



**Planning Commission Meeting & Ord.
Amndmt O-26-48 Public Hearing Agenda
Monday, March 2nd, 2026 @ 6:00 PM**

Chair: Simon Stricker

City Clerk: Cassandra Delougherty

Commission:

City Attorney: Joe Langel

Joby Goerges

Roman Siltman

Victor Prociuk

Corey Derksen

City of Jenkins
33861 Cottage Avenue
Jenkins, MN 56474
(218) 568-4637

Join Zoom Meeting

<https://zoom.us/join>

Meeting ID: 353 029 2895

Password: 56474

Dial by location: (312) 626-6799 (US Chicago)

NOTE: Printed materials relating to agenda items are available for public inspection in a three-ring binder on table by Council Chamber entrance.

1. Call to Order – Pledge of Allegiance
2. Roll Call
3. Approval
 - a. Agenda
 - b. Minutes from February 2nd, 2026 Planning Commission Meeting & Public Hearing for Ord. Amndmt O-26-47
4. Public Hearing:
 - a. O-26-48 City-Initiated Rezones
 - i. Open hearing for public comment
 - ii. Close public hearing
 - iii. Planning Commission deliberation
 - iv. Planning Commission action
5. New Business
 - a. Proposed Ord. Amndmt O-26-49 Land Use Matrix-Lower-Potency Hemp Edible Retailer
6. Unfinished Business
 - a. Highway Business Zoning District Screening Requirements for TH371
 - b. Nathan Lange, Northland CUP-verbal update
7. Miscellaneous/Communication
 - a. Zoning Administrator's Report
 - i. Taxpayer-requested variance app review and discussion
8. Adjournment

FEBRUARY 2ND, 2026
JENKINS PLANNING COMMISSION
MEETING MINUTES

CALL TO ORDER

THE MEETING WAS CALLED TO ORDER AND THE PLEDGE OF ALLEGIANCE WAS RECITED.

ROLL CALL

PLANNING COMMISSION CHAIRMAN STRICKER, COMMISSIONERS SILTMAN, PROCIUK, AND DERKSEN WERE PRESENT. COMMISSIONER GOERGES WAS NOT PRESENT.

APPROVAL

THE COMMISSION REVIEWED THE AGENDA AND THE MINUTES FROM THE LAST MEETING.

MOTION TO APPROVE THE AGENDA AND MINUTES WAS MADE BY COMMISSIONER SILTMAN AND SECONDED BY COMMISSIONER PROCIUK. MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING

O-26-47 "NUISANCE PARKING & STORAGE" CHAPTER 150.005 DEFINITIONS, 150.038 LAND USE MATRIX, AND 150.103 STORAGE

THE COMMISSION REVIEWED ORDINANCE AMENDMENT O-26-47 WHICH HAD BEEN PREVIOUSLY DISCUSSED IN PAST MEETINGS. STAFF NOTED THAT THE ORDINANCE AMENDMENT REFLECTED ALL THE CHANGES THAT HAD BEEN DISCUSSED DURING PREVIOUS MEETINGS.

THE HEARING WAS OPENED FOR PUBLIC COMMENT AT 6:06PM. NO PUBLIC COMMENT

THE HEARING WAS CLOSED AT 6:06PM.

CHAIRMAN STRICKER REVIEWED THE DOCUMENT AND FOUND ONLY ONE MINOR WORDING ISSUE IN SECTION 3 (PREVIOUSLY SECTION 4) REGARDING CONSTRUCTION STORAGE TRAILERS, WHERE THE LANGUAGE APPEARED TO HAVE A GRAMMATICAL ERROR WITH THE PHRASE "USED FOR ON-SITE DURING" WHICH SHOULD READ "USED ON-SITE DURING." NO OTHER DISCREPANCIES WERE FOUND.

THE COMMISSION CONFIRMED THAT THE ORDINANCE AMENDMENT MATCHED THEIR PREVIOUS DISCUSSIONS AND AGREED IT WAS READY TO MOVE FORWARD.

MOTION TO APPROVE RECOMMENDATION OF ORDINANCE AMENDMENT O-26-47 TO COUNCIL WAS MADE BY COMMISSIONER PROCIUK AND SECONDED BY COMMISSIONER SILTMAN. THE MOTION PASSED UNANIMOUSLY.

DELOUGHERTY NOTED THAT AFTER 22+ MONTHS OF WORK, THE ORDINANCE AMENDMENT WAS FINALLY COMPLETE. THE COMMISSION EXPRESSED SATISFACTION WITH THE COMPLETION OF THIS LONG-TERM PROJECT.

NEW BUSINESS

PROPOSED AMENDMENT FOR SCREENING REQUIREMENTS IN THE HIGHWAY BUSINESS (C-2) ZONING DISTRICT

DELOUGHERTY PRESENTED INFORMATION ABOUT A POTENTIAL ISSUE WITH THE CURRENT SCREENING REQUIREMENTS IN THE HIGHWAY BUSINESS (C-2) ZONING DISTRICT. THE CURRENT ORDINANCE CONTAINS CONTRADICTIONARY ELEMENTS - THE PURPOSE OF THE DISTRICT IS TO PROVIDE VISUAL EXPOSURE ALONG HIGHWAYS, YET IT REQUIRES 100% SCREENING FOR PROPERTIES ABUTTING RESIDENTIAL AREAS AND 50% SCREENING FROM ANY ROADWAY OR OTHER DISTRICT. THESE SCREENING REQUIREMENTS ARE NOT SPECIFIED IN OTHER DISTRICTS SUCH AS CENTRAL BUSINESS OR INDUSTRIAL.

DELOUGHERTY NOTED THAT THIS ISSUE WAS ALREADY MENTIONED TO THE CITY COUNCIL, WHO RECOMMENDED THE PLANNING COMMISSION REVIEW THESE REQUIREMENTS. THE SCREENING REQUIREMENT IS PARTICULARLY RESTRICTIVE AND APPEARS TO CONTRADICT THE INTENDED PURPOSE OF THE HIGHWAY BUSINESS DISTRICT.

THE COMMISSION DISCUSSED HOW TO APPROACH THIS POTENTIAL AMENDMENT. CHAIRMAN STRICKER SUGGESTED FOLLOWING THEIR USUAL PROTOCOL BY RESEARCHING HOW OTHER CITIES HANDLE SIMILAR REQUIREMENTS TO ESTABLISH SOME PARAMETERS BEFORE MAKING CHANGES. HOWEVER, HE ACKNOWLEDGED THE NEED TO ADDRESS THIS ISSUE SOON AS IT AFFECTS A CURRENT CONDITIONAL USE PERMIT APPLICATION FROM NATHAN LANGE OF NORTHLAND.

COMMISSIONER PROCIUK AND SILTMAN AGREED THAT THE CURRENT REQUIREMENTS DON'T ALIGN WITH THE INTENT OF THE HIGHWAY BUSINESS DISTRICT AND NEED TO BE CHANGED TO BE CONSISTENT WITH OTHER ORDINANCES. THE COMMISSION AGREED THAT IT MADE LITTLE SENSE TO REQUIRE EXTENSIVE SCREENING IN A DISTRICT DESIGNED FOR HIGHWAY VISIBILITY.

THE COMMISSION DECIDED TO PURSUE AN ORDINANCE AMENDMENT TO ADDRESS THE SCREENING REQUIREMENTS WHILE ENSURING PROPER CONSIDERATION OF THE ORIGINAL INTENT BEHIND THE REQUIREMENTS. DELOUGHERTY WILL RESEARCH AND PREPARE FINDINGS FOR THE NEXT PLANNING COMMISSION MEETING.

UNFINISHED BUSINESS

CUP AMENDMENT REVIEW-NORTHLAND

MR. NATHAN LANGE OF NORTHLAND ATTENDED THE MEETING REGARDING HIS CUP AMENDMENT APPLICATION. STAFF EXPLAINED THAT WHEN REVIEWING HIS APPLICATION, A REQUIREMENT FOR A SURVEY WAS IDENTIFIED. MR. LANGE WAS REQUESTING THAT THE SURVEY REQUIREMENT BE WAIVED AS IT HAD BEEN WAIVED FOR HIS ORIGINAL CUP APPLICATION, AND THIS WAS MERELY AN AMENDMENT TO THE EXISTING PERMIT.

MR. LANGE EXPLAINED THAT THERE WERE SOME ITEMS THAT NEEDED CORRECTION IN HIS CURRENT CUP, SUCH AS THE LACK OF RENTAL SPACE BEING LISTED, WHICH WAS DISCUSSED AND APPROVED IN THE ORIGINAL MEETINGS BUT NOT INCLUDED IN THE FINAL CUP LANGUAGE. ADDITIONALLY, HE MENTIONED ISSUES WITH THE SCREENING REQUIREMENT FOR LANDSCAPE MATERIALS, PARTICULARLY ALONG HIGHWAY 371, WHICH WOULDN'T MAKE SENSE FOR HIS BUSINESS VISIBILITY.

DELOUGHERTY CONFIRMED THAT WAIVING SURVEY REQUIREMENTS IS DONE ON A CASE-BY-CASE BASIS AND IS WITHIN THE PLANNING COMMISSION'S AUTHORITY. GIVEN THAT THIS WAS AN AMENDMENT TO AN EXISTING CUP THAT HAD PREVIOUSLY HAD THE SURVEY REQUIREMENT WAIVED, DELOUGHERTY INDICATED THERE WAS PRECEDENT FOR GRANTING THIS REQUEST.

MOTION TO WAIVE THE SURVEY REQUIREMENT FOR THE AMENDED CUP WAS MADE BY COMMISSIONER PROCIUK AND SECONDED BY COMMISSIONER SILTMAN. THE MOTION PASSED WITH AYES FROM CHAIRMAN STRICKER AND COMMISSIONERS SILTMAN AND PROCIUK. COMMISSIONER DERKSEN ABSTAINED DUE TO HIS LEASING OF SPACE WITHIN THE NORTHLAND BUILDING, ELIMINATING POTENTIAL CONFLICT OF INTEREST.

