

**The Planning Commission's Wednesday, April 30, 2025 tour has  
been CANCELED due to the nature of the request(s).**

- 1. Call to Order and Pledge of Allegiance**
- 2. Roll Call and Determination of a Quorum**
- 3. Approval of Agenda**
- 4. Approval of Minutes**
  - a. April 3, 2025 Regular Meeting
- 5. Receive all Materials and Submittals into Record**

Previously Distributed:

  - a. Complete meeting packet including attachments for agenda items 6a, 8a, 8c, and 11a.
- 6. Public Hearings**
  - a. **Adam & Sharalyn Stenberg and Ronald Swanson** – Property owners Adam & Sharalyn Stenberg and applicant Ronald Swanson are requesting the Rezoning of one parcel from Rural Residential (RR) District to Agricultural (AG) District. The 13± acre subject site is located at 37454 Vibo Trail in Sunrise Township, S29, T35, R20 (PID 09.00314.00).
- 7. Public Hearings – Continued Hearings**

None
- 8. Old Business**
  - a. County Board Requested Rural Retail Tourism / Wedding Venue Discussion
  - b. Commissioner Requested Major Home Occupation vs. Horse / Equine Permitted Use Discussion (verbal report)
  - c. Review of Ordinance Issue Identification Tracking Matrix
- 9. New Business**
  - a. Commissioner Requested Official Zoning Map Amendment Work Plan Discussion
- 10. Communications and Reports**
  - a. County Board Liaison Reports – Commissioners Greene and Dahlberg
- 11. Miscellaneous**
  - a. **Resolution No. 25/0416-2** – Planning Commission and Board of Adjustment and Appeals Policy on Commission / Board Structure, Meeting Order and General Procedure
- 12. Adjourn Meeting**
  - The next special work session is scheduled for Thursday, May 15, 2025 at 6:00 pm.
  - The next regular meeting is scheduled for Thursday, June 5, 2025 at 7:00 pm.

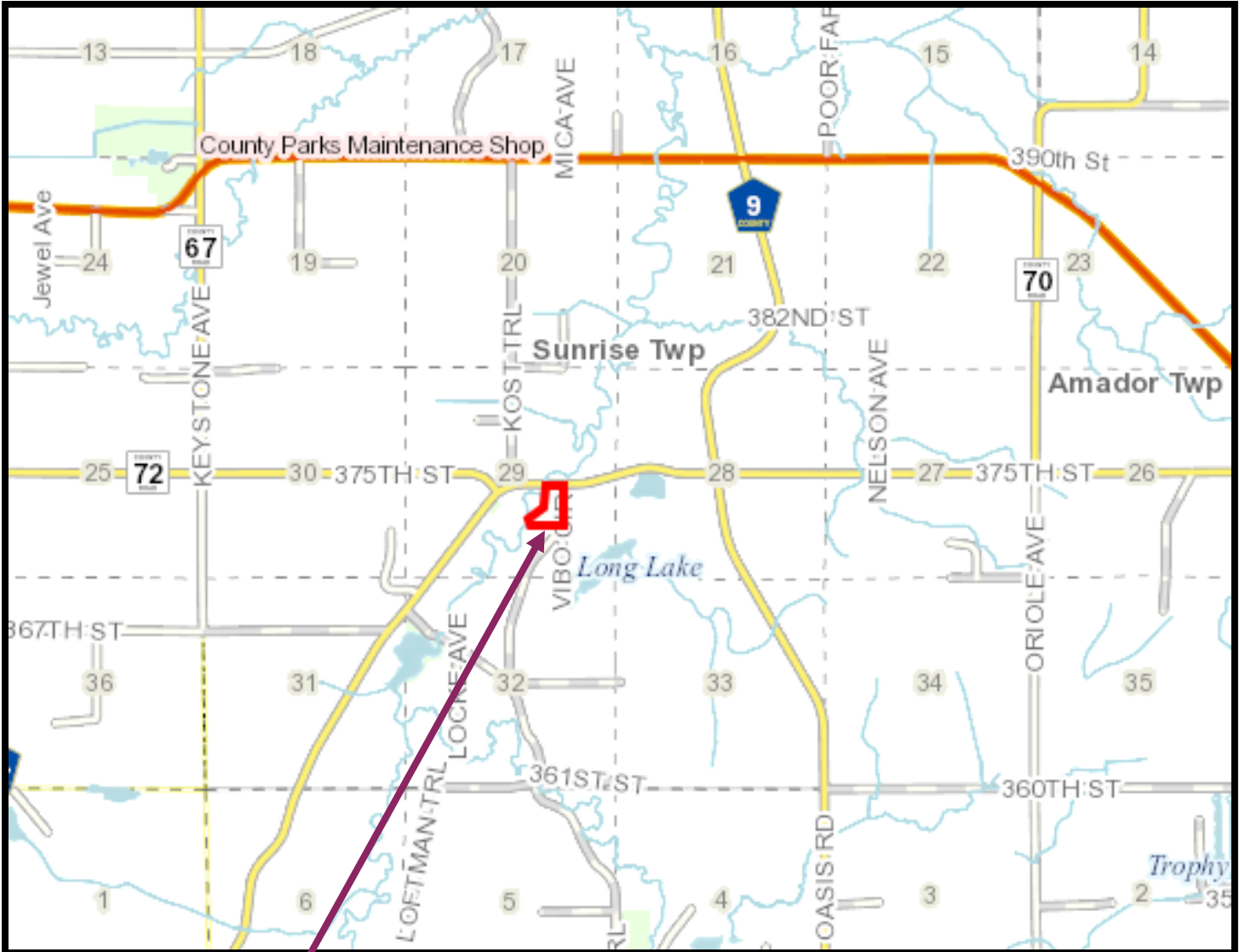
## Planning Commission Tour

### Date and Time:

**Wednesday, April 30, 2025 at 9:00 am**

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

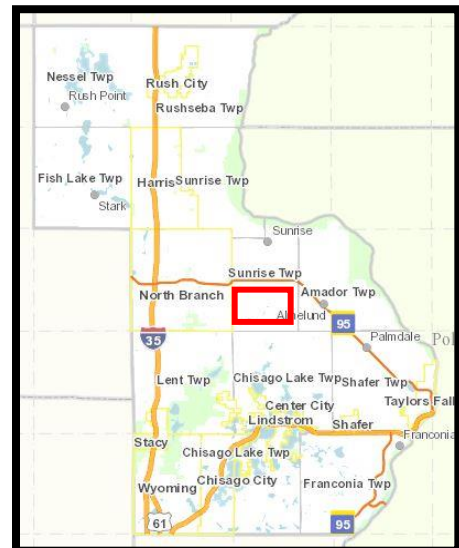
**THIS TOUR HAS BEEN CANCELED ~ THE MAP IS FOR REFERENCE ONLY**



**Adam & Sharalyn Stenberg  
and Ronald Swanson**

37454 Vibo Trail  
Sunrise Township  
PID 09.00314.00

**FOR REFERENCE ONLY**



**CHISAGO COUNTY  
PLANNING COMMISSION  
OFFICIAL PROCEEDINGS  
April 3, 2025**

The Chisago County Planning Commission met in regular session at 7:00 p.m. on Thursday, April 3, 2025, at the Chisago County Government Center.

Staff Present: Beth Gervais, Land Services Coordinator; 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 – Motion** by Yeager to approve the agenda as presented; second by Leivian. The **motion passed** 6-0.

**Approval of Minutes – Motion** by DuBose to approve the February 20, 2025 Special Work Session minutes; second by Whitney. The **motion passed** 6-0. **Motion** by Whitney to approve the March 6, 2025 regular meeting minutes as presented; second by Leivian. The **motion passed** 6-0.

**Receive all Materials and Submittals into Record – Motion** by DuBose 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 meeting materials were made available for the public.

**Public Hearings – New Applications** – None

**Public Hearings – Continued Hearings** – None

**Old Business**

**County Board requested Rural Retail Tourism /wedding venue discussion** – Coordinator Gervais began the discussion by briefly reviewing the items prepared for the Commission and included in the meeting packet. The materials included a draft of Zoning Ordinance Section 4.17 (Rural Retail Tourism Businesses) with amendments discussed by the Planning Commission thus far, an updated version of the Rural Retail Tourism Guidance and Requirements matrix, and aerial images of existing Rural Retail Tourism locations illustrating approximate boundary setbacks as well as aerial images of various sized parcels with approximate dimensions to aid in discussion about proposed setback requirements.

Whitney asked Gervais for a summary of findings based on the examples of previously approved Rural Retail Tourism locations. Gervais clarified that she had prepared only a small sample, and, while some of the locations met the required setbacks, the location with the largest acreage (Pleasant Valley Orchard) did not come close to meeting the current required or proposed setbacks. Gervais noted that when people were considering a Rural Retail Tourism use on their property, or when looking at properties to purchase for such use, they often considered properties that were already developed and/or using existing structures. Gervais commented that it was unlikely that these structures would meet the additional setback requirements being considered by the Planning Commission. She encouraged the Planning Commission to discuss how they would address this.

Whitney sought clarification on whether the only class affected by increased setback requirements would be Class 3 (Gathering Venues). Gervais responded that it depended on the Commission's decisions and believed that looking at live examples would be helpful to understand how the requirements would impact properties. The Commission was informed that they could review both vacant land and developed properties to gain clarity, and Gervais encouraged Commissioners to provide specific locations of interest.

DuBose noted that Classes 2 and 3 had similar descriptions and suggested creating a distinction by adding the word "small" in association with weddings and events for Class 2 and adding the word "large" in association with weddings and events for Class 3. He also recommended adjusting the "maximum event attendees at any one time" for Class 2 down from 125 people to 100 people. Leivian sought clarification on whether the maximum number of attendees would include event staff. DuBose opined that staff and wedding parties should be exempt from the maximum number of attendees. There was brief discussion amongst the Planning Commission about whether they needed to clarify within the Zoning Ordinance that certain individuals would be exempted from the total attendance count and ultimately reached consensus to add verbiage stating that staff and wedding parties were exempt from the maximum number of attendees.

Referencing draft Zoning Ordinance Section 4.17 and the Rural Retail Tourism Guidance and Requirements matrix, DuBose pointed out that Section 4.17, B. 7. contradicted the matrix. DuBose explained that Section 4.17, B. 7. stated that "outdoor amplified music and fireworks shall be prohibited," whereas the matrix allowed "limited amplified outdoor music (# days)" for Class 3 uses. McCarthy explained that part of the discussion had involved outdoor weddings, where a microphone and speaker might be used for the ceremony, and believed the issue addressed different capacities of outdoor amplified music. DuBose commented that there should be consistency and suggested limiting outdoor amplified music to two days a week. Whitney asked Gervais if there was any indication regarding gathering venues and limiting the number of attendees to 125 or 100, particularly whether this was a natural break or based on past approvals. Gervais stated that she wasn't sure about attendance being based on a natural break or past approvals, but noted that attendance would have direct impacts on such issues as traffic and parking. The Planning Commission briefly discussed occupancy levels and reached consensus to change the occupancy limit for Class 2 to 100 people.

