

**CHISAGO COUNTY
PLANNING COMMISSION
Special Work Session
February 20, 2025**

The Chisago County Planning Commission met for a special work session at 6:00 pm on Thursday, February 20, 2025 at the Chisago County Government Center.

Vice Chair DuBose called the special work session to order. Commissioners Present: Chris DuBose, John Sutcliffe, Dave Whitney, Jolene Wille, and Chip Yeager. Commissioners Absent: Eric Leivian and Jim McCarthy.

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

Others Present: Ex Officio County Commissioners Dan Dahlberg and Rick Greene, Owen Kuhnly, Erika Huffman, Rochelle Ganley, and Deah Szymanski.

County Board Requested Rural Retail Tourism / Wedding Venue Discussion – Yeager began the discussion by referencing materials submitted by McCarthy in advance of the work session and included in the Planning Commission's special work session packet, including an excerpt from the Mn/DOT Access Management Manual. There was a brief conversation about road sight distance, and it was generally agreed that the Road Authority would determine this issue. The group then discussed the Rural Retail Tourism Matrix, which was developed earlier in 2025, and the ideal number of "classes" for Rural Retail Tourism venues / activities, ultimately deciding that only three classes would be necessary.

Yeager then introduced the topic of screening, noting that the Zoning Ordinance did not specify where screening should be placed. Yeager suggested adding language requiring that screening be placed along neighboring property boundaries, along the roadway, and along the back or rear property boundary. Sutcliffe contributed to the discussion, pointing out that screening should be considered on a case-by-case basis, as every property was unique. DuBose proposed adding screening as a future discussion topic. Whitney added to the discussion by sharing that Zoning Ordinance Section 4.17 Rural Retail Tourism Businesses, B. Standards, 8. Screening Required provided specific screening requirements applicable to all Rural Retail Tourism businesses and he disagreed with this approach. He noted that some Rural Retail Tourism uses may not need screening and that the decision should be based on the impact to the neighborhood. DuBose suggested changing the verbiage to "Screening as required for Rural Retail Tourism Businesses." Whitney agreed that this was an improvement. County Commissioner Dahlberg proposed the wording of "as deemed required by the Planning Commission." Yeager supported this change, as it would allow the Commission to consider each request individually. Whitney asked if staff could provide draft language with improved wording. Director Schneider summarized the discussion and suggested that screening should be considered but "as deemed required" in specific cases. Schneider then offered two possible scenarios to consider: one where an applicant provided a screening design that the Planning Commission could review, and another where an applicant provided a plan with little to no screening, but the Commission might determine additional screening was necessary. Schneider concluded by suggesting that staff could prepare draft language without using the word "shall" for the Commission's future consideration. Yeager proposed the phrase "when deemed required by the Planning Commission..." as a potential solution.

The discussion then transitioned back to the Rural Retail Tourism Matrix. DuBose suggested that screening requirements may change based on the class for which applicants were applying. The Planning Commission discussed how screening was not initially listed as a variable in the matrix; however, through discussion, the

general consensus of the Commission was that it should be added. Sutcliffe noted that adding screening to the matrix would address some of the concerns related to the required screening standard, as Class 3 could potentially require it while Classes 1 and 2 could be handled on a case-by-case basis. Schneider proposed adding a "Screening Required" variable to the matrix, with screening required for Classes 2 and 3, and Class 1 to be handled on a case-by-case basis. Whitney, noting that the matrix initially included a "Class 4" option, expressed interest in further reviewing the matrix before the Commission decided on removing Class 4 entirely, with particular interest in occupancy levels and how the different variables would apply to each class. Whitney mentioned that he would be in favor of a maximum event attendance / occupancy of 200 people. There was a lengthy discussion about the maximum occupancy level for an event. The Planning Commission ultimately reached consensus on a maximum occupancy of 200 people and continued the discussion about occupancy levels for Classes 1 and 2, as well as the acreage minimums for each class. DuBose suggested that anything less than 20 acres would correspond to Class 1, low-impact uses, while Class 2 would be for seasonal events such as corn mazes, pottery tours, and other less frequent activities, and Class 3 would include wedding / event gathering venues. The Planning Commission had a lengthy discussion about land area and reached consensus that the acreage requirements should be as follows: anything less than 20 acres would be Class 1, a 20-acre minimum would be required for Class 2, and a 40-acre minimum would be required for Class 3.