MISCELLANEOUS/COMMUNICATION

DELOUGHERTY INFORMED THE COMMISSION THAT SEVERAL PUBLIC HEARINGS WERE PLANNED FOR THE MARCH MEETING, INCLUDING A FOLLOW-UP HEARING FOR THE CUP AMENDMENT FOR NORTHLAND. SHE REQUESTED THAT COMMISSIONERS NOTIFY HER AS SOON AS POSSIBLE IF THEY WOULD BE UNABLE TO ATTEND THE MARCH MEETING.

DELOUGHERTY ALSO MENTIONED THAT KATIE KOSTOHRYZ WOULD BE MEETING WITH MR. LANGE AT HIS PROPERTY TO REVIEW THE DETAILS FOR THE CUP AMENDMENT.

ADJOURNMENT

MOTION TO ADJOURN WAS MADE BY COMMISSIONER SILTMAN AND SECONDED BY COMMISSIONER PROCIUK. MOTION PASSED UNANIMOUSLY.

RESPECTFULLY SUBMITTED THIS _____ DAY OF _____, 202_.

CASSANDRA M. DELOUGHERTY, CITY CLERK-TREASURER
ZONING ADMINISTRATOR



AGENDA ITEM #

4a

REPORT TO PLANNING COMMISSION

PREPARED BY: CASSANDRA DELOUGHERTY

DATE: FEBRUARY 25TH, 2026

SUBJECT: ORDINANCE AMENDMENT O-26-48 CITY-INITIATED REZONES

REPORT: THE CITY IS PROPOSING A CITY-INITIATED ZONING ORDINANCE AMENDMENT TO REZONE MULTIPLE PARCELS WITHIN THE CITY AS IDENTIFIED IN EXHIBIT A (REZONING MAP) AND EXHIBIT B (PARCEL LIST). THE PURPOSE OF THE CITY-INITIATED REZONING IS TO IMPLEMENT THE CITY'S COMPREHENSIVE PLAN, ADDRESS INCONSISTENCIES BETWEEN EXISTING ZONING AND LAND USE DESIGNATIONS, AND PROVIDE CLEARER AND MORE PREDICTABLE ZONING STANDARDS FOR AFFECTED PROPERTIES.

THE PROPOSED ZONING DISTRICTS SUPPORT THE CITY COUNCIL'S LONG-TERM LAND-USE VISION.

PROPERTY OWNER(S): MULTIPLE

APPLICANT(S): CITY OF JENKINS

PUBLICATION DATE: FEBRUARY 18TH, 2026

MAILED NOTICE: FEBRUARY 19TH, 2026

PLANNING COMMISSION HEARING: MARCH 2ND, 2026

APPLICABLE ORDINANCES:

§ 150.013 AMENDMENTS.

(A) GENERALLY. THE CITY COUNCIL MAY ADOPT AMENDMENTS BY FOUR-FIFTHS VOTE TO EITHER THE ZONING ORDINANCE, ZONING MAP, OR OVERLAY MAPS IN RELATION TO THE LAND USES WITHIN A DISTRICT OR THE BOUNDARIES OF THE DISTRICT(S). SUCH AMENDMENTS SHALL NOT BE ISSUED INDISCRIMINATELY, BUT SHALL ONLY BE USED AS A MEANS TO REFLECT CHANGES IN THE GOALS OF THE COMMUNITY OR CHANGES IN THE CONDITIONS OF THE CITY.

(B) PROCEDURE.

(1) AN AMENDMENT MAY BE INITIATED BY THE PLANNING COMMISSION OR BY ANY PROPERTY OWNER.

(2) THE ZONING ADMINISTRATOR SHALL REVIEW THE PROPOSED CHANGES AND MAKE A RECOMMENDATION TO THE PLANNING COMMISSION.

(3) THE PLANNING COMMISSION SHALL MAKE A REASONABLE ATTEMPT TO CAUSE ALL PROPERTY OWNERS WITHIN A MINIMUM OF 350 FEET OF PROPOSED ZONING DISTRICT CHANGE TO BE NOTIFIED BY REGULAR MAIL AND SHALL PUBLISH A HEARING NOTICE FOR EITHER A ZONING DISTRICT CHANGE OR ZONING ORDINANCE CHANGE IN THE LEGAL SECTION OF THE OFFICIAL NEWSPAPER AND SHALL PROVIDE NOTICE TO THE DNR AT LEAST TEN DAYS AHEAD OF THE PUBLIC HEARING. THE PLANNING COMMISSION SHALL HOLD THE HEARING AND MAKE A TIMELY RECOMMENDATION TO THE CITY COUNCIL. ADOPTION OF A NEW ZONING MAP SHALL REQUIRE PUBLISHED NOTICE ONLY. THE PLANNING COMMISSION SHALL CONSIDER THE CRITERIA FOR LAND USE CATEGORIES, § 150.025(G), IN ITS DECISION.

(4) THE CITY COUNCIL SHALL REVIEW THE RECOMMENDATIONS AND SHALL MAKE A TIMELY



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DECISION. AN AMENDMENT REQUIRES A FOUR-FIFTHS VOTE TO BE ENACTED.

(5) THE CITY CLERK-TREASURER SHALL PUBLISH A SUMMARY OF THE TEXT OF THE CHANGE OR DESCRIPTION OF BOUNDARY CHANGE OR A NEW ZONING MAP, WHICHEVER IS APPROPRIATE, IN THE OFFICIAL NEWSPAPER WITHIN 30 DAYS AFTER ACTION BY THE COUNCIL.

§ 150.025 GENERAL PROVISIONS.

(A) THE CITY IS HEREBY DIVIDED INTO ZONING DISTRICTS, AS SHOWN ON THE OFFICIAL ZONING DISTRICT MAP, WHICH MAY BE SUBSEQUENTLY AMENDED BY THE PROCEDURES OF § 150.013.

(B) THE BOUNDARIES ARE GENERALLY ON THE CENTER OF THE STREETS, ON LOT LINES, ON SHORELINES, ON THE CENTER OF STREAMS OR RIVERS, AND FOLLOWING THE CONTOUR OF THE LAND.

(C) THE FOLLOWING DISTRICTS ARE HEREBY ESTABLISHED:

AGRICULTURAL	A
CENTRAL BUSINESS	C-1
FLOODPLAIN OVERLAY	FP
HIGHWAY BUSINESS	C-2
LIGHT INDUSTRIAL	I-1
PUBLIC	P
RESIDENTIAL STORAGE	RS
RURAL RESIDENTIAL	RR
SINGLE FAMILY RESIDENTIAL	R-1
SHORELAND OVERLAY	SO
URBAN RESIDENTIAL	R-2

(D) THE JURISDICTION OF THIS CHAPTER SHALL INCLUDE ALL LAND WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY.

(E) THE FOLLOWING PROVISIONS APPLY TO ALL ZONING DISTRICTS.

(1) EXCEPT WHERE SPECIFICALLY STATED, ALL ACCESSORY STRUCTURES OR USES REQUIRE THE PRIOR ESTABLISHMENT OF A PRINCIPAL STRUCTURE.

(2) UNLESS SPECIFICALLY ALLOWED, NO MORE THAN FOUR LEASES PER YEAR, PER DWELLING, ARE ALLOWED.

(F) CRITERIA FOR LAND USE CATEGORIES:

- (1) PRESERVATION OF NATURAL SENSITIVE AREAS;
- (2) PRESENT OWNERSHIP AND DEVELOPMENT;
- (3) SHORELAND SOIL TYPES AND THEIR ENGINEERING CAPABILITIES;
- (4) TOPOGRAPHIC CHARACTERISTICS;
- (5) VEGETATIVE COVER;
- (6) IN-WATER PHYSICAL CHARACTERISTICS;



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- (7) RECREATIONAL USE OF SURFACE WATER;
- (8) ROAD AND SERVICE CENTER ACCESSIBILITY;
- (9) SOCIO-ECONOMIC DEVELOPMENT NEEDS OF THE PUBLIC;
- (10) AVAILABILITY OF PUBLIC SEWER AND WATER UTILITIES;
- (11) THE NECESSITY TO RESERVE AND RESTORE CERTAIN AREAS HAVING SIGNIFICANT HISTORICAL OR ECOLOGICAL VALUE;
- (12) CONFLICTS BETWEEN LAND USES AND IMPACTS OF COMMERCIAL USES OR HIGHER DENSITIES ON ADJACENT PROPERTIES;
- (13) ALTERNATIVES AVAILABLE FOR DESIRED LAND USE;
- (14) PREVENTION OF SPOT ZONING;
- (15) CONFORMANCE TO THE CITY COMPREHENSIVE PLAN; AND
- (16) CONFORMANCE TO THE CITY'S FUTURE LAND USE MAP AND ANY OTHER OFFICIAL MAPS OF THE CITY.

(G) REGARDLESS OF EXISTENCE OF PURPORTED COPIES OF THE OFFICIAL ZONING MAP, WHICH MAY FROM TIME TO TIME BE MADE OR PUBLISHED, THE OFFICIAL ZONING MAP, WHICH SHALL BE LOCATED IN THE OFFICE OF THE CITY CLERK-TREASURER, SHALL BE THE FINAL AUTHORITY AS THE CURRENT ZONING STATUS OF LAND AND WATER AREAS, BUILDINGS, AND OTHER STRUCTURES IN THE CITY.

(1) THE LOCATION AND BOUNDARIES OF THE DISTRICTS ESTABLISHED BY THIS CHAPTER ARE SET FORTH ON THE OFFICIAL ZONING MAP. DISTRICT BOUNDARY LINES AS INDICATED ON THE ZONING MAP FOLLOW LOT LINES, PROPERTY LINES, RIGHT-OF-WAY OR CENTER LINES OF STREETS OR ALLEYS, RIGHT-OF-WAY CENTER LINES OF STREETS OR ALLEYS PROJECTED, THE CITY LIMIT LINES, SHORELINES, ALL AS THEY EXIST UPON THE EFFECTIVE DATE OF THIS CHAPTER. IF SAID BOUNDARY LINES DO NOT FOLLOW ANY OF THE ABOVE, THE DISTRICT BOUNDARY LINES ARE ESTABLISHED AS DRAWN ON THE ZONING MAP.

