

# PLANNING COMMISSION MEETING MINUTES CITY OF GRANT

August 10, 2022

**Present:** Greg Anderson, Jerry Helander, Jim Huttemier, Robert Tufty, Dan Gagliardi and David Tronrud and Matt Fritze

**Absent:** None

**Staff Present:** City Planner, Jennifer Swanson; City Clerk, Kim Points

## 1. CALL TO ORDER

The meeting was called to order at 6:30 p.m.

## 2. PLEDGE OF ALLEGIANCE

## 3. APPROVAL OF AGENDA

MOTION by Commissioner Tronrud to approve the agenda, as presented. Commissioner Huttemier seconded the motion. MOTION carried unanimously.

## 4. APPROVAL OF MINUTES, JUNE 8, 2022

MOTION by Commissioner Huttemier to approve the June 8, 2022 Minutes, as presented. Commissioner Tufty seconded the motion. MOTION carried with Chair Fritze abstained.

## 5. NEW BUSINESS

**PUBLIC HEARING, Consideration of Text Amendment Application for Firewood Business** – City Planner Swanson advised the applicant, Pete Mogren on behalf of Mogren’s Firewood, is requesting an amendment to the City Code section 32-245 Table of Uses to allow for firewood processing in the A-2 zoning district with an Interim Use Permit. As stated on the Application the request is for “wood” processing, but as further described in the Narrative the request is to permit firewood processing so that the Applicant may operate a small-scale business from the subject property.

This Application is NOT for a specific project on a specific site and if enacted would apply to all land zoned A2. The Owner information is a required condition of a Text Amendment Application as stated in Section 32-116 which identifies that “an amendment to this chapter may be initiated by the city council, the planning commission or by petition of affected property owners...”

A duly noticed public hearing has been schedule for August 10 at 6:30 PM to consider the proposed text amendment to the zoning ordinance.

In March of 2022 the Applicant applied for a Conditional Use Permit to operate Mogren's Firewood, a small-scale firewood operation, from the property located at 10151 75<sup>th</sup> Street N., Grant, MN. The application was processed and considered by both the Planning Commission and City Council. On June 28, 2022 the City Council discussed the proposed operation and determined that the operation was not consistent with the adopted Table of Uses and that a text amendment should be considered to more appropriately match the proposed use with the City's permitted uses.

After the meeting the Applicant withdrew the previous application for a Conditional Use Permit, and immediately submitted an Application for this Text Amendment as recommended by the City Council. The Applicant has also submitted an application for an Interim Use Permit that would comply with an amended ordinance.

City Planner Swanson stated Division 4, Section 32-116 of the City's Zoning Ordinance allows for amendments to the Zoning Ordinance (chapter), if such request is initiated by the City Council, Planning Commission or by a resident's petition. When considering the proposed text amendment, the Planning Commission should consider, at a minimum, the following:

1. Are the proposed changes consistent with the City's adopted Comprehensive Plan?
2. Are the proposed changes compatible with existing regulations and standards within the affected/applicable zoning district?
3. Will the proposed changes have a negative impact on the health, safety and welfare of the community?
4. If the proposed changes are found to be consistent; are there additional considerations that should be addressed as part of the ordinance amendments that were not contemplated in the Application?

It is important to remember when reviewing the Applicant's proposed language and amendment that the changes will affect all properties in the City that are zoned and guided similarly (i.e. all properties in the A2 zoning district).

The City's Comprehensive Plan focuses on retaining the rural lifestyle and ensuring new uses are compatible with existing agricultural and rural residential uses in the A1 and A2 zoning district. The Applicant's proposed use is described as a small-scale firewood processing operation that does not include retail operations. Provided the use is properly defined, is limited in its intensity and is accessible to major roadways it should be consistent with the intent and purpose of the Agricultural/Rural Residential land use designation.

Section 32-243 defines the intent and purpose of the A2 zoning districts as,

- A-2 The A-2 districts provide rural low density housing in agricultural districts on lands not capable of supporting long-term, permanent commercial food production. A-2 district lot sizes will provide for marginal agriculture and hobby farming.*

The existing A-2 zoning district is predominantly developed with rural residential uses, but there are some non-residential uses that are permitted within the district provided certain conditions are met. As described in the applicant's narrative and in the applicant's testimony during their previous application process the proposed use would be non-retail, and would be conducted during limited hours. The intent of the operations is to be low-impact, low-intensity and not a large-scale operation. Provided the use is properly defined, is limited in the intensity, has adequate access and is non-retail the proposed use should be consistent with the A-2 zoning district.

