

REGULAR MEETING DATE CHANGED
FROM MONDAY, APRIL 6TH, 2026 TO
TUESDAY, APRIL 7TH, 2026 AT ITS
REGULAR MEETING PLACE & TIME



Regular Planning Commission Meeting & Public Hearings* Agenda

Tuesday, April 7th, 2026 @ 6:00 PM

Chair: Simon Stricker

City Clerk: Cassandra Delougherty

Commission:

City Attorney: Joe Langel

Joby Goerges

***Public Hearings Include:**

Roman Siltman

Ord Amend O-26-49 identifying Lower-Potency

Victor Prociuk

Hemp Edible Retailers in the Land Use Matrix

Corey Derksen

Side-yard Setback Variance Request Application- PID26250513

ATV/UTV Dealer License Conditional Use Permit Application-PID2640557

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 March 2nd, 2026 Planning Commission Meeting & Public Hearing for Ord. Amndmt O-26-48
4. Public Hearing:
 - a. Side-Yard Setback Variance Request- 2869 Half Mile Rd.
 - i. Open hearing for public comment
 - ii. Close public hearing
 - iii. Planning Commission deliberation
 - iv. Planning Commission action
 - b. Conditional Use Permit Application-ATV/UTV Dealer's License 33754 Charles Ave.
 - i. Open hearing for public comment
 - ii. Close public hearing
 - iii. Planning Commission deliberation
 - iv. Planning Commission action
 - c. O-26-49 Land Use Matrix: Lower-Potency Hemp Edible Retailer
 - i. Open hearing for public comment
 - ii. Close public hearing
 - iii. Planning Commission deliberation
 - iv. Planning Commission action
5. New Business
 - a. Review of Zoning District Setback Requirements
6. Unfinished Business
 - a. Proposed Amendment to Highway Business (C-2) Zoning District Screening Requirements for TH371
 - b. Nathan Lange, Northland CUP
7. Miscellaneous/Communication
 - a. Zoning Administrator's Report
8. Adjournment

MARCH 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 GOERGES, SILTMAN, PROCIUK, AND DERKSEN WERE PRESENT.

APPROVAL

THE COMMISSION REVIEWED THE AGENDA AND THE MINUTES FROM THE FEBRUARY 2ND, 2026 MEETING.

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

PUBLIC HEARING

O-26-48 CITY-INITIATED REZONES

CLERK DELOUGHERTY EXPLAINED THAT THE CITY-INITIATED REZONING ORDINANCE WAS DESIGNED TO UPDATE THE ZONING MAP TO REFLECT CHANGES THAT HAD ALREADY BEEN PREVIOUSLY APPROVED. THE REZONING CONSOLIDATES DISTRICTS INTO PARCELS THAT PREVIOUSLY LACKED PROPER ZONING DESIGNATIONS, ESSENTIALLY CLEANING UP MAPPING INCONSISTENCIES RATHER THAN INITIATING NEW CHANGES.

THE PUBLIC HEARING WAS OPENED FOR COMMENT AT 6:05PM. WITH NO PUBLIC COMMENTS RECEIVED, THE HEARING WAS CLOSED AT 6:05PM.

PLANNING COMMISSIONERS FOUND THE PROPOSAL REASONABLE AS IT MERELY FORMALIZED EXISTING CONDITIONS THAT HAD ALREADY BEEN APPROVED THROUGH PREVIOUS PROCESSES.

MOTION: COMMISSIONER GOERGES MADE A MOTION TO RECOMMEND APPROVAL ORDINANCE O-26-48 FOR CITY-INITIATED REZONES. COMMISSIONER PROCIUK SECONDED. MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

PROPOSED ORD. AMNDMT O-26-49 LAND USE MATRIX- LOWER-POTENCY HEMP EDIBLE RETAILER

CLERK DELOUGHERTY EXPLAINED THAT THE MINNESOTA OFFICE OF CANNABIS MANAGEMENT HAD NOTIFIED THE CITY THAT A LOWER-POTENCY HEMP EDIBLE RETAILER LICENSE WAS ISSUED WITHIN CITY LIMITS. THE CITY'S CURRENT LAND USE MATRIX FAILED TO SPECIFICALLY LIST THIS USE CATEGORY, CREATING A GAP IN ZONING COMPLIANCE REQUIREMENTS. THE AMENDMENT WOULD

ADD THIS USE TO COMMERCIAL 1 AND COMMERCIAL 2 DISTRICTS AS A PERMITTED USE, ALLOWING THE CITY TO ENSURE ZONING COMPLIANCE FOR EXISTING STATE-LICENSED RETAILERS.

COMMISSIONERS DISCUSSED THE DISTINCTION BETWEEN LOWER-POTENCY HEMP EDIBLES (LIKE THOSE SOLD IN GAS STATIONS AND GROCERY STORES) AND FULL CANNABIS RETAIL OPERATIONS, NOTING THIS ADDRESSES A SPECIFIC REGULATORY GAP RATHER THAN EXPANDING CANNABIS PERMISSIONS.

MOTION: COMMISSIONER GOERGES MADE A MOTION TO RECOMMEND MOVING FORWARD WITH PUBLIC HEARING FOR AMENDMENT O-26-49. COMMISSIONER PROCIUK SECONDED. MOTION PASSED UNANIMOUSLY.

UNFINISHED BUSINESS

HIGHWAY BUSINESS ZONING DISTRICT SCREENING REQUIREMENTS FOR TH371

CLERK DELOUGHERTY PRESENTED RESEARCH COMPARING JENKINS' SCREENING REQUIREMENTS TO OTHER CITIES WITH SIMILAR HIGHWAY COMMERCIAL DISTRICTS. THE CURRENT ORDINANCE REQUIRES 50% SCREENING FROM HIGHWAY FRONTAGE, WHICH COMMISSIONERS FOUND OVERLY RESTRICTIVE FOR RETAIL BUSINESSES SEEKING HIGHWAY VISIBILITY.

AFTER EXTENSIVE DISCUSSION, COMMISSIONERS AGREED THAT SCREENING REQUIREMENTS SHOULD BE DETERMINED CASE-BY-CASE THROUGH CONDITIONAL USE PERMITS, WITH MANDATORY SCREENING WHERE COMMERCIAL PROPERTIES ADJACENT TO RESIDENTIAL AREAS.

DELOUGHERTY WILL PREPARE REVISED ORDINANCE LANGUAGE FOR THE NEXT MEETING EMPHASIZING FLEXIBILITY WHILE PROTECTING RESIDENTIAL NEIGHBORS.

NATHAN LANGE, NORTHLAND CUP-VERBAL UPDATE

CLERK DELOUGHERTY AND COMMISSIONER SILTMAN REPORTED ON THE SITE VISIT TO LANGE'S PROPERTY, NOTING SIGNIFICANTLY MORE OPEN STORAGE THAN ORIGINALLY APPROVED AND NEW COMMERCIAL USES REQUIRING CONDITIONAL USE PERMITS. THE PRIMARY CONCERN INVOLVES SEPTIC SYSTEM CAPACITY FOR THE DETAIL SHOP OPERATIONS, WHICH MAY REQUIRE DIFFERENT TREATMENT SYSTEMS FOR COMMERCIAL WASHING ACTIVITIES. LANGE MUST VERIFY WITH THE ORIGINAL SEPTIC DESIGNER THAT THE CURRENT SYSTEM MEETS REQUIREMENTS FOR THE EXPANDED COMMERCIAL USES BEFORE PROCEEDING WITH THE AMENDED CONDITIONAL USE PERMIT APPLICATION.