McCarthy steered the conversation back to setbacks, sharing his belief that the road setback would be the most challenging since many existing homes and structures were constructed at the minimum required structural setback. He suggested a 100-foot setback from the road and a 250-foot setback for all other property boundaries. Gervais commented that, through the live demonstration, it would become clear that some larger properties could easily meet a 250-foot setback, whereas even a 20-acre property may not be able to meet the suggested setback requirement. In response to Gervais' comment, DuBose clarified that the proposed 250-foot setback would be applied to Class 3 and the minimum acreage required for a Class 3 use would be 40 acres. The Planning Commission had a lengthy discussion about the proposed setbacks. DuBose noted that the Rural Retail Tourism Guidance and Requirements matrix' standard for "Minimum Event Venue Building or Outdoor Gathering Space Setback from Property Lines" contradicted the standard for "Minimum Facility / Programmed Space Setback from Adjacent Developed Property." After a brief discussion, the Commission reached consensus to eliminate the "Minimum Facility / Programmed Space Setback from Adjacent Developed Property" standard from the matrix.

There was further discussion about the layout of the matrix standard pertaining to setbacks, including how to separately list minimum road setbacks and minimum setbacks from all other property boundaries, and whether Class 2 should have a 50-foot or a 100-foot road setback. DuBose suggested a 75-foot setback for Class 2 uses, as they were less intensive. McCarthy pointed out that a 75-foot setback could result in the use being located within the road Right-of-Way. Gervais clarified minimum structural setback requirements for various road types, including Township roads, County roads, and highways. The Planning Commission further discussed the setbacks for Class 2 uses and ultimately reached consensus on a 100-foot road setback and a 125-foot setback from all other property boundaries.



In regard to the matrix standard pertaining to “Maximum Event Days per Week”, McCarthy expressed his approval of the proposed three event limit and inquired if they needed to add specific dates or if this would be handled through the Conditional Use Permit process. He noted that he didn’t see many businesses, such as pottery studios, utilizing the three-event-per-week limit, as they were more likely to host three events per year. DuBose clarified that pottery studios were proposed as a Class 1 use, which didn’t include a limit on the number of events. Chair Wille, noting another matrix standard for “Class 1 Low Impact Events Permitted (Sunday – Thursday as prescribed within Conditional Use Permit approval)”, added that this standard was intended to allow Class 3 gathering venues to host smaller Class 1 events throughout the week if they were desired and if it was included in the Conditional Use Permit approval. DuBose emphasized that the intention was to allow Class 3 venues to host three large events while also permitting smaller, Class 1-type events.

Referencing draft Zoning Ordinance Section 4.17, B. 8., DuBose suggested adding verbiage to clarify that the screening requirements applied to Class 2 and Class 3 uses and not Class 1. The Planning Commission agreed with DuBose’s suggested verbiage.

DuBose then asked fellow Commissioners about thoughts on outdoor amplified music. McCarthy stated that he was opposed to outdoor amplified music with the exception of outdoor amplified music during wedding ceremonies. The Planning Commission discussed how they could differentiate between the noise from the street. Gervais provided insight, noting that the majority of the Planning Commission’s conversation had been about wedding venues, but Rural Retail Tourism was a broad land use category that included more than wedding venues. She explained that many other types of Rural Retail Tourism, such as wineries, often featured outdoor music events. DuBose added that neighboring properties would perceive amplified music as a disturbance, and believed they should be reasonable in their approach. McCarthy noted that Rural Retail Tourism permit holders would ultimately still need to comply with the Zoning Ordinance in regard to noise limits. Yeager suggested verbiage requiring that any music shall comply with the noise standards identified by the Zoning Ordinance and further emphasizing this requirement within the Conditional Use Permit. The Planning Commission continued to discuss how to phrase this requirement for enforceability and fairness to neighboring residents. Ultimately, the Commission reached consensus to allow outdoor amplified music a maximum of two days per week.

The conversation then shifted to Gervais providing a live demonstration of various-sized properties on the County’s GIS Viewer and showing how the various proposed setbacks, being discussed by the Planning Commission, impacted these properties. During the demonstration, it became clear that some properties could meet the proposed setbacks, but irregularly shaped or narrow parcels would struggle to meet the required setbacks even though they met the lot size requirements. DuBose inquired if a parcel that did not meet the required setback would be eligible for a Variance for a reduced setback. Yeager, also serving as a member of the Board of Adjustment and Appeals, explained that most Variances considered by the Board were for lakeshore properties, not larger properties. The Commission briefly discussed examples of past Variances considered by the Board for larger properties, including a 2021 Variance related to a Commercial Solar Energy System. The final property reviewed during the demonstration was located at 17325 Pleasant Valley Road in Franconia Township, which was the location of Pleasant Valley Orchard. For this example, Gervais referenced the draft Rural Retail Tourism Guidance and Requirements matrix, noting that certain proposed performance standards, such as “Maximum Total Event Attendees / Occupancy” would be difficult to apply and enforce as attendance was sporadic throughout the day and not confined to a short period of time like, for example, a wedding venue.

In regard to Pleasant Valley Orchard, DuBose presented the following scenario for the Commission’s consideration: If the property owner were to apply for a Class 3 Rural Retail Tourism use today, they wouldn’t meet the required setbacks; however, they could apply for a Variance to the setback requirements. DuBose stated that if he were on the Board of Adjustment and Appeals, he would consider the proximity of neighboring

properties / structures in his decision. In this specific scenario, the neighbors were spread out, and DuBose commented that he would be comfortable granting a Variance for reduced setbacks.

Referencing the Rural Retail Tourism Guidance and Requirements matrix, Leivian asked if the Commission should also include “staggered activity levels” within the descriptions for Classes 2 and 3, as it appeared in the description for Class 1. The Planning Commission briefly discussed the descriptions for Classes 2 and 3 and decided to instead add examples of typical uses. For Class 2, the Commission agreed to add wineries, orchards, and corn mazes. For Class 3, the Commission agreed to remove the word “seasonal” and add the phrase “large” in relation to gatherings, wedding, and events.

Jim Birkholz of 17325 Pleasant Valley Road in Franconia Township was present. Chair Wille invited Birkholz to address the Commission. Birkholz thanked the Planning Commission for allowing him the opportunity to provide feedback and proceeded to provide the following insights:

- Pleasant Valley Orchard was an agricultural use and 90% of the work completed at the orchard was farm work.
- Some wedding venues may be located in a rural setting; however, they typically did not have any agricultural throughput in their business process.
- Agricultural businesses produced goods; however, when it came to the point of sale, Pleasant Valley Orchard made the decision to sell direct to customers from their farm in order to be a viable business.
- Birkholz expressed concern with his primarily agricultural business being in the same land use category as wedding and gathering venues. Birkholz explained that when the land use category became too broad and tried to address too many scenarios, it created too many constraints (i.e., additional setbacks, changing the use of existing buildings, and possibly needing to apply for a Variance in order to operate the business), which could make agriculture type businesses less viable. Birkholz encouraged the Planning Commission to separate wedding and gathering venues from less-intensive Rural Retail Tourism uses.

McCarthy provided insight into the history of Rural Retail Tourism, sharing that the first request was for the Women’s Environmental Institute at 15715 River Road in Amador Township. The request was to add an environmental learning institution to the orchard. At this time, McCarthy believed it was a controversial request because there was limited understanding of the proposed use and the request ultimately led to the introduction and development of the Rural Retail Tourism land use category. McCarthy concluded by commenting that wedding venues were the most challenging Rural Retail Tourism use to regulate and that Birkholz’ operation was what was originally envisioned for Rural Retail Tourism. DuBose added that Rural Retail Tourism uses could become blurry. He referenced Wild Mountain Winery, sharing that the operation began as a winery, but later added camping and music, which made it more similar to a wedding venue.

Gervais expressed appreciation for McCarthy’s insight into the history of Rural Retail Tourism and Birkholz’ comments. She noted that the stated purpose of Rural Retail Tourism was to preserve and celebrate Chisago County’s archaeological properties, rural and agricultural heritage, and historical landscapes, and, while she believed uses such as Pleasant Valley Orchard were a good example of Rural Retail Tourism Businesses, she also acknowledged that Rural Retail Tourism had evolved over time to include such activities as wedding and gathering venues.

Whitney asked if the Planning Commission would need to conduct a public hearing before presenting the proposed Amendment to Zoning Ordinance Section 4.17, Rural Retail Tourism Businesses, to the County Board for adoption. Gervais suggested that, prior to scheduling a public hearing, the Planning Commission present the County Board with draft materials for review and direction on further edits or proceeding with a public hearing. Gervais reminded the Commission that more discussions and refinement were needed before presenting draft materials to the County Board.

**Commissioner requested Major Home Occupation vs. horse / equine permitted use discussion** – Whitney provided a brief recap of the progress made thus far on the topic of equine uses, sharing that there had been discussions and suggestions on terms and definitions, as well as some public input at the Commission's February 20, 2025 special work session. He explained that since the February 20<sup>th</sup> special work session, he had revisited and adjusted the terms and definitions based on feedback received from the Planning Commission and had forwarded the updated verbiage to staff. Whitney stated that, moving forward, he would prefer not to be the primary person working on the topic, as there had been involvement from multiple sources and the discussion had evolved since he first introduced the topic. Whitney then walked the Commission through the updated verbiage that had been included in the meeting packet.

In review of the updated verbiage, DuBose inquired about the difference between "boarding barns" as listed under Commercial Equine Facility and "board outside equine animals" as listed under Non-Commercial Equine Facility. Whitney explained that this was a difficult issue to address, as not allowing non-commercial properties to board animals would mean that, if someone boarded other people's horses at their property, the property owners would be required to apply for a Conditional Use Permit. DuBose responded that he had no problem with people boarding other people's horses and sought further clarification on the distinction between commercial and non-commercial boarding. Whitney explained that the key difference between commercial and non-commercial use was that, under commercial use, there was typically a trainer involved and money was being exchanged. In contrast, non-commercial use involved training and working with one's own horses, and if horses belonging to others were boarded, they were not being trained. There was a lengthy discussion about the distinguishing factors between commercial and non-commercial use.

**Motion** by McCarthy directing staff to further develop the Commercial and Non-Commercial Equine Businesses verbiage for further Planning Commission review and consideration; second by Whitney. The **motion passed** 6-0.

**Review of Ordinance Issue Identification Tracking Matrix** – Gervais provided a brief update about the Ordinance Issue Identification Tracking Matrix, informing the Planning Commission that staff was currently working, with support from the County Board, to update the Subsurface Sewage Treatment Systems (SSTS) Ordinance. Gervais shared that the Planning Commission would be responsible for conducting the requisite public hearing.

#### **New Business**

**Commissioner requested Official Zoning Map Amendment work plan discussion** – McCarthy, having originally introduced this item, suggested carrying over this item for discussion at the next special work session. The Planning Commission was in agreement.

#### **Communications and Reports**

**County Board Liaison Report / Update** – County Commissioner Greene and County Commissioner Dahlberg shared that they had nothing new to report and were waiting on the State and Federal governments before making any budget decisions.

#### **Miscellaneous**

McCarthy shared that he had received positive feedback about the addition of Accessory Dwelling Units to the Zoning Ordinance. DuBose shared that he had also received positive feedback on the addition.

**Motion** by Yeager to cancel the special work session scheduled for Thursday, April 17, 2025; second by Leivian. The **motion passed** 6-0.

**Adjourn Meeting – Motion** by DuBose to adjourn the meeting; second by Leivian. The **motion passed** 6-0. The meeting was adjourned at 8:45 p.m.

