recommending approval of a Conditional Use Permit for Major Home Occupation on property located at 19239 310th Street / CSAH 37 in Shafer Township, as presented and amended; second by DuBose. The **motion passed** 6-0.

Amended Conditions:

1. This Conditional Use Permit grants approval for the operation of a Major Home Occupation for the training and boarding of horses as described in the application materials dated received October 24, 2024 and kept on file with the Chisago County Department of Environmental Services and as conditioned herein.
2. The Major Home Occupation shall be limited to the training and boarding of no more than ten (10) customer-owned horses at any given time.
3. All Major Home Occupation activities taking place outside of the dwelling, including, but not limited to,

delivery and collection of customer-owned horses and the training of customer-owned horses, shall be allowed on a year-round basis with hours of operation being 8:00 am to 8:00 pm.

4. In addition to the property owner and residents of the subject site, there shall be no more than five (5) employees on site at any given time.
5. The Major Home Occupation business shall not be open to the public. Additionally, no structure or land used in association with the business shall feature bleachers or general public seating areas.
6. No structure or land used in association with the Major Home Occupation shall be made available to be rented by the general public, ~~nor will customers of the business have direct access to the structures or land.~~
7. The facility shall not be used for public barrel racing competitions or any other equine competitions.
8. All animal waste shall be disposed of in a legal and appropriate manner.
9. To mitigate potential adverse impacts related to noise and appearance, the Major Home Occupation business shall be subject to the following:
 - a. The permit holder shall maintain existing tree cover and replace dying, dead, or downed trees located between the area of business operations and the surrounding property boundaries to the greatest extent possible.
 - b. The permit holder shall install a 6' tall privacy fence and/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 of the approval date, adjacent to the north property boundary extending from the driveway to the east property boundary. This screening shall be fully installed within one year of the date of Conditional Use Permit approval.
10. The permit holder shall utilize downcast LED lighting for all outdoor lighting.
11. Any signage shall be installed in accordance with the Chisago County Zoning Ordinance.
12. Any expansion or intensification of the approved use – including, but not limited to, the construction of new structures used for the Major Home Occupation, an increase in the number of employees, an increase in the number of horses trained and/or boarded, expanded hours of operation, or other expansion or intensification as determined by the Chisago County Department of Environmental Services – shall only be allowed upon further review by the Planning Commission and approval by the Board of Commissioners by way of an Conditional Use Permit Amendment. The County acknowledges that the permit holder has obtained a building permit for the construction of the proposed arena, and this structure shall be allowed with this approval so long as it's constructed in compliance with the building permit and all applicable codes and regulations.
13. Annual certification of the Conditional Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the Conditional Use Permit 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.

Public Hearings – Continued Hearings

None

Old Business

None

New Business

Amendment to 2025 Meeting Schedule – Gervais informed the Planning Commission that staff had recently learned that the County Board would not be making appointments to the Commission until its organizational meeting on January 7, 2025, and three Planning Commissioner terms would expire on December 31, 2024. Given that the Planning Commission would only have four seated Commissioners at the time of the January 2, 2025 regular meeting, staff had included a recommendation in the staff report to reschedule the January 2nd meeting to January 9, 2025. Gervais continued by explaining that, since preparation of the staff report, an application deadline had passed and there were no new planning cases for consideration in January. Gervais reviewed options available to the Commission, noting that they could either reschedule the January 2nd meeting to January 9th or cancel the regular January meeting altogether. Gervais added that, if the Planning Commission chose to meet in January, they could elect a Chair and Vice-Chair and review its "by-laws". Alternatively, if the Commission chose to cancel the January meeting, these activities could be held over until the February 6, 2025 meeting. Commission members discussed whether they should meet in January and ultimately reached consensus to cancel the regular meeting. **Motion** by DuBose to cancel the December 31, 2024 tour and January 2, 2025 regular meeting; second by Leivian. The **motion passed** 6-0.

Communications and Reports

County Board Liaison Reports – County Commissioner Greene shared that the County Board received copies of the draft Ordinances at its December 4, 2024 meeting and that a vote would likely take place during the December 18, 2024 meeting. Director Schneider clarified that staff's intent was to have the Ordinances voted on during the December 18th meeting, with the goal of moving into the new year with the updated Ordinances. Greene suggested that, once the Ordinances were adopted, the Planning Commission could begin working on an Amendment for wedding venues. The Planning Commission discussed using its January 16, 2025 special work session to discuss wedding venues. Greene also mentioned that the Truth in Taxation meeting on December 4, 2024 had gone well, with good questions from the public and productive discussion. County Commissioner Dahlberg shared that the Park Board had successfully secured funding for the Swedish Immigrant Regional Trail. Finally, Schneider presented the Planning Commission with copies of the Chisago County 2024 Annual Report, noting that it included information from each of the County's departments.

Miscellaneous

Discussion with Staff Regarding the Draft Zoning Ordinance – Whitney noted that the draft Zoning Ordinance did not include definitions for "commercial" and "non-commercial" equine facilities, making it difficult to apply the Zoning Ordinance effectively. He mentioned that he had drafted suggested verbiage and asked for Planning Commission consent to discuss the verbiage with staff in the hope that it could be incorporated into the draft Zoning Ordinance being presented to the County Board for adoption on December 18, 2024. DuBose suggested that the Planning Commission, as a whole, discuss the proposed verbiage during its January 16, 2025 special work session, allowing for an open discussion. After a brief discussion, the Commission agreed to add the topic to the agenda for the January work session.

Motion by Yeager to cancel the special work session scheduled for December 19, 2024; second by DuBose. The **motion passed** 6-0.

Adjourn Meeting – **Motion** by Leivian to adjourn the meeting; second by McCarthy. The **motion passed** 6-0. The meeting adjourned at 7:46PM.

Jolene Wille
Chair

ATTEST:

Beth Gervais
Land Services Coordinator



Staff Report

TO: Planning Commission
 FROM: Kurt Schneider, Director of Environmental Services
 SUBJECT: After-the-Fact Interim Use Permit for Contracting Business Owned and Operated by Persons Residing at the Property
 45134 John Avenue, Sunrise Township
 DATE: February 6, 2025

ACTION TO CONSIDER

The Planning Commission will conduct a public hearing to consider an Interim Use Permit (IUP) allowing a Contracting Business Owned and Operated by Persons Residing at the Property on 25.93± acres in the Agricultural (AG) District.

Due to the date of application submission, the request for IUP is being processed pursuant to the 2008 Chisago County Zoning Ordinance rather than the recently adopted Zoning Ordinance which went into effect on January 1, 2025.

SITE & APPLICATION INFORMATION

Property Owner(s): Joshua Fields
 Applicant(s): Joshua Fields
 General Location: 45134 John Avenue
 Sunrise Township
 Sections 14 and 23, Township 36, Range 21
 PIDs: 09.00545.00 and
 09.00567.00
 Property Area: 25.93± acres combined
 Current Zoning: Agricultural (AG) District
 Adjacent Zoning:
 North: Agricultural (AG) District
 South: Agricultural (AG) District
 East: Agricultural (AG) District
 West: Agricultural (AG) District
 Date Application Received: December 2, 2024
 Date Application Complete: December 11, 2024
 60-Day Review Period: February 9, 2025
 Extended Review Period: April 10, 2025



BACKGROUND

Property owner Joshua Fields is seeking an after-the-fact IUP allowing a Contracting Business Owned and Operated by Persons Residing at the Property (Contracting Business) on 25.93± acres in the Agricultural (AG) District. The business is known as Fields Contracting.

SITE ANALYSIS

The 25.93± acre subject site consists of two tax parcels located immediately west of John Avenue and immediately east of Government Road / CR 57 in Sunrise Township. John Avenue is a gravel-surfaced Township Road with minimal traffic, whereas Government Road is a hard-surfaced and well-traveled County Road. Topography of the subject site includes fairly level elevations ranging from 865' to 874'. The total property has limited areas of tree cover adjacent to each of the east property boundaries. There are no identified wetlands per the National Wetland Inventory.

The site has been developed with a dwelling and at least two detached accessory structures, including an approximate 40' x 86' (3,440 sf) quonset hut and a pole building of unknown dimensions. The dwelling is situated on the north parcel; the quonset hut is situated on the shared property boundary of the two subject parcels; and, the pole barn is situated on the south parcel. The blue dots on the image below represent what appears to be the 10 closest neighboring dwellings, with the closest neighboring dwelling being approximately 380' east of the pole building.

The subject site is located in the AG District and is entirely surrounded by the AG District. Properties in the general area range significantly in size from five acres to 80 acres, with most properties currently developed for residential purposes. The subject site is partially surrounded by established subdivisions, including Peaceful Valley Farm to the south, Peaceful Valley Farm Plat 2 to the southeast, and Peaceful Valley Farm Plat 3 to the west and north. A majority of the combined subdivided Peaceful Valley Farm lots are 10 acres in size with several of the more adjacent properties being approximately five acres.



PROPOSAL ANALYSIS

The attached written narrative explains that property / business owner Joshua Fields operates an excavation company. The application materials offer the following details about the business:

Hours of Operation:

- The business operates from approximately 6:00 am until 8:00 pm, Monday through Saturday. During this timeframe, some vehicles and equipment may be leaving and/or arriving at the subject site, supplies and equipment may be loaded and/or unloaded, and there may be repairs made on-site.

Employees:

- The business is owned and operated by property owner / applicant Joshua Fields who resides on the subject site.
- There are currently no employees other than Fields; however, Fields may hire one or two employees within the next year and may have as many as five employees in the future. These employees would be picking up and, presumably, dropping off equipment at the subject site.

Materials and Equipment Stored On-Site:

- Most of the business vehicles and equipment will be stored inside or behind the pole building or quonset hut, but a few trucks may be parked next to the quonset hut. The site plan identifies two distinct parking / outdoor storage areas contained within a proposed berm. For purposes of further defining the parking / outdoor storage areas, staff estimates the northerly parking / outdoor storage area to be approximately 65' x 160' (10,400 sf) and the southerly area to be approximately 8,300 sf (irregular dimensions) that, when combined, are approximately 18,700 sf or .43 acres. And, as depicted on the site plan, staff estimates that the general construction of the berm combined with an existing stand of trees encompasses and is expected to screen an area of approximately 3.75 acres in size (including the stand of trees adjacent to the southerly east property boundary).

Buildings / Structures and Setbacks:

- The site plans show and the written narrative mentions that an existing pole building and quonset hut will be utilized for business purposes. Based on records from the Chisago County Assessor's Office, the quonset hut is approximately 40' x 86' (3,440 sf) in size. The dimensions of the pole building are unknown.
- The site plan shows approximate distances between the structures and Government Road / CR 57 and what appears to be the closest neighboring dwelling. Staff notes that the reported distances do not appear to reflect the shortest distances; therefore, staff offers the following setback information based on the County's GIS Viewer:
 - The pole building is situated approximately 160'-165' from the centerline of Government Road / CR 57. One of the two identified parking areas would be situated between this structure and the roadway.

- The pole building is situated approximately 110' from the closest east property boundary, and approximately 380' from the dwelling directly east. This dwelling appears to be the closest neighboring dwelling.
- The quonset hut is situated approximately 175'-180' from the centerline of Government Road / CR 57.

Screening:

- The application materials suggest that Fields will build a 10' tall mowable berm in the vicinity of the pole building and quonset hut. The proposed berm is shown as a thick black line on the attached site plan, and it's shown to nearly encompass all business activity (i.e., detached accessory structures and parking areas). The site plan shows that the only breaks in the berm are the new driveway and a thickly wooded area adjacent to the southern east property boundary.
- The written narrative explains that the berm will screen all equipment from the road and reduce the amount of noise being transferred to neighboring properties.

Access:

- Up until very recently, the Fields residence and business activity were accessed from John Avenue; however, in conjunction with the request for IUP, Fields obtained an access permit for Government Road / CR 57. The new / improved access and business-related driveway are shown as a thick blue line on the attached site plan.

REVIEW PROCESS

The Technical Review Committee met with property / business owner Joshua Fields on January 8, 2025. Land Services Coordinator Gervais shared that she received confirmation from the Chisago County Highway Department that the new or improved Government Road / CR 57 access permit had been granted. Fields shared that he had planted seedlings adjacent to Government Road / CR 57 in 2024; however, the exact number and location was not provided.

The Sunrise Town Board considered the request at its January 16, 2025 meeting and recommended approval with no conditions. Staff notes that the attached Township Form includes comments and details from the January 16th meeting, which may be of interest to the Planning Commission. Overall, it does not appear that the Town Board expressed any concerns with the request.

The application was submitted on December 2, 2024 and deemed complete on December 11, 2024. The initial State mandated 60-day review period is scheduled to expire on February 9, 2025 and, because this timeframe will not accommodate all necessary meetings, staff extended the review period by an additional 60 days as allowed per Minnesota Statute 15.99. The extended review period will expire on April 10, 2025.

WRITTEN TESTIMONY

No written testimony was received upon completion of the staff report.

FINDINGS OF FACT

Zoning Ordinance Section 8.04-1 (Interim Use Permits) C. states that the Planning Commission shall consider possible effects of the proposed interim use based upon, but not limited to, the general factors listed below. Staff has provided proposed findings, shown in *italics* below, for the Commission's consideration.

Factor #1 The [proposed action is consistent with the] Comprehensive Plan and development policies of the County;

Finding #1 *The Chisago County Comprehensive Plan identifies as a policy the allowance "for home occupations, rural retail tourism and limited rural businesses on homesteads in agricultural areas ..." (see page 9-9), and, generally speaking, offers broad support and encouragement for identified commercial activities within the Agricultural District so long as they comply with established performance standards. Therefore, the County finds that the proposed use is consistent with the goals and policies established by the Comprehensive Plan.*

Factor #2 The proposed use will not create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;

Finding #2 *The proposed Contracting Business will have no associated use of parks, schools, or other public facilities or utilities, and will likely not create any appreciable demand on the hard-surfaced and well-maintained Government Road / CR 57. Further, with the implementation of a condition prohibiting the use of John Avenue for business purposes, there will be no increased demand on the gravel-surfaced Township Road. Therefore, the County finds that the proposed use will not create any increase or demand on these facilities or utilities. Further, neither the Chisago County Highway Department nor the Sunrise Town Board, serving as Road Authorities for Government Road / CR 57 and John Avenue respectively, identified any concerns with the proposed use following their individual reviews of the request.*

Factor #3 The proposed use will be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;

Finding #3 *The proposed business activity is generally located near the southern boundary of the 25.93± acre subject site. To screen the proposed business activity from surrounding properties and adjacent development, the applicant has proposed the use of an existing stand of trees in conjunction with the construction of a 10' tall mowable berm. With distance from adjacent properties / development, implementation of and adherence to conditions related to maintenance of existing trees and construction of the proposed*

berm, the County finds that these measures will aid in screening the proposed use from adjacent and future development.

Factor #4 The proposed use and site will have an appearance that will not have an adverse effect upon adjacent properties;

Finding #4 *The proposed Contracting Business will utilize existing detached accessory structures for business activity, including the storage and maintenance of equipment, as well as utilize land immediately adjacent to these structures for outdoor storage of trucks. The County finds that distance, existing vegetation, and the implementation of a condition requiring additional screening will aid in mitigating potential negative impacts associated with the appearance of and noise generated by the proposed use.*

Factor #5 The proposed use, in the opinion of the County, is reasonably related to the overall land use goals of the County and to the existing land use;

Finding #5 *The Chisago County Zoning Ordinance specifically allows Contracting Business Owned and Operated by Persons Residing at the Property as an Interim Use in the Agricultural District; therefore, the County finds that the proposed use complies with land use goals and regulations established by the County's official land use controls.*

Factor #6 The proposed use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use;

Finding #6 *The stated purpose of the Zoning Ordinance is to provide for and protect the public health, safety, and general welfare through nine specific objectives. Additionally, the Zoning Ordinance specifically allows Contracting Business Owned and Operated by Persons Residing at the Property as an Interim Use in the Agricultural District. Through close evaluation of the request and the establishment of conditions of approval, the County finds that the proposed use is consistent with the purposes of the Zoning Ordinance and, more specifically, with the purposes of the Agricultural District.*

Factor #7 The proposed use will not cause traffic hazard or congestion; and

Finding #7 *Being that the proposed use does not currently include any employees outside of the property owner(s) and up to five employees in future years and being that the proposed use will not generate any customer traffic, the County does not believe that there will be an appreciable increase in daily traffic to and from the subject site. Further, the County believes that there will be minimal impact to John Avenue, John Avenue properties, and the surrounding area with the implementation of a condition requiring that all business related traffic utilize the Government Road / CR 57 access. Therefore, the County finds that the proposed use will not cause traffic hazards or congestion. Further,*

neither the Chisago County Highway Department nor the Sunrise Town Board, serving as Road Authorities for Government Road / CR 57 and John Avenue respectively, identified any concerns with the proposed use following their individual reviews of the request.

Factor #8 The proposed use will not adversely impact existing nearby properties by intrusion of noise, glare or general unsightliness.

Finding #8 *While there is no indication that the proposed use will adversely impact nearby properties in terms of glare, there may be concerns related to general unsightliness of equipment storage and noise generated by equipment. The County finds that unsightliness and noise can be mitigated with distance, existing vegetation and continued maintenance of said vegetation, and the implementation of conditions which address these mitigation efforts, as well as a condition requiring a berm around business activity. If these measures are implemented, the County finds that the proposed use will not adversely impact nearby properties by intrusion of noise, glare or general unsightliness.*

STAFF RECOMMENDATION

Staff believes that the proposed IUP complies with and is consistent with the intent of the Chisago County Zoning Ordinance and Comprehensive Plan. Barring any new or unknown evidence of compliance discovered after the completion of this report or during the course of the public hearing, **staff recommends approval** of the request with draft Findings of Fact (above) and recommended conditions (see below) and has prepared a resolution for the Commission's consideration.