MISCELLANEOUS/COMMUNICATION

TAXPAYER-REQUESTED VARIANCE APP REVIEW AND DISCUSSION

TWO SKETCH PLAN REVIEWS WERE PRESENTED:

FIRST REQUEST: JEFF HANSON REQUESTED A 10-FOOT SIDE YARD SETBACK VARIANCE FOR A 36X40 GARAGE AT 2869 HALF MILE ROAD. DUE TO SEPTIC SYSTEM AND WELLHEAD LOCATIONS LIMITING PLACEMENT OPTIONS, COMMISSIONERS SUPPORTED MOVING FORWARD WITH A FORMAL VARIANCE APPLICATION.

SECOND REQUEST: DAVE ACKERMAN REQUESTED SETBACK VARIANCES FOR A 100X60 COMMERCIAL BUILDING WITH ATTACHED OFFICE. COMMISSIONERS SUPPORTED THE APPLICATION DESPITE TIGHT LOT CONSTRAINTS.

DELOUGHERTY ALSO REPORTED THAT WHITETAIL HOLLOWES COMMERCIAL LOTS HAVE BEEN PURCHASED, WITH TWO BUILDINGS PLANNED FOR 2026 AND ADDITIONAL DEVELOPMENT PHASES ANTICIPATED IN 2027.

ADJOURNMENT

***MOTION: COMMISSIONER GOERGES MADE A MOTION TO ADJOURN AT 7:21PM.
COMMISSIONER PROCIUK SECONDED. MOTION PASSED UNANIMOUSLY.***

RESPECTFULLY SUBMITTED THIS _____ DAY OF _____, 202__.

CASSANDRA M. DELOUGHERTY, CITY CLERK-TREASURER
ZONING ADMINISTRATOR

DRAFT



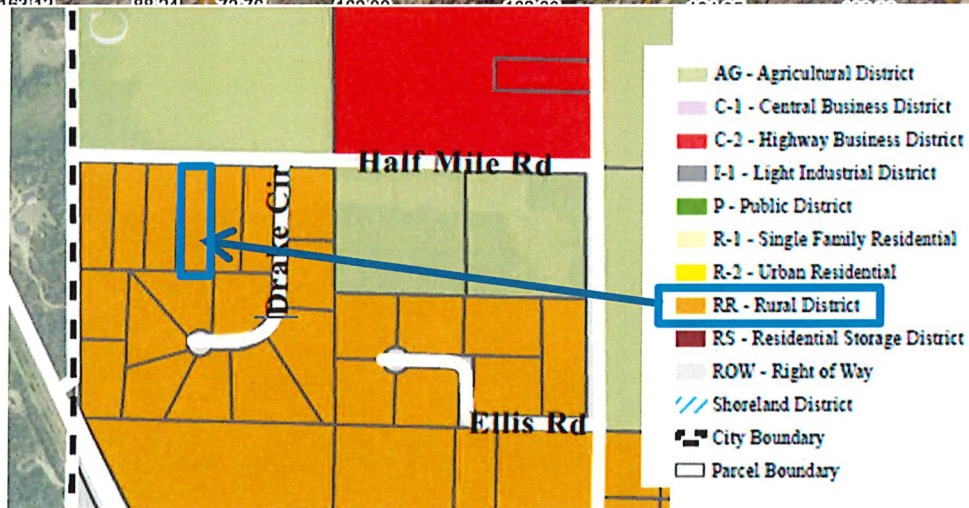
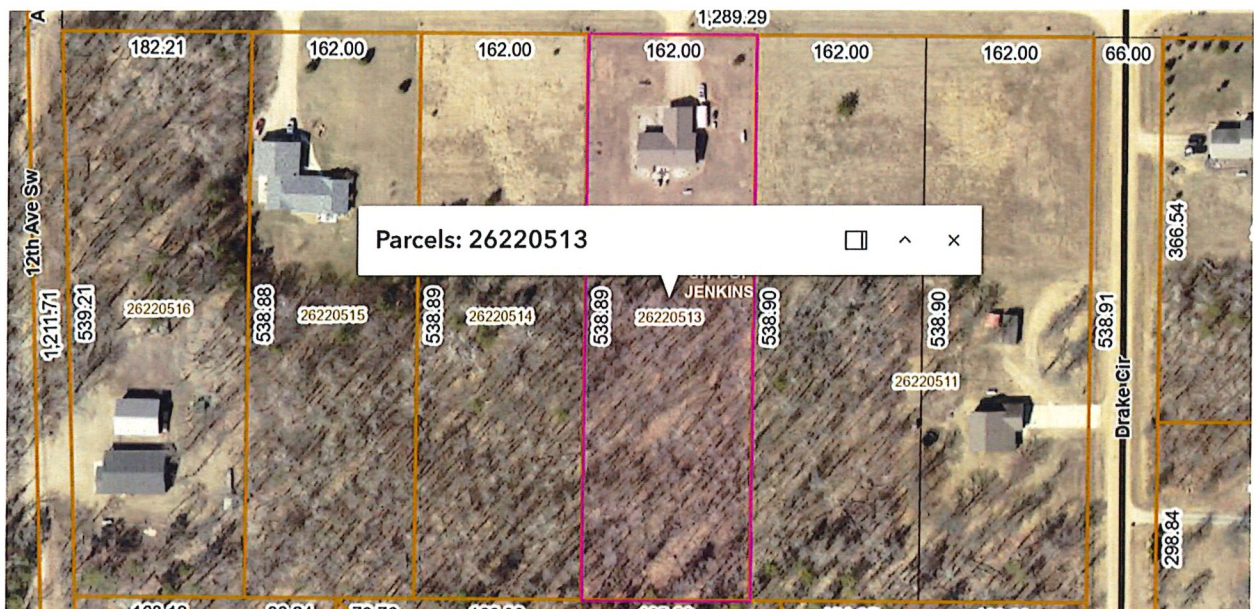
APRIL 7TH, 2026 PUBLIC HEARING HANSON VARIANCE APPLICATION REPORT TO PLANNING COMMISSION

PARCEL INFORMATION

APPLICANT(S): JEFF & ANNETTE HANSON
PROPERTY OWNER(S): SAME AS ABOVE
ADDRESS: 2869 HALF MILE RD, JENKINS MN 56474

APPLICATION

THE APPLICANT IS REQUESTING A 10-FOOT SIDE-YARD SETBACK VARIANCE WHERE A 20-FOOT SETBACK IS REQUIRED. THE PROPERTY IS LOCATED AT 2869 HALF MILE ROAD, PID 26220513 AND IS IN THE RURAL RESIDENTIAL (RR) ZONING DISTRICT.





**APRIL 7TH, 2026 PUBLIC HEARING
HANSON VARIANCE APPLICATION
REPORT TO PLANNING COMMISSION**

BACKGROUND INFORMATION

THE SUBJECT PROPERTY IS 2-ACRES, OR 87,300FT² WITH A PRIMARY SINGLE-FAMILY DWELLING MEETING ALL SETBACKS. THE IMPERVIOUS SURFACE COVERAGE OF THE SUBJECT PROPERTY IS 5.08% WHERE 20% IS ALLOWED. APPLICANT IS REQUESTING A SIDE YARD SETBACK VARIANCE OF 10FT, STATING THAT A SUITABLE LOCATION FOR CONSTRUCTING AN ACCESSORY BUILDING ON THE SUBJECT PROPERTY IS LIMITED DUE TO THE DWELLING BEING CENTRALLY LOCATED ON THE PARCEL WITH THE SSTS DRAIN FIELD EXTENDING FROM THE DWELLING TO THE WEST PROPERTY LINE AND THE WELLHEAD LOCATION ON THE SOUTHEAST CORNER OF THE DWELLING.

APPLICANT HAS IDENTIFIED A DESIRE TO MAINTAIN A SAFE DISTANCE BETWEEN THE PROPOSED ACCESSORY BUILDING AND DWELLING IN AN EFFORT TO CONTAIN THE SPREAD OF FIRE, MITIGATING RISKS ASSOCIATED TO THE HEALTH & SAFETY OF NEIGHBORING RESIDENTS AND PROPERTIES.