The Planning Commission further discussed the matrix and the different variables that would be considered for each class. Whitney suggested adding soundproof buildings and set hours of operation as variables (7:00 am to 7:00 pm, 7:00 am to 9:00 pm, and 7:00 am to 11:00 pm). DuBose and Whitney suggested that activities such as quilting or pottery shops, with staggered traffic, should be considered low-impact activities regardless of property size. Schneider noted that the common element between those two types of uses was that they took place indoors, as opposed to outdoors. DuBose further noted that the number of event attendees mattered, explaining that for larger events with 200 people or outdoor music, there should be a cutoff time. Whitney shared how he had broken things out on his draft matrix, noting that Class 1 would have boxes checked for 7:00 pm, 9:00 pm, and 11:00 pm, allowing them to open at any time. Whitney liked the idea of the matrix because it indicated to applicants what would be expected for the use they were applying for.

DuBose questioned whether the County should require asphalt parking surfaces for Rural Retail Tourism uses. Schneider noted that there were known issues with grading and drainage at some previously approved venues, and a few related variables had been added to the matrix to prompt further discussion (i.e., General Turf Designated Parking Area, Gravel Parking / Drive Aisle Surface, Asphalt / Impervious Surface Drive Aisle and Parking Surface, and Engineered Pre/Post Development Stormwater Drainage Plan). Whitney stated that it was an important issue because he was personally aware of neighborhood friction caused by water runoff related to a Rural Retail Tourism parking lot expansion, and believed the County was obligated to address water flow. Sutcliffe added that, if the Rural Retail Tourism business was going to have an asphalt driveway, it would normally require an evaporation area or settling pond. Sutcliffe further explained that he believed the variable was added to the matrix to ensure that applicants reached out to the County if they planned to expand a parking lot. There was further discussion about parking lot expansions and how it could indicate an increase in occupancy levels / an expansion of the use. Schneider suggested adding language that would note that any expansion within these classes or expansion into a higher class may require a Conditional Use Permit Amendment. There was also lengthy discussion about requiring applicants to apply for their driveway permit through the Township / Road Authority prior to applying for the Conditional Use Permit through the County, allowing additional time for Township / Road Authority to review the proposed use.

Deah Szymanski, a Sunrise Township Planning Commissioner, was present and shared that when Sunrise Township received applications, she would like to know the percentage of impervious surface coverage as it

would allow the Township to better understand how the project would impact neighbors. DuBose asked staff if Rural Retail Tourism applicants were required to provide information pertaining to impervious surface coverage. Gervais explained that an impervious surface calculation worksheet was required when the property was located within the Shoreland Management District to ensure that impervious surface coverage did not exceed 25%; however, worksheets were not required for non-Shoreland Management District properties. Gervais added that properties located outside of the Shoreland Management District were limited to 50% impervious surface coverage.

There was lengthy discussion about ideal minimum required setbacks for each of the classes and, ultimately, the Commission requested that staff prepare visual representations of typical lot sizes with varying setbacks in an effort to prevent over restrictive setback requirements.

Whitney introduced discussion about the matrix variable which prohibited "Amplified Outdoor Music / Activity". DuBose suggested that the matrix included a typo and that it should be listed as permitted. There was additional discussion about the verbiage for the variable, and the Commission reached consensus to reword the variable as "Limited Amplified Outdoor Music." The group also discussed limiting the number of days on which amplified music would be allowed.

The discussion then transitioned to the idea of requiring / allowing soundproof buildings as a means of mitigating noise impacts. Whitney shared that indoor amplified music could be just as disruptive to nearby residents if the building was not adequately soundproofed, and suggested having better control over how buildings were soundproofed. There was discussion about potentially requiring soundproof buildings for venues where amplified music would be played; however, after further discussion, it was determined that this would not be a fair requirement, as some of the requests involved existing buildings.

Chair Wille redirected the conversation to the various "Maximum Event Days Per..." categories within the Rural Retail Tourism Matrix. The Planning Commission discussed and reached consensus that it wasn't necessary to limit the number of events within Class 1. However, for Class 3, they agreed that the maximum number of events per week should be capped at three. The Planning Commission then discussed the potential for Class 3 uses to host additional smaller / low-impact events during the week, and this led to the idea of creating a hybrid class which would allow Class 3 uses to have Class 1 / low-impact events Sunday through Thursday.

Whitney asked fellow Commissioners if they generally supported the inclusion of wedding / gathering venues under the Rural Retail Tourism Business category or if they preferred this use to be a separate category. The Planning Commission briefly discussed the matter and reached consensus that they preferred to keep it under Rural Retail Tourism. However, they also agreed that it should be highlighted in the category description, as it was considered a popular application.

Returning to the topic of parking lots and drainage, Chair Wille inquired if the stormwater drainage plan, which was currently shown as being required for Class 3 uses, would address the parking lot requirements. The Planning Commission discussed removing some of the variables from the matrix and ultimately reached consensus on the following changes:

- Remove "General Turf Designated Parking Area".
- Remove "Gravel Parking / Drive Aisle Surface".
- Remove "Asphalt / Impervious Surface Drive Aisle and Parking Surface".
- Create a variable for "General Designated Parking Area with Drainage Plan" for Classes 1 and 2.