Recommended Condition(s):

1. This Interim Use Permit grants approval for the operation of a Contracting Business specializing in excavation as described in the application materials dated received December 2, 2024 and kept on file with the Chisago County Department of Environmental Services. No other commercial activity, apart from the activities described in the application materials, shall be permitted as part of this approval.
2. Aside from general office work, all Contracting Business activity taking place on-site shall be allowed to operate Monday through Saturday (no Sundays) with hours of operation being 6:00 am to 8:00 pm. Equipment may begin warming up on-site no earlier than 6:00 am and shall not run on-site later than 8:00 pm. This condition is not intended to establish hours of operation for Contracting Business activity taking place off-site.
3. All Contracting Business traffic shall utilize the Government Road / CR 57 access and shall be prohibited from utilizing the John Avenue access.
4. The Contracting Business location shall not be open to the public or public traffic.
5. To mitigate potential adverse impacts related to noise and appearance, the Contracting Business shall be subject to the following:

- a. Noise generated from the approved use shall be subject to the Chisago County Zoning Ordinance noise standards.
 - b. The permit holder shall maintain existing tree cover and remove and replace dying, dead, or downed trees located between the area of business operations and the surrounding property boundaries as needed with similar type/species and count of replacement trees.
 - c. The permit holder shall construct a 10' tall mowable berm around business activity as described and illustrated in the application materials dated received December 2, 2024 and kept on file with the Chisago County Department of Environmental Services. The berm shall be fully installed and seeded within six (6) months of the date of Interim Use Permit approval. The permit holder shall ensure that the berm is entirely located on the subject properties and not encroaching on neighboring property, and all Contracting Business activity shall be contained within the bermed area. As depicted, the general construction of the berm combined with an existing stand of trees encompasses and is expected to screen an area of approximately 3.75 acres in size (including the stand of trees adjacent to the southerly east property boundary).
6. In addition to the property owner(s) and residents of the subject site, there shall be no more than five (5) employees and related employee vehicles on site at any given time.
 7. Any wood, tree, or stump debris generated by the business shall be disposed of off-site within fifteen (15) days until and/or unless on-site processing or disposal activities in accordance with the County Solid Waste Ordinance are secured.
 8. No hazardous waste shall be generated or stored on the subject site.
 9. All fuel storage and handling of heavy equipment fluids shall be in accordance with MPCA regulations.
 10. Any signage shall be installed in accordance with the Chisago County Zoning Ordinance.
 11. Any expansion or intensification of the approved use – including, but not limited to, the construction of new structures used for the Contracting Business, the addition of employees, expanded hours of operation, expansion of the defined 3.75 acres of outdoor equipment parking & storage area, or other expansion or intensification as determined by the Chisago County Department of Environmental Services – shall only be allowed upon further review by the Planning Commission and approval by the Board of Commissioners by way of an Interim Use Permit Amendment.
 12. This Interim Use Permit shall expire at such time that the property is no longer owned and occupied by Joshua Fields.
 13. Annual certification of the Interim Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the Interim Use Permit 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 Interim 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.

OPTIONS

1. Recommend that the County Board **approve** the Interim Use Permit with Findings of Fact and conditions as presented or amended.
2. Should the Planning Commission determine that the proposed Interim Use Permit does not comply with and/or is not consistent with the intent of County's Zoning Ordinance upon completion of the public hearing and/or upon discovery of any new or unknown evidence, recommend that the County Board **deny** the Interim Use Permit based on factors deemed appropriate. *(Note: The Commission will need to include specific finding(s) for denial in its motion.)*
3. **Continue the public hearing** to a specific date in order to receive additional public testimony prior to making a recommendation on the proposed Interim Use Permit. Given that the review period has already been extended to April 10, 2025, the public hearing could be continued to the Planning Commission's March 6, 2025 meeting.
4. **Table** the request to allow for submission of additional supporting documentation and/or further review and consideration. The review period has already been extended to April 10, 2025, allowing for further review and consideration at the Planning Commission's March 6, 2025 meeting.

ACTION REQUESTED

Motion to adopt Resolution No. PC2025-0201, a resolution recommending approval of an Interim Use Permit allowing a Contracting Business Owned and Operated by Persons Residing at the Property on property located at 45134 John Avenue in Sunrise Township, with Findings of Fact and conditions as presented or amended.

ATTACHMENTS

1. Application materials
 - a. Application
 - b. Written narrative
 - c. Site plans
2. Aerial photo (1) – subject site
3. Aerial photo (2) – vicinity map
4. Draft Resolution No. PC2025-0201



Chisago County Department of Environmental Services Planning & Zoning Application

Permit # 24-2475

Township Sunrise S/T/R 14/26/21 and 23/36/21 PID# 09.00545.00, 09.00567.00

Project Address 45134 John Ave, Harris mn 55032

Property Owner(s) Josh Fields

Mailing Address (If Different from Project Address) _____

Phone# [REDACTED] Email [REDACTED]

Applicant(s) _____

Mailing Address (If Different from Project Address) _____

Phone# _____ Email _____

Type of Request (Check All That Apply)

Board of Adjustment & Appeals

- ☐ Variance
☐ Administrative Appeal

Planning Commission

- ☐ Conditional Use Permit (CUP)
☒ Interim Use Permit (IUP)
☐ Amendment to CUP or IUP
- ☐ Preliminary Plat
☐ Rezoning
☐ Ordinance Amendment

Description of Request (Attach Separate Sheet if Necessary) Request to run a small excavation buisnnes out of this property

Required Attachments (Additional Attachments May Be Required Based On The Specific Request)

- ☐ Full Legal Description ☐ Detailed Site Plan ☐ Detailed Written Narrative ☐ Plat Drawings

[Signature]
Applicant Signature

11/29/24

Date of Application

I hereby certify that the above information is true and correct to the best of my knowledge, and that any knowingly false representations may invalidate any approvals. With my signature, I also grant permission to Chisago County Officials to enter upon the subject property for the purpose of such inspections as may be necessary.

Fees

Base Fee	\$ <u>1,300 -</u>
Recording Fee	\$ <u>46 -</u>
Plat Fee - No Road(s) / With Road(s)	\$ _____
Septic Compliance Fee	\$ _____
Wetland Fee	\$ _____
TOTAL FEE	\$ <u>1,346 -</u>

Dates

Application Received	<u>12-2-24</u>
Application Complete	<u>12-11-24</u>
60 / 120 Day Review Period	<u>2-9-25</u>
Extended Review Period	<u>4-10-25</u>



Chisago County Department of Environmental Services
Planning & Zoning Application

Township Presentation Form

Township sunrise S/T/R 14/036/021, 23/36/21 PID# 09.00545.00, 09.00567.00

Project Address 45134 John Ave, Harris, MN 55032

Property Owner(s) Josh Fields

Mailing Address (If Different from Project Address) _____

Phone# _____

Email _____

Applicant(s) Josh Fields

Mailing Address (If Different from Project Address) _____

Phone# _____

Email _____

Type of Request (Check All That Apply)

Board of Adjustment & Appeals

☐ Variance

☐ Administrative Appeal

Planning Commission

☐ Conditional Use Permit (CUP)

☒ Interim Use Permit (IUP)

☐ Amendment to CUP or IUP

☐ Preliminary Plat

☐ Rezoning

☐ Ordinance Amendment

Description of Request (Attach Separate Sheet if Necessary) Applying to continue running small excavation business from the property

10/30/24

Applic

repres

Date c

Town:

☒ Recommendation of Approval

Josh Fields – After-the-Fact IUP: Mr. Fields stated Chisago County is requesting screening. Mr. Fields is looking at starting to build the berm which will be 10 to 12 feet in height about February / March 2025 and should be finished with the berm by May / June. Water table is 60 feet. Berm material is going to come from the on-site property which will create swale. Tyler Richter also wanted to commend Mr. Fields for starting a business. Mr. Fields has 2 excavators, 1 full wood trailer, 1 tag trailer (trailers come home every night). Government Road is on west side and John Ave. is on east side. Business traffic will be using Government Road. Mr. Fields is creating a new entrance on Government Road which is already approved at Chisago County.

Recommended Conditions of Approval OR Legal Findings for Recommendation of Denial

Signatures of Township Officials or Authorized Personnel

Carol P. Johnson My 2 Star Adm. Board 10/14/2024
Mandy Jensen

Nature Of Business, Small excavation company. Hours are about 6 am to 8 pm monday through saturday, there will be some equipment and trucks coming and going. most operations are loading/unloading supplies and equipment or repairs

Currently there is only myself, Looking to hire on another person or 2 in the next year, With the maximum being 5 in near future. These people would generally be coming to the yard and grabbing a truck in the morning.

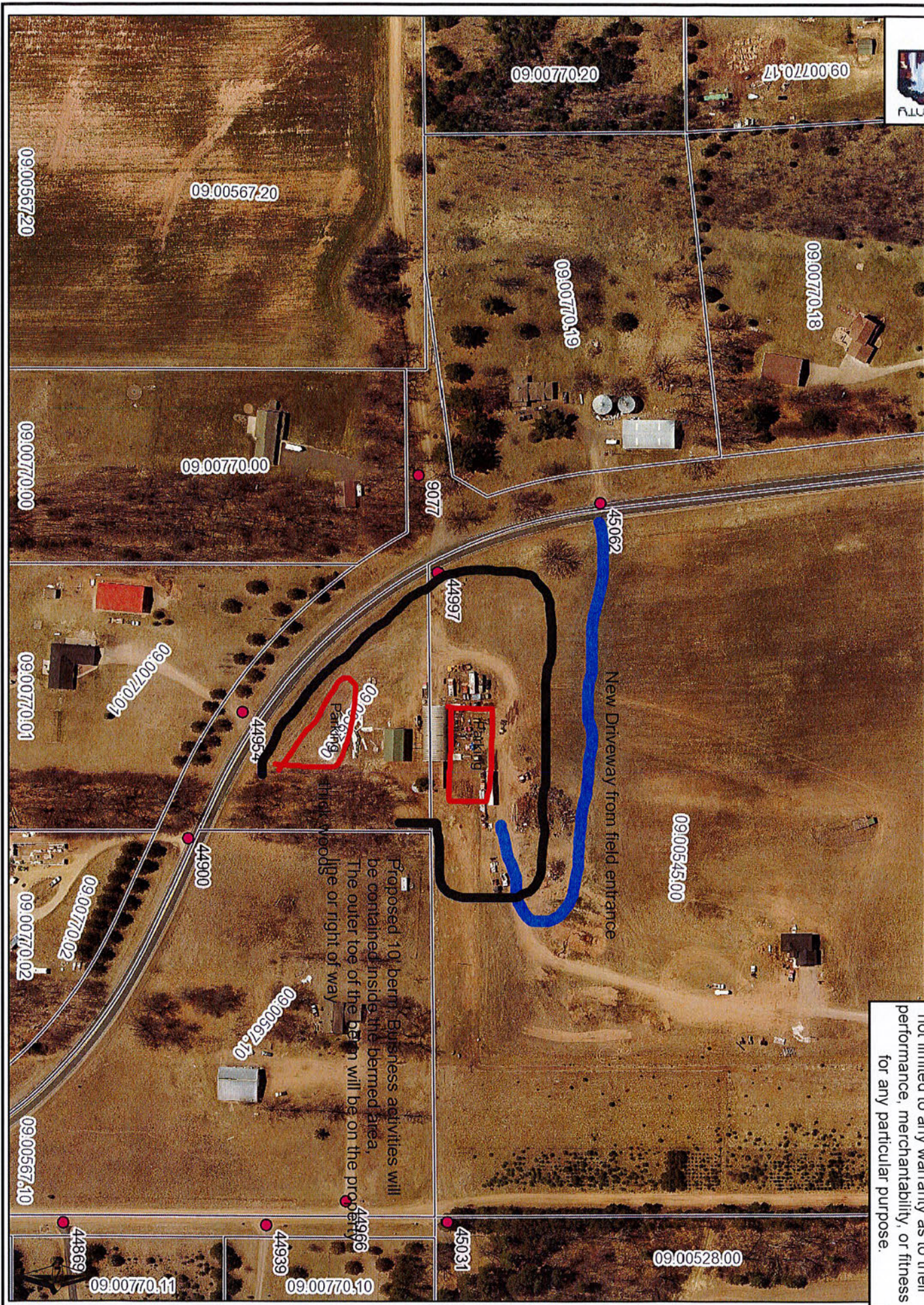
Most of trucks and equipment is stored either inside or behind the polebarn and quanset hut. A few of the trucks running everyday may be parked next to the quonset hut

I'm proposing building a 10 foot tall mowable berm around the polebarn and quanset areas with room to park all the equipment and trucks, this will screen all the equipment from the road and also help to reduce noises transfered to the neighbors.



Date: 10/30/2024
Time: 10:00:59 PM

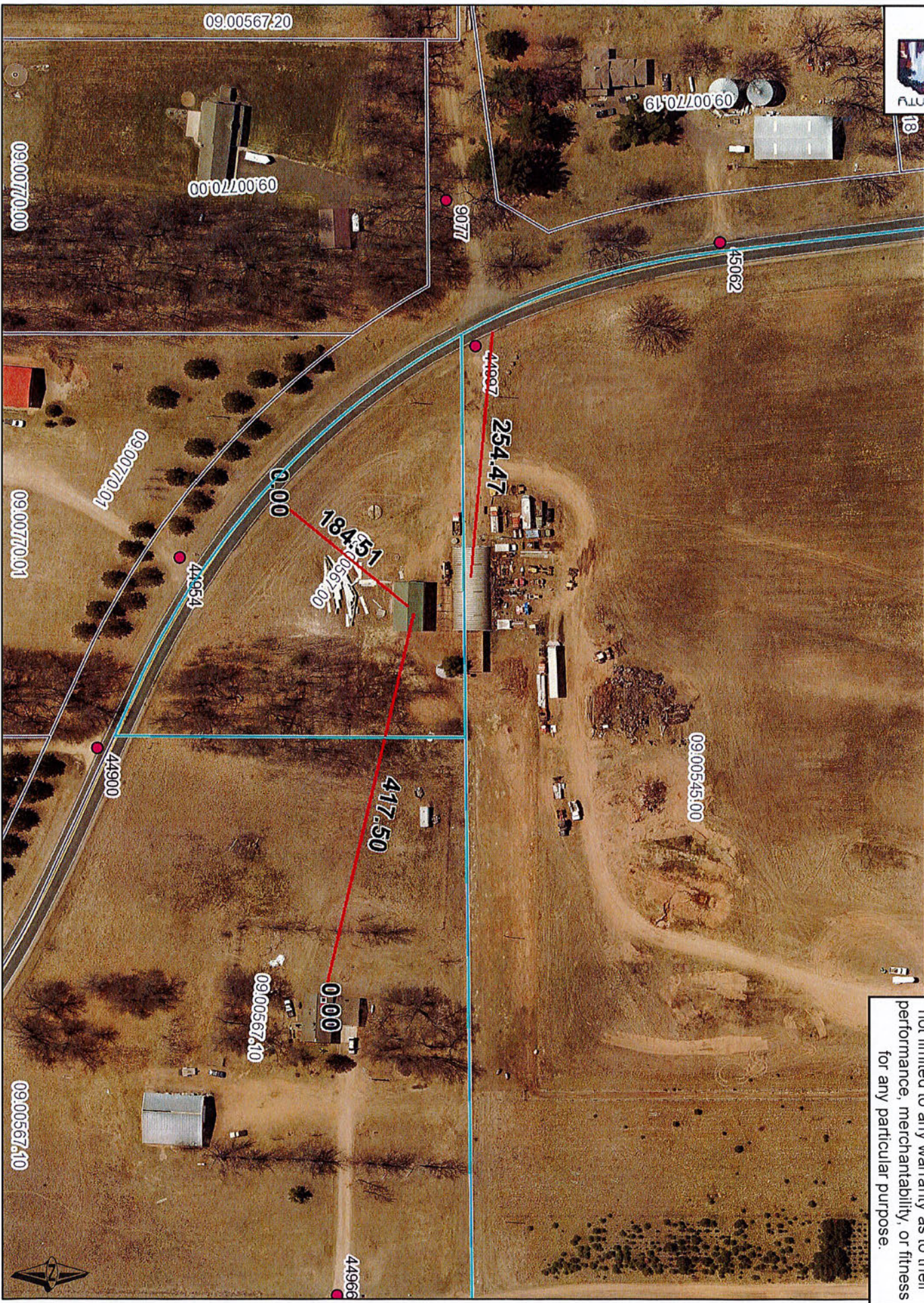
These data are provided on as "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.