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Jolene Wille  
Chair

ATTEST:

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Beth Gervais  
Land Services Coordinator

DRAFT



# Staff Report

TO: Planning Commission  
 FROM: Beth Gervais, Land Services Coordinator  
 SUBJECT: Rezoning from Rural Residential (RR) District to Agricultural (AG) District  
 37454 Vibo Trail, Sunrise Township  
 DATE: May 1, 2025

## ACTION TO CONSIDER

The Planning Commission will conduct a public hearing to consider the Rezoning of one 13± acre parcel from Rural Residential (RR) District to Agricultural (AG) District.

## SITE & APPLICATION INFORMATION

Property Owner(s): Adam & Sharalyn Stenberg  
 Applicant(s): Ronald Swanson  
 Location: 37454 Vibo Trail  
 Sunrise Township  
 Section 29, Township 35, Range 20  
 PID: 09.00314.00  
 Property Area: 13± Acres  
 Current Zoning: Rural Residential (RR) District / Sunrise River Overlay (SO) District  
 Adjacent Zoning:  
     North: Rural Residential (RR) District / Sunrise River Overlay (SO) District  
     South: Agricultural (AG) District / Sunrise River Overlay (SO) District  
     East: Agricultural (AG) District / Sunrise River Overlay (SO) District  
     West: Rural Residential (RR) District / Sunrise River Overlay (SO) District  
 Date Application Received: March 28, 2025  
 Date Application Complete: April 2, 2025  
 60-Day Review Period: Not Applicable

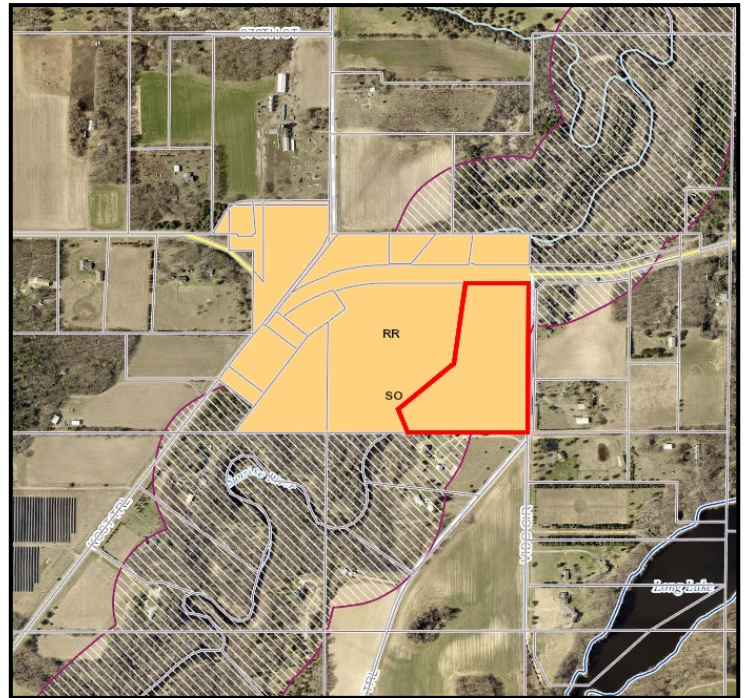
## BACKGROUND

Property owners Adam & Sharalyn Stenberg and applicant Ronald Swanson have petitioned for the Rezoning of one parcel from Rural Residential (RR) District to Agricultural (AG) District. From past interactions and communications between the property owners, applicant, and County staff, it's staff's understanding that the primary purpose of the proposed Rezoning is to allow more options for accessory storage structures (number and cumulative footprint).



## SITE & PROPOSAL ANALYSIS

The subject site is located at the southwest corner of the intersection of Vibo Trail and 375<sup>th</sup> Street / CSAH 11 in Sunrise Township. Using the County's GIS Viewer, staff estimates the subject RR District to be 60 acres in size with approximately 12 unique parcels, and the subject site accounts for approximately one-fifth of the district in terms of land area. The RR District is surrounded by the AG District, with the subject site abutting the AG District to the east and south. The adjacent image shows current zoning, with the RR District shown in yellow highlighting and all other non-highlighted properties being part of the AG District. The hatched area extending northerly and southerly from the RR District represents the Sunrise River Overlay (SO) District.



The subject site is currently developed with a dwelling, a detached garage, possibly one other detached accessory structure, and a silo. All structures appear to be located in the extreme north portion of the property, while the balance of the land is heavily tree covered. Given the proximity to the Sunrise River, the west portion of the property has significant changes in elevation. Properties to the east and south, being part of the AG District, range in size from five acres to nearly 20 acres, whereas properties to the west and north, being part of the RR District, range in size from less than two acres to 16 acres.

The Zoning Ordinance provides the following purpose statements for the current RR District and the proposed AG District:

- Per Zoning Ordinance Section 5.08, the **Rural Residential (RR) District** is intended to provide a transition area between lower density rural areas and those more urban in nature which will: 1) accommodate lower density residential development in areas of existing development and in close proximity to incorporated municipalities and municipal services; 2) provide for the long term orderly growth and expansion of municipalities; 3) allow for the efficient extension of municipal services in the future.
- Per Zoning Ordinance Section 5.06, the **Agricultural (AG) District** is intended to provide areas to be utilized for agriculture and agriculture related uses and low-density residential areas. Agricultural uses within the Shoreland Management District, or other overlay districts, shall also adhere to Agricultural Use Standards of the Shoreland Management Ordinance or applicable overlay districts.



Based on its proximity to the Sunrise River, the subject site is also subject to the regulations of the Sunrise River Overlay (SO) District. Per Zoning Ordinance Section 6.06, the SO District is intended to protect and preserve the existing natural, scenic and recreational values of the Sunrise River and to provide for development activities which do not detract from those values. The primary impacts of the SO District classification, as they relate to the subject site, include a 200' structural and septic system setback from the Ordinary High Water Level (OHWL) and a minimum lot width of 300' at the structural setback line (front lot line) and along any frontage of the river. It's staff's opinion that these are substantial setback requirements which will require a larger property to accommodate these setbacks, which means that it's highly unlikely that the subject site could ever be subdivided in such a way that would result in one-acre lots as allowed in the current RR District.

Below is a table which outlines minimum requirements for the RR and AG Districts with corresponding information for the subject site, demonstrating that the subject site exceeds the minimum dimensional requirements for the AG District.

|                        | Minimum Lot Area      | Minimum Lot Width                                                   | Minimum Lot Depth                                                            |
|------------------------|-----------------------|---------------------------------------------------------------------|------------------------------------------------------------------------------|
| <b>RR District</b>     | 1 acre                | 150 feet                                                            | 200 feet                                                                     |
| <b>AG District</b>     | 5 acres               | 300 feet                                                            | 300 feet                                                                     |
|                        | Subject Site Lot Area | Subject Site Lot Width                                              | Subject Site Lot Depth                                                       |
| <b>PID 09.00314.00</b> | 13± acres             | 980'± (measured along east property boundary / Vibo Trail frontage) | 636'± (rough average of shallowest and deepest portions of the subject site) |

#### REZONING FINDINGS OF FACT

Zoning Ordinance Section 8.09 (Amendments and Rezoning) states that the County shall consider possible effects of the proposed Rezoning based upon the following factors listed below. Staff has provided recommended findings, shown in *italics* below, for the Commission's consideration.

Factor #1 Whether the Amendment will 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 #1 *If the proposed Rezoning is approved, it will only allow for further development of the subject site in accordance with the Agricultural (AG) District rather than the Rural Residential (RR) District. Being that the Chisago County Zoning Ordinance states that the AG District is intended for agriculture and agriculture related uses and low-density residential areas and the RR District is intended to provide a transition area between lower density rural areas and those more urban in nature, the County finds that the proposed Rezoning will result in less intense development which will reduce potential impacts on existing facilities and utilities.*

- Factor #2 Whether the Amendment is sufficiently compatible so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;
- Finding #2 *The proposed Rezoning will change the zoning classification of the subject site from Rural Residential (RR) District to Agricultural (AG) District. Being that the subject site is already developed and bordered by the AG District to the east and south, the County finds no evidence to suggest that there would be any negative impact or deterrence to future development in the general vicinity of the subject site. The County further finds that the proposed Rezoning may in fact positively impact the general vicinity and future development of the general vicinity in that the proposed Rezoning, if approved, would not allow the subject site to be subdivided into as many lots / building sites as is currently allowed in the RR District being that the AG District requires larger lots and greater dimensional standards than the RR District.*
- Factor #3 The Amendment will not cause traffic hazard or congestion;
- Finding #3 *The subject site gains access from Vibo Trail, a well-established Township Road. The Sunrise Town Board, serving as Road Authority, did not express any concerns related to traffic or congestion following its review on April 17, 2025. Therefore, the County finds that the Rezoning itself will not have any negative impact on conditions such as traffic hazard or congestion.*
- Factor #4 The Amendment, in the opinion of the County, is reasonably related to the land use goals of the County and the needs of the greater community; and
- Finding #4 *Chapter 9, Land Use / Growth Management Element, of the 2017 Chisago County Comprehensive Plan includes a Growth Management Plan Map which appears to identify the subject site as Agriculture / Limited Development. Chapter 9 also discusses the County's desire to preserve the County's rural character and desire to support compatible agricultural and rural residential development. The County finds that the proposed Rezoning of RR District to AG District is compatible with the County's Growth Management Plan Map designation of Agriculture / Limited Development, and further finds that the proposed Rezoning will aid in preserving the County's rural character and supporting compatible agricultural and rural residential development in the County. The County further finds that the proposed Rezoning is consistent with the intent and purpose of the Sunrise River Overlay (SO) District by ensuring larger lot sizes, assuming the subject site was ever proposed for subdivision, which will aid in protecting and preserving the existing natural, scenic and recreational values of the Sunrise River and providing for development activities which do not detract from those values.*



- Factor #5      The Amendment is consistent with the intent and purposes of the Comprehensive Plan, Zoning Ordinance, and other relevant official land use controls.
- Finding #5      *The proposed Rezoning meets the intent of the land use goals identified in the Comprehensive Plan as described in Finding #4 above. Further, the subject site meets all dimensional standards for the Agricultural (AG) District and Sunrise River Overlay (SO) District as established by the Zoning Ordinance. Therefore, the County finds that the proposed Rezoning is consistent with all Chisago County land use controls.*

#### REVIEW PROCESS

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The Technical Review Committee met with property owner Adam Stenberg on April 9, 2025. The group discussed differences between the RR and AG Districts and potential impacts to the subject site, as well as discussing impacts of the SO District classification. The Committee did not identify any immediate concerns with the proposed Rezoning.

The Sunrise Town Board considered the proposed Rezoning at its April 17, 2025 meeting and recommended approval with no comments or recommended conditions.

The petition was submitted on March 28, 2025 and deemed complete on April 2, 2025. Based on a legal opinion provided by Assistant County Attorney Fuge in September 2022, Amendments to the County's official controls are not subject to the State mandated 60-day rule / review period and there is no established timeframe in which a petition to Amend the County's official controls must be decided.

#### STAFF RECOMMENDATION

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Staff believes that the proposed Rezoning complies with and is consistent with the intent of the County's Comprehensive Plan and Zoning Ordinance. 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** and has prepared a resolution for the Commission's consideration.