(2) WHENEVER ANY STREET, ALLEY, OR OTHER PUBLIC WAY IS VACATED IN THE MANNER AUTHORIZED BY LAW, THE ZONING DISTRICT ADJOINING EACH SIDE OF SUCH STREET, ALLEY, OR PUBLIC WAY SHALL BE AUTOMATICALLY EXTENDED TO THE CENTER OF SUCH VACATION, AND ALL INCLUDED IN THE VACATION SHALL THEN AND HENCEFORTH BE SUBJECT TO ALL REGULATIONS OF THE EXTENDED DISTRICTS.

(3) APPEALS CONCERNING THE EXACT LOCATION OF A ZONING DISTRICT BOUNDARY LINE SHALL BE HEARD BY THE BOARD OF ADJUSTMENT.

STAFF FINDINGS - STAFF PROVIDES THE FOLLOWING FINDINGS FOR THE PLANNING COMMISSION'S CONSIDERATION:

1. THE CITY OF JENKINS IS PROPOSING A **CITY-INITIATED ZONING ORDINANCE AMENDMENT** TO REZONE MULTIPLE PARCELS WITHIN THE CITY, AS IDENTIFIED IN **EXHIBIT A (REZONING MAP)** AND **EXHIBIT C (PARCEL LIST)**.
2. THE PARCELS PROPOSED FOR REZONING INCLUDE THE **FOLLOWING PARCEL IDENTIFICATION NUMBERS: 26220556, 26340692, 26340687, 26340518, 26340700, AND 26340702.**
3. THE PROPOSED REZONING WOULD CHANGE THE ZONING CLASSIFICATIONS OF THE SUBJECT PARCELS AS SUMMARIZED IN **EXHIBIT C**, BASED ON EXISTING LAND USE PATTERNS



AGENDA ITEM

AND ZONING INCONSISTENCIES.

4. THE PURPOSE OF THE CITY-INITIATED REZONING IS TO **CORRECT OUTDATED ZONING CLASSIFICATIONS**, IMPROVE CONSISTENCY WITHIN THE CITY'S ZONING ORDINANCE AND ZONING MAP, AND PROVIDE CLEARER AND MORE PREDICTABLE ZONING STANDARDS FOR AFFECTED PROPERTIES.

5. THE PROPOSED ZONING DISTRICTS ARE INTENDED TO SUPPORT THE **CITY COUNCIL'S LONG-TERM LAND USE VISION** AND ARE CONSISTENT WITH THE GOALS AND POLICIES OF THE CITY'S **COMPREHENSIVE PLAN**.

6. THE PLANNING COMMISSION HAS CONSIDERED THE CRITERIA FOR LAND USE CATEGORIES OUTLINED IN **§ 150.025(F)** OF THE CITY CODE, INCLUDING EXISTING DEVELOPMENT PATTERNS, COMPATIBILITY WITH SURROUNDING LAND USES, AVAILABILITY OF PUBLIC SERVICES, PREVENTION OF LAND USE CONFLICTS, AND CONFORMANCE WITH OFFICIAL CITY MAPS.

7. THE PROPOSED REZONING APPLIES TO **MULTIPLE PARCELS** AND IS PART OF A COORDINATED, CITY-WIDE EFFORT; IT IS NOT INTENDED TO BENEFIT A SINGLE PROPERTY OWNER AND DOES **NOT CONSTITUTE SPOT ZONING**.

8. NOTICE OF THE PUBLIC HEARING WAS PROVIDED IN ACCORDANCE WITH **§ 150.013(B)(3)** OF THE CITY CODE AND **MINNESOTA STATUTES § 462.357**, INCLUDING PUBLISHED NOTICE AND MAILED NOTICE TO AFFECTED PROPERTY OWNERS.

9. THE PROPOSED REZONING **IS** COMPATIBLE WITH THE EXISTING LAND USES AND ZONING CLASSIFICATIONS OF SURROUNDING PROPERTIES.

10. THE PROPOSED REZONING **IS** CONSISTENT WITH THE INTENT OF THE PROPOSED ZONING DISTRICTS AS ESTABLISHED IN THE CITY'S ZONING ORDINANCE.

REQUESTED ACTION: PLEASE DISCUSS THE ABOVE REPORT AND ATTACHED PROPOSED ORDINANCE AMENDMENT. COMMISSION CAN APPROVE, DENY, OR TABLE THE AMENDMENT RECOMMENDATION. IF THE COMMISSION CHOOSES TO TABLE THE AMENDMENT, STAFF WOULD LIKE FURTHER DIRECTION.

- EXHIBIT A – PARCEL LIST (PID, CURRENT ZONING, PROPOSED ZONING)
- EXHIBIT B – NEIGHBORHOOD NOTICE, PROPERTY OWNER BUFFER ZONE ADDRESS LABELS
- EXHIBIT C-- EXISTING ZONING MAP – LETTERED PARCELS
- EXHIBIT D – PROPOSED ZONING MAP

Exhibit A

LETTER – PID	CURRENT ZONING	PROPOSED ZONING
(A) #26220556	RR/A	A
(B) #26340692	RR/R1	RR
(C) #26340687	RR/R1	RR
(D) #26340518	A/R1	R1
(E) #26340700	RR	P
(F) #26340702	RR	P

Agricultural	A
Central Business	C-1
Floodplain Overlay	FP
Highway Business	C-2
Light Industrial	I-1
Public	P
Residential Storage	RS
Rural Residential	RR
Single Family Residential	R-1
Shoreland Overlay	SO
Urban Residential	R-2



NEIGHBORHOOD NOTICE OF PUBLIC HEARING

City-Initiated Zoning Ordinance Amendment (Rezoning)
Minn. Stat. § 462.357, subd. 3

Dear Property Owner or Occupant:

NOTICE IS HEREBY GIVEN that, pursuant to **Minnesota Statutes § 462.357, subdivision 3**, the **City of Jenkins Planning Commission** will hold a **public hearing** to consider a **city-initiated zoning ordinance amendment (rezoning)** affecting property located within the City of Jenkins.

Public Hearing Information

- **Date:** Monday, March 2, 2026
- **Time:** 6:00 p.m., or as soon thereafter as the matter may be heard
- **Location:** Jenkins City Hall
 33861 Cottage Avenue
 Jenkins, Minnesota

Description of the Proposed Ordinance Amendment

The proposed amendment would **change the zoning classification of certain properties** within the City of Jenkins as part of a city-initiated rezoning intended to **correct outdated zoning classifications and improve consistency within the City's zoning ordinance.**

The properties proposed for rezoning are identified by the following **Parcel Identification Numbers:**

Parcel ID Number	Current Zoning Districts	Proposed Zoning Districts	Map Letter
• 26220556	Rural Residential/Agricultural	Agricultural	A
• 26340692	Rural Residential/Single Family Residential	Rural Residential	B
• 26340687	Rural Residential/Single Family Residential	Rural Residential	C
• 26340518	Agricultural/Single Family Residential	Single Family Residential	D
• 26340700	Rural Residential	Public	E
• 26340702	Rural Residential	Public	F

The attached map, as well as additional materials describing the proposed rezoning are available for public inspection during regular business hours at Jenkins City Hall.

Public Participation

All persons wishing to be heard may appear at the public hearing and present testimony **orally or in writing** regarding the proposed zoning ordinance amendment.

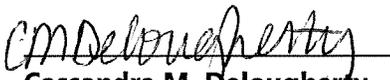
Written comments may be submitted prior to the hearing to:

City Clerk-Treasurer Cassandra Delougherty
City of Jenkins
33861 Cottage Avenue
Jenkins MN 56474
Email: cassandra.delougherty@cityofjenkins.com

Recommendation and Final Action

Following the public hearing, the **Planning Commission will make a recommendation to the Jenkins City Council**. Final action on the proposed zoning ordinance amendment will be taken by the City Council at a subsequent public meeting.

Sincerely,



Cassandra M. Delougherty
City Clerk-Treasurer, Zoning Administrator
City of Jenkins

This notice is provided to comply with the public notice requirements of Minnesota Statutes § 462.357.