PERTINENT ORDINANCE ARTICLES:

§ 150.027 RURAL DISTRICT (RR).

(A) *Purpose and intent.* The (RR) Rural Residential District is intended to be semi-rural in character and to allow low density residential and compatible agricultural uses in shore land and non- shore land areas. Other compatible uses may be allowed under conditional use permits. Front yards shall be landscaped, and no off-street parking shall be permitted, except as would be characteristic and in harmony with the purposes of an RR District.

(B) *Lot, use, and density requirements.*

	Single Family Dwelling	Duplex	Triplex	Four Plex
	Single Family Dwelling	Duplex	Triplex	Four Plex
Front/side yard minimum setback to right-of-way	30 feet	30 feet	30 feet	30 feet
Lot area minimum square foot	2 acres	3 acres	4 acres	5 acres
Lot width minimum foot	150 feet	225 feet	300 feet	375 feet
Maximum building height*	35 feet	35 feet	35 feet	35 feet
Maximum lot coverage	20%	20%	20%	20%
Minimum width of structures**	20 feet	20 feet	20 feet	20 feet
Rear yard minimum setback	30 feet	30 feet	30 feet	30 feet
Side yard minimum setback	20 feet	20 feet	20 feet	20 feet

Notes to table:

* Church spires, belfries, domes which do not contain usable space, chimneys, and similar structures not intended for human occupancy, may be of a height which does not conflict with airport requirements.

** Manufactured homes located in a manufactured home park are excluded.



**APRIL 7TH, 2026 PUBLIC HEARING
HANSON VARIANCE APPLICATION
REPORT TO PLANNING COMMISSION**

§ 150.285 VARIANCES.

- (A) VARIANCES SHALL NOT CREATE A USE NOT PROVIDED FOR IN A ZONING DISTRICT.
- (B) VARIANCES SHALL BE ISSUED TO THE PROPERTY AND ARE NOT TRANSFERABLE.
- (C) VARIANCES SHALL BE ISSUED TO THE PROPERTY FOR STRUCTURES OR OTHER SPECIFIED USES ONLY AFTER A PUBLIC HEARING AND APPROVAL BY THE BOARD OF ADJUSTMENT. ALL APPLICATIONS FOR A VARIANCE SHALL BE SUBMITTED TO THE ZONING ADMINISTRATOR 30 DAYS AHEAD OF THE HEARING DATE, ACCOMPANIED BY A CERTIFICATE OF SURVEY (UNLESS WAIVED BY THE ZONING ADMINISTRATOR) SHOWING THE DETAILS OF THE PROPOSAL AND AN ACCURATE LEGAL DESCRIPTION, ALONG WITH THE APPROPRIATE FEE. THE FEE OR CONTRACT OWNER OF THE PROPERTY SHALL SIGN THE APPLICATION. THE ZONING ADMINISTRATOR SHALL NOTIFY ALL PROPERTY OWNERS WITHIN A MINIMUM OF 350 FEET BY REGULAR MAIL AND SHALL ADVERTISE THE HEARING ONCE IN THE LEGAL SECTION OF THE OFFICIAL NEWSPAPER AT LEAST TEN DAYS AHEAD OF THE PUBLIC HEARING. THE ZONING ADMINISTRATOR SHALL SEND THE SAME NOTICE TEN DAYS IN ADVANCE OF THIS HEARING TO THE DNR IF THE PROPOSED IS IN SHORELAND. AT THE APPLICANT'S OPTION, THE APPLICANT MAY REQUEST A SKETCH PLAN REVIEW WITH NO ACTION BY THE PLANNING COMMISSION AND WITH NO FEE BY GIVING 14 DAYS' NOTICE THEREOF TO THE ZONING ADMINISTRATOR, MEETING TIME PERMITTED.
- (D) THE APPLICANT SHALL COMPLETE THE VARIANCE APPLICATION APPROVED BY THE CITY COUNCIL. THE APPLICATION SHALL CONTAIN SUBMITTAL REQUIREMENTS, CRITERIA FOR APPROVAL, PROCEDURE FOR CONSIDERATION, AND CITY CONTACT INFORMATION. THE CITY SHALL NOT ACCEPT APPLICATIONS WHERE THE APPLICANT HAS PAST DUE FEES OR CHARGES DUE TO THE CITY UNTIL THE ACCOUNT IS MADE CURRENT.
- (E) VARIANCES SHALL BE DECIDED WITHIN THE REQUIRED TIME FRAME WITH CONSIDERATION FOR THE FOLLOWING:
- (1) THE APPLICANT ESTABLISHES THAT THERE ARE PRACTICAL DIFFICULTIES, AS DEFINED IN THIS CHAPTER, IN COMPLYING WITH THE OFFICIAL CONTROL;
 - (2) THE DEVIATION FROM THIS CHAPTER WITH ANY ATTACHED CONDITIONS WILL STILL BE IN HARMONY WITH THE GENERAL PURPOSES AND INTENT OF THIS CHAPTER AND THE COMPREHENSIVE PLAN; AND
 - (3) THE VARIANCE WILL NOT CREATE A LAND USE NOT PERMITTED IN THE ZONE.
- (F) THE BOARD OF ADJUSTMENT MAY IMPOSE CONDITIONS IN THE GRANTING OF VARIANCES. A CONDITION MUST BE DIRECTLY RELATED TO AND MUST BEAR A ROUGH PROPORTIONALITY TO THE IMPACT CREATED BY THE VARIANCE.
- (G) WHEN COSTS TO THE CITY INVOLVED IN PROCESSING AND REVIEWING AN APPLICATION EXCEEDS THE ORIGINAL APPLICATION FEES, THE APPLICANT SHALL REIMBURSE THE CITY FOR ANY ADDITIONAL COSTS. SUCH EXPENSES MAY INCLUDE, BUT ARE NOT LIMITED TO, PAYROLL, MAILING COSTS, CONSULTANT FEES, AND OTHER PROFESSIONAL SERVICES THE CITY MAY NEED TO RETAIN IN REVIEWING PERMITS.



**APRIL 7TH, 2026 PUBLIC HEARING
HANSON VARIANCE APPLICATION
REPORT TO PLANNING COMMISSION**

- (H) FAILURE BY THE OWNER TO ACT WITHIN SIX MONTHS ON A VARIANCE UNLESS EXTENDED BY THE BOARD OF ADJUSTMENT SHALL VOID THE VARIANCE. A SECOND EXTENSION SHALL REQUIRE A NEW PUBLIC HEARING. THIS PROVISION SHALL APPLY TO ANY VARIANCE OUTSTANDING AT THE TIME OF THIS CHAPTER'S ADOPTION.
- (I) APPEALS FROM THE ACTION OF THE CITY COUNCIL SHALL BE FILED WITH THE DISTRICT COURT WITHIN 30 DAYS AFTER COUNCIL ACTION.
- (J) THE VARIANCE SHALL BE FILED WITH THE COUNTY RECORDER WITHIN 45 DAYS.