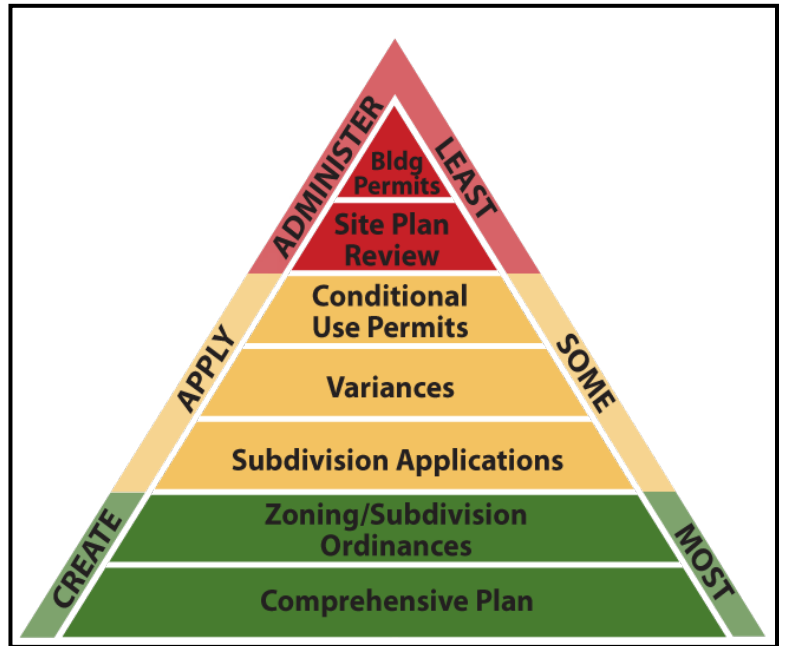
#### OPTIONS

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1. Recommend that the County Board **approve** the Rezoning as presented or amended.
2. Should the Planning Commission determine that the proposed Rezoning does not comply with and/or is not consistent with the intent of County's Zoning Ordinance or Comprehensive Plan upon completion of the public hearing and/or upon discovery of any new or unknown evidence, recommend that the County Board **deny** the Rezoning based on factors deemed appropriate. *(Note: The Commission will need to include specific finding(s) for denial in its motion, using Zoning Ordinance Section 8.09 for reference.)*
3. **Continue the public hearing** to a specific date in order to receive additional public testimony prior to making a recommendation on the proposed Rezoning.

4. **Table** the request to allow for submission of additional supporting documentation and/or further review and consideration. Rezoning and other Ordinance Amendments are not subject to the State-mandated 60-day review period, allowing the Planning Commission to table the request without the concern of a review period expiring.

It's important to note that, when considering and acting on any petition for Amendment or Rezoning, the County is exercising its legislative authority. The adjacent image, known as the "pyramid of discretion", illustrates that the County has the most discretion when making land use decisions at the base of the pyramid, including Amendments and Rezoning, and less discretion as the decision-making moves up the pyramid. In other words, the County has greatest discretion when creating local laws and the least when administering those laws. With the current petition for Rezoning, the Planning Commission has the broadest discretion to consider how the request moves forward.



#### ACTION REQUESTED

Motion to adopt Resolution No. PC2025-0501, a resolution recommending approval of the Rezoning of PID 09.00314.00 from Rural Residential (RR) District to Agricultural (AG) District, with Findings of Fact as presented or amended.

#### ATTACHMENTS

1. Petition / application materials
  - a. Petition / application
  - b. Site maps
2. Zoning Ordinance Section 5.08 (existing zoning classification - RR District)
3. Zoning Ordinance Section 5.06 (proposed zoning classification - AG District)
4. Aerial photo (1) – subject site
5. Aerial photo (2) – vicinity map
6. Aerial photo (3) – existing zoning
7. Draft Resolution No. PC2025-0501



# Chisago County Department of Environmental Services Planning & Zoning Application

Permit # 25-0350

Township Sunrise S/T/R 29/35/20 PID# 09.00314.00

Project Address 37454 VIBO TR

Property Owner(s) Adam Stenberg + SHARALYN STENBERG

Mailing Address (If Different from Project Address) 11815 375th St North Branch, MN 55056

Phone# [REDACTED] Email [REDACTED]

Applicant(s) Ronald Swenson

Mailing Address (If Different from Project Address) 37454 VIBO TR L North Branch, MN 55056

Phone# [REDACTED] Email [REDACTED]

## Type of Request (Check All That Apply)

### Board of Adjustment & Appeals

- ☐ Variance  
☐ Administrative Appeal

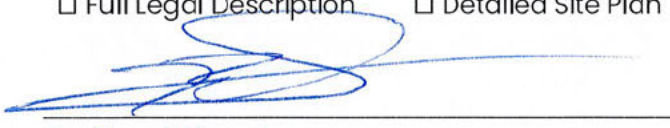
### Planning Commission

- ☐ 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) Property is Bordered By A G Zone on 2 Sides, Wanting to Re Zone to AG.

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

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

  
Applicant Signature

3/27/25  
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>900</u> |
| Recording Fee                        | \$ <u>46</u>  |
| Plat Fee - No Road(s) / With Road(s) | \$ _____      |
| Septic Compliance Fee                | \$ _____      |
| Wetland Fee                          | \$ _____      |
| TOTAL FEE                            | \$ <u>946</u> |

### Dates

|                            |                |
|----------------------------|----------------|
| Application Received       | <u>3-28-25</u> |
| Application Complete       | <u>4-2-25</u>  |
| 60 / 120 Day Review Period | <u>NA</u>      |
| Extended Review Period     | <u>NA</u>      |





Chisago County Department of Environmental Services  
Planning & Zoning Application

Township Presentation Form

Township Sunrise S/T/R 29135/20 PID# 09-00314.00  
Project Address 37454 UI 30 TRL North Branch, MN 55057  
Property Owner(s) Adam Stenberg + SHARALYN STENBERG  
Mailing Address (If Different from Project Address) 11815 375th St. North Branch, MN 55057  
Phone# [REDACTED] Email [REDACTED]  
Applicant(s) Ronald Swanson  
Mailing Address (If Different from Project Address) [REDACTED]  
Phone# [REDACTED] Email [REDACTED]

Type of Request (Check All That Apply)

Board of Adjustment & Appeals

- ☐ Variance  
☐ Administrative Appeal

Planning Commission

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

Description of Request (Attach Separate Sheet if Necessary) Property Bordered by AG  
Zone on 2 sides. Wanting to Rezone to AG

Applicant Signature

3/27/25  
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 MAY 1, 2025 Date of Township Presentation APRIL 17, 2025

Township Action Taken (Township Use Only)

- ☒ Recommendation of Approval ☐ Recommendation of Denial

Recommended Conditions of Approval OR Legal Findings for Recommendation of Denial