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

CITY OF JENKINS
KRISTA OKERMAN CITY CLERK
33861 COTTAGE AVE JENKINS, MN 56456

GLASER, ANTHONY & LEAH
33734 SUMMER AVE
PINE RIVER, MN 56474

GLASER, ANTHONY & LEAH
33734 SUMMER AVE
PINE RIVER, MN 56474

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

DICKEY, BRUCE & SANDRA & JAMES B
33551 SUMMER AVE
PINE RIVER, MN 56474

WOLKENHAUER PROPERTIES LLC
C/O JASON WOLKENHAUER
4688 MOREHOUSE DR PEQUOT LAKES MN 56472

WOLKENHAUER PROPERTIES LLC
C/O JASON WOLKENHAUER
4688 MOREHOUSE DR PEQUOT LAKES MN 56472

DICKEY, BRUCE & SANDRA & JAMES B
33551 SUMMER AVE
PINE RIVER, MN 56474

JENKINS, CITY OF
33861 COTTAGE AVE
JENKINS MN 56474

CITY OF JENKINS
KRISTA OKERMAN CITY CLERK
33861 COTTAGE AVE JENKINS, MN 56456

HEINRICH, ORION &
3179 PINE TREE ST
JENKINS MN 56472

GRAY, ROBERT E
34410 COUNTY RD 39
PEQUOT LAKES, MN 56472

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

MCALLISTER, STEVEN B
3171 PINE TREE ST
JENKINS, MN 56474

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

KV AUTOMOTIVE LLC
33775 CHARLES AVE
JENKINS MN 56474

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

DIEDERICH PROPERTIES LLC
853 28TH AVE SW
BACKUS MN 56435

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

DIEDERICH PROPERTIES LLC
853 28TH AVE SW
BACKUS MN 56435

GLASER, ANTHONY & LEAH
33734 SUMMER AVE
PINE RIVER, MN 56474

DIEDERICH PROPERTIES LLC
853 28TH AVE SW
BACKUS MN 56435

GLASER, ANTHONY & LEAH
33734 SUMMER AVE
PINE RIVER, MN 56474

ENGELS, TODD M
1407 64TH ST SW
PEQUOT LAKES MN 56472

TURNER, MARK A
8704 COLES WAY
BRAINERD, MN 56401

ENGELS, TODD M
1407 64TH ST SW
PEQUOT LAKES MN 56472

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

ENGELS, TODD M
1407 64TH ST SW
PEQUOT LAKES MN 56472

BLUE WATER WELLS INC
P O BOX 406
PEQUOT LAKES, MN 56472

ENGELS, TODD M
1407 64TH ST SW
PEQUOT LAKES MN 56472

ENGELS, TODD M
1407 64TH ST SW
PEQUOT LAKES MN 56472

BERG, JEREMY & CARLSON, JESSICA
3145 CENTRAL ST
JENKINS MN 56474

ENGELS, TODD M
1407 64TH ST SW
PEQUOT LAKES MN 56472

ENGELS, TODD M
1407 64TH ST SW
PEQUOT LAKES MN 56472

ENGELS, TODD M
1407 64TH ST SW
PEQUOT LAKES MN 56472

ENGELS, TODD M
1407 64TH ST SW
PEQUOT LAKES MN 56472

KELSEY, MAY
3110 PINE TREE ST
JENKINS, MN 56474

ENGELS, TODD M
1407 64TH ST SW
PEQUOT LAKES MN 56472

KELSEY, MAY
3110 PINE TREE ST
JENKINS, MN 56474

ENGELS, TODD M
1407 64TH ST SW
PEQUOT LAKES MN 56472

KELSEY, MAY
3110 PINE TREE ST
JENKINS, MN 56474

ENGELS, TODD M
1407 64TH ST SW
PEQUOT LAKES MN 56472

BUCHITE, MARK & BUCHITE, IVANNA FAM TRST
4781 12TH AVE SW
PINE RIVER MN 56474

CITY OF JENKINS
KRISTA OKERMAN CITY CLERK
33861 COTTAGE AVE JENKINS, MN 56456

BUCHITE, MARK & BUCHITE, IVANNA FAM TRST
4781 12TH AVE SW
PINE RIVER MN 56474

CITY OF JENKINS
KRISTA OKERMAN CITY CLERK
33861 COTTAGE AVE JENKINS, MN 56456

BUCHITE, MARK A & IVANNA
4781 12TH AVE SW
PINE RIVER, MN 56474

CITY OF JENKINS
KRISTA OKERMAN CITY CLERK
33861 COTTAGE AVE JENKINS, MN 56456

BERG, JEREMY & CARLSON, JESSICA
3145 CENTRAL ST
JENKINS MN 56474

CITY OF JENKINS
KRISTA OKERMAN CITY CLERK
33861 COTTAGE AVE JENKINS, MN 56456

DALLMAN, DAVID D & JILL R
3010 PINE TREE ST
PINE RIVER, MN 56474

CITY OF JENKINS
KRISTA OKERMAN CITY CLERK
33861 COTTAGE AVE JENKINS, MN 56456

DALLMAN, DAVID D & JILL R
3010 PINE TREE ST
PINE RIVER, MN 56474

MCALLISTER, STEVEN B
3171 PINE TREE ST
JENKINS, MN 56474

WITTE, JEFFERY & JEAN
20620 S SHALLOW LAKE RD
WARBA MN 55793

MCALLISTER, STEVEN B
3171 PINE TREE ST
JENKINS, MN 56474

FROEMMING, FALLON K & BRENT C MOSE
PO BOX 543
PEQUOT LAKES, MN 56472

DICKEY, BRUCE & SANDRA & JAMES B
33551 SUMMER AVE
PINE RIVER, MN 56474

WOLKENHAUER PROPERTIES LLC
C/O JASON WOLKENHAUER
4688 MOREHOUSE DR PEQUOT LAKES MN 56472

WOLKENHAUER PROPERTIES LLC
C/O JASON WOLKENHAUER
4688 MOREHOUSE DR PEQUOT LAKES MN 56472

DICKEY, BRUCE & SANDRA & JAMES B
33551 SUMMER AVE
PINE RIVER, MN 56474

JENKINS, CITY OF
33861 COTTAGE AVE
JENKINS MN 56474

CITY OF JENKINS
KRISTA OKERMAN CITY CLERK
33861 COTTAGE AVE JENKINS, MN 56456

STOCKMAN, BRADLEY H & NANCY S
36496 LILY PAD POINT
PINE RIVER, MN 56474

STOCKMAN, MOLLY S
36496 LILY PAD PT
PINE RIVER MN 56474

BRUNES, BARBARA A REV TRUST AGR
35810 COUNTY RD 15
PINE RIVER MN 56474

PEDERSEN, GLENN ALAN
35456 COUNTY ROAD 15
JENKINS MN 56474

BRUNES, BARBARA A REV TRUST AGR
35810 COUNTY RD 15
PINE RIVER MN 56474

SEELYE, KIMBERLY ANN & JERRY M
35918 COUNTY ROAD 15
PINE RIVER, MN 56474

SEELYE, KIMBERLY ANN & JERRY M
35918 COUNTY ROAD 15
PINE RIVER, MN 56474

BOHALL, ALLEN L & TINA
PO BOX 26
PEQUOT LAKES MN 56472

ROUBAL, SANDRA
35960 COUNTY ROAD 15
PINE RIVER MN 56474

WALTON, LEO & TAMMI
35810 COUNTY ROAD 15
PINE RIVER MN 56474

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

TURNER, MARK A
8704 COLES WAY
BRAINERD, MN 56401

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

ENGELS, TODD M
1407 64TH ST SW
PEQUOT LAKES MN 56472

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

GOTCHYA PROPERTIES LLC
6019 SUGARBUSH TRL
BRAINERD MN 56401

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

RENDRAG HOLDINGS LLC
3964 MCGILL ST
PEQUOT LAKES MN 56472

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

HOAGLAND, JEFFREY J &
JENNIFER A CLEMONS HOAGLAND
33482 SUMMER AVE PINE RIVER, MN 56474

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

COSTELLO, MATTHEW & RONDA
5428 KNOX AVE
BILLINGS MT 59106

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

HOAGLAND, JEFFREY J &
JENNIFER A CLEMONS HOAGLAND
33482 SUMMER AVE PINE RIVER, MN 56474

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

SNARKY LOON BREWING COMPANY LLC
32335 NORTHWOODS LN
PEQUOT LAKES MN 56472

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

DALBEC, BRUCE B TRUST (1/2 INT)
40 CONGRESS ST
MAPLE LAKE MN 55358

TIETZ, ROGER & LEISHA
7948 GOLF ESTATES DR
PEQUOT LAKES, MN 56472

SCM LLC
33740 STATE HIGHWAY 371
PEQUOT LAKES MN 56472

LOCKWOOD, DUSTIN
6206 NORTH SLUETTER RD
PEQUOT LAKES MN 56472

STATE OF MINNESOTA DNR-REAL ESTATE MGMT
500 LAFAYETTE RD BOX 45
SAINT PAUL MN 55155

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

DICKEY, BRUCE G & SANDRA K
33551 SUMMER AVE
PINE RIVER, MN 56474

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PO BOX 899
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33551 SUMMER AVE
PINE RIVER, MN 56474

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

DICKEY, BRUCE G & SANDRA K
33551 SUMMER AVE
PINE RIVER, MN 56474

GLASER, ANTHONY & LEAH
33734 SUMMER AVE
PINE RIVER, MN 56474

ANDERSON, RICHARD & MELODY
33623 SUMMER AVENUE
JENKINS, MN 56474

ROSDOBUTKO, JOHN JAMES &
33455 SUMMER AVE S
JENKINS MN 56474

DICKEY, BRUCE & SANDRA & JAMES B
33551 SUMMER AVE
PINE RIVER, MN 56474

HOAGLAND, JEFFREY J &
JENNIFER A CLEMONS HOAGLAND
33482 SUMMER AVE PINE RIVER, MN 56474

WOLKENHAUER PROPERTIES LLC
C/O JASON WOLKENHAUER
4688 MOREHOUSE DR PEQUOT LAKES MN 56472

WATT, WILLIAM W JR
3183 LILAC ST W APT 5
JENKINS MN 56474

WOLLE, JEFFERY E
33590 SUMMER AVE
PINE RIVER, MN 56474-2045

FERGUSON, JOEL A
33556 SUMMER AVE
PINE RIVER, MN 56474

DICKEY, BRUCE G & SANDRA K
33551 SUMMER AVE
PINE RIVER, MN 56474

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

DICKEY, BRUCE & SANDRA & JAMES B
33551 SUMMER AVE
PINE RIVER, MN 56474

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

WOLKENHAUER PROPERTIES LLC
C/O JASON WOLKENHAUER
4688 MOREHOUSE DR PEQUOT LAKES MN 56472

QUEST LAND COMPANY LLC
PO BOX 899
PEQUOT LAKES MN 56472

WOLKENHAUER PROPERTIES LLC
C/O JASON WOLKENHAUER
4688 MOREHOUSE DR PEQUOT LAKES MN 56472

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33734 SUMMER AVE
PINE RIVER, MN 56474

DICKEY, BRUCE & SANDRA & JAMES B
33551 SUMMER AVE
PINE RIVER, MN 56474

GLASER, ANTHONY & LEAH
33734 SUMMER AVE
PINE RIVER, MN 56474

JENKINS, CITY OF
33861 COTTAGE AVE
JENKINS MN 56474

WOLLE, JEFFERY E
33590 SUMMER AVE
PINE RIVER, MN 56474-2045

CITY OF JENKINS
KRISTA OKERMAN CITY CLERK
33861 COTTAGE AVE JENKINS, MN 56456

FERGUSON, JOEL A
33556 SUMMER AVE
PINE RIVER, MN 56474

DICKEY, BRUCE G & SANDRA K
33551 SUMMER AVE
PINE RIVER, MN 56474

DICKEY, BRUCE G & SANDRA K
33551 SUMMER AVE
PINE RIVER, MN 56474

ANDERSON, RICHARD & MELODY
33623 SUMMER AVENUE
JENKINS, MN 56474

**ORDINANCE NO. O-26-48
CITY OF JENKINS
CROW WING COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING THE CITY OF JENKINS ZONING DISTRICT MAP
OF THE JENKINS CITY CODE OF ORDINANCES**