VARIANCE APPLICATION ACTION TIMELINE

- INITIAL PROPERTY OWNER'S VARIANCE INQUIRY: FEBRUARY 9TH, 2026
- IN-OFFICE DISCUSSION WITH ZONING ADMINISTRATOR: FEBRUARY 17TH, 2026
- PROPERTY OWNER REQUESTED SKETCH PLAN REVIEW BY PLANNING COMMISSION PER JENKINS CITY CODE OF ORDINANCES §150.285(C): FEBRUARY 17TH, 2026
- APPLICATION SUBMITTED TO ZONING ADMINISTRATOR: FEBRUARY 26TH, 2026
- APPLICANT REQUESTED APPLICATION FEE BE WAIVED: FEBRUARY 26TH, 2026
(REQUEST TO BE BROUGHT BEFORE COUNCIL AT NEXT REGULAR MEETING-MARCH 9TH, 2026)
- APPLICATION REVIEWED BY ZONING ADMINISTRATOR: FEBRUARY 26TH, 2026
- APPLICATION DEEMED COMPLETE BY ZONING ADMINISTRATOR*: FEBRUARY 26TH, 2026
(*MINUS APPLICATION FEE-AWAITING MARCH 9TH, 2026 COUNCIL DECISION)
- PROPERTY OWNERS INFORMED APPLICATION DEEMED COMPLETE*: FEBRUARY 26TH, 2026
(*MINUS APPLICATION FEE-AWAITING MARCH 9TH, 2026 COUNCIL DECISION)
- SKETCH PLAN REVIEW BY PLANNING COMMISSION PER REQUEST: MARCH 2ND, 2026
- APP. FEE WAIVER REQUEST BROUGHT BEFORE CITY COUNCIL-**DENIED**: MARCH 9TH, 2026
- NEIGHBORHOOD NOTICES MAILING DATE: MARCH 23RD, 2026
- NEWSPAPER PUBLICATION DATE: MARCH 25TH, 2026
- APPLICATION AND STAFF REPORT BROUGHT BEFORE THE PLANNING COMMISSION FOR PUBLIC HEARING AND PLANNING COMMISSION RECOMMENDATION TO CITY COUNCIL:
APRIL 7TH, 2026 AFTER THE HOUR OF 6PM
- 60-DAY ACTION DEADLINE: APRIL 26TH, 2026



**APRIL 7TH, 2026 PUBLIC HEARING
HANSON VARIANCE APPLICATION
REPORT TO PLANNING COMMISSION**

STAFF FINDINGS OF FACT

1. THE SUBJECT PROPERTY IS LOCATED AT 2869 HALF MILE ROAD, JENKINS MN 56474 (PIN 26220513).
2. THIS REQUEST IS FOR A 10-FOOT SIDE-YARD SETBACK VARIANCE TO CONSTRUCT A 40FT X 36FT DETACHED ACCESSORY STRUCTURE WITH A MAXIMUM SIDE WALL HEIGHT OF 14FT.
3. THE SUBJECT PROPERTY IS 2-ACRES OR 87,300FT², AND IT IS ZONED RURAL RESIDENTIAL (RR).
4. THE IMPERVIOUS SURFACE COVERAGE IS 5.08%. IMPERVIOUS COVERAGE OF 20% IS ALLOWED ON THIS PROPERTY.
5. IS THE VARIANCE REQUEST IN HARMONY WITH THE PURPOSES AND INTENT OF THE LAND USE ORDINANCE?
 - a. YES, ACCESSORY BUILDINGS/GARAGES ARE AN “ALLOWED USE” IN THE RURAL RESIDENTIAL DISTRICT ON PARCELS WITH A PRIMARY DWELLING. THE PROPOSED LOCATION OF THE BUILDING TO BE CONSTRUCTED (ALTHOUGH WITHIN THE 20’ SIDE YARD SETBACK REQUIREMENT) STILL PROVIDES AN ADEQUATE BUFFER BETWEEN IT AND THE ADJACENT PROPERTY.
 - b. No, _____

6. IS THE PROPERTY OWNER PROPOSING TO USE THE PROPERTY IN A REASONABLE MANNER NOT PERMITTED BY THE LAND USE ORDINANCE?
 - a. YES, THE PROPOSED USE OF THE PROPERTY IS FOR CONSTRUCTION OF AN ACCESSORY BUILDING, GARAGE, WHICH IS AN “ALLOWED” USE IN THE RURAL RESIDENTIAL DISTRICT. THE PROPERTY OWNER PROPOSES TO USE THE PROPERTY IN A REASONABLE MANNER.
 - b. No, _____

7. IS THE NEED FOR A VARIANCE DUE TO CIRCUMSTANCES UNIQUE TO THE PROPERTY AND NOT CREATED BY THE PROPERTY OWNER?
 - a. YES, THE ACCESSORY BUILDING (GARAGE) BUILDABLE LOCATION ON THE SUBJECT PROPERTY IS LIMITED DUE TO THE DWELLING BEING CENTRALLY LOCATED ON THE PARCEL WITH THE SSTS DRAIN FIELD EXTENDING FROM THE DWELLING TO THE WEST PROPERTY LINE AND THE WELLHEAD LOCATION ON THE SOUTHEAST CORNER OF THE DWELLING.



**APRIL 7TH, 2026 PUBLIC HEARING
HANSON VARIANCE APPLICATION
REPORT TO PLANNING COMMISSION**

b. No, _____

8. WILL THE ISSUANCE OF A VARIANCE MAINTAIN THE ESSENTIAL CHARACTER OF THE LOCALITY?

a. YES, THE PROPOSED SIZE, LOCATION, AND DESIGN OF THE ACCESSORY BUILDING IS CONSISTENT WITH OTHER PROPERTIES IN THE VICINITY OF THE SUBJECT PROPERTY.

b. No, _____

9. DOES THE NEED FOR A VARIANCE INVOLVE MORE THAN ECONOMIC CONSIDERATIONS?

a. YES, THE VARIANCE REQUEST HAS NOT BEEN MADE BASED ON ECONOMIC CONSIDERATIONS.

b. No, _____

CONDITIONS:

1) SUBMISSION OF LAND USE APPLICATION, ALL SUPPORTING DOCUMENTATION, AND FEES TO CONSTRUCT A 40FT X 36FT ACCESSORY STRUCTURE TO BE RECEIVED AND APPROVED BY THE CITY'S ZONING ADMINISTRATOR WITHIN 1 YEAR OF VARIANCE APPROVAL.

2) _____

3) _____

ACTION REQUESTED:

THE APPLICANT HAS PROVIDED THEIR TESTIMONY REGARDING THE PRACTICAL DIFFICULTIES ENCOUNTERED WITH THE APPLICATION SUBMITTED TO THE CITY. ZONING ADMINISTRATOR REQUESTS THAT THE PLANNING COMMISSION DISCUSS AND PROVIDE INPUT ON THE PROPOSED FINDINGS AND MAKE RECOMMENDATION OF APPROVAL OR DENIAL OF VARIANCE APPLICATION TO THE CITY COUNCIL CITING FINDINGS OF FACT, REASONS, AND, IF APPROPRIATE CONDITIONS FOR JEFF & ANNETTE HANSON'S VARIANCE APPLICATION OF SETBACKS AT 2869 HALF MILE ROAD JENKINS, MN 56474. PLANNING COMMISSION MAY TABLE THE VARIANCE REQUEST IF ADDITIONAL INFORMATION IS REQUIRED. PLEASE BE ADVISED THAT TABLING THIS REQUEST WILL RESULT IN A SPECIAL MEETING BEING SCHEDULED TO ENSURE THAT THE 60-DAY ACTION REQUIREMENT IS MET, CURRENTLY SET TO EXPIRE ON **APRIL 26TH, 2026**, OR AN EXTENSION MUST BE ISSUED.



NEIGHBORHOOD NOTICE OF PUBLIC HEARING

RE: APPLICATION FOR VARIANCE TO SIDE YARD SETBACK REQUIREMENTS
FOR PROPERTY LOCATED IN THE RURAL RESIDENTIAL (RR) ZONING DISTRICT
MINN. STAT. § 462.357, SUBD. 3, AND SUBD. 6(2)

DEAR PROPERTY OWNER OR OCCUPANT:

NOTICE IS HEREBY GIVEN THAT, PURSUANT TO MINNESOTA STATUTE § 462.357, SUBD 3, THE CITY OF JENKINS PLANNING COMMISSION WILL HOLD A PUBLIC HEARING TO CONSIDER A **SETBACK VARIANCE REQUEST** FOR A **10-FOOT SIDE-YARD SETBACK** FOR A PARCEL LOCATED WITHIN THE CITY OF JENKINS.