Date: 10/30/2024
Time: 9:59:47 PM

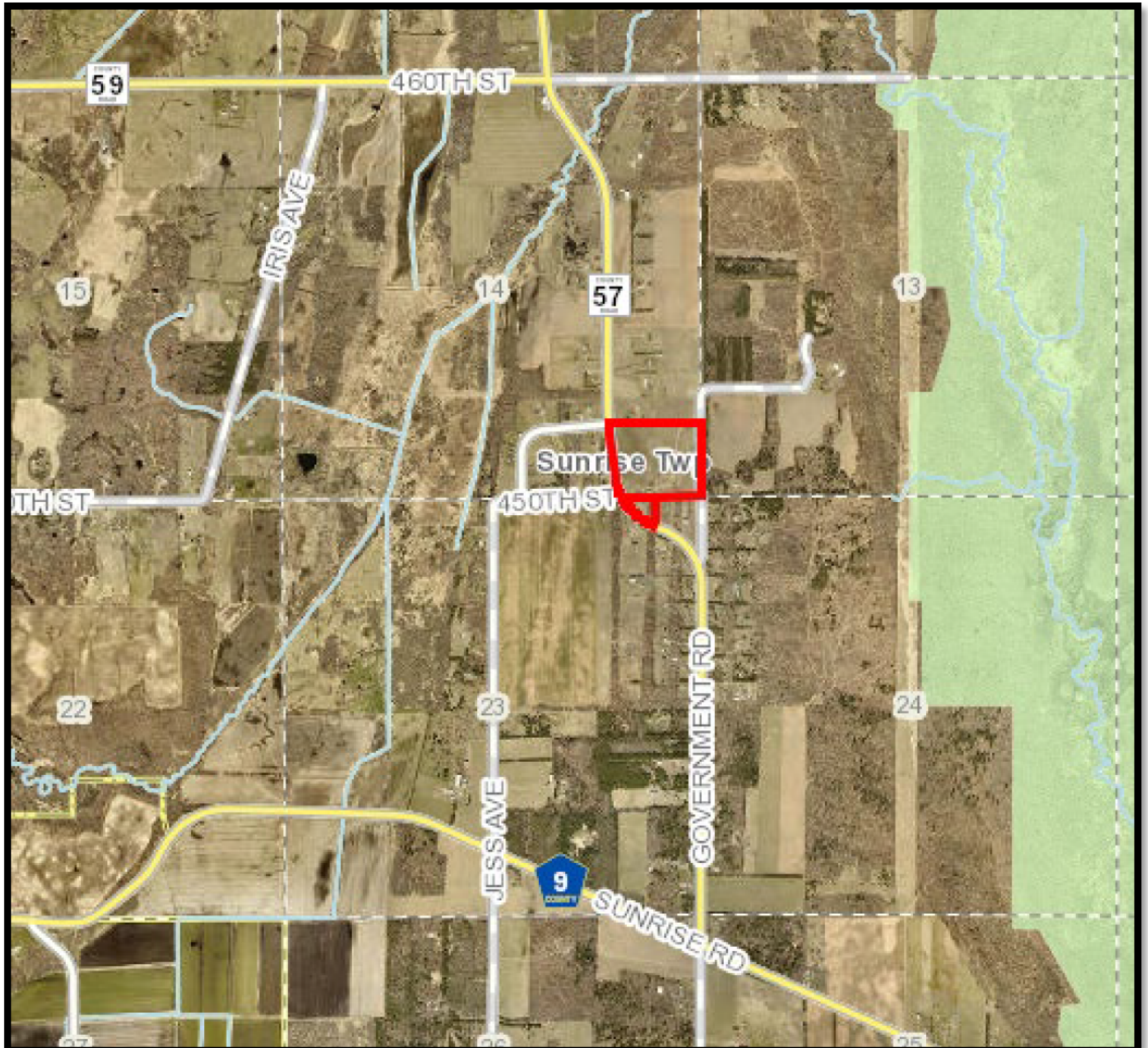
These data are provided on as "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.



Joshua Fields – Property owner Joshua Fields is requesting an After-the-Fact Interim Use Permit allowing a Contracting Business Owned and Operated by Persons Residing at the Property. The proposed business, known as Fields Contracting, will offer excavation services. The 25.93± acre subject site (combination of two parcels) is zoned Agricultural (AG) District and located at 45134 John Avenue in Sunrise Township, S14+23, T36, R21 (PIDs 09.00545.00 and 09.00567.00).



Joshua Fields – Property owner Joshua Fields is requesting an After-the-Fact Interim Use Permit allowing a Contracting Business Owned and Operated by Persons Residing at the Property. The proposed business, known as Fields Contracting, will offer excavation services. The 25.93± acre subject site (combination of two parcels) is zoned Agricultural (AG) District and located at 45134 John Avenue in Sunrise Township, S14+23, T36, R21 (PIDs 09.00545.00 and 09.00567.00).



RESOLUTION NO. PC2025-0201

**A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA,
RECOMMENDING APPROVAL OF AN INTERIM USE PERMIT ALLOWING A CONTRACTING BUSINESS
OWNED AND OPERATED BY PERSONS RESIDING AT THE PROPERTY ON PROPERTY LOCATED AT
45134 JOHN AVENUE IN SUNRISE TOWNSHIP**

WHEREAS, property owner Joshua Fields submitted an application dated received December 2, 2024 and considered complete on December 11, 2024 for an Interim Use Permit allowing a Contracting Business Owned and Operated by Persons Residing at the Property on property located at 45134 John Avenue in Sunrise Township; and

WHEREAS, the subject site is located in the Agricultural (AG) District; and

WHEREAS, the combined subject site is 25.93± acres in size and legally described as:

PIDs 09.00545.00 and 09.00567.00

PARCEL 1:

That part of the South 930.52 feet of the Southeast Quarter of the Southeast Quarter of Section 14, Township 36 North, Range 21 West, Chisago County, Minnesota, lying Easterly of the centerline of .Chisago County Road No. 57 (also known as Government Road, and formerly known as Peaceful Valley Road).

PARCEL 2:

All that part of the Northeast Quarter of the Northeast Quarter of Section 23, Township 36 North, Range 21 West, Chisago County, Minnesota, lying Northeasterly of the centerline of Chisago County Road No. 57.

EXCEPT that part of the Northeast Quarter of the Northeast Quarter of Section 23, Township 36 North, Range 21 West, Chisago County, Minnesota; described as follows:

Commencing at the Northeast corner of said Northeast Quarter of the Northeast Quarter of Section 23, Township 36 North, Range 21 West;
Running thence West along the North section line of said Northeast Quarter of the Northeast Quarter, a distance of 600 feet;
thence due South to center of Chisago County Road No. 57;
thence Southeasterly following said center line of Chisago County Road No. 57 to the East line of said Section 23;
thence North on the East line of said section to the point of beginning.

AND ALSO EXCEPT that part of the Northeast Quarter of the Northeast Quarter of Section 23, Township 36 North, Range 21 West, Chisago County, Minnesota, lying Southeasterly of the Easterly right-of-way line of John Avenue and lying Northeasterly of the Easterly right-of-way line of Peaceful Valley Road (also known as Chisago County Road No. 57).

ABSTRACT

WHEREAS, notice was provided and on February 6, 2025 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Director of Environmental Services, the property owner, and invited members of the public to comment; and

WHEREAS, the Planning Commission considered several factors for granting Interim Use Permits and made the following findings per Zoning Ordinance Section 8.04-I, C.:

Factor #1 The [proposed action is consistent with the] Comprehensive Plan and development policies of the County;

- Finding #1 The Chisago County Comprehensive Plan identifies as a policy the allowance "for home occupations, rural retail tourism and limited rural businesses on homesteads in agricultural areas ..." (see page 9-9), and, generally speaking, offers broad support and encouragement for identified commercial activities within the Agricultural District so long as they comply with established performance standards. Therefore, the County finds that the proposed use is consistent with the goals and policies established by the Comprehensive Plan.*
- Factor #2 The proposed use will not create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;*
- Finding #2 The proposed Contracting Business will have no associated use of parks, schools, or other public facilities or utilities, and will likely not create any appreciable demand on the hard-surfaced and well-maintained Government Road / CR 57. Further, with the implementation of a condition prohibiting the use of John Avenue for business purposes, there will be no increased demand on the gravel-surfaced Township Road. Therefore, the County finds that the proposed use will not create any increase or demand on these facilities or utilities. Further, neither the Chisago County Highway Department nor the Sunrise Town Board, serving as Road Authorities for Government Road / CR 57 and John Avenue respectively, identified any concerns with the proposed use following their individual reviews of the request.*
- Factor #3 The proposed use will be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;*
- Finding #3 The proposed business activity is generally located near the southern boundary of the 25.93± acre subject site. To screen the proposed business activity from surrounding properties and adjacent development, the applicant has proposed the use of an existing stand of trees in conjunction with the construction of a 10' tall mowable berm. With distance from adjacent properties / development, implementation of and adherence to conditions related to maintenance of existing trees and construction of the proposed berm, the County finds that these measures will aid in screening the proposed use from adjacent and future development.*
- Factor #4 The proposed use and site will have an appearance that will not have an adverse effect upon adjacent properties;*
- Finding #4 The proposed Contracting Business will utilize existing detached accessory structures for business activity, including the storage and maintenance of equipment, as well as utilize land immediately adjacent to these structures for outdoor storage of trucks. The County finds that distance, existing vegetation, and the implementation of a condition requiring additional screening will aid*

in mitigating potential negative impacts associated with the appearance of and noise generated by the proposed use.

Factor #5 The proposed use, in the opinion of the County, is reasonably related to the overall land use goals of the County and to the existing land use;

Finding #5 *The Chisago County Zoning Ordinance specifically allows Contracting Business Owned and Operated by Persons Residing at the Property as an Interim Use in the Agricultural District; therefore, the County finds that the proposed use complies with land use goals and regulations established by the County's official land use controls.*

Factor #6 The proposed use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use;

Finding #6 *The stated purpose of the Zoning Ordinance is to provide for and protect the public health, safety, and general welfare through nine specific objectives. Additionally, the Zoning Ordinance specifically allows Contracting Business Owned and Operated by Persons Residing at the Property as an Interim Use in the Agricultural District. Through close evaluation of the request and the establishment of conditions of approval, the County finds that the proposed use is consistent with the purposes of the Zoning Ordinance and, more specifically, with the purposes of the Agricultural District.*

Factor #7 The proposed use will not cause traffic hazard or congestion; and

Finding #7 *Being that the proposed use does not currently include any employees outside of the property owner(s) and up to five employees in future years and being that the proposed use will not generate any customer traffic, the County does not believe that there will be an appreciable increase in daily traffic to and from the subject site. Further, the County believes that there will be minimal impact to John Avenue, John Avenue properties, and the surrounding area with the implementation of a condition requiring that all business related traffic utilize the Government Road / CR 57 access. Therefore, the County finds that the proposed use will not cause traffic hazards or congestion. Further, neither the Chisago County Highway Department nor the Sunrise Town Board, serving as Road Authorities for Government Road / CR 57 and John Avenue respectively, identified any concerns with the proposed use following their individual reviews of the request.*

Factor #8 The proposed use will not adversely impact existing nearby properties by intrusion of noise, glare or general unsightliness.

Finding #8 *While there is no indication that the proposed use will adversely impact nearby properties in terms of glare, there may be concerns related to general unsightliness of equipment storage and noise generated by equipment. The County finds that unsightliness and noise can be mitigated with distance, existing vegetation and continued maintenance of said vegetation, and the*

implementation of conditions which address these mitigation efforts, as well as a condition requiring a berm around business activity. If these measures are implemented, the County finds that the proposed use will not adversely impact nearby properties by intrusion of noise, glare or general unsightliness.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of Chisago County, Minnesota hereby recommends approval of the request for Interim Use Permit, subject to the following conditions:

1. This Interim Use Permit grants approval for the operation of a Contracting Business specializing in excavation as described in the application materials dated received December 2, 2024 and kept on file with the Chisago County Department of Environmental Services. No other commercial activity, apart from the activities described in the application materials, shall be permitted as part of this approval.
2. Aside from general office work, all Contracting Business activity taking place on-site shall be allowed to operate Monday through Saturday (no Sundays) with hours of operation being 6:00 am to 8:00 pm. Equipment may begin warming up on-site no earlier than 6:00 am and shall not run on-site later than 8:00 pm. This condition is not intended to establish hours of operation for Contracting Business activity taking place off-site.
3. All Contracting Business traffic shall utilize the Government Road / CR 57 access and shall be prohibited from utilizing the John Avenue access.
4. The Contracting Business location shall not be open to the public or public traffic.
5. To mitigate potential adverse impacts related to noise and appearance, the Contracting Business shall be subject to the following:
 - a. Noise generated from the approved use shall be subject to the Chisago County Zoning Ordinance noise standards.
 - b. The permit holder shall maintain existing tree cover and remove and replace dying, dead, or downed trees located between the area of business operations and the surrounding property boundaries as needed with similar type/species and count of replacement trees.
 - c. The permit holder shall construct a 10' tall mowable berm around business activity as described and illustrated in the application materials dated received December 2, 2024 and kept on file with the Chisago County Department of Environmental Services. The berm shall be fully installed and seeded within six (6) months of the date of Interim Use Permit approval. The permit holder shall ensure that the berm is entirely located on the subject properties and not encroaching on neighboring property, and all Contracting Business activity shall be contained within the bermed area. As depicted, the general construction of the berm combined with an existing stand of trees encompasses and is expected to screen an area of approximately 3.75 acres in size (including the stand of trees adjacent to the southerly east property boundary).
6. In addition to the property owner(s) and residents of the subject site, there shall be no more than five (5) employees and related employee vehicles on site at any given time.

7. Any wood, tree, or stump debris generated by the business shall be disposed of off-site within fifteen (15) days until and/or unless on-site processing or disposal activities in accordance with the County Solid Waste Ordinance are secured.
8. No hazardous waste shall be generated or stored on the subject site.
9. All fuel storage and handling of heavy equipment fluids shall be in accordance with MPCA regulations.
10. Any signage shall be installed in accordance with the Chisago County Zoning Ordinance.
11. Any expansion or intensification of the approved use – including, but not limited to, the construction of new structures used for the Contracting Business, the addition of employees, expanded hours of operation, expansion of the defined 3.75 acres of outdoor equipment parking & storage area, or other expansion or intensification as determined by the Chisago County Department of Environmental Services – shall only be allowed upon further review by the Planning Commission and approval by the Board of Commissioners by way of an Interim Use Permit Amendment.
12. This Interim Use Permit shall expire at such time that the property is no longer owned and occupied by Joshua Fields.
13. Annual certification of the Interim Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the Interim Use Permit 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 Interim 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.

Adopted by the Planning Commission of Chisago County, Minnesota,
this 6th day of February, 2025.

Chris DuBose _____
Eric Leivian _____
Jim McCarthy _____
John Sutcliffe _____

Dave Whitney _____
Jolene Wille _____
Chip Yeager _____

Chair

ATTEST: _____
Kurt Schneider
Director of Environmental Services



Staff Report

TO: Planning Commission
 FROM: Beth Gervais, Land Services Coordinator
 SUBJECT: Preliminary Plat of Peltier Estates
 33xxx Park Trail / CSAH 12, Chisago Lake Township
 DATE: February 6, 2025

ACTION TO CONSIDER

The Planning Commission will conduct a public hearing to consider the Preliminary Plat of Peltier Estates, involving the creation of one lot from a 45.8± acre tract of land.

SITE & APPLICATION INFORMATION

Property Owner(s): Craig & Patti Peltier
 Applicant(s): Craig Peltier, Shelby Peltier, and Shawn Kupcho
 Location: 33xxx Park Trail / CSAH 12
 Chisago Lake Township
 Section 14, Township 34, Range 20
 PID: 02.00557.00
 Property Area: 45.8± Acres
 Current Zoning: Agricultural (AG) District
 Adjacent Zoning:
 North: Agricultural (AG) District
 South: Agricultural (AG) District
 East: Agricultural (AG) District
 West: Agricultural (AG) District
 Date Application Received: December 17, 2024
 Date Application Complete: December 18, 2024
 120-Day Review Period: April 17, 2025

BACKGROUND

Property owners Craig & Patti Peltier are seeking approval of the Preliminary Plat of Peltier Estates, involving the creation of one 24.98-acre lot from the 45.8± acre subject site. The balance of the land, being 20 acres in size, meets all dimensional requirements to be exempt from the platting process.

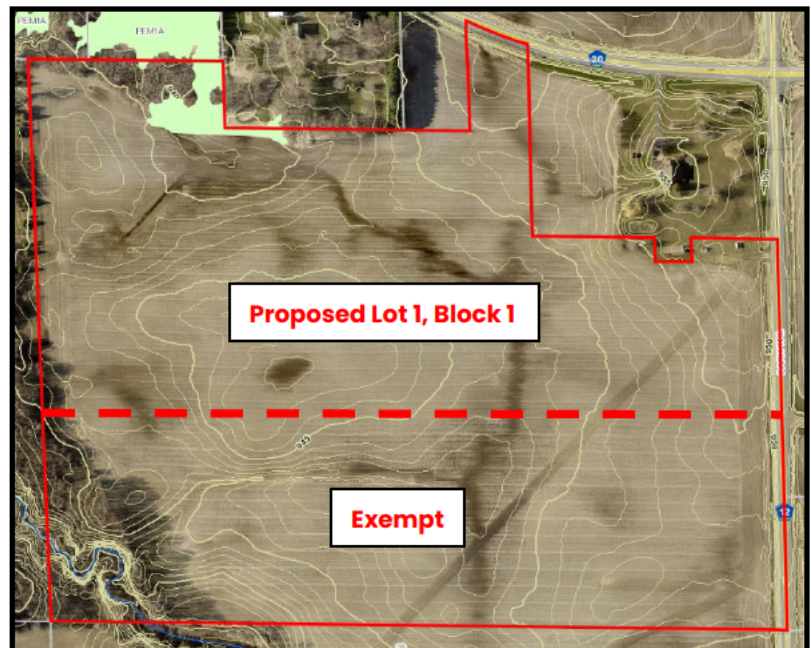


SITE & PROPOSAL ANALYSIS

The subject site is generally located south of Furuby Road / CSAH 20 and west of Park Trail / CSAH 12 in Chisago Lake Township, with frontage on both roadways. The proposed lot is shown to be located in the north portion of the subject site, utilizing all of the Furuby Road / CSAH 20 frontage and roughly half (45%) of the Park Trail / CSAH 12 frontage. The balance of the subject site, being 20 acres in size and at least 500' in all dimensions, is exempt from the platting process. Staff notes that, due to date of application submission, the request for Preliminary Plat is being processed pursuant to the 1999 Subdivision Ordinance; however, whether processed pursuant to the 1999 Ordinance or pursuant to the recently adopted Ordinance, the proposed 24.98-acre lot would not be exempted from the platting process given that the lot does not include a full 20 acres which is at least 500' in all dimensions.

Topography of the proposed lot includes slightly rolling elevations ranging from 939' to 952'. Aside from a small stand of trees and wetland area near the northwest corner of the subject site, the land appears to be used almost entirely as cropland. The adjacent image illustrates elevations and wetland areas per the National Wetland Inventory.

The subject site and all surrounding properties are located within the Agricultural (AG) District. Surrounding properties range widely in size from 1.5 acres to 76 acres with most surrounding properties having been developed for residential use and/or being used for agricultural purposes.



The stated purpose of the AG District is to provide areas to be utilized for agriculture and agriculture related uses and low density residential areas. Below is a table which identifies minimum requirements for the AG District with corresponding information for the proposed lot. As proposed, the lot complies with the County's dimensional requirements.

