

**CHISAGO COUNTY
PLANNING COMMISSION
OFFICIAL PROCEEDINGS
JULY 7, 2016**

The Chisago County Planning Commission met in regular session at 7:00 p.m. on Thursday, July 7, 2016 in Meeting Room 131 of the Government Center with the following Commission members present: Frank Storm, Jim Froberg, Dave Whitney, Jim McCarthy, John Sutcliffe and Craig Mold.

Ex Officio: Commissioner Rick Greene

Absent: Gene Olson (excused)

Also Present: Ken Roberts, Planner
Tara Guy, Assistant Zoning Director

The Chair called the meeting to order and led the assembly in the Pledge of Allegiance. Roll call of Board members was taken and a quorum established.

APPROVAL OF MINUTES - On motion by Sutcliffe and second by McCarthy, the minutes of the meeting of June 2, 2016 were unanimously approved as presented.

ADOPTION OF MATERIALS AND SUBMITTALS INTO THE RECORD - Upon motion by Whitney and second by McCarthy 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.

NO NEW PUBLIC HEARINGS

WORK SESSION:

Urban Fowl Ordinance - Staff had drafted possible language for consideration which would amend the Zoning Ordinance to allow the keeping of fowl in the County's RRI and RRII Zoning Districts. Chicken advocate and Almelund resident Melanie Jacobs was present at the meeting to offer comment and support for such an amendment to the Zoning Ordinance. Ms. Jacobs gave some background information and history on her interest in and involvement with birds and roosters, and offered some suggestions on the draft language under consideration. She advocated a larger minimum square footage per bird (ten square feet) and also recommended that the prohibition on roosters be eliminated. Discussion and consensus on possible "bird ordinance" language for consideration as a possible amendment. The members were amenable to the suggestions, and consensus was reached to recommend to the County Board that a public hearing be set, to consider a Zoning Ordinance amendment. Upon motion by Froberg and second by Sutcliffe, and carried unanimously, the following language was proposed to be considered for adoption:

New Section 4.15 Fowl Regulations - Residential Zones

A. Fowl and Poultry Keeping

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The keeping of fowl, including chickens, ducks, geese or other poultry shall be a permitted use within RRI and RRII Zoning Districts, subject to the following:

1. On residential properties with less than two (2) buildable acres, a maximum of four (4) birds shall be permitted.
2. On residential properties containing two (2) or more buildable acres, four birds per acre shall be permitted.
3. The keeping of fowl and poultry shall be prohibited on properties less than one quarter acre in size.
4. Birds shall be fully contained on the property at all times.
5. Food materials that are stored outside shall be kept in secure, vermin-proof containers.
6. Coops shall not be located in any part of a residence and/or attached garage.
7. Birds must be secured in an enclosed rodent and predator-proof housing facility from sunset to sunrise each day.
8. Birds shall not be raised or kept for fighting. Cockfighting is prohibited.
9. The keeping of birds shall conform to Minnesota Pollution Control Agency maximum decibel level standards, or shall be subject to enforcement, penalty, or removal of birds from premises.

B. Containment, Housing and Maintenance

1. Housing Facilities - All coops and runs shall be subject to the following performance standards:
 - a. A twenty (20) foot setback from any property line
 - b. A twenty-five (25) foot setback from any dwelling or residential accessory structure, including playground, pools, patios, or other generally habitable and improved recreation areas on any adjacent premises.
 - c. A minimum coop size of ten (10) square feet per bird
 - d. A maximum coop height of six (6) feet
 - e. Attached fenced-in runs shall not exceed 20 square feet per bird and shall not exceed six (6) feet in total height.
 - f. Mobile coops and runs are permitted subject to the above size and placement conditions.

2. Maintenance - All coops shall be:

- a. Elevated with a clear open space of at least twenty-four (24) inches between the ground surface and framing/floor of the coop or be constructed using rodent resistant materials and methods.
- b. Kept reasonably free of fecal matter build-up, contaminated bedding, or other noxious odor source material. Collected fecal material and contaminated bedding shall not be allowed to accumulate on the property. Manure and contaminated bedding shall be managed to control flies, rodents, and noxious odor and may be incorporated into tillable soil, placed in actively managed (rotated, mixed, contained) yard waste compost piles, or disposed of through lawful off site means.

3. Appearance: Coops and runs shall be exempt from the requirements of Section 4.08 (2) | (1)

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Granny Pod Legislation - Staff updated the Planning Commission on recent legislative activity involving temporary emergency health care residences for family members. This was legislation proposed for the express purpose of mandating that municipalities allow temporary dwellings for family health care purposes. **Chisago County's** Zoning Ordinance language has always allowed temporary **manufactured housing in cases of medical hardship**. Staff believes the County's existing language is superior to the new Statute, allowing more flexibility and accommodation to those requiring temporary medical hardship housing, and recommended to the Planning Commission that the County opt out, as allowed by the statutory language. After brief discussion, upon motion by Mold and second by Froberg, the Commission unanimously recommended to the County Board to opt out by resolution, as allowed by the new Statute.

Sign Ordinance Revisions - Discussion resumed on proposed revisions to the present Zoning Ordinance Section 4.14 language governing signs, with two formats presented by Staff for consideration by the Commission. One format included minimal revisions to the existing language, and the other featured a more substantive edit, including new definitions and several new provisions. After discussion, general consensus among members was reached on final draft language to bring the County's sign language into conformity with the SCOTUS ruling. Upon motion by Whitney and second by McCarthy, the Commission voted unanimously to instruct Planner Ken Roberts to prepare the draft language for review at the next regular Planning Commission meeting, with the intention of bringing the draft to public hearing in the near future.

Comprehensive Plan Discussion - Planner Ken Roberts had prepared some additional thoughts and considerations for review, along with some revisions to the Chapter One draft

language he had presented at the June 2, 2016 meeting. Further discussion ensued, regarding the overall goals and policies of Chisago County, in terms of growth management, housing opportunities and other elements of the plan. Acknowledging the amount of material needing thoughtful consideration, the discussion on Chapter One was tabled to allow the members further time to contemplate the new language and consider some additional changes to the broader goals being identified in the revised Plan.

ADJOURNMENT - There being no further business, the meeting was adjourned at 8:37 p.m.