THE CITY COUNCIL OF THE CITY OF JENKINS DOES ORDAIN THAT:

THE ZONING MAP OF THE CITY OF JENKINS IS PART OF THE CITY'S ZONING ORDINANCE AND MAY BE AMENDED FROM TIME TO TIME BY ORDINANCE; AND

WHEREAS, THE CITY OF JENKINS HAS INITIATED A CHANGE TO THE ZONING MAP TO CORRECT OUTDATED ZONING CLASSIFICATIONS AND IMPROVE CONSISTENCY WITH THE CITY'S COMPREHENSIVE PLAN AND FUTURE LAND USE GOALS; AND

WHEREAS, THE JENKINS PLANNING COMMISSION HAS REVIEWED THE PROPOSED ZONING MAP CHANGES, HELD A PUBLIC HEARING ON MARCH 2, 2026, AND MADE A RECOMMENDATION TO THE CITY COUNCIL; AND

WHEREAS, THE CITY COUNCIL FINDS THE PROPOSED ZONING MAP AMENDMENT TO BE IN THE BEST INTEREST OF THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JENKINS, MINNESOTA:

SECTION 1. ZONING MAP AMENDMENT

THE OFFICIAL ZONING MAP OF THE CITY OF JENKINS IS AMENDED AS FOLLOWS:

PARCEL ID	CURRENT ZONING	NEW ZONING
26220556	RR / A	A
26340692	RR / R-1	RR
26340687	RR / R-1	RR
26340518	A / R-1	R-1
26340700	RR	PUBLIC (P)
26340702	RR	PUBLIC (P)

SECTION 2. EFFECTIVE DATE

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON ITS PASSAGE AND PUBLICATION ACCORDING TO LAW.

PASSED BY THE CITY COUNCIL OF THE CITY OF JENKINS, MINNESOTA, THIS ____ DAY OF _____, 20__.

ANDREW J. RUDLANG, MAYOR

ATTESTED:

CASSANDRA M. DELOUGHERTY, CITY CLERK-TREASURER



REPORT TO PLANNING COMMISSION

Prepared by: Cassandra Delougherty
Date: February 25th, 2026
Subject: Proposed Amendment to City Code Chapter §150.038 *Land Use Matrix*

Report: On February 17, 2026, the Minnesota Office of Cannabis Management (OCM) notified the City that a Lower-Potency Hemp Edible Retailer (LPHE Retailer) license was issued within Jenkins city limits. Under Minnesota Statutes §342.22: LPHE retailers must obtain local retail registration from the municipality (unless delivery-only). Municipalities may not limit the number of LPHE retail registrations. LPHE retailers are legally **distinct** from Cannabis Retail Businesses.

Current City Code Chapter 113 – Cannabis Regulations defines and regulates Lower-Potency Hemp Edible Retailers. Separately defines Cannabis Retail Businesses and statutory definition of Cannabis Retail Businesses excludes LPHE retailers. Chapter §150.038 – Land Use Matrix does not contain a specific line item for Lower-Potency Hemp Edible Retailers. Because LPHE retailers are excluded from the statutory definition of Cannabis Retail Businesses, they are not clearly covered under the existing “Cannabis Retail” land use category in §150.038. Without a specific listing in the Land Use Matrix zoning authority may be unclear.

This amendment would ensure consistency with Minnesota Statutes Chapter 342, align zoning with Chapter 113 definitions, provide legal clarity and defensibility, and establish clear administrative standards for local retail registration for LPHE retailers. To maintain consistency, the zoning designation should mirror Council’s intent and align with existing cannabis-related retail classifications.

Reminder-per the OCM- Initial retail registration fee shall not exceed \$500 or half of the amount of an initial state license fee under Minn. Stat. 342.11, whichever is less.

Any renewal retail registration fee imposed by the City shall be charged at the time of the second renewal and each subsequent renewal thereafter. A renewal retail registration fee shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. 342.11, whichever is less.

Per MN Statute 342.11(13) fees for a lower-potency hemp edible retailer are as follows:

(i) an application fee of \$250 or, if the lower-potency hemp retailer operates more than one retail location, \$250 per retail location; (ii) an initial license fee of \$250 or, if the lower-potency hemp retailer operates more than one retail location, \$250 per retail location; and (iii) a renewal license fee of \$250 or, if the lower-potency hemp retailer operates more than one retail location, \$250 per retail location.

At the February 24th, 2026 City Council meeting, the City Council authorized staff to prepare and submit notice for a Public Hearing to take place at the April 6th, 2026 Planning Commission Meeting to consider a recommendation of amending City Code Chapter §150.038 – Land Use Matrix to add: “Lower-Potency Hemp Edible Retailer” as a separate land use classification and amend the fee schedule to align with the requirements of Minn. Stat. 342.11.

Requested Action: Please review the attached amendment and discuss. If requesting further action from staff on this matter, please provide direction.

ORDINANCE NO. O-26-49
CITY OF JENKINS
CROW WING COUNTY, MINNESOTA
AMENDING TITLE XV, "LAND USAGE,"
CHAPTER 150, "LAND USE AND SUBDIVISIONS,"
SUBSECTION 150.038 "LAND USE MATRIX"
OF THE JENKINS CITY CODE OF ORDINANCES

THE CITY COUNCIL OF THE CITY OF JENKINS DOES ORDAIN THAT:

SECTION 1 The Jenkins City Code of Ordinances, Title XV –Land Usage, Chapter 150 – Land Use and Subdivisions, Section 150.038 Land Use Matrix is hereby amended to insert alphabetically into the existing table the following uses, as follows:

<i>Use</i>	<i>AG</i>	<i>RR</i>	<i>R-1</i>	<i>R-2</i>	<i>RS</i>	<i>P</i>	<i>C-1</i>	<i>C-2</i>	<i>I-1</i>
Low-Potency Hemp Edible Retailer	E	E	E	E	E	E	P	P	E

Notes to table:

A - Allowed without a permit P - Permit required C - Conditional use
 I - Interim E - Excluded AC - Accessory use

SECTION 2. The City of Jenkins Fee Schedule in effect as of the date hereof and adopted by ordinance be amended to include Low-Potency Hemp Edible Retail Registration and Renewal Fees, attached hereto and incorporated herein by reference as exhibit A.

SECTION 3. This ordinance shall take effect following its passage and publication.

Passed by the City Council of the City of Jenkins, Minnesota, this ____ day of _____, 20__.

 Andrew J. Rudlang, Mayor

Attested:

 Cassandra M. Delougherty, City Clerk-Treasurer

EXHIBIT A

FEES

Low-Potency Hemp Edible Retailer Initial Registration fee..... \$125.00

Low-Potency Hemp Edible Retailer Renewal Fee..... \$125.00



AGENDA ITEM #

10a

REPORT TO PLANNING COMMISSION

PREPARED BY: CASSANDRA DELOUGHERTY
DATE: FEBRUARY 25TH, 2026
SUBJECT: HIGHWAY BUSINESS ZONING DISTRICT SCREENING REQUIREMENTS

REPORT: THE HIGHWAY BUSINESS (C-2) DISTRICT IS INTENDED TO ACCOMMODATE A WIDE RANGE OF COMMERCIAL AND SERVICE-ORIENTED USES THAT RELY ON HIGHWAY VISIBILITY AND ACCESS. WHILE THE DISTRICT SERVES AN IMPORTANT ECONOMIC FUNCTION, IT OFTEN ABUTS RESIDENTIAL AREAS, PUBLIC RIGHTS-OF-WAY, OR OTHER SENSITIVE LAND USES THAT MAY REQUIRE VISUAL BUFFERING OR SCREENING.

THE CITY'S CURRENT ORDINANCE INCLUDES FIXED AND UNIFORM SCREENING REQUIREMENTS FOR CERTAIN USES WITHIN THE C-2 DISTRICT. WHILE WELL-INTENDED, THESE STANDARDS HAVE PROVEN TO BE:

- OVERLY RESTRICTIVE IN SOME SITUATIONS,
DIFFICULT TO APPLY CONSISTENTLY ACROSS VARYING SITE CONDITIONS, AND
LIMITING TO BOTH APPLICANTS AND THE PLANNING COMMISSION WHEN REVIEWING CONDITIONAL USE PERMIT REQUESTS.

EXISTING ORDINANCE LANGUAGE:

THE CURRENT LAND USE AND SUBDIVISION REGULATIONS INCLUDE THE FOLLOWING SCREENING REQUIREMENTS FOR THE HIGHWAY BUSINESS (C-2) DISTRICT, AS FOUND IN CITY CODE §150.033

Table with 2 columns: Landscaping, Landscaping is required in the front and side yards at least 25 feet in width and on a minimum of 25% of the developed lot

(6) SCREENING. ALL SITES SHALL BE HEAVILY LANDSCAPED TO PROVIDE 100% SCREENING TO ADJACENT RESIDENTIAL PARCELS AND OVER 50% SCREENING FROM THE ROAD OR ANY NON-RESIDENTIAL PARCEL. PERCENTAGES SHALL BE DETERMINED BY AMOUNT OF STRUCTURE THAT CAN BE SEEN DURING LEAF-ON CONDITIONS. A LANDSCAPING AND SCREENING PLAN MUST BE SUBMITTED AND APPROVED BY THE PLANNING COMMISSION WITH EACH CONDITIONAL USE PERMIT.

THIS LANGUAGE ESTABLISHES MANDATORY SCREENING TYPES, LOCATIONS, AND DIMENSIONS, REGARDLESS OF THE SPECIFIC CHARACTERISTICS OF THE PROPOSED USE, LOT CONFIGURATION, OR SURROUNDING DEVELOPMENT.