AG District Minimum Requirements	Lot Size 5 acres	Lot Width* 300 feet	Lot Depth** 300 feet	Home Site Area 21,500 square feet
Lot 1, Block 1	24.98 acres	Approx. 416' (as measured at the Park Trail / CSAH 12 building setback line)	1679.4'	21,500 sf

** Lot width, by definition, is measured at the building setback line. Subdivision Ordinance Section 4.03 Lot Requirements states that "Each lot shall front upon a public street for the minimum lot width required, except as otherwise provided in this Ordinance."*

*** Lot depth, by definition, is the average distance measured from the front lot line to the rear lot line. Subdivision Ordinance Section 4.03 Lot Requirements states that "the depth of a lot shall not be greater than five times the width."*

REVIEW PROCESS

The Technical / Plat Review Committee met with Applicant / Surveyor Shawn Kupcho on January 8, 2025. Wetland Specialist Fertig commented that the wetland delineation had been verified and found to be accurate; however, due to seasonal constraints, the soils report had not yet been verified. The Committee did not identify any immediate concerns.

The Chisago Lake Town Board reviewed the proposed Preliminary Plat at its January 21, 2025 meeting and recommended approval with no conditions or comments.

Preliminary Plats, per the Chisago County Subdivision Ordinance, are subject to a 120-day review period rather than the more typical 60-day review period applied to land use requests. The 120-day review period for this application expires on April 17, 2025.

WRITTEN TESTIMONY

No written testimony was submitted to the County as of the completion of this report.

STAFF RECOMMENDATION

Staff believes that the proposed Preliminary Plat complies with and is consistent with the intent of the County's Zoning and Subdivision Ordinances. Barring any new or unknown evidence of compliance discovered after the completion of this report or during the course of the public hearing, **staff recommends approval** of the Preliminary Plat of Peltier Estates with conditions and has prepared a resolution for the Commission's consideration.

Recommended Conditions:

1. The Preliminary Plat of Peltier Estates is approved per plat drawing dated signed December 17, 2024 and amended on January 14, 2025. Any significant deviation from the approved plat drawing, except as noted herein and as determined by the Department of Environmental Services, shall require further review by the Planning Commission and approval by the County Board.
2. The property owner shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
3. Request for Final Plat shall not be submitted until the Chisago County Department of Environmental Services has verified the soils report submitted as part of the December 17, 2024 request for Preliminary Plat and the Department has found that said soils report satisfactorily complies with all applicable regulations.

4. Request for Final Plat shall be submitted within one year of Preliminary Plat approval unless an extension of time is requested by the property owner and/or applicant and granted by the County Board upon recommendation of the Planning Commission.

OPTIONS

1. Recommend that the County Board **approve** the Preliminary Plat of Peltier Estates with conditions presented or amended.
2. Should the Planning Commission determine that the proposed Preliminary Plat does not comply with and/or is not consistent with the intent of County's Zoning and Subdivision Ordinances upon completion of the public hearing and/or upon discovery of any new or unknown evidence, recommend that the County Board **deny** the Preliminary Plat of Peltier Estates based on factors deemed appropriate. *(Note: The Commission will need to include specific factor(s) for denial in its motion.)*
3. **Continue the public hearing** to a specific date in order to receive additional public testimony prior to making a recommendation on the Preliminary Plat of Peltier Estates.
4. **Table** the request to allow for submission of additional supporting documentation and/or further review and consideration. The ordinance prescribed 120-day review period expires on April 17, 2025 allowing the Planning Commission to further consider the request at its March 6, 2025 meeting.

ACTION REQUESTED

Motion to adopt Resolution No. PC2025-0202, a resolution recommending approval of the Preliminary Plat of Peltier Estates, with conditions as presented or amended.

ATTACHMENTS

1. Application materials
 - a. Application
 - b. Preliminary Plat drawing
2. Aerial location map (1) – subject site
3. Aerial location map (2) – vicinity map
4. Draft Resolution No. PC2025-0202



Chisago County Department of Environmental Services Planning & Zoning Application

Permit # 24-2542

Township N. CHISAGO LAKE S/T/R 14/34/20 PID# 02-00557.00

Project Address _____

Property Owner(s) CRAIG + PATTI PELTIER

Mailing Address (If Different from Project Address) 86 206TH STREET NEW RICHMOND WI 54017

Phone# [REDACTED] Email [REDACTED]

Applicant(s) CRAIG PELTIER SHELBY PELTIER

Mailing Address (If Different from Project Address) _____

Phone# [REDACTED] Email [REDACTED]

Type of Request (Check All That Apply)

Board of Adjustment & Appeals

- ☐ Variance
☐ Administrative Appeal

Planning Commission

- ☐ Conditional Use Permit (CUP)
☐ Interim Use Permit (IUP)
☐ Amendment to CUP or IUP

☒ Preliminary Plat

- ☐ Rezoning
☐ Ordinance Amendment

Description of Request (Attach Separate Sheet if Necessary) DIVIDE 45 ACRES INTO 2 LOTS

Required Attachments (Additional Attachments May Be Required Based On The Specific Request)

- ☐ Full Legal Description ☐ Detailed Site Plan ☐ Detailed Written Narrative ☐ Plat Drawings

Craig Peltier
Applicant Signature

DEC 17-2024
Date of Application

I hereby certify that the above information is true and correct to the best of my knowledge, and that any knowingly false representations may invalidate any approvals. With my signature, I also grant permission to Chisago County Officials to enter upon the subject property for the purpose of such inspections as may be necessary.

Fees		Dates	
Base Fee	\$ <u>500</u>	Application Received	<u>12-17-24</u>
Recording Fee	\$ <u>46</u>	Application Complete	<u>12-18-24</u>
Plat Fee — No Road(s) / With Road(s)	\$ <u>150</u>	60 / 120 Day Review Period	<u>4-17-25</u>
Septic Compliance Fee	\$ _____	Extended Review Period	_____
Wetland Fee	\$ <u>NA</u>		
TOTAL FEE	\$ <u>696</u>		



Chisago County Department of Environmental Services
Planning & Zoning Application

Township Presentation Form

Township N. CHISAGO LAKE S/T/R 14/34/20 PID# 02-00557-00
Project Address XXX PARK TRAIL CENTER CITY.
Property Owner(s) CRAIG + PATI PELTIER
Mailing Address (If Different from Project Address) 86 206TH STREET NEW RICHMOND WI 54017
Phone# [REDACTED] Email [REDACTED]
Applicant(s) CRAIG PELTIER
Mailing Address (If Different from Project Address)
Phone# [REDACTED] Email [REDACTED]

Type of Request (Check All That Apply)

Board of Adjustment & Appeals

- ☐ Variance
☐ Administrative Appeal

Planning Commission

- ☐ Conditional Use Permit (CUP)
☐ Interim Use Permit (IUP)
☐ Amendment to CUP or IUP

☒ Preliminary Plat

☐ Rezoning

☐ Ordinance Amendment

Description of Request (Attach Separate Sheet if Necessary) DIVIDE 45 ACRES 2 LOTS

Craig Peltier
Applicant Signature

12-17-2024
Date of Application

I hereby certify that the above information is true and correct to the best of my knowledge, and that any knowingly false representations may invalidate any approvals. With my signature, I also grant permission to Chisago County Officials to enter upon the subject property for the purpose of such inspections as may be necessary.

Date of County Public Hearing FEB 6, 2025 Date of Township Presentation JAN 21, 2025

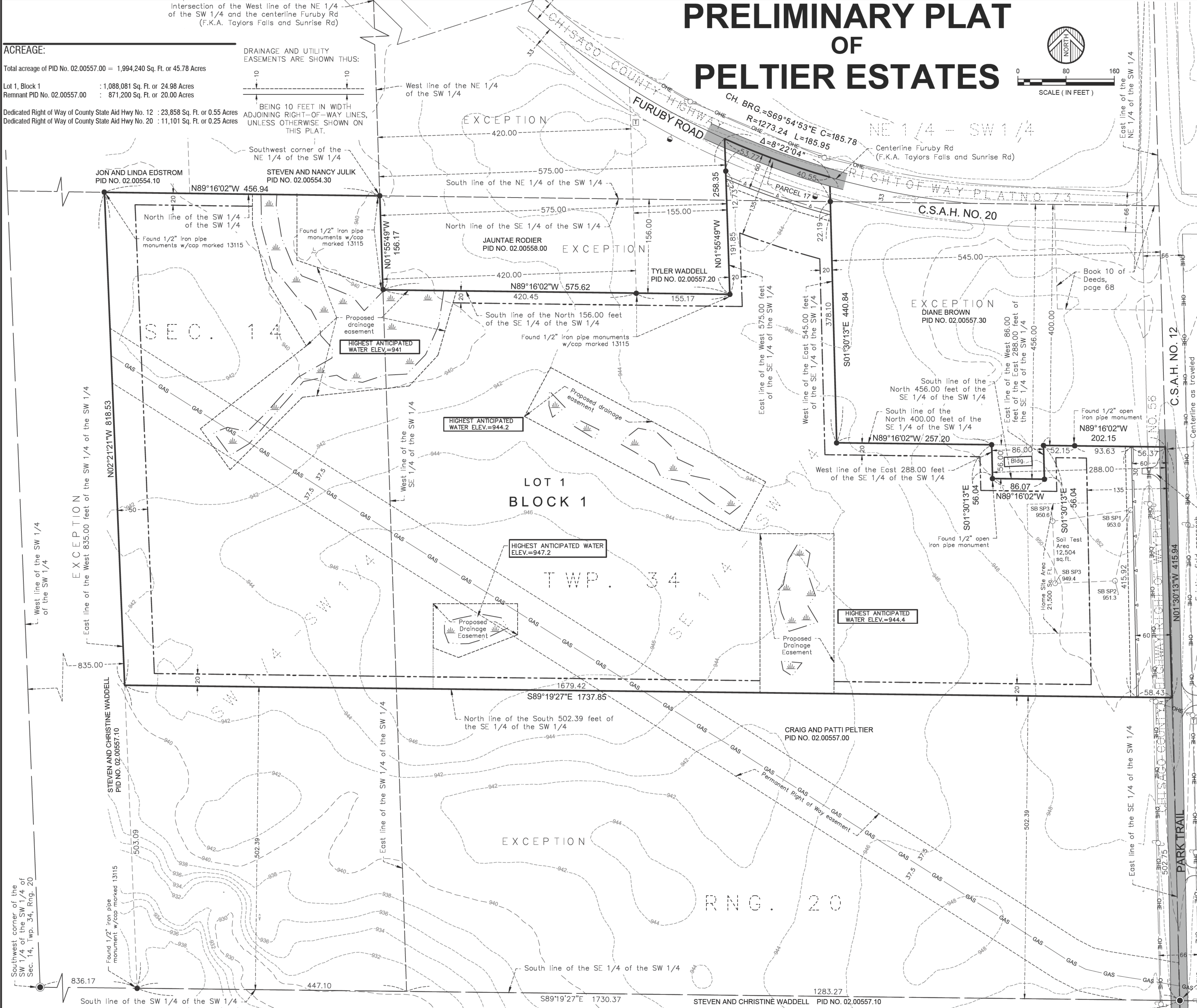
Township Action Taken (Township Use Only)

- ☒ Recommendation of Approval ☐ Recommendation of Denial

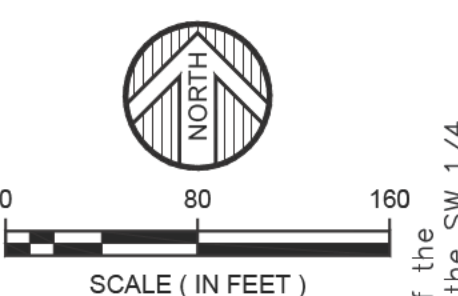
Recommended Conditions of Approval OR Legal Findings for Recommendation of Denial

Signatures of Township Officials or Authorized Personnel

W. Reed
Mr. Peltier



PRELIMINARY PLAT
OF
PELTIER ESTATES



ACREAGE:
Total acreage of PID No. 02.00557.00 = 1,994,240 Sq. Ft. or 45.78 Acres
Lot 1, Block 1 : 1,088,081 Sq. Ft. or 24.98 Acres
Remnant PID No. 02.00557.00 : 871,200 Sq. Ft. or 20.00 Acres

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:
BEING 10 FEET IN WIDTH ADJOINING RIGHT-OF-WAY LINES, UNLESS OTHERWISE SHOWN ON THIS PLAT.

Dedicated Right of Way of County State Aid Hwy No. 12 : 23,858 Sq. Ft. or 0.55 Acres
Dedicated Right of Way of County State Aid Hwy No. 20 : 11,101 Sq. Ft. or 0.25 Acres

EXISTING DESCRIPTION: (per Warranty Deed Doc. No. 287781)
NOTE: Applicable portions of the property descriptions contained in Warranty Deed Doc. No., 287781 are shown in bold below.
The North Half of the Northwest Quarter (N 1/2 of NW 1/4), of Section Twenty-three (23), Township Thirty-four (34), Range Twenty (20); subject to public roads; and
The South Half of the Southwest Quarter (S 1/2 of SW 1/4), of Section Fourteen (14), Township Thirty-four (34), Range Twenty (20); also the following described tract:
Commencing at the southwest corner of the NE 1/4 of SW 1/4 of Section 14, Township 34, Range 20, running thence North on 1/16 section line to the center of the Taylors Falls and Sunrise Road (now Furby Road), thence following the center of said road in a southeasterly direction to where the same crosses the 1/16 section line which divides the NE 1/4 of SW 1/4 from the SE 1/4 of SW 1/4, thence West on the last described 1/16 section line to place of beginning, hereby intending to convey all that part of the NE 1/4 of the SW 1/4 of said Section 14, which lies southwest of the road leading from Taylors Falls to Sunrise City, and containing 3 acres, more or less. Excepting, however, that part of the above described premises heretofore conveyed to the Lindstrom Creamery Company, Chisago County, Minnesota, as described in Book 10 of Deeds on page 68 in the office of the County Recorder of Chisago County, Minnesota; and Except: The South 775 feet of the North Half of the Northwest Quarter (N 1/2 of NW 1/4) of Section Twenty-three (23), the West 835 feet of that part of said North Half of Northwest Quarter (N 1/2 of NW 1/4), lying North of the South 775 feet thereof and the West 835 feet of the Southwest Quarter of the Southwest Quarter (SW 1/4 of SW 1/4) of Section Fourteen (14), all in Township Thirty-four (34) North, Range Twenty (20) West, Chisago County, Minnesota; and Except: The West 420 feet of that part of the Northeast Quarter of the Southwest Quarter of Section 14, lying southerly of County State Aid Highway No. 20 (also known as Furby Road); and, the West 420 feet of the North 156 feet of the Southeast Quarter of the Southwest Quarter of said Section 14; both parcels are in Township 34 North, Range 20 West, Chisago County, Minnesota, together containing 5.0 acres, more or less; and Except: The East 155 feet of the West 575 feet of the Northeast Quarter of Section 14, Township 34 North, Range 20 West, Chisago County, Minnesota, and that part of the East 155 feet of the West 575 feet of the Northeast Quarter of the Southwest Quarter of said Section 14, which lies southerly of the center line of County State Aid Highway No. 20 (also known as Furby Road); and Except: The North 200 feet of the South 975 feet of all that part of the North Half of the Northwest Quarter (N 1/2 of NW 1/4) of Section 23, Township 34 North, Range 20 West, Chisago County, Minnesota, lying East of the West 835 feet thereof, and ALSO EXCEPT (per Warranty Deed Doc. No. A360621)
That part of the East 545 feet of the Northeast Quarter of the Southwest Quarter of Section 14, lying Southerly of the center line of Furby Road (also known as County State Aid Highway No. 20) and the North 400 feet of the East 545 feet of the Southeast Quarter of the Southwest Quarter of said Section 14. Together with the South 56 feet of the North 456 feet of the West 86 feet of the East 288 feet of said Southeast Quarter of the Southwest Quarter all in Township 34, Range 20 West, Chisago County, Minnesota.
ALSO EXCEPT
The South 502.39 feet of the Southeast Quarter of the Southwest Quarter of Section 14, Township 34, Range 20, Chisago County, Minnesota and the South 502.39 feet of the Southwest Quarter of the Southwest Quarter of said Section 14, lying East of the West 835.00 feet thereof.

- SURVEY NOTES:
- Orientation of this bearing system is based on the Chisago County Coordinate System NAD 83 (1996 adj.)
 - The property is vacant.
PID No. is 02.00557.00
 - Total Acreage of the property : 1,994,240 Sq. Ft. or 45.78 Acres
Bench Mark: MnDOT "Chico 21 MN025" Elev.=938.06 NAVD88
Contours shown are LIDAR contours from MN DNR on NAVD88 datum.
 - The subject property is zoned A (Agricultural) per Chisago Lake Township zoning map.
Building setbacks are:
Front yard: 135 feet from centerline
Rear yard: 50 feet
Side yard: 20 feet
Building setbacks may be subject to interpretation.
 - Buildable Area - An area of land excluding slopes greater than eighteen percent (18%), surface waters, wetlands, or flood plains.
Home Site Area - A minimum contiguous area of land required on each newly created lot intended to provide a suitable building pad, home location, garage, and yard area; and which may or may not also include an additional or separately identified area of undisturbed soils measuring 12 inches to redoximorphic features deemed suitable for a Type 1 Septic System.
The following shall be required of all lots and parcels at time of subdivision and/or time of principle structure (home) construction permitting:
1. A land area measuring a minimum of 21,500 square feet which may be identified in its natural state or modified with clean fill and identified with soil boring and survey elevation study as determined by the County to support the following:
a. Contiguous 10,000 square foot principal building pad site that:
i. Is a minimum of 2 feet above the 100-year flood contour; and
ii. Is two (2) feet above the highest anticipated water level; and
iii. Meets the Building Requirements in Section 4.07.
b. 11,500 square foot yard site that:
i. Is above the 100-year flood contour; and
ii. A minimum 5,000 square feet of which is contiguous with the principal building pad site.
 - The platted property lies within Zone X, areas determined to be outside the 0.2% annual chance flood plain per FEMA Flood Insurance Rate Map No. 27025C0135D, effective April 17, 201, north of County State Aid Highway No. 10 and Zone AE south of County State Aid Highway No. 10.
 - Historical imagery indicates the wetlands have been cultivated in the past.
 - This preliminary plat was prepared without the benefit of a title commitment or title report. There may be additional easements that affect the property.