NO CONDITIONS

Signatures of Township Officials or Authorized Personnel

Carl Pate Johnson [Signature] [Signature]  
Mark Osland Adam Stenberg



AG

AG

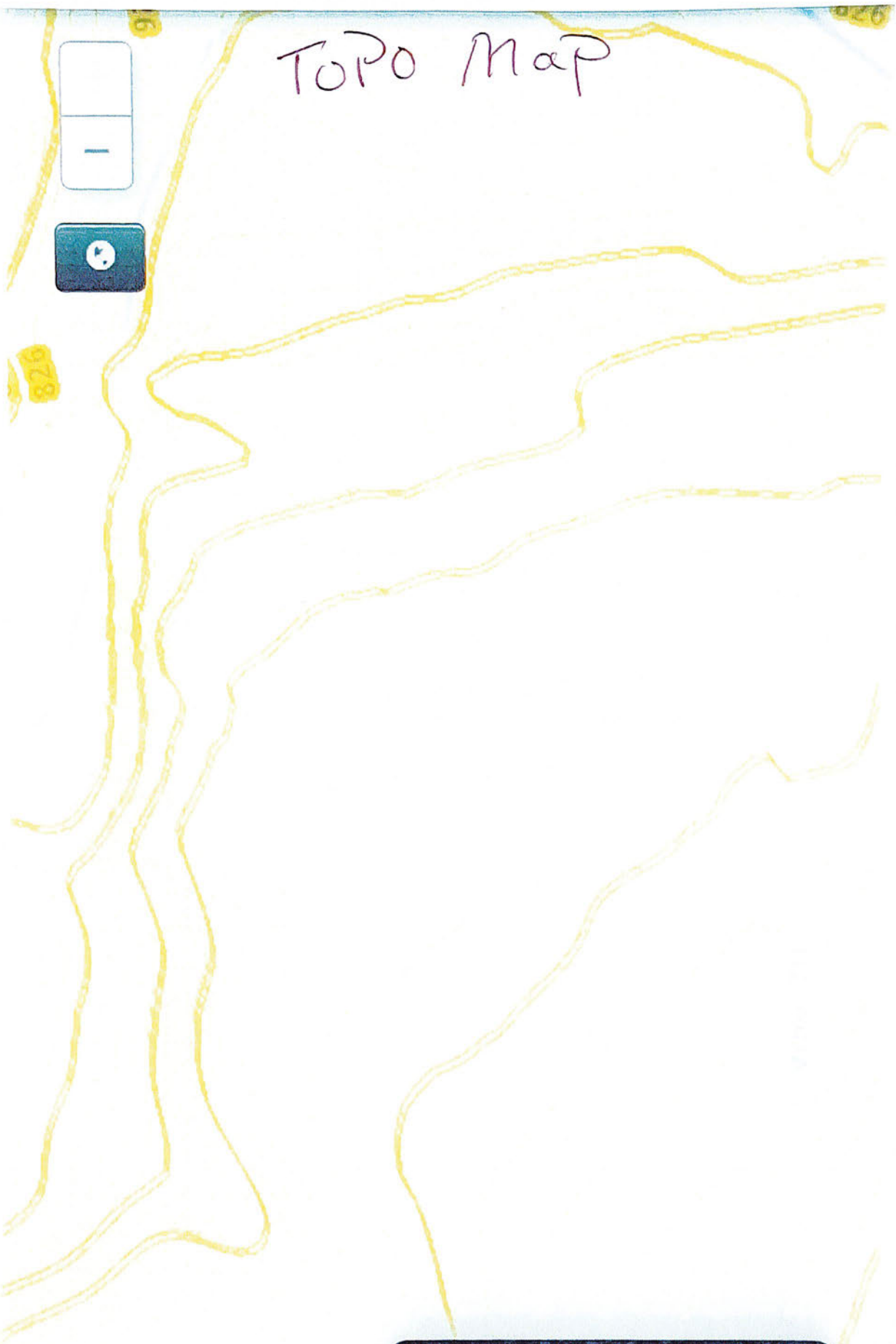
AG

Subject  
Property



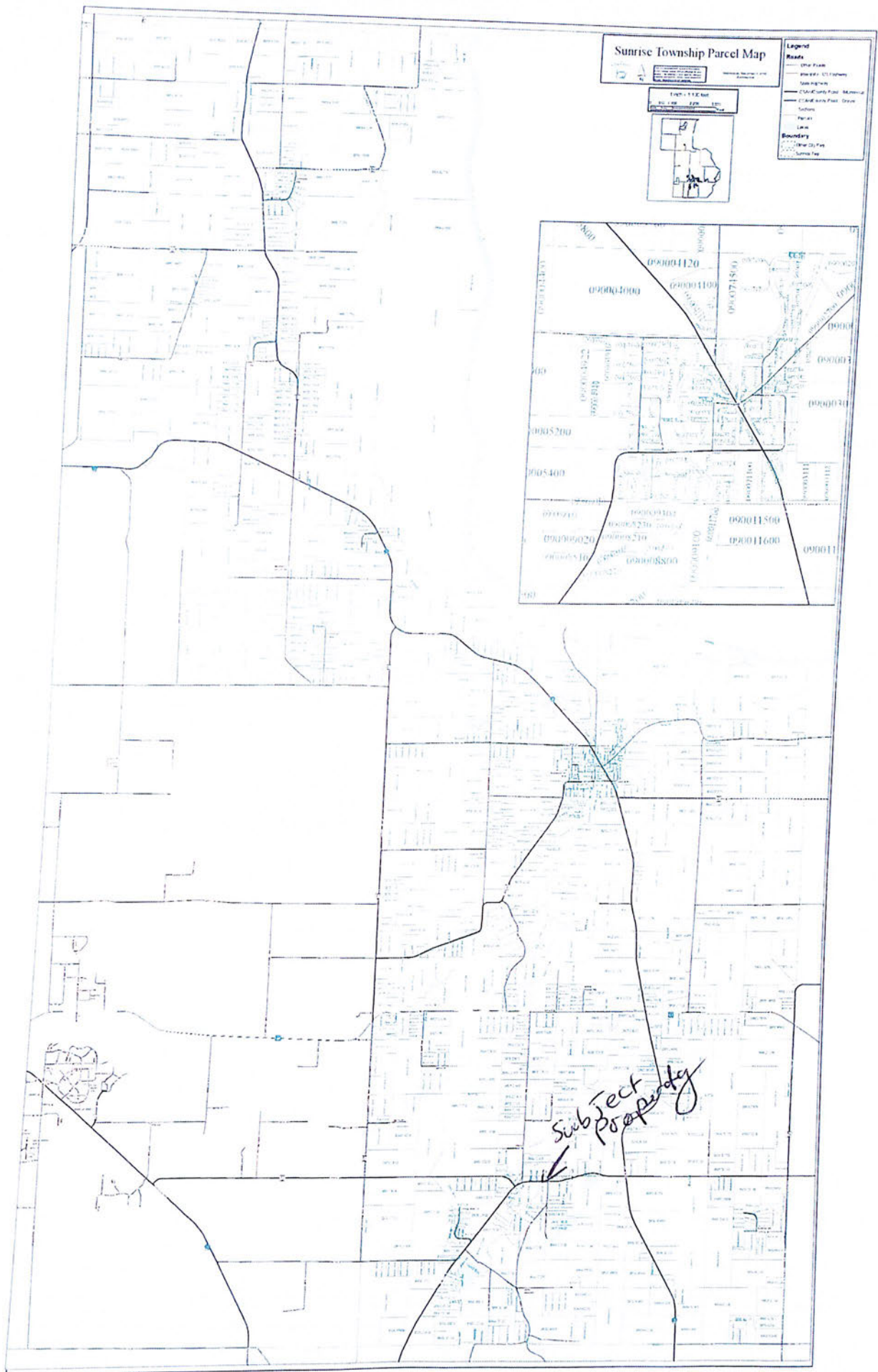
# TOPO Map

From DNR Website



Scale: 1,257







**Chisago County, MN**  
**Zoning Ordinance**  
**Section 5.08 Rural Residential (RR) District**

**A. Purpose.**

The Rural Residential District is intended to provide a transition area between lower density rural areas and those more urban in nature which will: 1) accommodate lower density residential development in areas of existing development and in close proximity to incorporated municipalities and municipal services; 2) provide for the long term orderly growth and expansion of municipalities; 3) allow for the efficient extension of municipal services in the future.

**B. Permitted Uses.**

1. One (1) single family dwelling per lot except when Accessory Dwelling Unit ordinance requirements of Section 4.10 are met, allowing an additional dwelling unit.
2. Up to one (1) legally established Accessory Dwelling Unit, in accordance with Section 4.10.
3. Duplex meeting lot area per unit requirement.
4. Townhome meeting lot area per unit requirement.
5. Accessory structures in accordance with Section 4.09.
6. Wildlife areas, forest preserves, and public parks for passive recreation, owned or operated by a government agency or nonprofit organization and other open space uses.
7. Daycare and residential facilities as defined in Minnesota Statutes 245A.14.
8. Temporary storage containers in accordance with Section 4.19.
9. Energy storage facility.
10. Short Term Rental Unit pursuant to Licensing Ordinance 060320-1 as amended.
11. Horse keeping at a maximum density of one (1) horse per two (2) acres.

**C. Conditional Uses.**

1. Bulk gas or fuel facilities.
2. Cemeteries.
3. Places of assembly and associated accessory structures.
4. Local government administration and service buildings.
5. Hospitals, convalescent homes, nursing homes, and medical clinics, where public utilities are available.
6. Veterinary clinics.

7. Schools or other educational facilities, where public utilities are available.
8. Community sewage treatment facilities.
9. Public parks for active recreation owned or operated by a government agency or nonprofit organization, and other open space uses including museums or other buildings of historical significance as determined by the Zoning Administrator.
10. Temporary or seasonal roadside stands for sale of agricultural products raised on the premises upon which the stand is located, not to exceed one (1) stand per parcel.
11. Planned unit development in accordance with Section 7.19.
12. Bed and breakfast establishments, as a principal or accessory use, for structures determined by the Zoning Administrator to be of historical or architectural significance.
13. Retail sales of live bait and tackle with frontage on General Development Lakes.
14. Major Home Occupations in accordance with Section 4.04.
15. One (1) permanent storage container or shipping container.
16. Commercial recreation areas that are similar to public recreation areas including private campgrounds with a campsite density limit of one (1) campsite per two (2) acres, golf courses, swimming pools, resorts, and crafting uses such as quilting and scrapbooking. Restaurants and/or liquor establishments when clearly incidental and associated with the primary commercial recreation use.
17. Recreational Camping Area in accordance with Section 7.21, D.
18. Other uses determined by the Zoning Administrator to be similar to those listed as conditional uses.

**C. Interim Uses.**

1. Parking of recreational vehicles and placement of recreational structures on unimproved property per Section 4.14.
2. Commercial Solar Energy Systems in accordance with Section 7.31, B.2.b.
3. Mineral Extraction in accordance with Section 7.27.
4. Other uses determined by the Zoning Administrator to be similar to those listed as interim uses.

**Chisago County, MN**  
**Zoning Ordinance**  
**Section 5.06 Agricultural (AG) District**

**A. Purpose.**

The Agricultural District is intended to provide areas to be utilized for agriculture and agriculture related uses and low-density residential areas. Agricultural uses within the Shoreland Management District, or other overlay districts, shall also adhere to Agricultural Use Standards of the Shoreland Management Ordinance or applicable overlay districts.

**B. Permitted Uses.**

1. Agriculture uses.
2. Farm structures which are accessory to agriculture uses.
3. Sump type livestock and/or poultry manure storage systems or other systems of manure storage that are of like and similar nature that prevent feed lot runoff provided they meet the standards for feed lots adopted by the Minnesota Pollution Control Agency.
4. Farm drainage systems, flood control and watershed structures and erosion control devices meeting all County, state and Soil Conservation Service minimum standards.
5. Greenhouse or nursery.
6. Forestry and sod farming.
7. Wildlife areas, forest preserves, public parks for passive recreation owned or operated by a government agency or nonprofit organization, and other open space uses such as a community garden.
8. Temporary or seasonal roadside stands for sale of agricultural products raised on the premises upon which the stand is located not to exceed one (1) stand per farm.
9. Minor Home Occupations in accordance with Section 4.04.
10. One (1) single family dwelling per lot except when Accessory Dwelling Unit ordinance requirements are met, allowing an additional dwelling unit.
11. Up to one legally established Accessory Dwelling Unit in accordance with Section 4.10.
12. Essential services in accordance with Section 4.05.
13. Daycare and residential facilities as defined in Minnesota Statutes 245A.14.
14. Livestock feed and poultry lots subject to the requirements of the Minnesota Pollution Control Agency regulations.
15. Non-commercial horse barns containing no living quarters.

16. Manure storage systems.
17. Temporary storage containers or shipping containers in accordance with Section 4.19.
18. Slaughterhouse and meat processing facilities.
  - a. Slaughterhouse and meat processing facilities shall be licensed and regulated by the applicable Minnesota and federal governing bodies and comply with all applicable state and federal health and safety regulations.
  - b. Maximum processing capacity of no more than twenty (20) animal units per week.
  - c. Minimum lot size of twenty (20) acres.
19. Short Term Rental Unit pursuant to Licensing Ordinance 060320-1 as amended.
20. Cannabis Cultivation Facility subject to the requirements of Section 4.20.

C. **Conditional Uses.**

1. All residential subdivisions, except as provided in Section 6.05.
2. Bulk gas or fuel facilities.
3. Cemeteries.
4. Places of assembly and associated accessory structures.
5. Local government administration and service buildings.
6. Community sewage treatment facilities.
7. Commercial recreation areas that are similar to public recreation areas including private campgrounds with a maximum campsite density limit of one (1) campsite per two (2) acres, golf courses, swimming pools, resorts, and crafting uses such as quilting and scrapbooking. Restaurants and/or liquor establishments when clearly incidental and associated with the primary commercial recreation use.
8. Agriculture oriented businesses such as grain and feed sales, sawmills, implement sales, implement repair and the processing and packaging and retail sales of agricultural products, excluding cannabis and cannabis products.
9. Veterinary clinics and nonprofit animal shelters.
10. Commercial grain storage and/or drying.
11. Solid waste facilities in accordance with Section 7.26.
12. Regional pipelines, power transmission lines and towers over fifty (50) feet in height.
13. Bed and breakfast establishments, as a principal use or accessory use, in structures determined by the Zoning Administrator to be of historical or



architectural significance.

14. Clubs and lodges.
15. Commercial wireless telecommunication services, including towers and antennae, which meet the requirements of Section 9, provided that towers and antennae do not exceed one hundred ninety-nine (199) feet.
16. Agriculturally and animal-oriented educational facilities.
17. Supervised living facilities, as defined by Minnesota Statutes, of not more than fourteen (14) residents.
18. Shelter facilities.
19. Public parks for active recreation owned or operated by a government agency or nonprofit organization and other open space uses including museums or other buildings of historical significance as determined by the Zoning Administrator.
20. Retail sales of live bait and tackle with frontage on General Development Lakes.
21. Sculpture parks including those with production and educational facilities.
22. Cabinet/woodworking shops.
23. Wind energy conversion systems (WECS) in accordance with Section 7.30.
24. Rural Retail Tourism businesses in accordance with Section 4.17.
25. Solar Energy Systems in accordance with Section 7.31.
26. Horse barns as a principal or accessory use.
27. Major Home Occupations in accordance with Section 4.04.
28. Energy storage facility.
29. One (1) permanent storage container or shipping container.
30. Recreational Camping Area in accordance with Section 7.21, D.
31. Other uses determined by the Zoning Administrator to be similar to those listed as permitted and conditional uses.