- And, if the Planning Commission believed that a particular proposed use should have a drainage plan due to topography, the Commission could address its concern with a recommended condition of approval.

There was general discussion about how to prepare and present the proposed changes to the County Board for consideration. Schneider suggested preparing a draft version of Zoning Ordinance Section 4.17, which included tracked changes, and presenting it along with the edited Rural Retail Tourism Matrix to the Planning Commission for final review before presenting it to the County Board.

Whitney proposed an amendment to Zoning Ordinance, Section 4.17, B. 11., such that the term “cattle” would be replaced with the term “farm animals” as the Ordinance provided a definition for farm animals and the proposed term would encompass more than just cattle. The Commission generally agreed to the suggested amendment.

Noting that there were audience members present, Chair Wille invited audience members to address the Planning Commission. There were three unidentified audience members present, sharing the following concerns:

- Concerns were expressed regarding parking for Class 1 uses. An example was provided where a Rural Retail Tourism use was approved on a one-acre lot. The audience member questioned where parking would be provided to accommodate the maximum occupancy level of 50 people, and suggested that event attendees may resort to parking on the street which would be unpleasant for surrounding neighbors.
- Concerns were expressed with the suggested setbacks for Class 3 uses, sharing that they believed a 250’ setback was too small for a 40-acre property and, instead, suggested a 500’ setback. They also suggested using previously approved Rural Retail Tourism uses to “test” the matrix.
- Additional concerns related to minimum setback requirements were expressed and the audience member suggested implementing situational-based setbacks and requiring that the Conditional Use Permit holder assume liability if and when the setback was encroached.

Hearing concerns related to setbacks and impacts to neighboring properties, DuBose suggested requiring boundary fencing for Class 3 uses. Whitney suggested that any fencing requirement be worded in such a way that it could be evaluated and determined on a case-by-case basis. Schneider offered that the Planning Commission could consider implementing performance-related criteria, providing an example of applicants who chose to install fencing along the property boundary could benefit from a reduced setback.

County Commissioner Dahlberg posed a question regarding Class 3 uses. He asked if, with investments in land, the venue, and other improvements, a 200-person maximum occupancy level was too restrictive and if it could essentially eliminate the use, as some event holders desired to have more than 200 people in attendance. Yeager agreed, suggesting that the Commission review recent applications, test the matrix, and re-evaluate if necessary.

Commissioner Requested Major Home Occupation vs. Horse / Equine Permitted Use Discussion – Whitney, referencing materials he had submitted in advance of the work session and which were included in the Planning Commission’s special work session packet, explained that the document he had prepared included his and Yeager’s suggestions for cleaning up the language used in the Zoning Ordinance. Yeager expressed concern about Whitney’s suggested use of the terms “amateur” and “professional” in place of the County’s

more standard terms of "non-commercial" and "commercial", questioning if there would be any legal implications from not using the terms "non-commercial" and "commercial". Whitney stated that he would prefer to use and define the terms in a way that aligned with language more commonly used by the horse community. He also noted that using the existing terms of "non-commercial" and "commercial" would require many citizens to apply for a Conditional Use Permit, which he generally disagreed with. Whitney provided an example of a recent Major Home Occupation applicant who rented one acre of land from a neighbor for purposes of a horse pasture, explaining that the current Zoning Ordinance would technically also require that the property owner making his / her land available for rent request and obtain a Conditional Use Permit for the use. Whitney also noted that he wanted the Zoning Ordinance to define non-commercial use of horses, as it was not currently defined. Whitney concluded by stating that he would like the use to be treated as an agricultural business. The Planning Commission generally agreed that this was an area of the Ordinance that could be improved, and improved in such a way that would provide a clear distinction between commercial and non-commercial equine uses.

DuBose asked audience member Deah Szymanski, who had previously mentioned her equine business / experiences, what her initial thoughts were on this topic. Szymanski shared that there would need to be flexibility as circumstances changed frequently, such as number of horses being boarded, number of people taking lessons, etc.

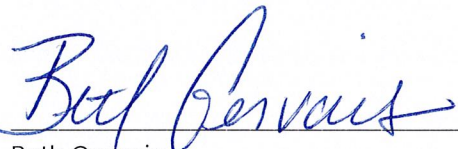
Commissioner Requested Official Zoning Map Amendment Work Plan – Because the request to discuss a zoning map amendment work plan was presented by Commissioner McCarthy, who was absent from the meeting, the consensus of the group was to hold the discussion for a future work session.

Review of Zoning Ordinance Issue Identification Tracking Matrix – The Planning Commission received an updated issue identification tracking matrix as part of the work session packet, but there was no review or discussion.

With no further business to discuss, the work session adjourned at 7:45 pm.



Jolee Wille
Chair

ATTEST 

Beth Gervais
Land Services Coordinator