LEGEND

- FOUND CHISAGO COUNTY SECTION CORNER MONUMENT
- FOUND 1/2" IRON PIPE
- MONUMENT W/CAP MARKED 13590 UNLESS NOTED OTHERWISE
- GUY POLE
- TELEPHONE PEDESTAL
- SB ○ SOIL BORING
- ELECTRIC POLE
- OHE — OVERHEAD ELECTRIC
- BUILDING SETBACK LINE
- DELINEATED WETLAND PERFORMED BY EARTH SCIENCE ASSOCIATES
- Δ DENOTES RIGHT OF ACCESS DEDICATED TO CHISAGO COUNTY
- BITUMINOUS SURFACE
- GRAVEL SURFACE

SOIL BORING
RAMBERG SOIL CONSULTING
55535 FAIRFIELD AVE
PINE CITY, MN 55063
(320) 438-9318

OWNER & DEVELOPER
CRAIG PELTIER
86 206TH STREET
NEW RICHMOND, WI 54017
(651) 491-3380
CRAIGPELTIER@HOTMAIL.COM

LAND SURVEYOR
WIDSETH
SHAWN KUPCHO
5368 266TH ST
WYOMING, MN 55092
PHONE (651) 353-2343

WETLAND SPECIALIST
EARTH SCIENCES ASSOCIATES, INC
37445 GRAND AVE
NORTH BRANCH, MN 55056
(612) 718-0413

VICINITY MAP
SEC. 14, T34, R20
CHISAGO LAKE TOWNSHIP
CHISAGO COUNTY, MINNESOTA

WIDSETH
ARCHITECTS • ENGINEERS • SCIENTISTS • SURVEYORS

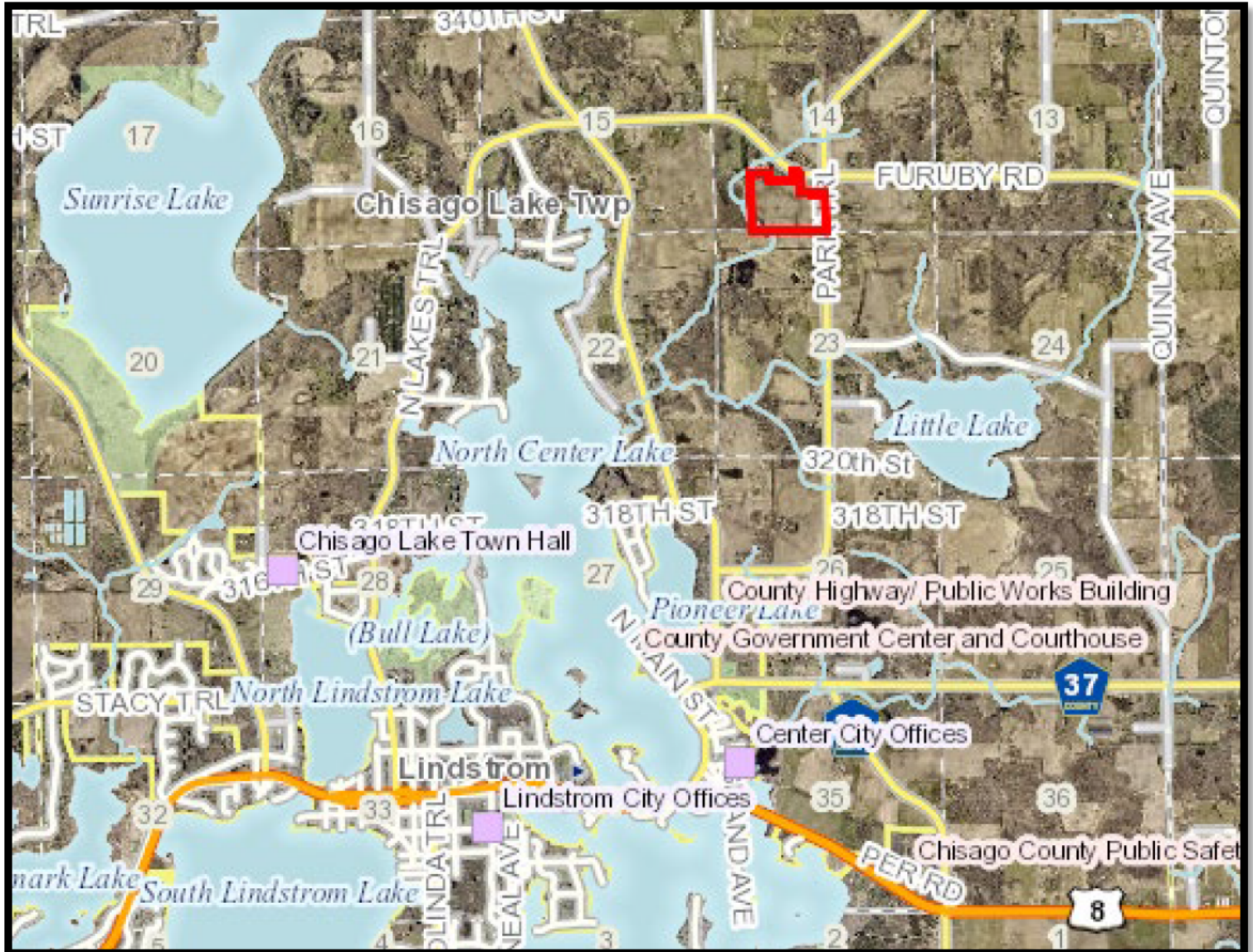
DATE	December 17, 2024	SCALE	AS SHOWN	DRAWN BY	JMM	CHECKED BY	SMK	FILE NUMBER	2024-11608
DATE	1/14/25	SCALE		DRAWN BY		CHECKED BY		FILE NUMBER	
DATE		SCALE		DRAWN BY		CHECKED BY		FILE NUMBER	

PREPARED FOR: CRAIG PELTIER
I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED LAND SURVEYOR FOR THE STATE OF MINNESOTA.
Shawn M. Kupcho
Shawn M. Kupcho L.S.
DATE: 12/17/24
LIC. NO. 48021

Craig & Patti Peltier – Property owners Craig & Patti Peltier are requesting approval of the Preliminary Plat of Peltier Estates involving the creation of one lot from a 45.8± acre tract of land. The subject site is zoned Agricultural (AG) District and generally located south of Furuby Road / CSAH 20 and west of Park Trail / CSAH 12 in Chisago Lake Township, S14, T34, R20 (PID 02.00557.00).



Craig & Patti Peltier – Property owners Craig & Patti Peltier are requesting approval of the Preliminary Plat of Peltier Estates involving the creation of one lot from a 45.8± acre tract of land. The subject site is zoned Agricultural (AG) District and generally located south of Furuby Road / CSAH 20 and west of Park Trail / CSAH 12 in Chisago Lake Township, S14, T34, R20 (PID 02.00557.00).



RESOLUTION NO. PC2025-0202
A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA,
RECOMMENDING APPROVAL OF THE PRELIMINARY PLAT OF PELTIER ESTATES

WHEREAS, property owners Craig Peltier & Patti Peltier and applicants Shelby Peltier and Shawn Kupcho submitted an application dated received December 17, 2024 and deemed complete on December 18, 2024 for the Preliminary Plat of Peltier Estates; and

WHEREAS, the property owners wish to create one 24.98-acre lot from the 45.8± acre subject site; and

WHEREAS, the subject site is generally located south of Furuby Road / CSAH 20 and west of Park Trail / CSAH 12 in Chisago Lake Township and is zoned Agricultural (AG) District; and

WHEREAS, the subject site is legally described as:

PID 02.00557.00

*NOTE: Applicable portions of the property descriptions contained in
Warranty Deed Doc. No. 287781 are shown in bold below.*

The North Half of the Northwest Quarter (N 1/2 of NW 1/4), of Section Twenty-three (23), Township Thirty-four (34), Range Twenty (20); subject to public roads; and
The South Half of the Southwest Quarter (S 1/2 of SW 1/4), of Section Fourteen (14), Township Thirty-four (34), Range Twenty (20); also the following described tract:
Commencing at the southwest corner of the NE 1/4 of SW 1/4 of Section 14, Township 34, Range 20, running thence North on 1/16 section line to the center of the Taylors Falls and Sunrise Road (now Furuby Road), thence following the center of said road in a southeasterly direction to where the same crosses the 1/16 section line which divides the NE 1/4 of SW 1/4 from the SE 1/4 of SW 1/4, thence West on the last described 1/16 section line to place of beginning, hereby intending to convey all that part of the NE 1/4 of the SW 1/4 of said Section 14, which lies southwest of the road leading from Taylors Falls to Sunrise City, and containing 3 acres, more or less. Excepting, however, that part of the above described premises heretoforth conveyed to the Lindstrom Creamery Company, Chisago County, Minnesota, as described in Book 10 of Deeds on page 68 in the office of the County Recorder of Chisago County, Minnesota; and

Except: The South 775 feet of the North Half of the Northwest Quarter (N 1/2 of NW 1/4) of Section Twenty-three (23), the West 835 feet of that part of said North Half of Northwest Quarter (N 1/2 of NW 1/4), lying North of the South 775 feet thereof and **the West 835 feet of the Southwest Quarter of the Southwest Quarter (SW 1/4 of SW 1/4) of Section Fourteen (14), all in Township Thirty-four (34) North, Range Twenty (20) West, Chisago County, Minnesota; and**

Except: The West 420 feet of that part of the Northeast Quarter of the Southwest Quarter of Section 14, lying southerly of

County State Aid Highway No. 20 (also known as Furuby Road); and, the West 420 feet of the North 156 feet of the Southeast Quarter of the Southwest Quarter of Section 14; both parcels are in Township 34 North, Range 20 West, Chisago County, Minnesota, together containing 5.0 acres, more or less; and

Except: The East 155 feet of the West 575 feet of the North 156 feet of the Southeast Quarter of Section 14, Township 34 North, Range 20 West, Chisago County, Minnesota, and that part of the East 155 feet of the West 575 feet of the Northeast Quarter of the Southwest Quarter of said Section 14, which lies southerly of the center line of County State Aid Highway No. 20 (also known as Furuby Road); and

Except: The North 200 feet of the South 975 feet of all that part of the North Half of the Northwest Quarter (N 1/2 of NW 1/4) of Section 23, Township 34 North, Range 20 West, Chisago County, Minnesota, lying East of the West 835 feet thereof; and

ALSO EXCEPT (per Warranty Deed Doc. No. A360621)

That part of the East 545 feet of the Northeast Quarter of the Southwest Quarter of Section 14, lying Southerly of the center line of Furuby Road (also known as County State Aid Highway No. 20) and the North 400 feet of the East 545 feet of the Southeast Quarter of the Southwest Quarter of said Section 14. Together with the South 56 feet of the North 456 feet of the West 86 feet of the East 288 feet of said Southeast Quarter of the Southwest Quarter all in Township 34, Range 20 West, Chisago County, Minnesota.

ALSO EXCEPT

The South 502.39 feet of the Southeast Quarter of the Southwest Quarter of Section 14, Township 34, Range 20, Chisago County, Minnesota and the South 502.39 feet of the Southwest Quarter of the Southwest Quarter of said Section 14, lying East of the West 835.00 feet thereof.

WHEREAS, notice was provided and on February 6, 2025 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the property owner(s) and/or applicant(s), and invited members of the public to comment; and

WHEREAS, the Planning Commission found that the Preliminary Plat of Peltier Estates was consistent with the intent of the County's Zoning and Subdivision Ordinances.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA, that the request for Preliminary Plat is hereby recommended for approval, subject to the following conditions:

1. The Preliminary Plat of Peltier Estates is approved per plat drawing dated signed December 17, 2024 and amended on January 14, 2025. Any significant deviation from the approved plat drawing, except as noted herein and as determined by the Department of Environmental Services, shall require further review by the Planning Commission and approval by the County Board.

2. The property owner shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
3. Request for Final Plat shall not be submitted until the Chisago County Department of Environmental Services has verified the soils report submitted as part of the December 17, 2024 request for Preliminary Plat and the Department has found that said soils report satisfactorily complies with all applicable regulations.
4. Request for Final Plat shall be submitted within one year of Preliminary Plat approval unless an extension of time is requested by the property owner and/or applicant and granted by the County Board upon recommendation of the Planning Commission.

Adopted by the Planning Commission of Chisago County, Minnesota,
this 6th day of February, 2025.

Chris DuBose _____
Eric Leivian _____
Jim McCarthy _____
John Sutcliffe _____

Dave Whitney _____
Jolene Wille _____
Chip Yeager _____

Chair

ATTEST: _____
Beth Gervais
Land Services Coordinator



Staff Report

TO: Planning Commission
 FROM: Beth Gervais, Land Services Coordinator
 SUBJECT: Preliminary Plat of Amador Meadows
 xxxxx Oriole Avenue / CR 70, Amador Township
 DATE: February 6, 2025

ACTION TO CONSIDER

The Planning Commission will conduct a public hearing to consider the Preliminary Plat of Amador Meadows, involving the creation of two lots from a 26.8± acre tract of land.

SITE & APPLICATION INFORMATION

Property Owner(s): Steven Olson & Ann Byers and Gary & LaDonna Olson
 Applicant(s): Steven Olson, Gary Olson, and Robert Boyce
 Location: xxxxx Oriole Avenue / CR 70
 Amador Township
 Section 14, Township 35, Range 20
 PID: 01.00266.50
 Property Area: 26.8± Acres
 Current Zoning: Agricultural (AG) District
 Adjacent Zoning:
 North: Agricultural (AG) District
 South: Agricultural (AG) District
 East: Agricultural (AG) District
 West: Agricultural (AG) District
 Date Application Received: December 23, 2024
 Date Application Complete: December 23, 2024
 120-Day Review Period: April 22, 2025

BACKGROUND

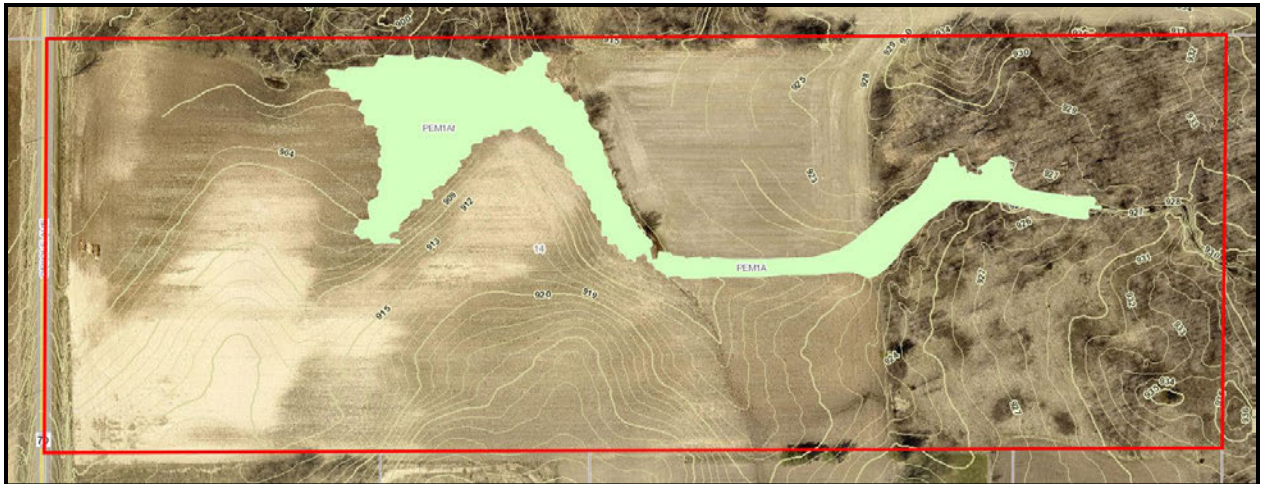
Property owners Steven Olson & Ann Byers and Gary & LaDonna Olson are seeking approval of the Preliminary Plat of Amador Meadows, involving the creation of two lots from the 26.8± acre subject site.



SITE & PROPOSAL ANALYSIS

The subject site is generally located approximately one-tenth of a mile north of 392nd Street and approximately one-half of a mile south of 400th Street on the east side of Oriole Avenue / CR 70 in Amador Township. The site is currently undeveloped.

Topography of the subject site includes elevations ranging from 892' near the extreme northwest corner to 928' at the southern property boundary with a swath of wetland in the central portion of the north half. Roughly two-thirds of the site appears to be cropland, with the remaining third being wooded. The image below illustrates elevations and wetland areas per the National Wetland Inventory.



The subject site and all surrounding properties are located within the Agricultural (AG) District. Surrounding properties range in size from five acres to 55 acres with most surrounding properties having been developed for residential use and/or being used for agricultural purposes.

The attached Preliminary Plat drawing shows that the property owners wish to create two lots from the 26.8± acre subject site, with one lot being 5.8 acres in size and the other being 20.1 acres in size. Staff notes that, due to date of application submission, the request for Preliminary Plat is being processed pursuant to the 1999 Subdivision Ordinance; however, whether processed pursuant to the 1999 Ordinance or pursuant to the recently adopted Ordinance, the proposed 20.1-acre lot would not be exempted from the platting process based on the proposed lot dimensions. Each of the two proposed lots demonstrates compliance with the County's Home Site Area Standard by providing a 21,500 sf area intended for a building site and yard area. Additionally, each of the proposed lots provides sufficiently sized areas for primary and alternate septic sites.

The stated purpose of the AG District is to provide areas to be utilized for agriculture and agriculture related uses and low density residential areas. Below is a table which identifies

minimum requirements for the AG District with corresponding information for the two proposed lots. As proposed, both lots comply with the County’s dimensional requirements.