PUBLIC HEARING INFORMATION

DATE: TUESDAY, APRIL 7TH, 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 VARIANCE REQUEST

PROPERTY OWNERS OF **2869 HALF MILE ROAD PARCEL ID: 26220513** HAVE SUBMITTED AN APPLICATION REQUESTING A **10-FOOT SIDE YARD SETBACK VARIANCE** TO CONSTRUCT A 36FT X 40FT GARAGE ON THE EAST SIDE OF THEIR PROPERTY.

PUBLIC PARTICIPATION

ALL PERSONS WISHING TO BE HEARD MAY APPEAR AT THE PUBLIC HEARING AND PRESENT TESTIMONY ORALLY OR IN WRITING REGARDING THE PROPERTY OWNER'S REQUEST FOR A 10-FOOT SIDE YARD SETBACK VARIANCE.

WRITTEN COMMENTS MAY BE SUBMITTED VIA MAIL, EMAIL, OR IN PERSON **PRIOR TO** THE HEARING TO:

CASSANDRA DELOUGHERTY

CITY CLERK-TREASURER/ZONING ADMINISTRATOR

CITY OF JENKINS

33861 COTTAGE AVE. JENKINS, MN 56474

EMAIL: CASSANDRA.DELOUGHERTY@CITYOFJENKINS.COM

CITY OF JENKINS

"Gateway to the WhiteFish Chain"

Mayor: Andrew Rudlang Planning Commission Chairman: Simon Stricker

Council Members: Jerimey Flategraff, Roman Siltman, Ryan Barnett, Jory Carlson

Planning Commissioners: Joby Goerges, Roman Siltman, Victor Prociuk, Corey Derksen

City Clerk-Treasurer/Zoning Administrator: Cassandra Delougherty

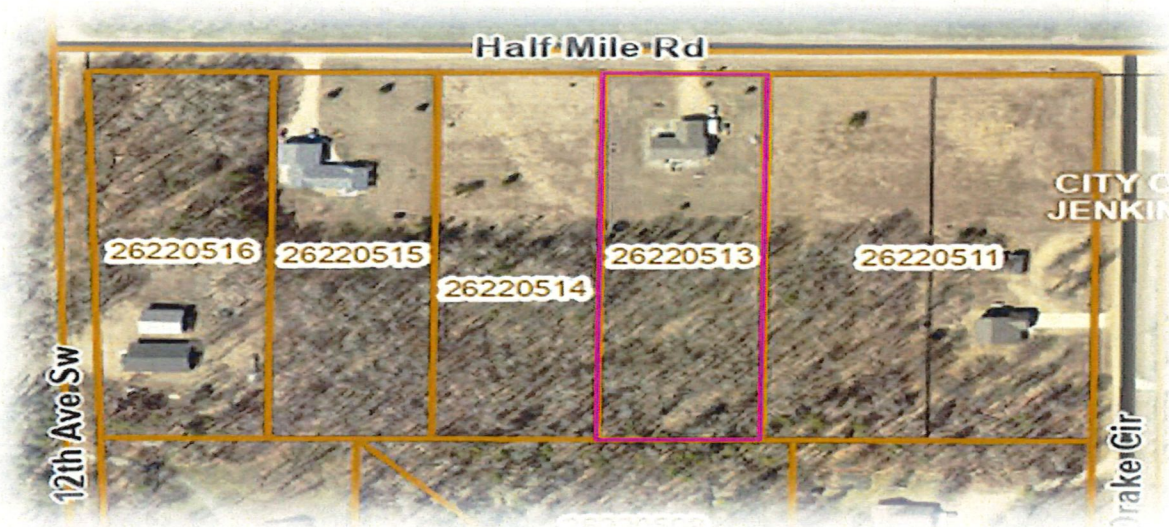


NEIGHBORHOOD NOTICE OF PUBLIC HEARING

RECOMMENDATION AND FINAL ACTION

FOLLOWING THE PUBLIC HEARING, THE **JENKINS PLANNING COMMISSION** WILL MAKE THEIR RECOMMENDATION TO THE **JENKINS CITY COUNCIL**. FINAL ACTION ON THE VARIANCE REQUEST WILL BE TAKEN BY THE CITY COUNCIL AT A SUBSEQUENT PUBLIC MEETING.

MAP OF SUBJECT PROPERTY



THE ABOVE MAP, ALONG WITH ADDITIONAL MATERIALS DESCRIBING THE VARIANCE REQUEST, WILL BE AVAILABLE FOR PUBLIC INSPECTION DURING REGULAR BUSINESS HOURS AT JENKINS CITY HALL, TYPICALLY ONE WEEK PRIOR TO THE PUBLIC HEARING.

SINCERELY,

CASSANDRA M. DELOUGHERTY
CITY CLERK-TREASURER
ZONING ADMINISTRATOR
CITY OF JENKINS

THIS NOTICE HAS BEEN PROVIDED TO PROPERTY OWNERS WITHIN 350FT OF THE SUBJECT PROPERTY IN COMPLIANCE WITH THE PUBLIC NOTICE REQUIREMENTS OF MINNESOTA STATUTE §462.357 AS WELL AS THE CITY OF JENKINS, MINNESOTA CODE OF ORDINANCES §150.285 AND WILL BE PUBLISHED IN THE CITY'S OFFICIAL NEWSPAPER AT LEAST 10 DAYS PRIOR TO THE PUBLIC HEARING.

CITY OF JENKINS

"Gateway to the WhiteFish Chain"

Mayor: Andrew Rudlang Planning Commission Chairman: Simon Stricker
Council Members: Jerimey Flategraff, Roman Siltman, Ryan Barnett, Jory Carlson
Planning Commissioners: Joby Goerges, Roman Siltman, Victor Prociuk, Corey Derksen
City Clerk-Treasurer/Zoning Administrator: Cassandra Delougherty



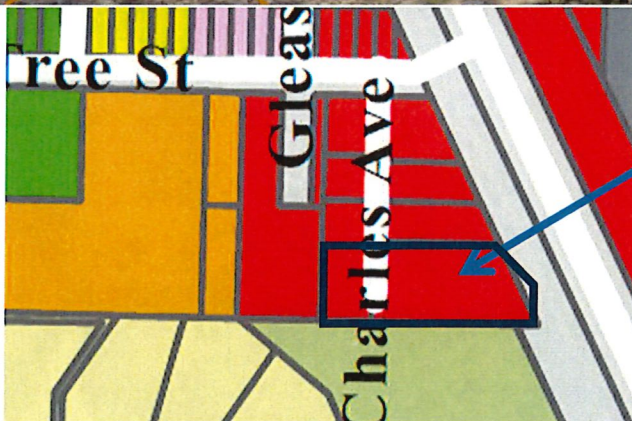
**APRIL 7TH, 2026 PUBLIC HEARING
ADVENTURE TIME VEHICLES LLC
CONDITIONAL USE PERMIT APPLICATION
REPORT TO PLANNING COMMISSION**

PARCEL INFORMATION

ADDRESS: 33754 CHARLES AVENUE, JENKINS MN 56474
 APPLICANT: ADVENTURE TIME VEHICLES LLC, MARKER TURNER
 PROPERTY OWNER: MARK TURNER

APPLICATION

THE APPLICANT IS REQUESTING A CONDITIONAL USE PERMIT FOR A **VEHICLE DEALER LICENSE**, WHICH IS REQUIRED FOR THE PURCHASE AND RESALE OF ATVs/UTVs, DEFINED IN THE JENKINS CITY CODE OF ORDINANCES LAND USE MATRIX AS A COMMERCIAL USE (OTHER, NOT CLASSIFIED). ATV/UTV SALES WILL BE SECONDARY TO THE PRIMARY BUSINESS FUNCTION OF ATV/UTV PARTS & SERVICE, WHICH IS A PERMITTED USE IN THE HIGHWAY BUSINESS (C-2) ZONING DISTRICT



- AG - Agricultural District
- C-1 - Central Business District
- C-2 - Highway Business District**
- I-1 - Light Industrial District
- P - Public District
- R-1 - Single Family Residential
- R-2 - Urban Residential
- RR - Rural District
- RS - Residential Storage District
- ROW - Right of Way
- Shoreland District
- City Boundary
- Parcel Boundary



**APRIL 7TH, 2026 PUBLIC HEARING
ADVENTURE TIME VEHICLES LLC
CONDITIONAL USE PERMIT APPLICATION
REPORT TO PLANNING COMMISSION**

BACKGROUND INFORMATION

THE SUBJECT PROPERTY IS 1.7-ACRE, OR 73,852FT² WITH A PRIMARY DWELLING MEETING ALL SETBACKS. THE IMPERVIOUS SURFACE COVERAGE CALCULATION INDICATES THAT THE MAXIMUM IMPERVIOUS COVERAGE ALLOWANCE OF 40% HAS BEEN REACHED ON THIS PROPERTY DUE TO SHARED DRIVEWAY ACCESS AND PARKING WITH NORTH- AND WEST-ABUTTING PROPERTIES.