**D. Interim Uses.**

1. Commercial and Residential Kennels.
2. Light construction equipment storage areas associated with a legal home occupation.
3. Extraction of minerals, sand, gravel, rock, or any material from the earth and asphalt processing operations in accordance with Section 7.27.
4. Personal use airstrips.
5. Contracting businesses owned and operated by persons residing at the property.
6. Temporary farm employee housing.

- a. Purpose.

The purpose of this subdivision is to recognize and accommodate the need for farmers to provide short-term seasonal farm employee housing in order to operate. It is the stated goal of this County to protect long-term agriculture as a vital element to the County's economy and it is the policy of Chisago County to minimize the loss of prime farmland for residential purposes. This subdivision recognizes the need for seasonal farm employees in turf and vegetable farms and seeks to provide reasonable standards for public safety, health, and general welfare while acknowledging the temporary seasonable nature of the housing.
- b. Interim Use Permit Required.

An Interim Use Permit shall be required for Temporary Farm Employee Housing in an AG District. For purposes of this Section, unit(s) shall mean either: 1) individual living quarters within a separate building(s) or; 2) individual living quarters within one building.
- c. Performance Standards.

All Temporary Farm Employee Housing shall conform to the following standards:

  - i. The unit(s) shall comply with lot setback requirements for the zoning district.
  - ii. The primary use of the property shall be agriculture.
  - iii. The occupants of the unit(s) shall have at least one (1) person engaged in agricultural employment on the parcel of land where such unit(s) is located.
  - iv. The unit(s) need not be located on the same parcel as the principal dwelling.
  - v. Such permit shall be non-transferrable.
  - vi. Once the agricultural use of the property has ceased, the unit(s) must be removed.
  - vii. The unit(s) may not be sold or removed from property unless such removal is made to comply with item (e) above or until the permit holder determines that the temporary farm housing is no longer necessary. If the permit holder terminates their use of temporary farm housing, the permit holder shall notify in writing the Zoning Administrator that the permit is no longer being utilized.
  - viii. The unit(s) may only be occupied from May 1 to November 1 each year.
  - ix. The unit(s) shall not be rented and staying in the units shall not be a condition of employment.
  - x. The number of units allowed under this Section shall be based on

demonstrated need by the applicant. The Planning Commission may require any information it deems appropriate from the applicant to support the need for the number of units being applied for.

- xi. If the unit(s) is built as individual units they shall be separated from each other and from other structures by at least twenty (20) feet, except where units are angled, when the minimum distance may be reduced to ten (10) feet. Multiple units may be required to have greater separation.
  - xii. Each application shall include plans showing designated parking areas, outdoor lighting, recreational areas, and other structures or amenities associated with the permit.
  - xiii. The units shall be built in compliance with the State Building Code.
  - xiv. Each unit shall provide for an individual sewage treatment system in compliance with the Chisago County Sewage and Wastewater Treatment Ordinance. Sections 4.06, 4.07, 4.08 and 4.09 of this Ordinance do not apply to Interim Use Permits under this subdivision.
- 7. A singular accessory structure for personal use and storage and without the presence of a principal use structure in accordance with Section 4.08.
  - 8. Parking of recreational vehicles and placement of recreational structures on unimproved property in accordance with Section 4.14.
  - 9. Sanitary facilities in detached accessory buildings.
  - 10. Temporary storage containers in accordance with Section 4.19.
  - 11. Commercial Solar Energy Systems in accordance with Section 7.31, B.2.b.
  - 12. Other uses determined by the Zoning Administrator to be similar to those listed as interim uses.

**Adam & Sharalyn Stenberg and Ronald Swanson** – Property owners Adam & Sharalyn Stenberg and applicant Ronald Swanson are requesting the Rezoning of one parcel from Rural Residential (RR) District to Agricultural (AG) District. The 13± acre subject site is located at 37454 Vibbo Trail in Sunrise Township, S29, T35, R20 (PID 09.00314.00).





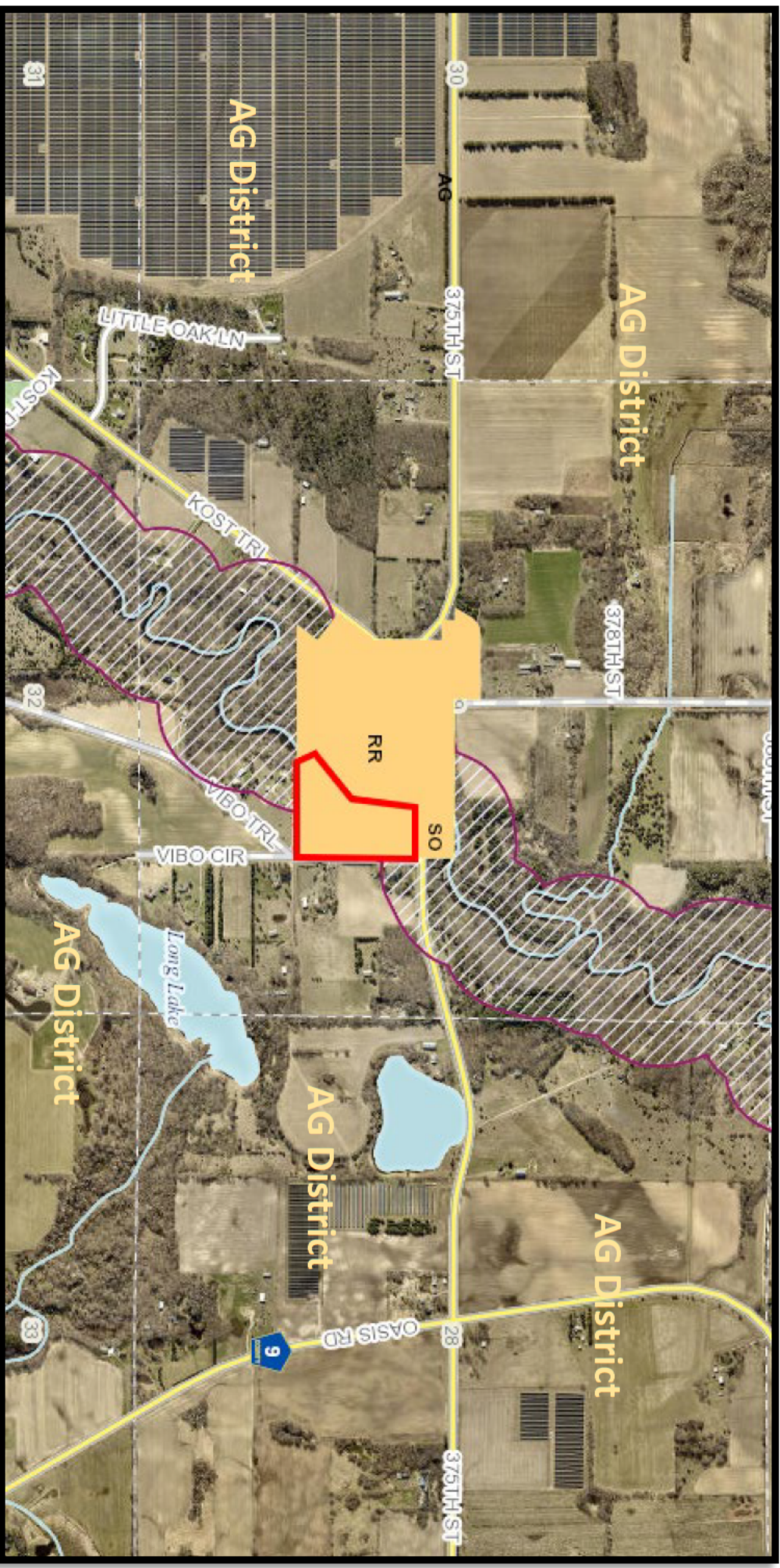
**Adam & Sharalyn Stenberg and Ronald Swanson** – Property owners Adam & Sharalyn Stenberg and applicant Ronald Swanson are requesting the Rezoning of one parcel from Rural Residential (RR) District to Agricultural (AG) District. The 13± acre subject site is located at 37454 Vibo Trail in Sunrise Township, S29, T35, R20 (PID 09.00314.00).





-  Sunrise River Overlay (SO) District
-  Rural Residential (RR) District
- AG District** Agricultural (AG) District

**Adam & Sharalyn Stenberg and Ronald Swanson** – Property owners Adam & Sharalyn Stenberg and applicant Ronald Swanson are requesting the Rezoning of one parcel from Rural Residential (RR) District to Agricultural (AG) District. The 13± acre subject site is located at 37454 Vibo Trail in Sunrise Township, S29, T35, R20 (PID 09.00314.00).



**RESOLUTION NO. PC2025-0501**  
**A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA,**  
**RECOMMENDING APPROVAL OF THE REZONING OF PID 09.00314.00**  
**FROM RURAL RESIDENTIAL (RR) DISTRICT TO AGRICULTURAL (AG) DISTRICT**

**WHEREAS**, property owners Adam Stenberg & Sharalyn Stenberg and applicant Ronald Swanson submitted a petition dated received March 28, 2025 and considered complete on April 2, 2025 for the Rezoning of one parcel from Rural Residential (RR) District to Agricultural (AG) District; and

**WHEREAS**, the approximate 13-acre subject site is located at 37454 Vibo Trail in Sunrise Township; and

**WHEREAS**, the subject site is legally described as:

PID 09.00314.00

Part of the Northwest quarter of the Southeast quarter described as follows:

Beginning at the Southeast corner of the Northwest quarter of the Southeast quarter; thence West 12 chains to the Sunrise River; thence Northwesterly on the bank of said River 3 chains 29 links; thence North 50 degrees 30 minutes East 7 chains; thence North 8 degrees 30 minutes East 8 chains more or less to County Road No. 15; thence East to the one-eighth section line; thence South along the one-eighth section line to the place of beginning. All in Section 29, Township 35 North, Range 20 West, Chisago County, Minnesota.

LESS AND EXCEPT

Parcel 4, Chisago County Highway Right-of-Way Plat No. 83, on file and of record in the Office of the County Recorder, Chisago County, Minnesota.