ISSUES WITH CURRENT LANGUAGE

STAFF HAS IDENTIFIED SEVERAL LIMITATIONS WITH THE EXISTING ORDINANCE LANGUAGE:

- 1. LACK OF FLEXIBILITY
THE ORDINANCE REQUIRES THE SAME SCREENING SOLUTION FOR ALL APPLICABLE USES, REGARDLESS OF SCALE, INTENSITY, OR PROXIMITY TO ADJACENT PROPERTIES.
2. SITE CONSTRAINTS
SOME PROPERTIES IN THE C-2 DISTRICT HAVE LIMITED LOT DEPTH, IRREGULAR SHAPES, OR EXISTING DEVELOPMENT PATTERNS THAT MAKE STRICT COMPLIANCE IMPRACTICAL OR UNNECESSARY.
3. INCONSISTENT OUTCOMES
THE RIGID STANDARDS DO NOT ALLOW THE PLANNING COMMISSION TO TAILOR SCREENING REQUIREMENTS TO MITIGATE ACTUAL IMPACTS, RESULTING IN EITHER OVER-SCREENING OR INSUFFICIENT BUFFERING IN SOME CASES.
4. CONDITIONAL USE PERMIT REVIEW LIMITATIONS



AGENDA ITEM

THE PLANNING COMMISSION'S ABILITY TO APPLY REASONABLE CONDITIONS DURING CUP REVIEW IS CONSTRAINED BY ORDINANCE LANGUAGE THAT ALREADY PRESCRIBES SCREENING REQUIREMENTS.

EXAMPLES OF APPLICATION CHALLENGES

THE FOLLOWING EXAMPLES ILLUSTRATE HOW THE CURRENT SCREENING LANGUAGE CAN BE PROBLEMATIC:

EXAMPLE 1: A SMALL-SCALE SEASONAL BUSINESS ADJACENT TO A HIGHWAY BUT NOT VISIBLE FROM NEARBY RESIDENTIAL PROPERTY IS STILL REQUIRED TO INSTALL FULL SCREENING, EVEN WHEN IMPACTS ARE MINIMAL.

EXAMPLE 2: A REDEVELOPMENT PROJECT ON A SHALLOW LOT CANNOT MEET THE REQUIRED SCREENING WIDTH WITHOUT SIGNIFICANTLY REDUCING USABLE SITE AREA.

EXAMPLE 3: A USE THAT OPERATES PRIMARILY INDOORS WITH LIMITED OUTDOOR ACTIVITY IS SUBJECT TO THE SAME SCREENING REQUIREMENTS AS HIGHER-IMPACT USES.

IN EACH CASE, GREATER DISCRETION WOULD ALLOW THE PLANNING COMMISSION TO REQUIRE SCREENING THAT IS PROPORTIONAL AND APPROPRIATE.

STAFF BELIEVES THAT ALLOWING THE PLANNING COMMISSION DISCRETION TO REQUIRE SCREENING BASED ON SITE-SPECIFIC IMPACTS WILL BETTER SERVE THE CITY'S GOALS OF FLEXIBILITY, AESTHETICS, AND COMPATIBILITY BETWEEN LAND USES.

PROPOSED ORDINANCE AMENDMENT

STAFF RECOMMENDS REPLACING THE EXISTING PRESCRIPTIVE SCREENING LANGUAGE WITH THE FOLLOWING:

PROPOSED LANGUAGE:

"SCREENING IN THE HIGHWAY BUSINESS (C-2) DISTRICT MAY BE REQUIRED AS A CONDITION OF APPROVAL FOR CONDITIONAL USE PERMITS WHERE NECESSARY TO MITIGATE VISUAL, NOISE, OR OPERATIONAL IMPACTS ON ADJACENT PROPERTIES OR PUBLIC RIGHTS-OF-WAY.

THE PLANNING COMMISSION MAY REQUIRE SCREENING IN THE FORM OF FENCING, WALLS, LANDSCAPING, OR A COMBINATION THEREOF. SCREENING REQUIREMENTS SHALL BE DETERMINED ON A CASE-BY-CASE BASIS AND SHALL BE REASONABLY RELATED TO THE NATURE OF THE PROPOSED USE, SITE CONDITIONS, AND SURROUNDING LAND USES."

THIS LANGUAGE MAINTAINS THE CITY'S ABILITY TO REQUIRE SCREENING WHILE ALLOWING FLEXIBILITY IN HOW AND WHEN IT IS APPLIED.

CONSISTENCY WITH CITY GOALS

THE PROPOSED AMENDMENT IS CONSISTENT WITH THE CITY'S PLANNING OBJECTIVES BY:

1. SUPPORTING ECONOMIC DEVELOPMENT AND REINVESTMENT IN THE HIGHWAY BUSINESS DISTRICT,
2. ALLOWING CONTEXT-SENSITIVE DESIGN SOLUTIONS,
3. ENHANCING COMPATIBILITY BETWEEN COMMERCIAL AND ADJACENT LAND USES, AND
4. PRESERVING THE PLANNING COMMISSION'S AUTHORITY TO IMPOSE REASONABLE AND ENFORCEABLE CONDITIONS.



AGENDA ITEM

OTHER AREA MUNICIPALITIES:

PEQUOT LAKES:

CHAPTER 17 – LAND USE (ZONING) AND SUBDIVISION REGULATIONS ARTICLE 6.

OVERLAY DISTRICTS AND DISTRICT PROVISIONS

SECTION 17-6.1 GENERAL

1. PURPOSE AND INTENT. TO ESTABLISH AND MAINTAIN DISTRICTS THAT OVERLAY EXISTING ZONING DISTRICTS TO BETTER MANAGE SIGNIFICANT AREAS WITH SPECIFIC NEEDS, SUCH AS ENCOURAGING GROWTH IN AREAS WITH EXISTING PUBLIC FACILITIES OR PRESERVING AREAS WITH VALUED RESOURCES AND AMENITIES. ALL SITES WITHIN AN OVERLAY DISTRICT SHALL CONTINUE TO BEAR THEIR ORIGINAL ZONING BUT WITH THE PROVISIONS OF THE OVERLAY DISTRICT APPENDED.

2. BOUNDARIES. THE BOUNDARIES ARE ESTABLISHED BASED ON DISTRICT-SPECIFIC CRITERIA AND MAY NOT BE ALIGNED WITH ROADS, LOT LINES, OR OTHER MAN-MADE BOUNDARIES. THE BOUNDARIES ARE DESIGNATED ON OVERLAY MAPS. OVERLAY MAPS ARE CONSIDERED PART OF THE OFFICIAL ZONING MAP AND ARE THEREFORE APPROVED AND AMENDED FOLLOWING PROCEDURES IN SECTION

3. PERMITS. NO SUBDIVISION, REZONING, RECONSTRUCTION, ALTERATION, OR ADDITION SHALL BE MADE TO ANY EXISTING STRUCTURE, NOR SHALL ANY ADDITIONAL STRUCTURE BE CONSTRUCTED UPON A SITE IN ANY OVERLAY DISTRICT, EXCEPT IN ACCORDANCE WITH THE PROVISIONS OF THE OVERLAY DISTRICT.

4. DISTRICTS. THE FOLLOWING OVERLAY DISTRICTS ARE HEREBY ESTABLISHED:

HIGHWAY 371 CORRIDOR OVERLAY DISTRICT

RECREATIONAL VEHICLE RESORT OVERLAY DISTRICT

EXTRACTIVE USE OVERLAY DISTRICT

GROW ZONE OVERLAY DISTRICT LARGE

RESORT OVERLAY ZONE BUSINESS

PARK INFILL ZONE

FLOODPLAIN MANAGEMENT OVERLAY DISTRICT

OFFSITE SIGN OVERLAY DISTRICT

RESIDENTIAL-GOLF COURSE COMMUNITY OVERLAY DISTRICT

5. SUPREMACY. IF A PROVISION OF AN OVERLAY DISTRICT CONFLICTS WITH A PROVISION OR PROVISIONS OF THE UNDERLYING ZONING DISTRICT, THE MORE RESTRICTIVE PROVISION SHALL APPLY.

SECTION 17-6.2 HIGHWAY 371 CORRIDOR OVERLAY DISTRICT (HWY)

1. PURPOSE AND INTENT. THE HIGHWAY 371 CORRIDOR (HI) OVERLAY DISTRICT IS INTENDED TO PROMOTE SAFE AND REASONABLE ACCESS TO HIGHWAY 371 FROM ABUTTING PROPERTIES AND ALSO MAINTAIN AND REQUIRE A BUFFER ZONE OF TREES AND SHRUBS TO PRESERVE THE NORTHWOODS ATMOSPHERE OF THIS AREA. THE INTENT IS TO PROMOTE SAFETY IN THE HIGHWAY CORRIDOR AND MAINTAIN THE AESTHETICS OF THE EXISTING FOREST AND WOODLANDS IN THE REGION WHILE ALLOWING

2. TREE REMOVAL. TREE REMOVAL PERMITS ARE REQUIRED FOR THE REMOVAL OF MORE THAN TEN (10) TREES OVER TWO INCHES (2") IN DIAMETER (AS MEASURED AT FOUR (4) FEET FROM THE BASE OF THE TREE) FROM CORRIDOR PROPERTY.

3. BUFFER ZONE VEGETATION. BUFFER ZONES REQUIRE PROVISION OF BOTH PHYSICAL SEPARATION AND LANDSCAPE ELEMENTS TO MEET THE INTENT OF THIS DISTRICT. EXISTING VEGETATION SHALL BE USED WHEREVER POSSIBLE. VEGETATION TO BE SAVED SHALL BE IDENTIFIED ON SITE PLANS



AGENDA ITEM

ALONG WITH PROTECTION MEASURES FOR EXISTING TREES. PLANTINGS SHALL CONSIST OF THE FOLLOWING:

A. LARGE, INDIGENOUS TREES WITH A MINIMUM SIZE OF 1.5 CALIPER AT PLANTING ARE REQUIRED. LARGE TREES ARE THOSE WITH A MATURE HEIGHT OF THIRTY (30) FEET OR GREATER AND A MATURE SPREAD OF THIRTY (30) FEET OR GREATER. OF THESE, TWENTY-FIVE PERCENT (25%) MUST BE EVERGREEN TREES WHICH ARE DESCRIBED AS TREES HAVING GREEN FOLIAGE THROUGHOUT ALL SEASONS OF THE YEAR IN THE PEQUOT LAKES REGION.