The Applicant's request is to add "Fire Wood Processing" to Table 32-245 Table of Uses as an Interim Use in the A2 Zoning District.

While the Applicant's proposed operation is for a specific site if the City's ordinance is amended the use will be permitted with an Interim Use Permit on any parcel zoned A2. Given that the change would affect all properties with the A2, staff provides the following draft language and considerations for discussion:

- **Use Description.** Modify the Applicant's proposed land use category to: "Forestry Products and Processing (non-retail)." This use would encompass and include firewood processing and storage, but provide a broader use category that could capture similar uses that may be compatible with the City's predominantly agricultural and rural residential uses.
- **Proposed Definition.** The following draft definition is provided for your consideration and discussion.
  - *Forestry Products and Processing means* the storage and processing of forestry products on a site, that does not include public access or public retail sales. Examples of such use may include, but is not limited to, firewood processing, wood processing, wood storage or logging. This use does not include the removal of existing trees or vegetation for processing, which may be subject to a different land use and permitting process.
- **Proposed Performance Standards.** The following performance standards related to the use are provided for your discussion. Please note that all other applicable ordinance standards shall remain applicable. For example, the operation must comply with the MPCA noise standards and must comply with the City's light and sign ordinances. Additionally, similar to a Conditional Use, reasonable condition specific to a site or project may be included in any approved Interim Use Permit. The following performance standards are in addition to the City's existing standards.
  - The operation must be located on a site/lot with a minimum of 20-acres.

- The operation must have direct access to a paved collector roadway and must obtain all necessary driveway permits from the applicable agency.
- The operation, including structures, parking, storage area, and any operation related uses may not exceed 15,000 square feet in area.
- The operation must be setback a minimum of 100-feet from any adjacent residential uses.
- The operation must be fully screened from any public right-of-way or adjacent residential use.
- No retail or public sales may be conducted from the site.
- All appropriate permits and/or permission from the applicable Department of Natural Resources (Minnesota, Wisconsin or any other state) must be obtained regarding the wood products brought to the site. All species and products processed on site must comply with the DNR rules and regulations.

Commissioner Helander expressed concerns regarding transportation to the site and diseased trees. He suggested no chemical processing be added to the draft definition. He stated he would also like to see a statement regarding the Department of Agriculture relating to permitting and potentially certification of the wood.

Commissioner Tronrud suggested no secondary process also be added to the definition as more limits are needed. He suggested the statement in the performance standards be revised to include permitting for all State, Federal and County when applicable.

City Planner Swanson referred to the proposed performance standards and advised the following can be added:

- 1) No chemical processing allowed
- 2) No assembly or use fasteners allowed
- 3) All appropriate permitting must be obtained from all applicable agencies including State, local, Federal and County

MOTION by Commissioner Tronrud moved to open the public hearing at 7:15 p.m. Commissioner Helander seconded the motion. MOTION carried unanimously.

No one was present to speak.

MOTION by Commissioner Tronrud to close the public hearing at 7:16 p.m. Commissioner Huttemier seconded the motion. MOTION carried unanimously.

MOTION by Commissioner Tronrud to recommend approval of Text Amendment application, as revised. Commissioner Tufty seconded the motion. MOTION carried unanimously.

**Consideration of Planning Commission Meetings on second Tuesday of Month** – Staff advised the City Planner no longer has a conflict on the second Tuesday of the month and asked if the Planning Commission would like to move meetings to Tuesdays.

MOTION by Commissioner Huttemier to move Planning Commission Meetings to the second Tuesday of the month. Commissioner Anderson seconded the motion. MOTION carried unanimously.

**6. OLD BUSINESS**

There was no old business.

**7. ADJOURNMENT**

MOTION by Commissioner Anderson to adjourn at 7:24 p.m. Commissioner Tronrud seconded the motion. MOTION carried unanimously.

Respectfully submitted,

Kim Points  
City Clerk