PERTINENT ORDINANCE ARTICLES:

§ 150.033 HIGHWAY BUSINESS DISTRICT.

(A) PURPOSE AND INTENT. THIS DISTRICT IS INTENDED TO ACCOMMODATE PROFESSIONAL OFFICES AND LARGER SCALE BUSINESSES THAT PROVIDE GOODS AND SERVICES TO THE GENERAL PUBLIC. THE BUSINESSES IN THIS DISTRICT CAN BENEFIT FROM ACCESS AND VISIBILITY FROM THE TH 371 CORRIDOR. ADEQUATE VEHICLE PARKING AND ACCESS MUST BE PROVIDED ON THE PROPERTY. SITE PLANNING, DESIGN, LANDSCAPING, AND DESIGN STANDARDS ARE IMPORTANT TO PROJECT THE IMAGE AND CHARACTER OF AN ATTRACTIVE AND DISTINCTIVE CORRIDOR INTO THE CITY.

(B) COMPATIBILITY. THE HIGHWAY BUSINESS ZONE SHOULD BE ESTABLISHED AS A TRANSITION ZONE BETWEEN THE CENTRAL BUSINESS DISTRICT OR THE LIGHT INDUSTRIAL ZONE AND THE SURROUNDING RESIDENTIAL ZONES. THE ZONE MAY NOT BE ESTABLISHED IN AN AREA WHERE IT IS COMPLETELY SURROUNDED BY RESIDENTIAL ZONES.

(C) LOT, USE, AND DENSITY REQUIREMENTS.

Front yard minimum	30 feet
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
Lot area minimum	One acre
Lot width minimum feet	100 feet
Maximum building height	45 feet
Maximum lot coverage (impervious surface)	40%
Rear yard minimum/alley	20 feet**
Side yard minimum	20 feet*

Notes to table:

- * Where a Commercial District property abuts a Residential District, there shall be a side yard setback of 30 feet
- ** Where a Commercial District property abuts a Residential District, there shall be a rear yard setback of 30 feet

(D) PERFORMANCE STANDARDS. THE FOLLOWING PERFORMANCE STANDARDS APPLY TO ALL DEVELOPMENT IN THIS ZONE.

(1) IMPERVIOUS COVERAGE. IMPERVIOUS COVERAGE MAY BE INCREASED BY UP TO 25%, NOT TO EXCEED 50% OF THE PROPERTY, THROUGH A CONDITIONAL USE PERMIT IF THE FOLLOWING IS PROVIDED AND APPROVED BY THE CITY:



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CONDITIONAL USE PERMIT APPLICATION
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(A) A STORMWATER RETENTION PLAN SHOWING CONTAINMENT OF THE TEN-YEAR, 24-HOUR STORM EVENT ON THE PARCEL; AND

(B) DIRECT RUNOFF OF STORMWATER TO ADJACENT PROPERTIES AND WETLANDS SHALL BE ELIMINATED THROUGH THE USE OF BERMS, INFILTRATION PONDS, SWALES, FILTRATION STRIPS, OR OTHER PERMANENT MEANS.

(2) COMPATIBILITY OF USE. USE SHALL BE COMPATIBLE WITH THE SURROUNDING NEIGHBORHOOD. USES SHALL NOT PRESENT NOISE, ODOR, LIGHT NUISANCES, OR ANY OTHER NUISANCES.

(3) PARKING. OFF-STREET PARKING SHALL BE PROVIDED AS PER § 150.108. ON-STREET PARKING MAY BE ALLOWED BY THE PLANNING COMMISSION. TO REDUCE THE VISUAL IMPACTS AND AMOUNT OF SURFACE PARKING, SHARED PARKING AND SURFACE PARKING SHALL BE LOCATED BEHIND OR TO THE SIDE OF A BUILDING. ADDITIONALLY, SUITABLE TREES AND SHRUBS SHALL BE PLANTED BETWEEN PARKING LOTS AND ALL ADJACENT SIDEWALKS, ROADS, LOTS, AND BUILDINGS.

(4) PEDESTRIAN AMENITIES. PROPOSED DEVELOPMENTS SHALL PROVIDE FOR SAFE AND COMFORTABLE SIDEWALKS, PATHS, AND RESTING AREAS FOR PEDESTRIANS. SIDEWALKS AND PATHS SHALL CONNECT THE DEVELOPMENT TO ADJACENT LAND USES AND PROVIDE CONNECTIONS THROUGH THE DEVELOPMENT TO THE PUBLIC STREET RIGHT-OF-WAY.

(5) FENCES. FENCES NOT EXCEEDING 96 INCHES IN HEIGHT MAY BE CONSTRUCTED. FENCING SHALL ONLY BE CONSTRUCTED CLOSER THAN TEN FEET FROM THE SURFACE OF A PUBLIC ROAD WITH THE PERMISSION OF THE PLANNING COMMISSION. MATERIALS SHALL CONSIST OF USUAL FENCING MATERIALS WITH POSTS AND FENCE OF METAL, WOOD, CONCRETE, BRICK, OR SMOOTH WIRE. BARBED OR ELECTRIFIED WIRE IS ALLOWED ONLY WITH THE PERMISSION OF THE PLANNING COMMISSION.

(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.

(7) LIGHTING. LIGHTING SHALL BE MINIMAL. LIGHTING SHALL BE DOWNWARD DIRECTIONAL AND SHALL BE COMPATIBLE WITH THE SURROUNDING DEVELOPMENT.

(8) FIRE LANES. FIRE LANES SHALL REMAIN UNOBSTRUCTED AT ALL TIMES.

§ 150.283 CONDITIONAL USE PERMITS.

(A) ANY USE LISTED AS A CONDITIONAL USE IN THIS CHAPTER SHALL BE PERMITTED ONLY UPON APPLICATION TO THE ZONING ADMINISTRATOR, PUBLIC HEARING REVIEW AND RECOMMENDATION OF THE PLANNING COMMISSION, AND APPROVAL AND ISSUANCE OF A CONDITIONAL USE PERMIT BY THE CITY COUNCIL.