AG District Minimum Requirements	Lot Size 5 acres	Lot Width* 300 feet	Lot Depth** 300 feet	Home Site Area 21,500 square feet
Lot 1, Block 1	5.8 acres (NOT including dedicated R-O-W)	300'±	844'±	21,500 sf
Lot 2, Block 1	20.1 acres (NOT including dedicated R-O-W)	352'±	1,732'±	21,500 sf

** Lot width, by definition, is measured at the building setback line. Subdivision Ordinance Section 4.03 Lot Requirements states that “Each lot shall front upon a public street for the minimum lot width required, except as otherwise provided in this Ordinance.”*

*** Lot depth, by definition, is the average distance measured from the front lot line to the rear lot line. Subdivision Ordinance Section 4.03 Lot Requirements states that “the depth of a lot shall not be greater than five times the width.”*

REVIEW PROCESS

The Technical / Plat Review Committee met with applicant Robert Boyce on January 8, 2025. Wetland Specialist Fertig commented that the wetland delineation and soils report had been verified and found to be accurate. The Committee did not identify any immediate concerns.

The Amador Town Board reviewed the proposed Preliminary Plat at its January 21, 2025 meeting and recommended approval with no conditions or comments.

Preliminary Plats, per the Chisago County Subdivision Ordinance, are subject to a 120-day review period rather than the more typical 60-day review period applied to land use requests. The 120-day review period for this application expires on April 22, 2025.

WRITTEN TESTIMONY

No written testimony was submitted to the County as of the completion of this report.

STAFF RECOMMENDATION

Staff believes that the proposed Preliminary Plat complies with and is consistent with the intent of the County’s Zoning and Subdivision Ordinances. Barring any new or unknown evidence of compliance discovered after the completion of this report or during the course of the public hearing, **staff recommends approval** of the Preliminary Plat of Amador Meadows with conditions and has prepared a resolution for the Commission’s consideration.

Recommended Conditions:

1. The Preliminary Plat of Amador Meadows is approved per plat drawing dated signed October 30, 2024. Any significant deviation from the approved plat drawing, except as noted herein and as determined by the Department of Environmental Services, shall require further review by the Planning Commission and approval by the County Board.

2. The property owner shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
3. Request for Final Plat shall be submitted within one year of Preliminary Plat approval unless an extension of time is requested by the property owner and/or applicant and granted by the County Board upon recommendation of the Planning Commission.

OPTIONS

1. Recommend that the County Board **approve** the Preliminary Plat of Amador Meadows with conditions presented or amended.
2. Should the Planning Commission determine that the proposed Preliminary Plat does not comply with and/or is not consistent with the intent of County's Zoning and Subdivision Ordinances upon completion of the public hearing and/or upon discovery of any new or unknown evidence, recommend that the County Board **deny** the Preliminary Plat of Amador Meadows based on factors deemed appropriate. *(Note: The Commission will need to include specific factor(s) for denial in its motion.)*
3. **Continue the public hearing** to a specific date in order to receive additional public testimony prior to making a recommendation on the Preliminary Plat of Amador Meadows.
4. **Table** the request to allow for submission of additional supporting documentation and/or further review and consideration. The ordinance prescribed 120-day review period expires on April 22, 2025 allowing the Planning Commission to further consider the request at its March 6, 2025 meeting.

ACTION REQUESTED

Motion to adopt Resolution No. PC2025-0203, a resolution recommending approval of the Preliminary Plat of Amador Meadows, with conditions as presented or amended.

ATTACHMENTS

1. Application materials
 - a. Application
 - b. Preliminary Plat drawing
2. Aerial location map (1) – subject site
3. Aerial location map (2) – vicinity map
4. Draft Resolution No. PC2025-0203



Chisago County Department of Environmental Services Planning & Zoning Application

Permit # 24-2554

Township AMADOR S/T/R 14-35-20 PID# 01.00266.50

Project Address N/A

Property Owner(s) STEVEN OLSON, ANN BYERS GARY OLSON, LADUNNA OLSON

Mailing Address (If Different from Project Address) 4001 COLFAX AVE SO MPLS, MN 55409

Phone# [REDACTED] Email [REDACTED]

Applicant(s) STEVEN OLSON, GARY OLSON *ROBERT BOYCE

Mailing Address (If Different from Project Address) 9140 BALTIMORE ST. NE, STE #110, BLANE, MN 55449

Phone# [REDACTED] Email [REDACTED]

Type of Request (Check All That Apply)

Board of Adjustment & Appeals

- ☐ Variance
☐ Administrative Appeal

Planning Commission

- ☐ Conditional Use Permit (CUP)
☐ Interim Use Permit (IUP)
☐ Amendment to CUP or IUP

- ☒ Preliminary Plat
☐ Rezoning
☐ Ordinance Amendment

Description of Request (Attach Separate Sheet if Necessary) PROPOSED 2 LOT SUBDIVISION

Required Attachments (Additional Attachments May Be Required Based On The Specific Request)

- ☐ Full Legal Description ☐ Detailed Site Plan ☐ Detailed Written Narrative ☐ Plat Drawings

St John 12/23/24

Fees		Dates	
Base Fee	\$ <u>500</u>	Application Received	<u>12-23-24</u>
Recording Fee	\$ <u>46</u>	Application Complete	<u>12-23-24</u>
Plat Fee - No Road(s) / With Road(s)	\$ <u>150</u>	60 / 120 Day Review Period	<u>4-22-24</u>
Septic Compliance Fee	\$ <u> </u>	Extended Review Period	<u> </u>
Wetland Fee	\$ <u>PAID</u>		
TOTAL FEE	\$ <u>696</u>		



Chisago County Department of Environmental Services
Planning & Zoning Application

Township Presentation Form

Township Amador S/T/R 14-35-20 PID# 01.00266.50

Project Address N/A

Property Owner(s) STEVEN OLSON, ANN BYERS GARY OLSON, LADANNA OLSON

Mailing Address (If Different from Project Address) 7001 COLPAX AVE SO MPLS, MN 55409

Phone# [REDACTED] Email [REDACTED]

Applicant(s) STEVEN OLSON, GARY OLSON *ROBERT BOYCE

Mailing Address (If Different from Project Address) 9140 BALTIMORE ST NE, STE#110, BUAINE MN 55449

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Type of Request (Check All That Apply)

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- ☐ Variance
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☐ Amendment to CUP or IUP

☒ Preliminary Plat

☐ Rezoning

☐ Ordinance Amendment

Description of Request (Attach Separate Sheet if Necessary) PROPOSED 2 LOT SUBDIVISION

AT JH 12/23/24

Date of County Public Hearing _____ Date of Township Presentation _____

Township Action Taken (Township Use Only)

- ☒ Recommendation of Approval ☐ Recommendation of Denial

Recommended Conditions of Approval OR Legal Findings for Recommendation of Denial

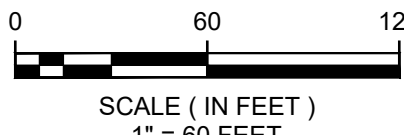
Signatures of Township Officials or Authorized Personnel

[Signature] ATM ZISK [Signature]

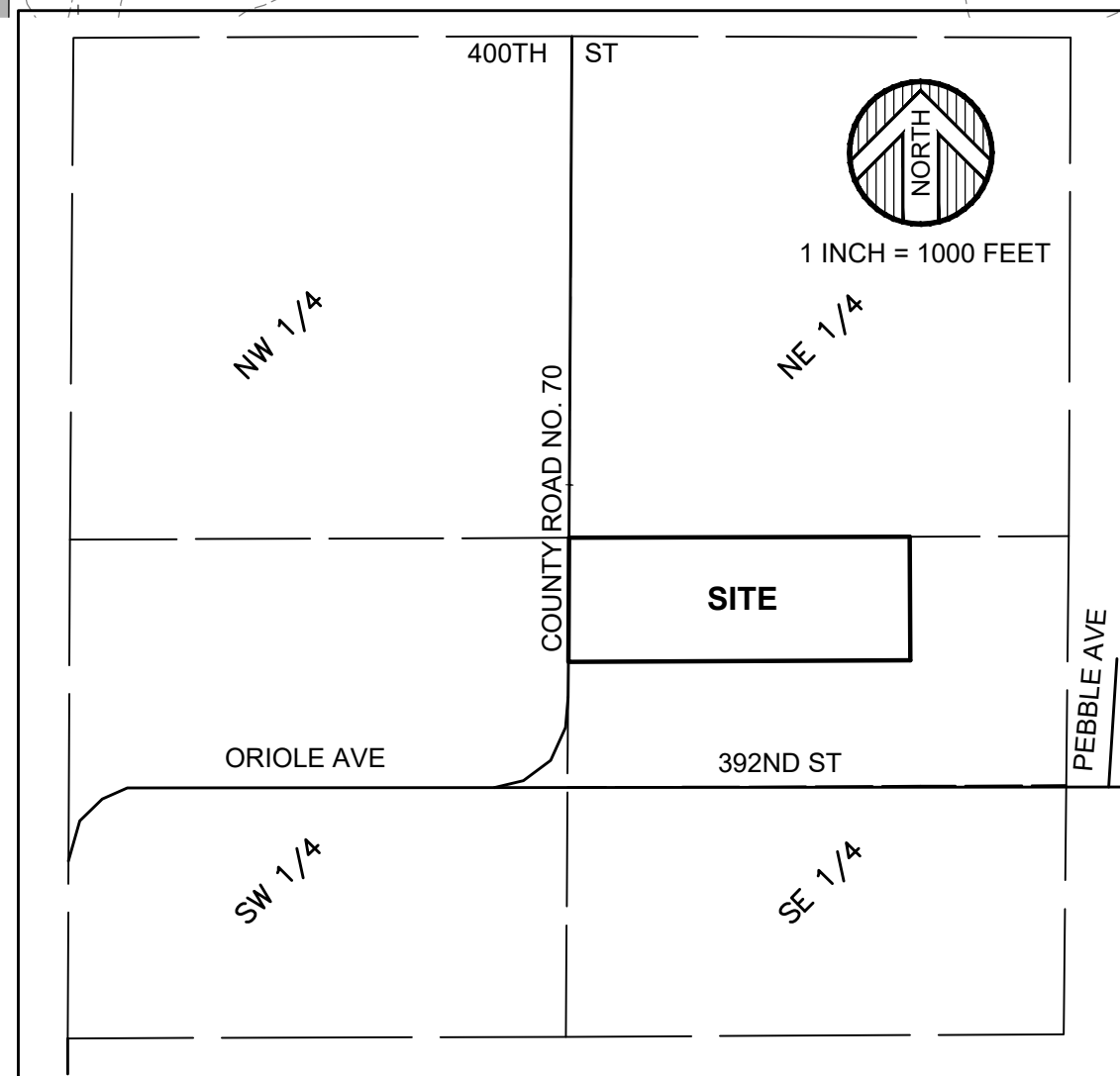
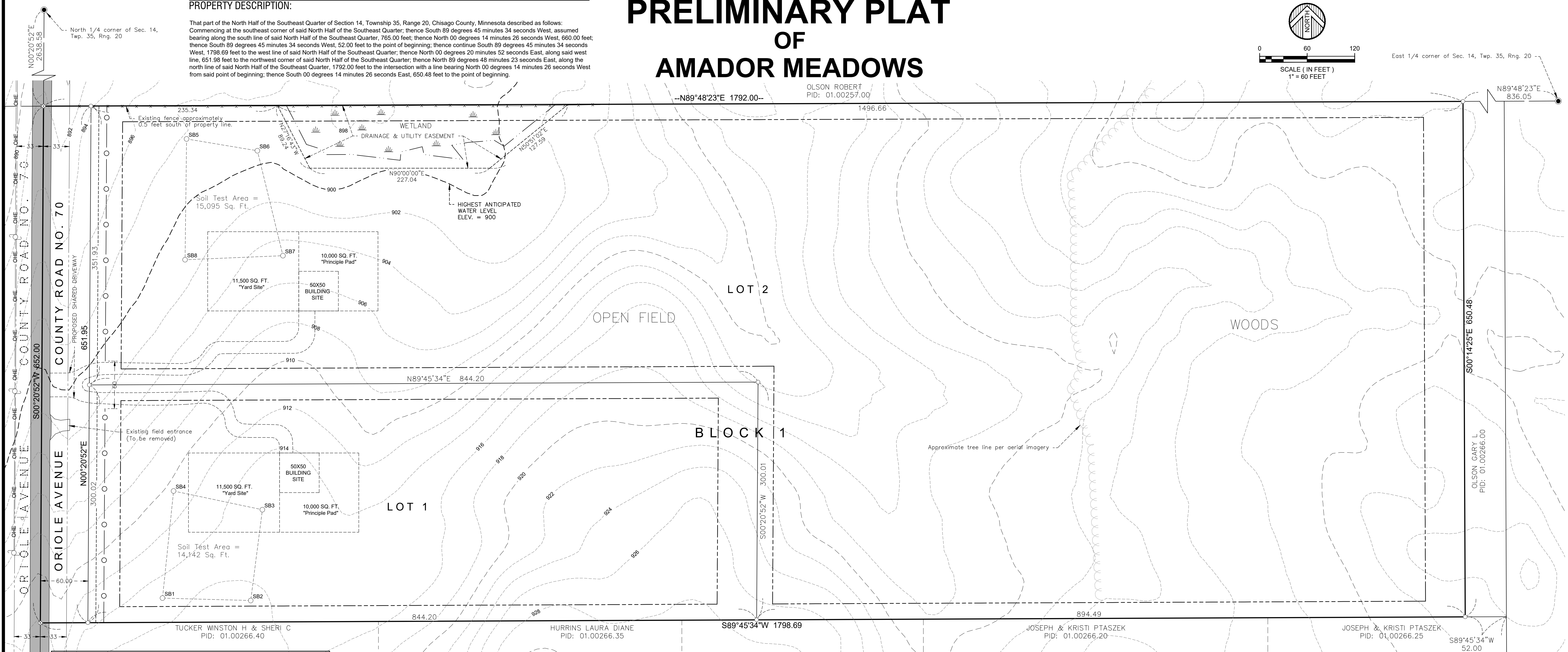
PRELIMINARY PLAT OF AMADOR MEADOWS

PROPERTY DESCRIPTION:

That part of the North Half of the Southeast Quarter of Section 14, Township 35, Range 20, Chicago County, Minnesota described as follows: Commencing at the southeast corner of said North Half of the Southeast Quarter; thence South 89 degrees 45 minutes 34 seconds West, assumed bearing along the south line of said North Half of the Southeast Quarter, 765.00 feet; thence North 00 degrees 14 minutes 26 seconds West, 660.00 feet; thence South 89 degrees 45 minutes 34 seconds West, 52.00 feet to the point of beginning; thence continue South 89 degrees 45 minutes 34 seconds West, 178.69 feet to the west line of said North Half of the Southeast Quarter; thence North 00 degrees 20 minutes 52 seconds East, along said west line, 851.98 feet to the northwest corner of said North Half of the Southeast Quarter; thence North 89 degrees 48 minutes 23 seconds East, along the north line of said North Half of the Southeast Quarter, 1792.00 feet to the intersection with a line bearing North 00 degrees 14 minutes 26 seconds West from said point of beginning; thence South 00 degrees 14 minutes 26 seconds East, 650.48 feet to the point of beginning.



East 1/4 corner of Sec. 14, Twp. 35, Rng. 20



SURVEY NOTES:

1. Orientation of this bearing system is based on the Chicago County Coordinate System NAD83 (1996 adj.)
2. Vacant land - There is no address assigned to the subject property at the time of this survey. PID: 01.002665
3. Total Acreage of Property: 1,169,172 Sq. Ft. or 26.8 Acres
4. Proposed Lot Areas:
Lot 1, Block 1: 253,256 Sq. Ft. or 5.8 Acres
Lot 2, Block 1: 876,979 Sq. Ft. or 20.1 Acres
Dedicated Right-of-way: 39,118 Sq. Ft. or 0.9 Acres
5. The Property is zoned A(Agricultural) per Amador Township Zoning Map.
Building Setbacks (per Chicago County Dimensional Standards)

Front Yard / Township Road Right of Way:	= 40 feet	Zoning District Regulations:
Side Yard:	= 20 feet	Minimum Lot Area = 5 Acres
Rear Yard:	= 50 feet	Minimum Lot Width = 300 feet
		Minimum Lot Depth = 300 feet
6. Contours shown are LIDAR derived on the NAVD88 datum provided by MnDNR.
The electronic LIDAR data was ordered and received on 10/17/2024.
7. Vertical control: MNDOT Benchmark "Rise" Elev. = 909.424(NAVD88)
8. The subject property lies within Zone X, areas of minimal flooding per FEMA Flood Insurance Rate Map No. 27025C0200D, effective date April 17, 2012.
9. Highest anticipated water level elevation = 900 (NAVD88)
10. Nearest 100 year flood elevation is 870.00Per Zone A, Sunrise river,
2-1/2 miles West of the subject property.
11. Building pads shown are for graphical purposes only.

NOTE:

Minimum Buildable Area : 21,500 Sq. Ft.