**WHEREAS**, notice was provided and on May 1, 2025 the Planning Commission conducted a public hearing regarding this petition, 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 considered several factors for granting Rezoning and made the following findings per Zoning Ordinance Section 8.09:

Factor #1      Whether the Amendment will 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 #1      *If the proposed Rezoning is approved, it will only allow for further development of the subject site in accordance with the Agricultural (AG) District rather than the Rural Residential (RR) District. Being that the Chisago County Zoning Ordinance states that the AG District is intended for agriculture and agriculture related uses and low-density residential areas and the RR District is intended to provide a transition area between lower density rural areas and*

*those more urban in nature, the County finds that the proposed Rezoning will result in less intense development which will reduce potential impacts on existing facilities and utilities.*

Factor #2      Whether the Amendment is sufficiently compatible so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;

Finding #2      *The proposed Rezoning will change the zoning classification of the subject site from Rural Residential (RR) District to Agricultural (AG) District. Being that the subject site is already developed and bordered by the AG District to the east and south, the County finds no evidence to suggest that there would be any negative impact or deterrence to future development in the general vicinity of the subject site. The County further finds that the proposed Rezoning may in fact positively impact the general vicinity and future development of the general vicinity in that the proposed Rezoning, if approved, would not allow the subject site to be subdivided into as many lots / building sites as is currently allowed in the RR District being that the AG District requires larger lots and greater dimensional standards than the RR District.*

Factor #3      The Amendment will not cause traffic hazard or congestion;

Finding #3      *The subject site gains access from Vibo Trail, a well-established Township Road. The Sunrise Town Board, serving as Road Authority, did not express any concerns related to traffic or congestion following its review on April 17, 2025. Therefore, the County finds that the Rezoning itself will not have any negative impact on conditions such as traffic hazard or congestion.*

Factor #4      The Amendment, in the opinion of the County, is reasonably related to the land use goals of the County and the needs of the greater community; and

Finding #4      *Chapter 9, Land Use / Growth Management Element, of the 2017 Chisago County Comprehensive Plan includes a Growth Management Plan Map which appears to identify the subject site as Agriculture / Limited Development. Chapter 9 also discusses the County's desire to preserve the County's rural character and desire to support compatible agricultural and rural residential development. The County finds that the proposed Rezoning of RR District to AG District is compatible with the County's Growth Management Plan Map designation of Agriculture / Limited Development, and further finds that the proposed Rezoning will aid in preserving the County's rural character and supporting compatible agricultural and rural residential development in the County. The County further finds that the proposed Rezoning is consistent with the intent and purpose of the Sunrise River Overlay (SO) District by ensuring larger lot sizes, assuming the subject site was ever proposed for subdivision, which will aid in protecting and preserving the existing natural, scenic and*

*recreational values of the Sunrise River and providing for development activities which do not detract from those values.*

Factor #5      The Amendment is consistent with the intent and purposes of the Comprehensive Plan, Zoning Ordinance, and other relevant official land use controls.

Finding #5      *The proposed Rezoning meets the intent of the land use goals identified in the Comprehensive Plan as described in Finding #4 above. Further, the subject site meets all dimensional standards for the Agricultural (AG) District and Sunrise River Overlay (SO) District as established by the Zoning Ordinance. Therefore, the County finds that the proposed Rezoning is consistent with all Chisago County land use controls.*

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA,** that the Planning Commission hereby recommends **approval** of the Rezoning of PID 09.00314.00 from Rural Residential (RR) District to Agricultural (AG) District as requested by property owners Adam & Sharalyn Stenberg and applicant Ronald Swanson.

Adopted by the Planning Commission of Chisago County, Minnesota,  
this 1<sup>st</sup> day of May, 2025.

Chris DuBose      \_\_\_\_\_  
Eric Leivian        \_\_\_\_\_  
Jim McCarthy      \_\_\_\_\_  
John Sutcliffe      \_\_\_\_\_

Dave Whitney      \_\_\_\_\_  
Jolene Wille        \_\_\_\_\_  
Chip Yeager        \_\_\_\_\_

\_\_\_\_\_  
Jolene Wille  
Chair

ATTEST: \_\_\_\_\_  
Beth Gervais  
Land Services Coordinator





## Staff Report

TO: Planning Commission  
FROM: Beth Gervais, Land Services Coordinator  
SUBJECT: County Board Requested Rural Retail Tourism / Wedding Venue Discussion  
DATE: May 1, 2025

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### BACKGROUND & DISCUSSION

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Following the Planning Commission's April 3, 2025 meeting and based on the Commission's discussion, staff has updated the Rural Retail Tourism Classification and Requirements Matrix and Draft Zoning Ordinance Section 4.17 Rural Retail Tourism Businesses for further review and modification.

The Commission will note that the current draft matrix includes highlighted cells which staff is requesting be further discussed. In some cases, the Commission will simply need to identify if the matrix standard will apply to a certain Class, while some other cases will require identification of specific detail / limits. Finally, staff is requesting that the Commission reconsider the Class 2 roadway setback as discussed at the April 3, 2025 meeting. Commission members will see in the April 3, 2025 draft meeting minutes (last paragraph on page 2) that consensus was reached to require a 100-foot roadway setback for Class 2 uses; however, the Commission didn't discuss how this setback would be measured (i.e., centerline or Right-of-Way boundary) and the Commission didn't discuss that various road types (i.e., Township Roads, County Roads / CSAHs, State Highways) have varying minimum setback requirements, with some minimum roadway setbacks being more than 100'. Zoning Ordinance Section 5.13 Dimensional Standards has been attached for reference.

### ATTACHMENTS

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1. Rural Retail Tourism Classification and Requirements Matrix
2. Draft Zoning Ordinance Section 4.17 Rural Retail Tourism Businesses
3. Zoning Ordinance Section 5.13 Dimensional Standards

|               |                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Class 1 Uses: | Seasonal and/or predominantly indoor gathering, classroom, or other low impact activities or venues of a minimal attendance / occupancy scale, including, but not limited to, country-craft / antique shops, quilting studios, pottery studios, or other similar uses with staggered activity levels.                                                                                                  |
| Class 2 Uses: | Seasonal and/or small indoor and/or outdoor gathering, wedding, and/or event venues, or other similar programmed destination events, activities, or venues of a moderate scale and frequency, including, but not limited to, corn mazes, harvest festivals, wineries, and pumpkin patches or orchards when incorporating non-agriculture events / activities / attractions / the scale of merchandise. |
| Class 3 Uses: | Large indoor and/or outdoor gathering, wedding, and/or event venues, or other similar programmed destination events, activities, or venues.                                                                                                                                                                                                                                                            |

**Planning Commission Draft Amendment**  
**May 1, 2025**

**Chisago County**  
**Zoning Ordinance**  
**Section 4.17 Rural Retail Tourism Businesses**

A. Purpose.

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

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

B. Standards.

Rural Retail Tourism businesses shall meet the following standards:

1. Rural Retail Tourism businesses shall be located within the AG or RVC Zoning Districts.
2. Rural Retail Tourism businesses shall require a Conditional Use Permit in accordance with Section 8.04 of this Ordinance.
3. Rural Retail Tourism businesses shall be shown to have a unique and demonstrable relationship with Chisago County or its region, and its history, culture, traditions, arts, crafts, lore, natural resources, or other features and amenities, in accordance with the above stated purposes.
4. Uses.  
Allowed Rural Retail Tourism businesses shall be identified and categorized/classified as Class 1, Class 2, or Class 3 uses as requested by the Conditional Use Permit applicant and as determined by the Zoning Administrator, and may include such things as farm or other historical heritage attractions, single family residential rental properties for retreats, crafting,

**Planning Commission Draft Amendment**  
**May 1, 2025**

weddings, receptions, small-scale, low impact special events, corn mazes, holiday celebrations and harvest festivals, country-craft/antique shops, unique local venues providing for the sale and serving of locally produced raw and/or value-added agricultural products, goods and services, and other reasonably related merchandise, and other uses determined by the Department of Environmental Services to be similar in nature and scope.

5. ~~Size Rural Retail Tourism Classification~~ Guidance and Requirements.  
~~The maximum number of attendees allowed at a Rural Retail Tourism site shall be identified in the CUP application and shall not exceed three hundred (300) persons and may be reduced as a condition of approval.~~  
Allowed Rural Retail Tourism businesses shall fall within one of the following Classifications as determined by the Zoning Administrator and shall adhere to all requirements identified for the applicable Classification within the Rural Retail Tourism Classification and Requirements Matrix contained herein:
- Class 1: Seasonal and/or predominantly indoor gathering, classroom, or other low impact activities or venues of a minimal attendance / occupancy scale, including, but not limited to, country-craft / antique shops, quilting studios, pottery studios, or other similar uses with staggered activity levels. ~~Seasonal and/or more frequent predominantly indoor gathering, classroom, or other low impact activities or venues of a minimal attendance / occupancy scale as prescribed below. (quilting, pottery shops, staggered activity levels)~~
- Class 2: Seasonal and/or small indoor and/or outdoor gathering, wedding, and/or event venues, or other similar programmed destination events, activities, or venues of a moderate scale and frequency, including, but not limited to, corn mazes, harvest festivals, wineries, and pumpkin patches or orchards when incorporating non-agriculture events / activities / attractions / the sale of merchandise. ~~Seasonal and/or more frequent gathering, wedding, event, or other programmed destination events, activities, or venues of a moderate scale and frequency as prescribed below.~~
- Class 3: Large indoor and/or outdoor gathering, wedding, and/or event venues, or other similar programmed destination events, activities, or venues. ~~Seasonal and/or more frequent gathering, wedding, event, or other programmed destination events, activities, or venues as prescribed below.~~



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Minimum Classification Requirements & Guidance  
Requirements Matrix: *(Insert of draft table for demonstration)*

|         | No Minimum Acreage | 20 Acre Minimum | 40 Acre Minimum | Maximum Total Event Attendees/Occupancy (Excluding Event Staff and, if applicable, Members of the Wedding Party) | Maximum Event Attendees at Any One Time | Maximum Class-Specific Event Days per Week | Class 1 Low Impact-Events Permitted (Sunday through Thursday If Prescribed Within Class 2 or 3 Conditional Use Permit Application and Approval) | Maximum Weekend Event Bookings per Month (Friday and Saturday) | Minimum Event Venue Structure or Outdoor Gathering Space Setback from All Property Boundaries Except Property Boundary Adjacent to Roadway | Minimum Event Venue Structure or Outdoor Gathering Space Setback from Roadway (Measured from Centerline) | Setback Reduction Candidate as May be Recommended by Condition of the Planning Commission in Conjunction with High Performance Intensive Screening/Solid Screening Fence Plans | Minimum Number of Onsite Parking Spaces | General Designated Parking Area | Formal Drainage Plan | Engineered Pre/Post Development Stormwater Management Drainage Plan | Limited Amplified Outdoor Music (Maximum of 2 Days per Week) | Preliminary Pre-Application Road Authority Driveway Access & Traffic Review Comments and Recommendations Required | Screening Plan (Existing and Proposed) as May be Amended By Condition of the Conditional Use Permit | Boundary Fence Required – Event Area Specific as May be Amended by Condition of the Conditional Use Permit | Conditional Use Permit Amendment Required for any Expanded Use Such as Specific Parking, Structures, or Other Substantial Site Features Not Itemized on the Originally Approved Site Plan |
|---------|--------------------|-----------------|-----------------|------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|---------------------------------|----------------------|---------------------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Class 1 | X                  | ---             | ---             | ---                                                                                                              | 50                                      | ---                                        | ---                                                                                                                                             | ?                                                              | ---                                                                                                                                        | ---                                                                                                      | ---                                                                                                                                                                            | ?                                       | X                               | ---                  | ---                                                                 | ---                                                          | ---                                                                                                               | ---                                                                                                 | ---                                                                                                        | X                                                                                                                                                                                         |
| Class 2 | ---                | X               | ---             | 100                                                                                                              | 100                                     | ---                                        | X                                                                                                                                               | ?                                                              | 125'                                                                                                                                       | 100'                                                                                                     | ?                                                                                                                                                                              | ?                                       | X                               | X                    | ---                                                                 | ?                                                            | X                                                                                                                 | X                                                                                                   | ---                                                                                                        | X                                                                                                                                                                                         |
| Class 3 | ---                | ---             | X               | 200                                                                                                              | 200                                     | 3                                          | X                                                                                                                                               | ?                                                              | 250'                                                                                                                                       | ?                                                                                                        | X                                                                                                                                                                              | ?                                       | X                               | X                    | X                                                                   | X                                                            | X                                                                                                                 | X                                                                                                   | X                                                                                                          | X                                                                                                                                                                                         |

6. Hours of ~~operation~~Operation.  
Hours of operation are only permitted between 7:00 a.m. and 10:00 p.m. and may be reduced as a condition of approval. Quiet hours shall be observed outside of hours of operation.
7. Outdoor amplified music and fireworks shall only be ~~prohibited~~allowed in accordance with the Rural Retail Tourism Classification and Requirements Matrix contained herein.
8. Screening Required.  
Screening shall be required for Class 2 and Class 3 Rural Retail Tourism businesses in accordance with the Rural Retail Tourism Classification and Requirements Matrix contained herein. A screening plan shall be submitted as part of the CUP application and shall adhere to the following general standards:
  - a. Required screening shall consist of a fence, or berm and plant material with eighty (80) percent opacity within three (3) years of planting, while separate or in combination thereof shall achieve a height of not less than five (5) feet high and shall not extend within fifteen (15) feet of any driveway and at least twenty (20) feet from the street right-of-way.