(B) ALL APPLICATIONS FOR A CONDITIONAL USE PERMIT SHALL BE SUBMITTED TO THE ZONING



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ADMINISTRATOR 30 DAYS AHEAD OF THE HEARING DATE, ACCOMPANIED BY A CERTIFICATE OF SURVEY (UNLESS WAIVED BY THE ZONING ADMINISTRATOR) SHOWING THE DETAILS OF THE PROPOSAL AND AN ACCURATE LEGAL DESCRIPTION, ALONG WITH THE APPROPRIATE FEE. THE FEE OR CONTRACT OWNER OF THE PROPERTY SHALL SIGN THE APPLICATION. THE ZONING ADMINISTRATOR SHALL NOTIFY ALL PROPERTY OWNERS WITHIN A MINIMUM OF 350 FEET BY REGULAR MAIL AND SHALL ADVERTISE THE HEARING ONCE IN THE LEGAL SECTION OF THE OFFICIAL NEWSPAPER AT LEAST TEN DAYS AHEAD OF THE PUBLIC HEARING. THE ZONING ADMINISTRATOR SHALL SEND THE SAME NOTICE TEN DAYS IN ADVANCE OF THIS HEARING TO THE DNR IF THE PROPOSED IS IN SHORELAND. AT THE APPLICANT'S OPTION, THE APPLICANT MAY REQUEST A SKETCH PLAN REVIEW WITH NO ACTION BY THE PLANNING COMMISSION AND WITH NO FEE BY GIVING 14 DAYS' NOTICE THEREOF TO THE ZONING ADMINISTRATOR, MEETING TIME PERMITTED.

(C) THE APPLICANT SHALL COMPLETE THE CONDITIONAL USE PERMIT APPLICATION APPROVED BY THE CITY COUNCIL. THE APPLICATION SHALL CONTAIN SUBMITTAL REQUIREMENTS, CRITERIA FOR APPROVAL, PROCEDURE FOR CONSIDERATION, AND CITY CONTACT INFORMATION. THE CITY SHALL NOT ACCEPT APPLICATIONS WHERE THE APPLICANT HAS PAST DUE FEES OR CHARGES DUE TO THE CITY UNTIL THE ACCOUNT IS MADE CURRENT.

(D) IN PERMITTING A NEW CONDITIONAL USE OR ALTERATION OF AN EXISTING CONDITIONAL USE, THE PLANNING COMMISSION MAY IMPOSE, IN ADDITION TO THE STANDARDS AND REQUIREMENTS EXPRESSLY SPECIFIED BY THIS CHAPTER, ADDITIONAL CONDITIONS THAT THE PLANNING COMMISSION CONSIDERS NECESSARY TO PROTECT THE BEST INTEREST OF THE SURROUNDING AREA OR THE CITY AS A WHOLE. THESE CONDITIONS MAY INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING:

- (1) INCREASING THE REQUIRED LOT SIZE OR YARD DIMENSION;
- (2) LIMITING THE HEIGHT, SIZE, OR LOCATION OF BUILDINGS;
- (3) CONTROLLING THE LOCATION AND NUMBER OF VEHICLE ACCESS POINTS;
- (4) INCREASING THE STREET WIDTH;
- (5) INCREASING OR DECREASING THE NUMBER OF REQUIRED OFF-STREET PARKING SPACES;
- (6) LIMITING THE NUMBER, SIZE, LOCATION, OR LIGHTING OF SIGNS;
- (7) REQUIRING BERMING, FENCING SCREENING, LANDSCAPING, OR OTHER FACILITIES TO PROTECT ADJACENT OR NEARBY PROPERTY; AND
- (8) DESIGNATING SITES FOR OPEN SPACE.

(E) THE PLANNING AND ZONING COMMISSION SHALL DECIDE THE ISSUE WITH CONSIDERATION TO THE FOLLOWING.

- (1) THE FOLLOWING MUST BE MET.
 - (A) THE USE OR DEVELOPMENT IS AN APPROPRIATE CONDITIONAL USE IN THE LAND USE ZONE.
 - (B) THE USE OR DEVELOPMENT, WITH CONDITIONS, CONFORMS TO THE



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COMPREHENSIVE LAND USE PLAN.

(C) THE USE, WITH CONDITIONS, IS COMPATIBLE WITH THE EXISTING NEIGHBORHOOD.

(D) THE USE, WITH CONDITIONS, WOULD NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, WELFARE, DECENCY, ORDER, COMFORT, CONVENIENCE, APPEARANCE, OR PROSPERITY OF THE CITY.

(2) THE FOLLOWING MUST BE CONSIDERED.

(A) THE CONDITIONAL USE SHOULD NOT BE INJURIOUS TO THE USE AND ENJOYMENT OF OTHER PROPERTY IN THE IMMEDIATE VICINITY FOR THE PURPOSE PERMITTED ON THAT PROPERTY, NOR SUBSTANTIALLY DIMINISH OR IMPAIR VALUES IN THE IMMEDIATE VICINITY.

(B) THE CONDITIONAL USE WILL NOT IMPEDE THE NORMAL AND ORDERLY DEVELOPMENT AND IMPROVEMENT OF SURROUNDING VACANT PROPERTY FOR USES PREDOMINANT IN THE AREA.

(C) THE CONDITIONAL REQUIREMENTS AT PUBLIC COST FOR PUBLIC FACILITIES AND SERVICES AND WILL NOT BE DETRIMENTAL TO THE ECONOMIC WELFARE OF THE COMMUNITY.

(D) THE CONDITIONAL USE WILL HAVE VEHICULAR APPROACHES TO THE PROPERTY WHICH ARE SO DESIGNED AS NOT TO CREATE TRAFFIC CONGESTION OR AN INDIFFERENCE WITH TRAFFIC ON SURROUNDING PUBLIC THOROUGHFARES.

(E) ADEQUATE MEASURES HAVE BEEN TAKEN TO PROVIDE SUFFICIENT OFF-STREET PARKING AND LOADING SPACE TO SERVE THE PROPOSED USE.

(F) ADEQUATE MEASURES HAVE BEEN TAKEN OR WILL BE TAKEN TO PREVENT OR CONTROL OFFENSIVE ODOR, FUMES, DUST, NOISE, AND VIBRATION, SO NONE OF THESE WILL CONSTITUTE A NUISANCE AND TO CONTROL LIGHTS AND SIGNS IN SUCH A MANNER THAT NO DISTURBANCE TO NEIGHBORING PROPERTIES WILL RESULT.

(G) THE CONDITIONAL USE WILL NOT RESULT IN THE DESTRUCTION, LOSS, OR DAMAGE OF A NATURAL, SCENIC, OR HISTORICAL FEATURE OF MAJOR SIGNIFICANCE.

(H) THE CONDITIONAL USE WILL PROMOTE THE PREVENTION AND CONTROL OF POLLUTION OF THE GROUND AND SURFACE WATERS, INCLUDING SEDIMENTATION AND CONTROL OF NUTRIENTS.

(F) WHEN COSTS TO THE CITY INVOLVED IN PROCESSING AND REVIEWING AN APPLICATION EXCEEDS THE ORIGINAL APPLICATION FEES, THE APPLICANT SHALL REIMBURSE THE CITY FOR ANY ADDITIONAL COSTS. SUCH EXPENSES MAY INCLUDE, BUT ARE NOT LIMITED TO, PAYROLL, MAILING COSTS, CONSULTANT FEES, AND OTHER PROFESSIONAL SERVICES THE CITY MAY NEED TO RETAIN IN REVIEWING PERMITS.

(G) CONDITIONAL USE PERMITS MAY BE TRANSFERABLE WHERE REQUESTED BY AN



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ADVENTURE TIME VEHICLES LLC
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APPLICANT AND APPROVED BY THE PLANNING COMMISSION.

(H) VIOLATIONS OF THE CONDITIONS OF A CONDITIONAL USE PERMIT SHALL AUTOMATICALLY SUSPEND THE PERMIT. A REVIEW OF THE VIOLATION SHALL BE CONDUCTED BY THE PLANNING COMMISSION. THE PLANNING COMMISSION SHALL DETERMINE CONDITIONS FOR REINSTATING THE PERMIT OR REVOCATION, IF APPLICABLE.

(I) FAILURE BY THE OWNER TO ACT ON A CONDITIONAL USE PERMIT WITHIN 12 MONTHS, OR FAILURE TO COMPLETE THE WORK UNDER A CONDITIONAL USE PERMIT WITHIN TWO YEARS, UNLESS EXTENDED BY THE PLANNING COMMISSION, SHALL VOID THE PERMIT. A SECOND EXTENSION SHALL REQUIRE A NEW PUBLIC HEARING. THIS PROVISION SHALL APPLY TO ANY CONDITIONAL USE PERMIT OUTSTANDING AT THE TIME OF THE ADOPTION OF THIS CHAPTER.