10,000 Sq. Ft. principle pad that

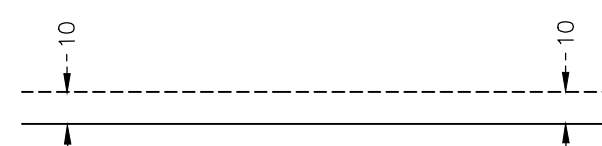
Minimum 2 feet above the nearest 100 year flood **Elev. = 870.00 Sunrise River (NAVD88)**

Minimum 2 feet above the Highest Anticipated Water Level **Elev. = 900 (NAVD88)**

11,500 Sq. Ft. yard site that

Is above the nearest or any relevant 100-year flood contour

DRAINAGE AND UTILITY EASEMENTS
ARE SHOWN THUS:



BEING 10 FEET IN WIDTH, UNLESS
OTHERWISE INDICATED AND ADJOINING
STREET LINES, AS SHOWN ON THIS PLAT

OWNER/DEVELOPER:
STEVEN OLSON
13735 FAIR OAK CT
APPLE VALLEY, MN. 55124

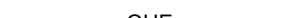
SOIL TESTER:
JOSH PUTT
28651 QUAIL ROAD
SHAHER, MN. 55074
(651)900-1567
DATE: 10/20/2024

SURVEYOR/ENGINEER:

WIDSETH
5368 266TH STREET WYOMING
MINNESOTA 55092
(651) 464-3130

WETLAND DELINEATOR:
JACOBSON ENVIRONMENTAL, PLLC
5821 HUMBOLDT AVE. N.
BROOKLYN CENTER, MN 55430
612-802-6619
DATE: 10/02/2024

LEGEND:

- | | |
|---|---|
|  | DENOTES A SET 1/2" IRON PIPE CAP NO. 42648 |
|  | ELEC POLE |
|  | DENOTES SOIL BORING |
|  | DENOTES SET MAG NAIL WITH WASHER MARKED 42648 |
|  | DENOTES DEDICATED RIGHT OF ACCESS TO CHISAGO COUNTY |
|  | EXISTING RIGHT-OF-WAY LINE |
|  | FENCE BARB WIRE |
|  | WETLAND EDGE |
|  | OVERHEAD ELECTRIC |
|  | BUILDING SETBACK LINE |

southeast corner of the N 1/2 of the SE 1/4

S89°45'34"W
765.00

© 2024 WIDSETH SMITH NOLTING & ASSOCIATES, INC

DATE:	October 2024	DATE	AMENDMENTS		BY	PREPARED FOR: STEVEN OLSON
SCALE:	AS SHOWN					I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA  Kelly L. Jordan DATE: 10/30/2024 LIC. NO. 42648
DRAWN BY:	JAS					
CHECKED BY:	KLJ					
FILE NUMBER:	2024-11844					

WIDSETH
ARCHITECTS ■ ENGINEERS ■ SCIENTISTS ■ SURVEYORS

Steven Olson & Ann Byers and Gary & LaDonna Olson – Property owners
Steven Olson & Ann Byers and Gary & LaDonna Olson are requesting approval of the Preliminary Plat of Amador Meadows involving the creation of two lots from a 26.8± acre tract of land. The subject site is zoned Agricultural (AG) District and generally located approximately one-tenth of a mile north of 392nd Street on the east of Oriole Avenue / CR 70 in Amador Township, S14, T35, R20 (PID 01.00266.50).



Steven Olson & Ann Byers and Gary & LaDonna Olson – Property owners Steven Olson & Ann Byers and Gary & LaDonna Olson are requesting approval of the Preliminary Plat of Amador Meadows involving the creation of two lots from a 26.8± acre tract of land. The subject site is zoned Agricultural (AG) District and generally located approximately one-tenth of a mile north of 392nd Street on the east of Oriole Avenue / CR 70 in Amador Township, S14, T35, R20 (PID 01.00266.50).



RESOLUTION NO. PC2025-0203
A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA,
RECOMMENDING APPROVAL OF THE PRELIMINARY PLAT OF AMADOR MEADOWS

WHEREAS, property owners Steven Olson & Ann Byers and Gary Olson & LaDonna Olson and applicant Robert Boyce submitted an application dated received and deemed complete on December 23, 2024 for the Preliminary Plat of Amador Meadows; and

WHEREAS, the property owners wish to create two lots from the 26.8± acre subject site; and

WHEREAS, the subject site is generally located approximately one-tenth of a mile north of 392nd Street and approximately one-half of a mile south of 400th Street on the east side of Oriole Avenue / CR 70 in Amador Township and is zoned Agricultural (AG) District; and

WHEREAS, the subject site is legally described as:

PID 01.00266.50

That part of the North Half of the Southeast Quarter of Section 14, Township 35, Range 20, Chisago County, Minnesota described as follows:

Commencing at the southeast corner of said North Half of the Southeast Quarter; thence South 89 degrees 45 minutes 34 seconds West, assumed bearing along the south line of said North Half of the Southeast Quarter, 765.00 feet; thence North 00 degrees 14 minutes 26 seconds West, 660.00 feet; thence South 89 degrees 45 minutes 34 seconds West, 52.00 feet to the point of beginning; thence continue South 89 degrees 45 minutes 34 seconds West, 1798.69 feet to the west line of said North Half of the Southeast Quarter; thence North 00 degrees 20 minutes 52 seconds East, along said west line, 651.98 feet to the northwest corner of said North Half of the Southeast Quarter; thence North 89 degrees 48 minutes 23 seconds East, along the north line of said North Half of the Southeast Quarter, 1792.00 feet to the intersection with a line bearing North 00 degrees 14 minutes 26 seconds West from said point of beginning; thence South 00 degrees 14 minutes 26 seconds East, 650.48 feet to the point of beginning.

WHEREAS, notice was provided and on February 6, 2025 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the property owner(s) and/or applicant, and invited members of the public to comment; and

WHEREAS, the Planning Commission found that the Preliminary Plat of Amador Meadows was consistent with the intent of the County's Zoning and Subdivision Ordinances.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA, that the request for Preliminary Plat is hereby recommended for approval, subject to the following conditions:

1. The Preliminary Plat of Amador Meadows is approved per plat drawing dated signed October 30, 2024. Any significant deviation from the approved plat drawing, except as noted herein and as determined by the Department of Environmental Services, shall require further review by the Planning Commission and approval by the County Board.
2. The property owner shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
3. Request for Final Plat shall be submitted within one year of Preliminary Plat approval unless an extension of time is requested by the property owner and/or applicant and granted by the County Board upon recommendation of the Planning Commission.

Adopted by the Planning Commission of Chisago County, Minnesota,
this 6th day of February, 2025.

Chris DuBose _____
Eric Leivian _____
Jim McCarthy _____
John Sutcliffe _____

Dave Whitney _____
Jolene Wille _____
Chip Yeager _____

Chair

ATTEST: _____
Beth Gervais
Land Services Coordinator



Staff Report

TO: Planning Commission
FROM: Beth Gervais, Land Services Coordinator
SUBJECT: Adoption of Official Zoning Map with Amendments
DATE: February 6, 2025

BACKGROUND

On December 18, 2024, the County Board of Commissioners approved Ordinance No. 2024-1218-1, an ordinance repealing and reenacting the Chisago County Zoning Ordinance. The effective date of this new Zoning Ordinance was January 1, 2025, following summary publication on December 26, 2024 and recording as Document #A-681047. As part of the comprehensive update of the Zoning Ordinance, the Rural Residential I (RRI) and Rural Residential II (RRII) Districts were consolidated into a single Rural Residential (RR) District, and the Urban Residential (UR) District was renamed as the Urban Fringe Residential (UFR) District. This consolidation and renaming necessitate a comprehensive Zoning Map amendment and adoption. The County Board, at its January 7, 2025 meeting, directed the Planning Commission to schedule a public hearing in consideration of the Official Zoning Map.

DISCUSSION

County staff has prepared a draft Chisago County Official Zoning Map for the Planning Commission's consideration. The Zoning Map identifies all zoning districts and illustrates all zoning district boundaries for land under the County's zoning jurisdiction, as well as identifying and illustrating the special management overlay districts and the Shoreland Management District.

Because the current Zoning Map is in direct conflict with the recently adopted Zoning Ordinance, adoption of the Official Zoning Map with the amendments identified in the Background section above is imperative. While the zoning classifications of the RRI and RRII Districts are proposed to change to the RR District, this change is not intended to further restrict these properties. In fact, the consolidated RR District will be less restrictive than the RRI and RRII Districts in some respects. A primary example of the RR District being less restrictive includes a reduced minimum lot area and reduced lot dimensions. Likewise, the renaming of the UR District to the UFR District will not have any direct impact on the properties within this zoning district.

Pursuant to Minnesota Statute, legal notice was published and public hearing notices were mailed to all Chisago County townships and municipalities. Additionally, the draft Zoning Map has been made available for in-person viewing at the Department of Environmental Services.

WRITTEN TESTIMONY

No written testimony was received upon completion of the staff report.

OPTIONS

1. Recommend that the County Board **adopt the Official Zoning Map with amendments** as presented and in accordance with Ordinance No. 2024-1218-1, an Ordinance Repealing and Reenacting the Chisago County Zoning Ordinance.
2. Should the Planning Commission determine that the proposed adoption of the Official Zoning Map with amendments does not comply with and/or is not consistent with the intent of Ordinance No. 2024-1218-1, an Ordinance Repealing and Reenacting the Chisago County Zoning Ordinance, upon completion of the public hearing and/or upon discovery of any new or unknown evidence, recommend that the County Board direct the Planning Commission to **further consider the Official Zoning Map**.
3. **Continue the public hearing** to a specific date in order to receive additional public testimony prior to making a recommendation on the proposed adoption of the Official Zoning Map with amendments.
4. **Table** the matter to allow for submission of additional supporting documentation and/or further review and consideration.

STAFF RECOMMENDATION AND SUGGESTED MOTION

Staff recommends that the Planning Commission open the requisite public hearing and receive public testimony into the record, and then motion to recommend that the County Board adopt the Official Zoning Map with amendments as presented and in accordance with Ordinance No. 2024-1218-1, an Ordinance Repealing and Reenacting the Chisago County Zoning Ordinance.

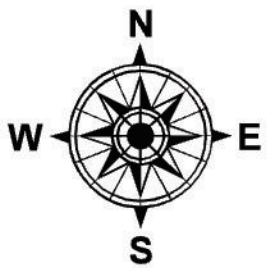
ATTACHMENTS

1. Draft Chisago County Official Zoning Map

Chisago County Official Zoning Map

Date Adopted: xx/xx/2025

Date Adopted: xx/xx/2025



Legend

Zoning Districts - Townships

-  AG - Agricultural District
-  AP - Agricultural Preservation District
-  RR - Rural Residential District
-  UFR - Urban Fringe Residential District
-  RVC - Rural Village Center District
-  CLI - Commercial/Limited Industrial District
-  PAT - Protection and Transfer District

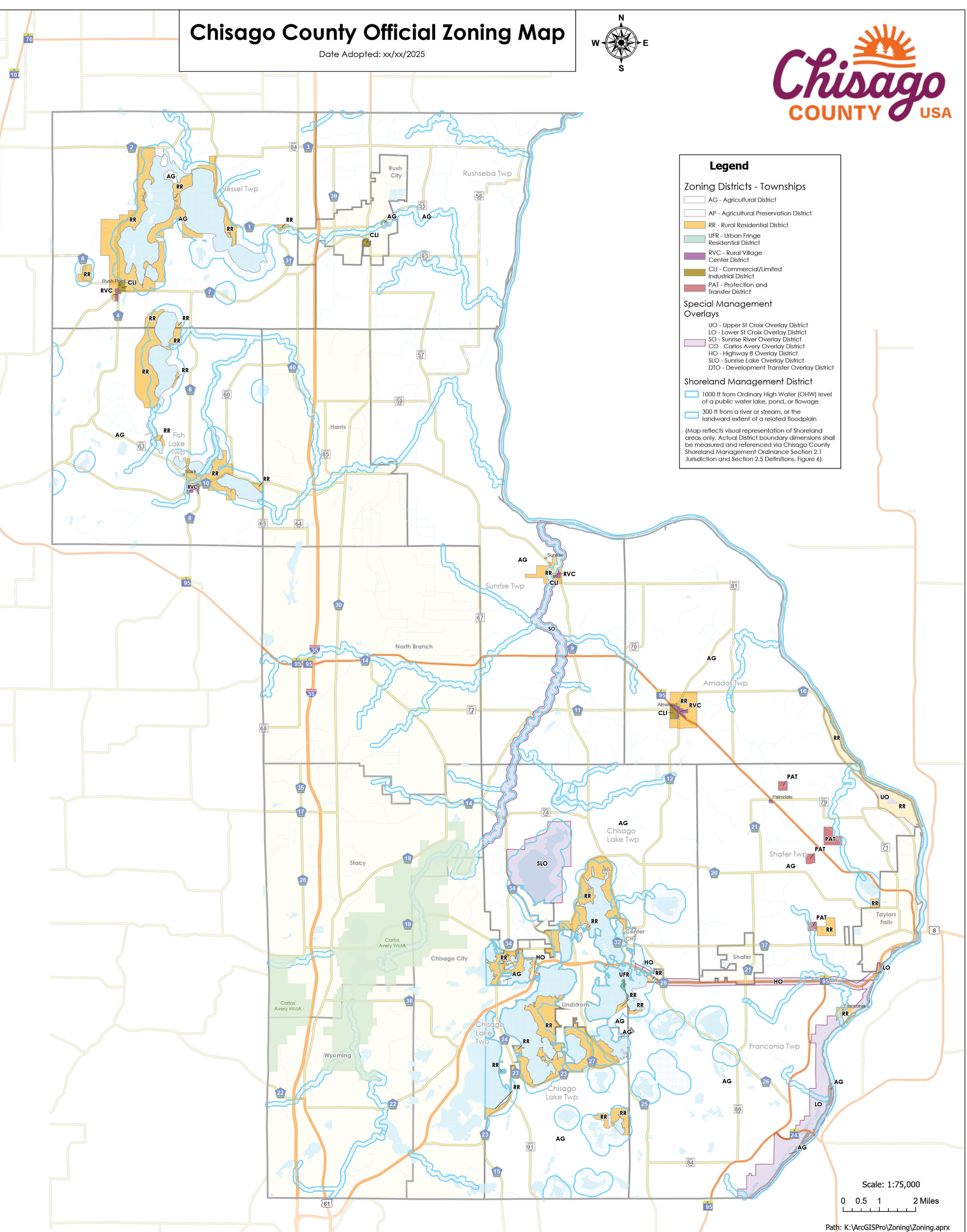
Special Management Overlays

- UO - Upper St Croix Overlay District
 LO - Lower St Croix Overlay District
 SO - Sunrise River Overlay District
 CO - Carlos Avery Overlay District
 HO - Highway 8 Overlay District
 SLO - Sunrise Lake Overlay District
 DTO - Development Transfer Overlay District

Shoreland Management District

-  1000 ft from Ordinary High Water (OHW) level of a public water lake, pond, or flowage
-  300 ft from a river or stream, or the landward extent of a related floodplain

(Map reflects visual representation of Shoreland areas only. Actual District boundary dimensions shall be measured and referenced via Chisago County Shoreland Management Ordinance Section 2.1 Jurisdiction and Section 2.5 Definitions, Figure 6)



Scale: 1:75,000

0 0.5 1 2 Miles

Path: K:\ArcGISPro\Zoning\Zoning.aprx



Staff Report

TO: Planning Commission
FROM: Beth Gervais, Land Services Coordinator
SUBJECT: Annual Review of Planning Commission and Board of Adjustment and Appeals Policy on Commission / Board Structure, Meeting Order and General Procedure
DATE: February 6, 2025

BACKGROUND & DISCUSSION

Per Section 2 of the *Planning Commission and Board of Adjustment and Appeals Policy on Commission / Board Structure, Meeting Order and General Procedure*, the Planning Commission is tasked with completing an annual review of the Policy with any recommended changes or amendments, agreed to by a majority vote, being presented to the County Board for adoption. Further, Chisago County Zoning Ordinance Section 8.03 (Functions of the Planning Commission), I. states that the Planning Commission shall, each year in January (or, in the case of 2025, the first meeting of the year), establish rules of order and operating policies for the year.

Staff requests that the Commission review the attached Policy, which was adopted by the County Board on February 21, 2024, and take action to establish "rules of order and operating policies" for 2025. The Commission's recommendation, along with a recommendation from the Board of Adjustment and Appeals, presumably following its February 27, 2025 meeting, will be presented to the County Board for consideration.

OPTIONS / ACTION REQUESTED

1. Motion to recommend that the existing Policy be established as "rules of order and operating policies" for 2025.
2. Motion to recommend changes and/or amendments to the existing Policy.

ATTACHMENTS

1. Planning Commission and Board of Adjustment and Appeals Policy on Commission / Board Structure, Meeting Order and General Procedure (Resolution No. 24/0221-3)



Chase Burnham
County Administrator

COUNTY OF CHISAGO

BOARD OF COMMISSIONERS

Chisago County Government Center
313 North Main Street, Room 172
Center City, MN 55012-9663

Commissioners:
District 1
Jim Swenson
District 2
Rick Greene
District 3
Marlys Dunne
District 4
Ben Montzka
District 5
Dan Dahlberg

Commissioner Montzka offered the following resolution and moved its adoption:

RESOLUTION NO. 24/0221-3

A RESOLUTION OF THE BORD OF COMMISSIONERS OF CHISSAGO COUNTY, MINNESOTA, APPROVING PLANNING COMMISSION AND BOARD OF ADJUSTMENT AND APPEALS POLICY ON COMMISSION/BOARD STRUCTURE, MEETING ORDER AND GENERAL PROCEDURE

SECTION 1. PURPOSE

The purpose of this policy is to provide a set of operating procedures for the Planning Commission and Board of Adjustment and Appeals, and to establish a code of ethics and conduct.

SECTION 2. ANNUAL REVIEW

This policy shall be reviewed annually by the Planning Commission and Board of Adjustment and Appeals, and any changes or amendments agreed to by a majority vote of each body shall be recommended to the County Board for adoption.

SECTION 3. REGULAR MEETINGS

Regular meetings shall be held at the Chisago County Government Center or other Officially Noticed location at 313 North Main Street, Center City, Minnesota. The meeting schedule shall be as follows:

- Planning Commission shall be held on the first Thursday of each month.
- Board of Adjustment and Appeals shall be held on the last Thursday of each month.

The usual meeting time shall be 7:00 PM unless otherwise noticed. At such meetings, the Commission/Board may consider all matters properly brought before the Commission/Board. A regular meeting may be cancelled or rescheduled by the Commission/Board or by County Staff (in which there are no planning applications) or in observance of a recognized holiday conflict. Rescheduled meetings shall require a motion of new meeting date.

SECTION 4. SPECIAL MEETINGS

Special meetings of the Planning Commission or Board of Adjustment and Appeals may be called by the Zoning Administrator who shall designate the time, place and purpose of the meeting. Notice of special meetings must conform to the Minnesota Open Meeting Law. Written or email notice, thereof shall be given to all members not less than 24 hours in advance of the special meeting except in the case of an emergency.

SECTION 5. QUORUM

In order for any meeting to be called to order, a quorum is identified as a majority of members present and remotely attending. In each case the minimum required for the Planning Commission quorum would consist of four (4) members and the Board of Adjustment and Appeals quorum would be three (3) members present. During the course of any meeting, a majority of members must be present to take action on any matter before the Commission/Board.