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- b. Trees shall be setback a minimum of fifteen (15) feet from property lines in all districts. Distance is measured from the center of the trunk at the time of planting. This requirement may be waived where there is mutual written consent between property owners.

9. **Parking.**

All parking generated by the Rural Retail Tourism business shall be on-site in the AG District. The RVC District does not require on-site parking. A parking plan shall be submitted as part of the Conditional Use Permit application.

10. Minimum Lot Size.

The minimum lot size for the Rural Retail Tourism business ~~in the AG District~~ shall be ~~twenty (20) acres as prescribed in the~~ Minimum Classification Requirements & Guidance Table Rural Retail Tourism Classification and Requirements Matrix contained herein. ~~in the AG District.~~ The minimum lot size for the Rural Retail Tourism business in the RVC District shall be the minimum lot size for the RVC District.

~~10.11.~~ Minimum Structural Setbacks.

The minimum structural and outdoor gathering space setbacks from property boundaries and roadways shall be as prescribed in the Rural Retail Tourism Classification and Requirements Matrix contained herein. Where no minimum setback is identified, the minimum required setback shall be the minimum setback required by Section 5.13 of this Ordinance.

For Class 3 Rural Retail Tourism businesses ~~in~~ the AG District, the minimum setback for any structure in which the Rural Retail Tourism business is being conducted or any appurtenances shall be two hundred fifty (250) feet from residentially zoned or used properties or active ~~established~~ neighboring ~~cattle farm animal~~ of livestock yard or pasture. Said setback may be waived with written consent of the neighboring property owner(s) and if prescribed within the Conditional Use Permit approval.

The minimum setback for the Rural Retail Tourism business in the RVC District shall be the minimum required structural setback for the RVC District.

~~11.12.~~ Code Compliance.

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

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structure.

- C. The terms “small-scale” and “low-impact” shall be construed to refer to land uses which:
1. Do not create an excessive demand upon existing services or amenities.
  2. Are screened or able to be screened adequately, or are sufficiently separated from adjacent development or land, to prevent undue negative impact to nearby properties.
  3. Will not have an appearance that is inconsistent or incompatible with the surrounding area.
  4. Will not cause traffic hazard or undue congestion as determined by the road authority.
  5. Will not negatively impact the neighborhood by intrusion of noise, glare, odor, or other adverse effects.
- D. All ~~econditional uses~~[Conditional Use Permits](#) for Rural Retail Tourism businesses shall be subject to the applicable requirements of Section 8 ~~Administration and Enforcement of~~[this Ordinance](#).

**Chisago County Zoning Ordinance**  
**Section 5.13 Dimensional Standards**  
**Effective January 1, 2025**

| Zoning District                                                        |                |                |                |                 |                 |                |                |
|------------------------------------------------------------------------|----------------|----------------|----------------|-----------------|-----------------|----------------|----------------|
|                                                                        | AG             | AP             | RR             | UFR             | RVC             | CLI            | PAT            |
| <b>Minimum Lot Area</b>                                                | 5 acres        | 40 acres       | 1 acre         | 11,500 sq. ft.* | 11,500 sq. ft.* | 1 acre         | 20 acres       |
| <b>Minimum Home Site Area</b>                                          | 21,500 sq. ft. | 21,500 sq. ft. | 21,500 sq. ft. | 11,500 sq. ft.* | 11,500 sq. ft.* | 21,500 sq. ft. | 21,500 sq. ft. |
| <b>Minimum Lot Width</b>                                               | 300'           | 300'           | 150'           | 100'            | 100'            | 150'           | 300'           |
| <b>Minimum Lot Depth</b>                                               | 300'           | 300'           | 200'           | 115'            | 115'            | 200'           | 300'           |
| *Required Home Site Area reduced to correspond with minimum lot area.  |                |                |                |                 |                 |                |                |
| Zoning District                                                        |                |                |                |                 |                 |                |                |
|                                                                        | AG             | AP             | RR             | UFR             | RVC             | CLI            | PAT            |
| <b>Minimum Setbacks Measured from Centerline of:</b>                   |                |                |                |                 |                 |                |                |
| Township Roads where no Dedicated Right-of-Way Exists                  | 73'            | 73'            | 73'            | 73'             | ---             | 73'            | 73'            |
| County Roads, County State Aid Highways, and State Highways            | 135'           | 135'           | 100'           | 100'            | ---             | 100'           | 135'           |
| <b>Minimum Setbacks Measured from Dedicated Right-of-Way Boundary:</b> |                |                |                |                 |                 |                |                |
| Township Roads                                                         | 40'            | 40'            | 40'            | 40'             | ---             | 40'            | 40'            |
| Highway 8                                                              | 150'           | 150'           | 150'           | 150'            | 150'            | 150'           | 150'           |
| <b>Minimum Side Yard Setbacks:</b>                                     |                |                |                |                 |                 |                |                |
| Ag Structures                                                          | 40'            | 40'            | 40'            | 40'             | 40'             | 40'            | 40'            |
| Dwellings and Attached Garages / Principal Use Structures              | 20'            | 40'            | 10'            | 10'             | 10'             | 10'            | 20'            |
| Detached Non-Ag Accessory Structures                                   | 20'            | 40'            | 5'             | 5'              | 10'             | 10'            | 20'            |
| <b>Minimum Rear Yard Setbacks:</b>                                     |                |                |                |                 |                 |                |                |
| All Structures                                                         | 50'            | 50'            | 25'            | 25'             | 25'             | 25'            | 50'            |
| <b>Maximum Height of Non-Ag Structures:</b>                            |                |                |                |                 |                 |                |                |
| All Non-Ag Structures                                                  | 35'            | 35'            | 35'            | 35'             | 35'             | 50'            | 35'            |



CHISAGO COUNTY ORDINANCES: ISSUE IDENTIFICATION TRACKING MATRIX

May 1, 2025

| No. | ISSUE TOPIC / SUMMARY                                                       | DATE IDENTIFIED | SECTION LOCATION(S)     | PAGE(S)        | ISSUE NARRATIVE / DETAIL                                                                                                                                                                                                                                                                                                                                                                                      | ALTERNATIVES / SOLUTIONS                                                                                                                        | COMMISSION / BOARD CONSENSUS & DIRECTION                                                                                              | CONSENSUS DATE | ACTION PRIORITY<br>High / Annual Update / Other                                                | STATUS                                                                              |
|-----|-----------------------------------------------------------------------------|-----------------|-------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|----------------|------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| 1   | Rural Retail Tourism - Wedding/Gathering Venues                             | 12/18/24        | 5.06<br>4.17            | 119<br>104     | Improve code treatment of Rural Retail Tourism businesses - wedding/gathering venues. Review recent wedding venue proposal on 260th for issues discussion.                                                                                                                                                                                                                                                    | Expand and detail wedding/gathering venue performance standards within the code                                                                 | County Board Directed                                                                                                                 | 12/18/24       | High                                                                                           | In Progress                                                                         |
| 2   | Major Home Occupation - Horse / Equine                                      | 01/03/25        | 5.06 B & C<br>4.04<br>3 | 118<br>66<br>9 | Proposed by Commissioner Whitney. Horse-Equine Businesses are better suited as Permitted Agricultural Use rather than a Major Home Occupation. An equine facility whether it's amateur or professional and whether its focus is on training, breeding, showing, sales or boarding of equine animals is an agricultural business which should meet agricultural standards NOT Major Home Occupation standards. | Ref. Commissioner Whitney research/recommendation papers dated 01/02/25, 02/16/25, and 02/24/25                                                 | Commisison Direction Requested; Commission Consensus and Direction on 04/03/25 to Have Staff Further Develop Verbiage and Definitions | 04/03/25       | Other - Commissioner Whitney does not want this issue to interrupt other high priority issues. | In Progress - Staff Seeking Endorsement and Direction from County Board on 05/07/25 |
| 3   | Zoning Map Amendment - RR Districts Consolidation & Renaming of UR District | 01/07/25        | 5.02                    | 116            | As a part of the recent comprehensive update of the Chisago County Zoning Ordinance, the Rural Residential Zoning Districts (RRI and RRII) were consolidated into one single Rural Residential (RR) District; and "Urban Fringe" residential terminology is used in place of "Urban Residential".                                                                                                             | Amend the zoning map to reflect consolidated RR District and change the map legend to reflect Urban Residential as Urban Fringe Residential.    | Board Directed Public Hearing                                                                                                         | 01/07/25       | High                                                                                           | Completed 02/19/25                                                                  |
| 4   | Zoning Map Amendment Work Plan                                              | 02/06/25        | 5.02                    | 116            | Proposed by Commissioner McCarthy on 02/06/25 during public hearing to consider adoption of Official Zoning Map with Amendments (matrix item no. 3). Added to 02/20/25 work session agenda but held over due to McCarthy's absence. Added to 04/09/25 meeting agenda but held over at McCarthy's request. Added to 05/01/25 meeting agenda.                                                                   |                                                                                                                                                 | Commission Consensus Requested for County Board Endorsement and Direction                                                             |                |                                                                                                |                                                                                     |
| 5   | SSTS Ordinance 10-1                                                         | 03/19/25        | Full Ordinance          |                | Comprehensive "housekeeping" review and update of 2010 septic system ordinance                                                                                                                                                                                                                                                                                                                                | Update of the 2010 Chisago County SSTs Ordinance in close consult with MPCA staff and related rule and policy adjustments of the past 15 years. | Board Direction to Proceed                                                                                                            | 03/19/25       | Other                                                                                          | Staff Review                                                                        |



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. 25/0416-2**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHISAGO 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) of seven (7) members present, and the Board of Adjustment and Appeals quorum would consist of three (3) of five (5) 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) "Viva 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 or silenced 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 Dunne seconded the resolution and upon a vote being taken thereon, the following voted:

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

**OPPOSED:** None

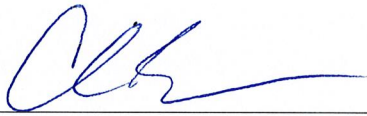
Whereupon the proclamation was declared duly **passed** and **adopted**.

**Approved: April 16, 2025**



Dan Dahlberg  
Chair, Board of Commissioners

ATTEST: \_\_\_\_\_



Chase Burnham  
County Administrator

