

**CHISAGO COUNTY
PLANNING COMMISSION
OFFICIAL PROCEEDINGS
MARCH 7, 2019**

The Chisago County Planning Commission met in regular session at 7:00 p.m. on Thursday, March 7, 2019 in Meeting Room 150B of the Government Center with the following Commission members present: Frank Storm, Jim Froberg, Dave Whitney, Jim McCarthy, Shellene Johnson, John Sutcliffe and Charles Yeager.

Ex Officio: County Commissioner Chris DuBose
Also Present: Tara Guy, Assistant Zoning Director

Tara Guy called the meeting to order and led the assembly in the Pledge of Allegiance. She called for nominations for Chair for the new year. Jim Froberg nominated Frank Storm as Chair. There were no further nominations, and Frank Storm was elected Chair of the Planning Commission for 2019 by unanimous vote. Chairman Storm called for nominations for Vice-Chair. Jim Froberg nominated Jim McCarthy as Vice-Chair. There were no further nominations, and Jim McCarthy was elected Vice-Chair for 2019 by unanimous vote. Roll call of Board members was taken and a quorum established with all members present.

APPROVAL OF AGENDA - The evening's agenda had been revised to reflect postponement of the two scheduled Gordian Energy/Keith Johnson Interim Use Permits for community solar gardens, at the request of the applicant. On motion by Yeager, and second by Sutcliffe, the meeting agenda was approved as revised.

APPROVAL OF MINUTES - On motion by Froberg and second by Sutcliffe, the minutes of the meeting of January 3, 2019 were approved as presented.

ADOPTION OF MATERIALS AND SUBMITTALS INTO THE RECORD - Upon motion by Sutcliffe and second by Whitney, all applications, submittals, reports and other materials were adopted into the record by reference. Staff Reports had been distributed in advance to the Planning Commission and the applicants, for their review. Copies of all applications, correspondence and Staff Reports were made available on a table at the entrance to the hearing room.

NEW PUBLIC HEARINGS :

Roger Grell - Rush Haven Resort - Mr. Grell was present at the meeting to request an amendment to his Conditional Use Permit for Rush Haven Resort, to include docks, and the rental of boat slips at his recreational campground known as Rush Haven. This is located in Nessel Township, Acacia Shores, Lot 2, Block 1, at 50121 Acacia Lane (PID #06.00443.02). The Nessel Township Board had been presented with the request which had been filed after their regular meeting date, but had not sent any comments or recommendations. Tara Guy had written a memo explaining how the need for an amendment to the recently approved CUP had been discovered. The DNR, which had historically regulated all surface water use, including docks, slips and floats, had recently changed their interpretation of their rules governing marinas. When Mr. Grell had approached DNR Area Hydrologist Craig Wills to obtain his marina permit (as was stipulated in Condition #7 of his CUP) he was advised that specific approval of the marina needed to be included in the parameters of the CUP, and the number of allowed docks and slips identified. Since Mr. Grell had always included docks and slips as part of his campground plan, and Zoning Staff had assumed in error it was strictly a DNR permitted amenity, Staff had recommended a CUP amendment to specifically include the marina. The amendment proposal now includes two boat docks with 30 slips, in addition to the one dock with eleven slips he was permitted as a right in association with his campground. In order to be classed as a marina, Mr. Grell will also have to offer slips for public rental, but he expects his clientele to be mostly comprised of his own campers. When there were no comments or questions

from the Planning Commission, the Chair sought public testimony, but there was no one to offer comment. After brief discussion, John Sutcliffe moved to recommend in accordance with the Staff's memorandum that Condition #7 of the 2018 CUP for Rush Haven Resort be amended to read as follows:

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7. This Conditional Use Permit shall allow an associated marina which provides a maximum of three docks with 30 additional boat slips (exclusive of the small dock associated with the boat launch ramp and the eleven slips permitted as a right with the CUP) available for rental to the general public. Permittee shall adhere to all applicable Minnesota Department of Natural Resources regulations, including acquisition of any necessary permits and approvals to establish any future marina, docks and boat-slips to serve this campground.

Charles Yeager seconded the motion, and the motion was carried unanimously.

Duane McCall - Mr. McCall was present to request approval of a preliminary plat of four lots out of a 22 acre parcel of land, to be known as "North Rush Shores." This is located in Nessel Township, Section 11, T.37, R.22, in the southwest corner of the intersection of Rush Lake Trail (County Road 1) and Belle Isle Drive (PID #06.00236.00.) The Nessel Township Board had recommended approval with no conditions. The Plat Review Committee had met in regular session to evaluate the proposal on February 13th, and found the plat to meet or exceed all dimensional and soils criteria. They had forwarded the Committee's Plat Review Inventory recommending approval. Two lots will front on Belle Isle Drive, and two on County Road 1 (Rush Lake Trail.) The members offered general questions and comments concerning access to the lots fronting on County Road 1, and possible impacts to wetlands. The Plat Review Committee had noted that no impacts to wetlands were proposed, and the matter of the driveway(s) off of County Road 1 would be subject to review and approval by the County Engineer prior to recording the final plat. After members' comments had concluded, the Chair sought public testimony, but no one was present to offer comment. After brief discussion, John Sutcliffe moved to recommend approval of the preliminary plat as proposed, subject to County Engineer approval of the County Road 1 access. Charles Yeager seconded it and the motion was carried unanimously.

STAFF UPDATE ON ZONING ORDINANCE REVISIONS: Tara briefed the members on Staff efforts to draft Ordinance revisions for the consideration of the Commission. She explained that presently she was working on revisions to the Shoreland Ordinance that would synthesize it as an Overlay District within the Zoning Ordinance, and reduce or eliminate existing conflicting language between the two documents. She would recommend the Flood Plain Ordinance be incorporated in the same way. The process continues to be complex and time consuming, and with the influx of labor-intensive community solar garden applications in Sunrise and Amador Townships, available Staff time to work on the revisions has been slowed down. Tara also sought the opinion of the Commission on a possible amendment to the Subdivision Ordinance which would eliminate the formal platting requirement for a single lot subdivided off of a large parent parcel. Virtually all of the plats approved over the past five to six years had involved a single five acre tract being subdivided off of a large farm, usually at the request of children who had inherited their parents' farm. Formal platting is an onerous, time-consuming and very expensive process, particularly when the end result is one single lot, versus a genuine subdivision developed for sale and profit. Tara suggested that some form of "minor subdivision" process be explored for such simple situations. The Commission concurred, and directed Staff to prepare language for consideration. She concluded with a recommendation that the Commission begin to think about whether the County should regulate residential properties being offered for rent or lease as "vacation-rental-by-owner" dwellings. Though Staff hasn't been overwhelmed with complaints at present, they have received a few, and were expecting an increase in such calls, particularly in Shoreland areas. Most of the lakeshore development in the County is on substandard lots that are undersized and narrow, making for very

densely populated neighborhoods of single family dwellings. Continual rental of a home in such a development to transient populations, or groups, can be very disruptive to the character of the immediate neighborhood. The Commission agreed to consider the concept of regulating such rentals.

ADJOURNMENT : There being no further business, the meeting was adjourned at 7:28 p.m.