B. SMALL, INDIGENOUS TREES/LARGE INDIGENOUS SHRUBS ARE REQUIRED TO FULFILL FROM NO LESS THAN TWENTY PERCENT (20%) TO NO MORE THAN THIRTY PERCENT (30%) OF THE REQUIRED NUMBER OF TREES. SMALL TREES/LARGE SHRUBS ARE TREES OR SHRUBS WITH A MATURE HEIGHT OF TEN (10) TO THIRTY (30) FEET. THE MIX IS DESIGNED TO CREATE A BUFFER WHICH WILL GIVE A SATISFACTORY SCREEN WITHIN THREE TO FIVE YEARS OF PLANTING, UNDER NORMAL MAINTENANCE, WHILE ALLOWING ROOM FOR THE VARIOUS PLANTS TO GROW. TREES SHALL BE DISTRIBUTED ALONG THE ENTIRE LENGTH OF THE BUFFER. DUE TO UNIQUE CHARACTERISTICS OF A SITE, OR DESIGN OBJECTIVES, ALTERNATIVE PLANT MIXES MAY BE APPROVED. TREES SHALL NOT BE PRUNED TO REMOVE LOWER BRANCHES THAT WILL PROVIDE SCREENING.

4. THE FOLLOWING ARE THE REQUIRED BUFFER ZONES IN EACH UNDERLYING ZONING DISTRICT ALONG THE HIGHWAY 371 CORRIDOR DISTRICT:

A. COMMERCIAL DISTRICT. A MINIMUM OF ONE TREE PER EACH 200 SQUARE FEET OF PROPERTY FOR A DEPTH OF FIFTY (50) FEET FROM THE HIGHWAY 371 RIGHT-OF-WAY INTO THE DEVELOPMENT PROPERTY.

B. LIGHT INDUSTRIAL DISTRICT. A MINIMUM OF ONE TREE PER EACH 200 SQUARE FEET OF PROPERTY FOR A DEPTH OF FIFTY (50) FEET FROM THE HIGHWAY 371 RIGHT-OF-WAY INTO THE DEVELOPMENT PROPERTY.

C. FOREST MANAGEMENT DISTRICT. IF NO STRUCTURES EXIST, NO NEW SCREENING IS REQUIRED. WHEN PERMITTED STRUCTURES ARE PROPOSED TO BE BUILT, A MINIMUM OF ONE TREE FOR EVERY 200 SQUARE FEET OF PROPERTY FOR A DEPT OF TWENTY (20) FEET FROM THE HIGHWAY 371 RIGHT-OF-WAY INTO THE DEVELOPMENT PROPERTY IS REQUIRED.

D. AGRICULTURE DISTRICT. IF NO STRUCTURES EXIST, NO NEW SCREENING IS REQUIRED.

WHEN PERMITTED STRUCTURES ARE PROPOSED TO BE BUILT, A MINIMUM OF ONE TREE
E. RURAL RESIDENTIAL AND TRANSITION RESIDENTIAL DISTRICTS. A MINIMUM OF ONE TREE FOR EVERY 200 SQUARE FEET OF PROPERTY FOR A DEPTH OF TWENTY (20) FEET FROM THE HIGHWAY 371 RIGHT-OF-WAY INTO THE DEVELOPMENT PROPERTY.

5. HIGHWAY ACCESS. DUE TO THE HIGH LEVEL OF TRAFFIC CONGESTION AND CONCERN FOR SAFETY, ACCESS POINTS IN THE CORRIDOR DISTRICT WILL BE LIMITED ACCORDING TO THE PEQUOT LAKES COMPREHENSIVE PLAN AND OTHER ACCESS MANAGEMENT PLANS AS ADOPTED BY THE CITY. NO NEW ACCESS POINTS WILL BE PROVIDED TO HIGHWAY 371 BEYOND WHAT EXISTS AT THE TIME OF ADOPTION OF THIS ORDINANCE, A MINIMUM OF ONE PER EXISTING PARCEL.

NISSWA:

HIGHWAY BUSINESS DISTRICT (HB): THE HB DISTRICT ALLOWS AND ENCOURAGES COMMERCIAL DEVELOPMENT THAT PROVIDES SERVICES AND SHOPPING FACILITIES ADJACENT TO TRUNK HIGHWAY



AGENDA ITEM

371. THE CITY SHOULD ENCOURAGE OPEN SPACE DESIGN PRINCIPLES FOR COMMERCIAL PROJECTS WITHIN THIS DISTRICT.

THE PURPOSE AND INTENT OF THIS ARTICLE IS TO SUPPORT THE DEVELOPMENT OF COMMERCIAL AND COMMERCIAL/INDUSTRIAL DISTRICTS THAT WILL ACCOMMODATE A WIDE RANGE OF COMMERCIAL GOODS AND SERVICES AND MAINTAIN THE UP-NORTH CHARACTER OF THE AREA WITHOUT DEGRADING THE NATURAL RESOURCES AND TO:

- (1) PROMOTE BUSINESS PROPERTY BY ENHANCING THE APPEAL AND ATTRACTION OF THE COMMERCIAL AND COMMERCIAL/INDUSTRIAL DISTRICTS TO RESIDENTS, VISITORS AND TOURISTS WITH UNIFORM LOT WIDTH AND AREA, AND SETBACKS;
- (2) PROMOTE THE IMPROVEMENT OF APPEARANCE THROUGH GOOD LANDSCAPING EMPHASIZING NATURAL OCCURRING TREES FOR SCREENING;
- (3) ENCOURAGE LIGHTING THAT PROVIDES SAFETY, UTILITY, AND SECURITY WITHOUT GLARE ONTO PUBLIC ROADS, PRIVATE RESIDENCES, AND ATMOSPHERIC LIGHT POLLUTION;
- (4) MANAGE STORM WATER RUNOFF AND ITS ASSOCIATED EFFECTS AND TO PROVIDE FOR THE PROTECTION OF NATURAL AND ARTIFICIAL WATER STORAGE AND RETENTION AREAS, AND PUBLIC WATERS;
- (5) ALLEVIATE POTENTIAL TRAFFIC CONGESTION ON LOCAL STREETS AND ADJACENT HIGHWAYS BY THE PROVISION OF ADEQUATE OFF-STREET PARKING, TRAFFIC CIRCULATION PATTERNS AND ARRANGEMENT OF USES;
- (6) TREAT WASTEWATER TO PROTECT PUBLIC HEALTH AND SAFETY, AND TO PROTECT GROUND AND SURFACE WATER; AND
- (7) ESTABLISH REASONABLE REGULATION FOR DESIGN, CONSTRUCTION, INSTALLATION, AND MAINTENANCE OF ALL EXTERIOR SIGNS.

SEC 20-189 – SCREENING

(A) RESIDENTIAL AREAS: COMMERCIAL AND INDUSTRIAL USES SHALL BE SCREENED FROM RESIDENTIAL AREAS AND SHALL SCREEN THE BUSINESS ACTIVITY ON A COMMERCIAL PROPERTY FROM ADJACENT RESIDENTIAL AREAS. SCREENING SHALL BE PROVIDED WHERE A BUSINESS OR INDUSTRY IS ACROSS THE STREET FROM A RESIDENTIAL USE, BUT NOT ON ANY SIDE OF A BUSINESS OR INDUSTRY CONSIDERED TO BE THE FRONTAGE AS DETERMINED BY THE PLANNER, UNLESS SPECIFICALLY REQUIRED AS PART OF A CONDITIONAL USE PERMIT OR AS OTHERWISE REQUIRED BY THIS ORDINANCE. SCREENING SHALL BE EQUALLY EFFECTIVE IN THE WINTER AND SUMMER AND MAY BE ACCOMPLISHED BY THE USE OF ONE OR MORE OF THE FOLLOWING:

- (1) THE PLACEMENT OF THE BUILDING ON THE LOT OR THE PLACEMENT OF A BUILDING ON AN ADJACENT LOT.
- (2) THE USE OF BERMS AND LANDSCAPING.
- (3) PLANTING OF VEGETATIVE SCREENS.
- (4) CONSTRUCTION OF WALLS OR FENCES.
- (5) SCREENING DESIGN STANDARDS:
 - I. VEGETATIVE SCREENS SHALL CONSIST OF HEALTHY, HARDY PLANT MATERIALS THAT PROVIDE EFFECTIVE VISUAL SCREENING YEAR-ROUND.
 - II. A MINIMUM OF A 6-FOOT WALL OR FENCE MAY BE UTILIZED AS AN ALTERNATIVE TO VEGETATIVE SCREENING.
 - III. SCREENING AND FENCES SHALL BE MAINTAINED AND REPAIRED.
- (6) SCREENING BETWEEN ADJACENT COMMERCIAL USES.



AGENDA ITEM

I. NO SCREENING IS REQUIRED BETWEEN ADJACENT COMMERCIAL USES, UNLESS SPECIFICALLY REQUIRED AS PART OF A CONDITIONAL USE PERMIT OR AS OTHERWISE REQUIRED BY THIS ORDINANCE.

HIGHWAY BUSINESS DISTRICT (HB): THE HB DISTRICT ALLOWS AND ENCOURAGES COMMERCIAL DEVELOPMENT THAT PROVIDES SERVICES AND SHOPPING FACILITIES ADJACENT TO TRUNK HIGHWAY 371. THE CITY SHOULD ENCOURAGE OPEN SPACE DESIGN PRINCIPLES FOR COMMERCIAL PROJECTS WITHIN THIS DISTRICT.