SECTION 6. MEETINGS AND THE OPEN MEETING LAW

In accordance with the Minnesota Open Meeting Law (Minnesota Statute Chapter 13D), all official meetings

shall be open to the general public. An "official" meeting is any gathering, or simultaneous or serial communication (via email, telephone or otherwise), between a quorum of members for the purpose of considering the public business of the Planning Commission or Board of Adjustment and Appeals. Informal gatherings and communications such as site visits and conference telephone calls, therefore, may constitute an official meeting. The Planning Commission or Board of Adjustment and Appeals may exclude the public from its meeting only in certain very limited cases identified in the Open Meeting Law with the guidance of the County Attorney.

SECTION 7. VOTING AND RECOMMENDATIONS

(A) **Voting.** At all meetings of the Planning Commission, each member attending, with the exception of the *ex officio* Chisago County Board member, shall be entitled to cast one vote on all issues unless a particular issue involves a conflict of interest. At all meetings of the Board of Adjustment and Appeals, each member attending shall be entitled to cast one vote on matters before the Board, unless a particular issue involves a conflict of interest. The affirmative vote of a majority of members in attendance shall be necessary for the adoption of any resolution or other voting matter. The results of any vote shall be recorded, listing those voting Aye and those voting Nay. All recommendations shall be sent to the County Board by means of written minutes and shall include the record of the division of votes on each recommendation.

(B) **Conflict of Interest.**

1. A member has a conflict of interest in any matter or application before the Commission or Board where he or she has a direct personal or business interest in the matter pending before the Commission or Board or where he or she has an indirect interest in the matter through association or affiliation with the person or business that has brought the pending matter. A member who believes he or she may have a conflict of interest may consult with and obtain a confidential legal opinion from the County Attorney's Office as to whether he or she has a conflict of interest which should be disclosed and from which he or she should disqualify himself or herself.
2. Any question on whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting thereon shall be decided by a majority vote of the attending members except the member who is being challenged. Any person may, in person or in writing, challenge whether any member may have a conflict of interest. Upon any such challenge, the Planning Commission and Board of Adjustment shall decide the question pursuant to the above stated rule. A member who was not present at the hearing of any matter to come before the Commission or Board, may not vote on the same matter, nor any absent member record his vote upon any question.
3. Any member, who believes he or she may have a conflict of interest concerning the matter or application then before the Commission or Board, shall disclose his/her interest and disqualify himself or herself or seek a ruling as provided above. Such member shall leave his or her seat while the Commission/Board takes up the issue of disqualification.
4. Upon a member disqualifying himself or herself or upon disqualification by majority vote as provided above, such member shall not participate as a Commission or Board member in such matter or application in public hearing, deliberation and decision. The Chair shall declare that the member is absent during the proceedings on such matter or application and the minutes shall reflect the member as absent by abstention and took no participation.

5. Any member who is disqualified by reason of a conflict of interest may remain in the meeting room and take a seat in the gallery while the Commission or Board takes up such application. The member may give testimony and other evidence during the public hearing whether in support of or opposition to such pending application and the member may remain in the meeting room, if he or she chooses, while the Commission or Board deliberates and decides on such application. The member may be allowed to return to his or her seat only after the Commission or Board has reached a decision on such application or moves on to other business.

SECTION 8. REGULAR PROCEEDINGS

(A) At any regular meeting, the following shall be the regular order of business:

1. Call to Order - Pledge of Allegiance
2. Roll Call
3. Approval of Agenda
4. Minutes of the Preceding Meeting(s)
5. Receipt of Materials and Submissions
6. Public Hearings - New Applications
7. Public Hearings - Continued Hearings
8. Old Business
9. New Business
10. Communications and Reports
11. Miscellaneous
12. Adjournment

The order of business may be varied by the presiding officer, but no public hearings shall be held at an earlier time than specified in the notice of hearing.

(B) Each formal action of the Planning Commission or Board of Adjustment and Appeals required by law, rules, regulations or policy shall be embodied in a formal vote duly entered in full in the official minutes after an affirmative vote as provided in Section 7 hereof and may be accompanied by written findings of fact.

SECTION 9. AGENDA AND DEADLINE FOR AGENDA

- (A) **Purpose.** The agenda of a meeting serves two important functions: it focuses deliberations by determining what matters will be considered at the meeting, when each matter will be considered, and the context in which each matter will be considered; and, it serves as the public's only guide to what will be considered at the meeting, how the matter be dealt with, who will participate in the discussion, and when public comment may be made. The agenda should be prepared so as to best achieve these functions.
- (B) **Deadlines.** The working agenda for the meeting shall be prepared by the county environmental services staff and shall be closed at noon the Thursday prior to the meeting for preparation purposes.
- (C) **Submissions.** Any member may seek to place an item on the agenda by requesting the same to county staff responsible for agenda preparation prior to noon the Thursday prior to the meeting. No item shall be placed on the agenda unless the item is expressed in such a way as to clearly show the subject matter involved.
- (D) **Delivery of Agenda to Members.** At least four calendar days before the meeting, the county staff shall provide each member a meeting agenda and all materials related to items on the agenda (e.g., petition, application, plans, staff report, written comments received).

- (E) **Agenda Discussion Items - Additions During Regular Meetings.** Additional discussion items may be added to the agenda at the time of adoption/approval of the agenda during the meeting subject to approval by a majority vote of the members present. The additional items may be discussed, but no formal action may be taken.

If a new item of business proposed to be added to the agenda requires staff review (such as rezonings, ordinance amendments, preliminary subdivision plans, and subdivision review procedures and guidelines), involves quasi-judicial procedures (such as a request for a conditional use permit or variance), involves substantive matters of potential public interest (such as the Comprehensive Plan, or other major policies), or requires legal notice elements, the Commission or Board may add the item to the agenda only for purposes of referring it to county staff, or scheduling it for consideration at a later meeting (as appropriate). The Commission may not discuss the substance of the matter or take any final action on the item except at a meeting where the item is included on the distributed agenda.

SECTION 10. MINUTES

- (A) **Purpose.** The minutes of the meetings represent the official record of the Commission and Board's deliberations and actions. As such, they record the vote on actions and the reasons for the vote. The minutes also communicate background on the Planning Commission's recommendations to the County Board, provide perspective on issues, and provide a historical record of proceedings. Furthermore, state law requires the Commission and Board to keep full and accurate minutes of all official meetings and requires that those minutes be retained and be available for public inspection by any person subject to the state public records law and the county records retention schedule.
- (B) **Duties of Staff Preparing Minutes.** County staff shall prepare minutes of all Planning Commission and Board of Adjustment and Appeals meetings. The minutes shall state:
1. Which members were present and absent, and whether absent members were excused or not excused.
 2. A summary of staff and committee reports and recommendations, applicants' presentations, public comments, and the discussion on each item.
 3. The content of each principal motion before the Commission or Board, the identity of the person who made and seconded the motion, and the record of the vote on the motion (identifying the vote count and, unless the vote was unanimous, the names of those voting for or against the motion).

SECTION 11. RULES OF PROCEDURE FOR MEETINGS

All meetings of the Planning Commission and Board of Adjustment and Appeals shall be conducted in accordance with the following Rules of Order.

- (A) Any motion may be withdrawn at any time before action is taken on it.
- (B) When a motion is under debate, no other motion shall be entertained except one to call the question, postpone for consideration to a date certain, or amend. Motions shall take precedence in that order.
- (C) All motions shall be carried by a majority vote of the members present and remotely attending.
- (D) Only members recognized by the Chair can make motions.
- (E) Speaking without recognition of the Chair shall be cause for another member to call "point of order" and

the member speaking out of turn must relinquish the floor.

- (F) "Call the question" is a motion and must be seconded. It is not debatable and must be voted upon immediately.
- (G) "Question" is not a motion but only an indication to the Chair that the person making a statement is ready to have the motion or question put to a vote.
- (H) The Chair may direct that a motion be divided if requested by a member.
- (I) "Vice voce" means voice vote. All votes shall be taken by voice vote or a show of hands, rather than by paper ballot, except that a ballot vote may be called for at the discretion of the Chair.
- (J) Members must limit their remarks to the subject matter being discussed and shall not be repetitious. The speaking order shall be at the discretion of the Chair; however, all members shall be allowed to speak in their turn. Each member, while speaking, shall avoid all personal, indecorous, profane or sarcastic language.
- (K) If a motion is unnecessary, unsuitable for consideration, and/or proposed at an inopportune time for the purpose of delaying or embarrassing others, the presiding officer may rule the motion out of order on her/his own initiative.

SECTION 12. MEETING DECORUM

- (A) Hats or caps worn at the hearing shall be removed by anyone addressing the Commission or Board.
- (B) At no time will the public be allowed to confront the applicant or members of the Planning Commission or Board of Adjustment and Appeals with derogatory language or in an unprofessional manner including the use of profane language. The Chair shall have the discretion to require a person to leave the hearing if this occurs.
- (C) Rebuttals to testimony, whether by the public, applicant, staff or Planning Commission or Board of Adjustment and Appeals members will not be allowed.
- (D) All electronic communication devices shall be turned off during meetings.

SECTION 13. PUBLIC HEARINGS

- (A) A public hearing is a noticed, official hearing, the express and limited purpose of which is to provide an equitable opportunity for the public to speak on matters before the Commission or Board.
- (B) For certain matters considered by the Planning Commission and Board of Adjustment and Appeals, a requirement to conduct a public hearing is prescribed by State law, the County's Zoning Ordinances or by County Policy/Resolution.
- (C) The Commission or Board may neither deliberate nor take a substantive vote during a public hearing but may ask questions for the sake of clarification of speakers.
- (D) Upon the Chair resuming their regular meeting after the close of the public hearing, the Commission/Board may take action upon the matter discussed at the public hearing.
- (E) Conduct of Persons Before the Planning Commission and Board of Adjustment and Appeals:

1. During all public hearings required by State law or ordinance, members of the public shall be given reasonable opportunity to speak. A sign-up sheet will be available for those persons wishing to testify at the hearing. Members of the public that wish to testify shall first state their names for the record. In order to promote meeting efficiency, the Chair may discourage duplicative testimony and may place reasonable time limits, generally three (3) minutes, on the amount of time that individuals have to speak. Comments should be related to the item at hand and should be addressed to the Chair. Where a comment is irrelevant, inflammatory, disruptive or prejudicial, the Chair may instruct the Commission or Board to "disregard" the comment, which nevertheless remains in the public record.
 2. During all regular and special meetings, the public may be present but shall remain silent unless specifically invited by the Chair to provide comment.
 3. During all proceedings, members of the public have the obligation to remain in civil order. Any conduct which interferes with reasonable rights of another to provide comment or which interferes with the proper execution of Commission affairs may be ruled by the Chair as "out-of-order" and the offending person directed to remain silent. Once, having been so directed, if a person persists in disruptive conduct, the Chair may order the person to leave the Planning Commission meeting or hearing. Where the person fails to comply with an order to leave, the Chair may then call upon civil authority to physically remove the individual from the chamber.
 4. The Chair may impose additional limits or rules upon members of the public as permitted by Section 15.
- (F) Additional Rules of Procedure for Public Hearings

1. **Public Hearing Format.** Public hearings shall be conducted in the following manner:

- (a) The presiding officer calls the public hearing to order and declares the time of opening.
- (b) It is the intent of the Planning Commission and Board of Adjustment and Appeals to open all public hearings at the predetermined and published time. From a practical standpoint, not all hearings can be opened at their designated time. The presiding officer may delay the start of a hearing until the business at hand is acted upon, in any manner, by the Commission or Board. However, in no circumstances can a hearing be opened prior to the predetermined and published time.
- (c) The presiding officer shall read, from the hearing notice, the details on the hearing sufficient to provide the public a general understanding of the purpose and procedures for the hearing, and the fact that the hearing is their exclusive or primary opportunity to provide input to the county on the subject.
- (d) County staff and/or a county staff consultant make a presentation or report on the subject matter for the hearing at the direction of the presiding officer.
- (e) The applicant (if any) may make a presentation or report on the subject matter for the hearing at the direction of the presiding officer.
- (f) The presiding officer asks Commission or Board members if they have questions of the applicant, consultant or staff, if any.
- (g) The presiding officer announces that input will be received from the citizens, requesting that

each speaker provide a name, noting any applicable time limits for comment from individual members of the public, any other applicable rules and explaining the procedure for enforcement of such rules.

- (h) After members of the public have spoken, the presiding officer requests a motion to:
 - i. Close the public hearing, and the Planning Commission or Board of Adjustment and Appeals votes on the motion. Once the hearing is closed, the record is complete and no further input or evidence from the public shall be allowed.
 - ii. Continue a public hearing. If the Commission or Board votes to continue the hearing to a date certain, the presiding officer shall, in consultation with staff, select and announce a time and date certain for the continued public hearing. No additional publication or notice requirements are needed if a hearing is continued to a later date. However, no public hearing may be continued more than once without re-notice and publishing the time, date and location of the hearing.
- (i) The Planning Commission or Board of Adjustment and Appeals addresses the subject matter through deliberation, questions to applicants and/or their representative and staff, and reactions and statement of position on the subject.
- (j) If the public hearing is closed, the Planning Commission or Board of Adjustment and Appeals may take action on the application before them. The Commission or Board may formulate a recommendation which outlines the parameters under which an approval would be granted or a denial. The reasons and conditions shall be stated in the motion or resolution for approval or denial. Continuation of an action may occur in the event insufficient information is present to make a decision or the record needs to be reviewed to draft written findings consistent the decision subject to 60-day law.

Note: A public summary of policy for Section 11 - Rules of Procedure, Section 12 - Meeting Decorum, Section 13 - Public Hearings, and Section 15 - Duties of Officers shall be posted and made available at every meeting.

SECTION 14. OFFICERS

The officers of the Commission and Board shall consist of a Chair and a Vice-Chair elected by the membership at the annual meeting for a term of one year. In the absence of the Chair and Vice-Chair, the remaining members shall elect a Temporary Chair for that respective meeting.

SECTION 15. DUTIES OF OFFICERS

The Chair is a voting member of the Planning Commission and Board of Adjustment and Appeals and may make motions. In addition, the duties and powers of the officers of the Commission or Board shall be as follows:

- (A) Chair
 - 1. To preside at all meetings of the Commission/Board.
 - 2. To see that all actions of the Commission/Board are properly taken.
 - 3. To invoke a reasonable time limit for speakers during any public hearing in the interest of maintaining focus and the effective use of time.
 - 4. To provide for the selection of one or two spokespersons to represent groups of persons with common interests during public meetings and hearings.

5. To order an end to disorderly conduct and direct law enforcement to remove disorderly persons from meetings or hearings.
6. To schedule a second official public hearing meeting or other continued meeting in the event that a meeting or public hearing cannot be concluded by a reasonable hour in the judgment of the Chair subject to 60-day law.
7. The presiding officer has the responsibility to facilitate discussion by the Commission/Board. This may occur in a variety of ways, including:
 - Interpret and apply rules of procedure.
 - Decide whether motions are properly made.
 - Decide whether motions are in order.
 - Decide when to recognize speakers.
 - Call for motions or recommend motions.
 - Expel disorderly persons from the meeting.
 - Enforce speaking procedures.

(B) Vice-Chair

During the absence, disability or disqualification of the Chair, the Vice-Chair shall exercise or perform all the duties and be subject to all the responsibilities of the Chair.

(C) Staff

Staff of the Chisago County Environmental Services Department shall be responsible as follows:

1. To give staff reports as deemed necessary including, but not limited to sample findings for consideration of the Commission and Board, and recommendations for action.
2. To give or serve all notices required by law or by these procedures herein.
3. To cancel or postpone regularly scheduled meetings.
4. To prepare the agenda for all meetings.
5. To be custodian of records.
6. To inform the Commission or Board of correspondence relating to business and to attend to such correspondence.
7. To handle funds allocated to the Commission and Board in accordance with its directives, the law and county regulations.
8. To take the minutes of all meetings for typing and filing into the appropriate archive.

SECTION 16. MEMBER PARTICIPATION

- (A) An absence from three or more regular meetings in one calendar year may be considered grounds for removal by the County Board.
- (B) Members should inform the Chair and Zoning Staff of any planned absence as far in advance as possible and, to the extent possible, no later than before the end of business day of the regular scheduled meeting in the event of an unplanned absence. This advance notification allows Zoning Staff to confer with the Chair regarding a cancellation of the meeting due to a lack of a quorum.
- (C) If a member arrives after the start of any agenda item, they shall abstain from participating in the consideration or the vote on that pending matter.

SECTION 17. MEMBER REMOTE ATTENDANCE

- (A) A Member may remotely attend a meeting only upon making an advance written request and approval by the Chair at his or her sole discretion, provided that no member shall remotely attend more than three (3) regular meetings and three (3) special meetings in any one year, unless authorized in advance by majority vote of the County Board.
- (B) A member seeking to remotely attend a meeting must make the written request to Zoning Staff no less than two weeks in advance of the meeting in which the remote attendance would occur and the written request should specify the reason for the remote attendance. The Chair may not allow more than two members to remotely attend a regular meeting at any one time and any issue concerning remote attendance shall be resolved by the Chair at his or her sole discretion.
- (C) Once approved by the Chair the notification and posting of remote attendance shall be in accordance with State Statute 13D.015 and Section 13D.02 and Open Meeting Law and all remote attendance must be consistent with the Open Meetings Law.

SECTION 18. RECORDING DEVICES

Electronic recording devices, television cameras, or equipment used by the electronic media will be placed in accordance with the direction of the Chair and will be used in an unobtrusive manner so that its presence will not interfere with the conduct of the meeting.

SECTION 19. AMENDMENTS

These rules shall not be repealed, waived or amended except by a majority vote of the Chisago County Board of Commissioners.

Commissioner Dahlberg seconded the resolution and upon a vote being taken thereon, the following voted:

IN FAVOR THEREOF: Dahlberg, Dunne, Greene, Montzka, Swenson

OPPOSED: None.

Approved: February 21, 2024



Marlys Dunne
Chair, Board of Commissioners

ATTEST:



Chase Burnham
County Administrator





Handwritten signature

Handwritten signature