(SUPP. NO. 1)

(A) THE PURPOSE AND INTENT OF THIS ARTICLE IS TO SUPPORT THE DEVELOPMENT OF COMMERCIAL AND COMMERCIAL/INDUSTRIAL DISTRICTS THAT WILL ACCOMMODATE A WIDE RANGE OF COMMERCIAL GOODS AND SERVICES AND MAINTAIN THE UP-NORTH CHARACTER OF THE AREA WITHOUT DEGRADING THE NATURAL RESOURCES AND TO:

(1) PROMOTE BUSINESS PROPERTY BY ENHANCING THE APPEAL AND ATTRACTION OF THE COMMERCIAL AND COMMERCIAL/INDUSTRIAL DISTRICTS TO RESIDENTS, VISITORS AND TOURISTS WITH UNIFORM LOT WIDTH AND AREA, AND SETBACKS;

(2) PROMOTE THE IMPROVEMENT OF APPEARANCE THROUGH GOOD LANDSCAPING EMPHASIZING NATURAL OCCURRING TREES FOR SCREENING;

(3) ENCOURAGE LIGHTING THAT PROVIDES SAFETY, UTILITY, AND SECURITY WITHOUT GLARE ONTO PUBLIC ROADS, PRIVATE RESIDENCES, AND ATMOSPHERIC LIGHT POLLUTION;

(4) MANAGE STORM WATER RUNOFF AND ITS ASSOCIATED EFFECTS AND TO PROVIDE FOR THE PROTECTION OF NATURAL AND ARTIFICIAL WATER STORAGE AND RETENTION AREAS, AND PUBLIC WATERS;

(5) ALLEVIATE POTENTIAL TRAFFIC CONGESTION ON LOCAL STREETS AND ADJACENT HIGHWAYS BY THE PROVISION OF ADEQUATE OFF-STREET PARKING, TRAFFIC CIRCULATION PATTERNS AND ARRANGEMENT OF USES;

(6) TREAT WASTEWATER TO PROTECT PUBLIC HEALTH AND SAFETY, AND TO PROTECT GROUND AND SURFACE WATER; AND

(7) ESTABLISH REASONABLE REGULATION FOR DESIGN, CONSTRUCTION, INSTALLATION, AND MAINTENANCE OF ALL EXTERIOR SIGNS.

(CODE 2016, § 4.8.2)

CASS COUNTY:

901.6 COMMERCIAL (C-1)

THE PURPOSE OF THIS DISTRICT IS TO PROVIDE ADEQUATE AREAS FOR GENERAL RETAIL, WHOLESALE, OFFICE, AND SERVICE ACTIVITIES LOCATED AS PERMITTED USES IN THE GROWTH AND DEVELOPMENT AREAS ADJACENT TO INCORPORATED MUNICIPALITIES. C-1 COMMERCIAL DISTRICTS SHALL BE LOCATED ALONG FEDERAL, STATE, OR COUNTY HIGHWAYS AND SHALL INCLUDE ALL THE PARCELS SO DESIGNATED

1112 GENERAL COMMERCIAL ACTIVITIES

IF A USE REQUIRES AN IUP OR A CUP, IT IS THE RESPONSIBILITY OF THE APPLICANT TO WORK WITH ESD PER SECTION 501 TO DETERMINE WHICH APPLICATION IS APPROPRIATE FOR THE PROPOSED USE.

1112.1 CONVENIENCE STORES - RETAIL/SERVICE

CONVENIENCE STORE, RETAIL, AND SERVICE USES SHALL REQUIRE A PERMIT IN C-1 AND A CUP IN C-2 AND COMPLY WITH THE FOLLOWING STANDARDS:



AGENDA ITEM

A. PUMP ISLANDS AND CANOPIES SHALL BE SET BACK A MINIMUM OF 50 FEET FROM THE ROAD RIGHT-OF-WAY.

B. WHEN ADJACENT TO RESIDENTIAL PROPERTY, THERE SHALL BE SCREENING PROVIDED. SCREENING SHALL BE AT LEAST SIX FEET IN HEIGHT, 80% OPAQUE YEAR-ROUND, AND OF NEUTRAL-COLORED MATERIAL AND/OR VEGETATION.

C. OUTDOOR LIGHTING SHALL BE SUFFICIENT TO PROTECT PUBLIC SAFETY; HOWEVER, IT SHALL BE DIRECTED AWAY FROM PROPERTY LINES AND RIGHTS-OF-WAY AND SHALL NOT CAST AN UNREASONABLE GLARE ON ADJACENT PROPERTIES AND ROADS.

D. ALL AREAS UTILIZED FOR THE STORAGE OF SOLID WASTE TRASH, DEBRIS, AND SIMILAR ITEMS SHALL BE FULLY SCREENED FROM ADJACENT PROPERTIES AND PUBLIC ROADS. ALL STRUCTURES AND GROUNDS SHALL BE MAINTAINED IN AN ORDERLY, CLEAN, AND SAFE MANNER.

E. THE STORAGE OF TIRES, BATTERIES AND OTHER ITEMS FOR SALE OUTSIDE THE BUILDING SHALL BE DISPLAYED IN SPECIALLY DESIGNATED RACKS AND CONTAINERS AND BE LIMITED TO AREAS AS DETERMINED BY CONDITIONS OF THE PERMIT OR CUP.

F. A MINIMUM OF FIVE OFF-STREET PARKING SPACES OR ONE OFF-STREET PARKING SPACE PER 250 SF OF THE GROSS RETAIL BUILDING FOOTPRINT, WHICHEVER IS MORE, SHALL BE PROVIDED.

G. ALL OFF-STREET PARKING AND LOADING AREAS SHALL BE LOCATED NOT LESS THAN 25 FEET FROM ANY RESIDENTIAL PROPERTY LINE.

1112.6 COMMERCIAL OUTDOOR STORAGE

COMMERCIAL OUTDOOR STORAGE SHALL REQUIRE A PERMIT IN C-1 AND C-2 AND AN IUP OR A CUP IN ALL OTHER ALLOWABLE ZONING DISTRICTS, AND COMPLY WITH THE FOLLOWING STANDARDS:

A. THE OUTDOOR STORAGE USE SHALL BE ACCESSORY TO A HOME OCCUPATION, HOME BUSINESS, AGRICULTURALLY ORIENTED BUSINESS, OR COMMERCIAL USE.

B. OUTDOOR STORAGE AREAS SHALL MEET ALL SETBACK REQUIREMENTS, SECTION 1129.1.

C. THE GROUNDS AND ANY STRUCTURES SHALL BE MAINTAINED IN A CLEAN, ORDERLY, AND SAFE MANNER.

D. HAZARDOUS MATERIALS CANNOT BE STORED IN AN OPEN AND OUTDOOR STORAGE AREA.

E. THE STORAGE AREA SHALL BE FENCED OR SCREENED FROM ADJACENT LAND USES AND PUBLIC ROADWAYS. SCREENING SHALL BE AT LEAST 8 FEET IN HEIGHT, 80% OPAQUE YEAR-ROUND, AND OF NEUTRAL-COLORED MATERIAL AND/OR VEGETATION.

SEMI-TRAILERS, RAILROAD CARS, MANUFACTURED HOUSES, SHIPPING CONTAINERS, OR SIMILAR STRUCTURES SHALL NOT BE USED FOR STORAGE UNLESS APPROPRIATE.

BAGLEY:

SECTION 905. SCREENING

SCREENING SHALL BE REQUIRED IN ALL R -1 ZONES UNDER THE FOLLOWING CONDITIONS:

1. ANY OFF-STREET PARKING AREA CONTAINING MORE THAN SIX (6) PARKING SPACES AND WHICH IS LOCATED WITHIN THIRTY (30) FEET OF AN ADJACENT RESIDENTIAL PROPERTY.

2. WHERE THE DRIVEWAY TO A PARKING AREA CONTAINING MORE THAN SIX (6) PARKING SPACES IS LOCATED WITHIN FIFTEEN (15) FEET OF AN ADJACENT RESIDENTIAL PROPERTY.

WHERE ANY COMMERCIAL OR INDUSTRIAL USE IS ADJACENT TO OR WITHIN ONE HUNDRED (100) FEET OF PROPERTY ZONED FOR RESIDENTIAL USE, THAT BUSINESS OR INDUSTRY SHALL PROVIDE SCREENING ALONG THE BOUNDARY WITH THE RESIDENTIAL PROPERTY. SCREENING SHALL ALSO BE PROVIDED WHERE A COMMERCIAL OR INDUSTRIAL USE IS ACROSS THE STREET FROM A RESIDENTIAL ZONE, BUT NOT



AGENDA ITEM

ON THAT SIDE OF SUCH BUSINESS OR INDUSTRY GENERALLY CONSIDERED TO BE THE FRONT. THE SCREENING SHALL CONSIST OF A FENCE OR APPROVED PLANTING NOT LESS THAN FIVE (5) FEET HIGH AND WHICH BLOCKS DIRECT VISION. SUCH SCREENING SHALL NOT EXTEND TO WITHIN FIFTEEN (15) FEET OF ANY PUBLIC STREET RIGHT-OF-WAY. LANDSCAPING BETWEEN THE SCREENING AND THE PAVEMENT SHALL BE REQUIRED. ALL SCREENING REQUIREMENTS PRESCRIBED BY THIS ORDINANCE SHALL APPLY TO EXISTING USES AS WELL AS NEW DEVELOPMENT.

REQUESTED ACTION: STAFF REQUESTS THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF AMENDMENTS TO THE CITY'S LAND USE AND SUBDIVISION REGULATIONS RELATED TO SCREENING REQUIREMENTS IN THE HIGHWAY BUSINESS (C-2) DISTRICT. THE PROPOSED AMENDMENT WOULD REVISE EXISTING PRESCRIPTIVE SCREENING STANDARDS AND REPLACE THEM WITH MORE FLEXIBLE LANGUAGE THAT ALLOWS THE PLANNING COMMISSION TO IMPOSE SITE-SPECIFIC SCREENING CONDITIONS ON INDIVIDUAL CONDITIONAL USE PERMIT (CUP) APPLICATIONS.