(J) ALL USES THAT CEASE OPERATION FOR A PERIOD OF MORE THAN SIX CONSECUTIVE MONTHS SHALL BE DEEMED TO BE DISCONTINUED, AND THE USE PERMIT ESTABLISHING SAID USE SHALL BECOME NULL AND VOID. REESTABLISHMENT OF SAID USE SHALL ONLY BE PERMITTED UPON OBTAINING A NEW CONDITIONAL USE PERMIT.

(K) APPEALS FROM THE ACTION OF THE CITY SHALL BE FILED WITH DISTRICT COURT WITHIN 30 DAYS AFTER CITY COUNCIL ACTION.

(L) THE CONDITIONAL USE PERMIT SHALL BE FILED WITH THE COUNTY RECORDER WITHIN 45 DAYS. THE APPLICANT NEED NOT WAIT FOR FILING TO PROCEED.

STAFF FINDINGS OF FACT

STAFF PROVIDES THE FOLLOWING FINDINGS OF FACT FOR CONSIDERATION:

1. THE SUBJECT PROPERTY IS LOCATED AT 33754 CHARLES AVENUE, JENKINS MN 56474 (PIN 26340557).
2. THIS REQUEST IS FOR A CONDITIONAL USE PERMIT FOR A DEALER LICENSE TO PURCHASE AND SELL NEW/USED ATV/UTVs AS AN ACCESSORY USE TO A PRIMARY ATV/UTV PARTS & SERVICE BUSINESS.
3. THE SUBJECT PROPERTY IS 1.70-ACRES OR 73,852FT², AND IT IS ZONED HIGHWAY BUSINESS (C-2)
4. THE PROPERTY IS NOT SERVICED BY MUNICIPAL WATER OR WASTEWATER SYSTEMS
5. USE(S) ARE NOT IDENTIFIED IN THE LAND USE MATRIX, HOWEVER COMMERCIAL USE (OTHER NOT CLASSIFIED) IS LISTED AS A CONDITIONAL USE IN THE C-2 DISTRICT
6. THE SURROUNDING LAND USES CONSIST OF COMMERCIAL PROPERTY, WITH THE SOUTH-ABUTTING PARCEL (AGRICULTURAL ZONING DISTRICT) BEING OWNED BY APPLICANT.
7. NOTIFICATION REQUIREMENTS FOR THE CUP APPLICATION WERE MET.
8. LANDSCAPING AND SCREENING WILL NEED TO BE ADDRESSED PER THE PERFORMANCE STANDARDS OF THE C-2 DISTRICT.



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9. A SEPARATE SIGN APPLICATION WILL NEED TO BE SUBMITTED AND APPROVED PRIOR TO ANY SIGNAGE BEING INSTALLED.
10. OTHER FINDINGS AS IDENTIFIED BY PLANNING COMMISSION OR COUNCIL.

CONDITIONS FOR CONSIDERATION:

1. APPROVAL WOULD BE CONTINGENT ON SUBMITTED, APPROVED, AND INSTALLED LANDSCAPING PLAN PER THE IDENTIFIED PERFORMANCE STANDARDS IN THE ORDINANCE.
2. INSTALL SCREENING FOR THE OUTDOOR LANDSCAPING MATERIAL(S).
3. ALL REQUIRED LAND USE AND SIGN PERMITS WOULD NEED TO BE SUBMITTED AND APPROVED BY THE CITY.

RECOMMENDATION:

THE PARKING PLAN & SITE LAYOUT SHOULD BE DISCUSSED IN GREATER DETAIL TO PROVIDE ADDITIONAL DIRECTION TO THE APPLICANT, ADDRESSING AND MITIGATING CONCERNS & RISKS ASSOCIATED TO SHARED DRIVEWAY ACCESS CONSTRAINTS.

ACTION REQUESTED:

THE APPLICANT HAS PROVIDED THEIR TESTIMONY REGARDING THE CUP REQUEST. STAFF WOULD LIKE THE PLANNING COMMISSION TO REVIEW THE CUP REQUEST, REVIEW THE STAFF FINDINGS AND MAKE A RECOMMENDATION BASED ON THE INFORMATION PROVIDED FROM THIS REPORT AND ANY PUBLIC TESTIMONY DURING THE PUBLIC HEARING. THE PLANNING COMMISSION MAY RECOMMEND APPROVAL OF THE CUP REQUEST, RECOMMEND DENIAL OF THE CUP REQUEST, OR TABLE THE REQUEST IF ADDITIONAL INFORMATION IS NEEDED. IF THE RECOMMENDATION IS FOR APPROVAL OR DENIAL, FINDINGS OF FACT SHOULD BE CITED. NOTE: A DECISION BY THE CITY COUNCIL ON THE CUP SHOULD BE MADE BY MAY 4TH, 2026. IF NEEDED, THE CITY COULD ENACT A 60-DAY EXTENSION PER MINNESOTA STATUTE SECTION 15.99 SUBDIVISION 3(F). THIS WOULD REQUIRE A WRITTEN NOTICE TO THE APPLICANT.



NEIGHBORHOOD NOTICE OF PUBLIC HEARING

RE: APPLICATION FOR CONDITIONAL USE PERMIT
FOR PROPERTY LOCATED IN THE HIGHWAY BUSINESS (C-2) ZONING DISTRICT
MINN. STAT. § 462.357, SUBD. 3, MINN. STAT. § 462.3595, JENKINS CITY CODE §150.283

DEAR PROPERTY OWNER OR OCCUPANT:

NOTICE IS HEREBY GIVEN THAT, PURSUANT TO MINNESOTA STATUTE § 462.357, SUBD 3, THE CITY OF JENKINS PLANNING COMMISSION WILL HOLD A PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT FOR ADVENTURE TIME VEHICLES, LLC TO OBTAIN A VEHICLE DEALER LICENSE FOR A PARCEL LOCATED WITHIN THE CITY OF JENKINS.

PUBLIC HEARING INFORMATION

DATE: TUESDAY, APRIL 7TH, 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 CONDITIONAL USE PERMIT APPLICATION

THE PROPERTY OWNER OF **33754 CHARLES AVENUE PARCEL ID: 26340557** HAS SUBMITTED AN APPLICATION REQUESTING A **VEHICLE DEALER LICENSE**, WHICH IS REQUIRED FOR THE PURCHASE AND RESALE OF ATVs/UTVs, DEFINED IN THE JENKINS CITY CODE OF ORDINANCES LAND USE MATRIX AS A *COMMERCIAL USE (OTHER, NOT CLASSIFIED)*. ATV/UTV SALES WILL BE SECONDARY TO THE PRIMARY BUSINESS FUNCTION OF ATV/UTV PARTS & SERVICE, WHICH IS A PERMITTED USE IN THE HIGHWAY BUSINESS (C-2) ZONING DISTRICT.

PUBLIC PARTICIPATION

ALL PERSONS WISHING TO BE HEARD MAY APPEAR AT THE PUBLIC HEARING AND PRESENT TESTIMONY ORALLY OR IN WRITING REGARDING THE PROPERTY OWNER'S REQUEST FOR A CONDITIONAL USE PERMIT. WRITTEN COMMENTS MAY BE SUBMITTED VIA MAIL, EMAIL, OR IN PERSON **PRIOR TO THE HEARING TO:**

CASSANDRA DELOUGHERTY
CITY CLERK-TREASURER/ZONING ADMINISTRATOR
CITY OF JENKINS
33861 COTTAGE AVE. JENKINS, MN 56474
EMAIL: CASSANDRA.DELOUGHERTY@CITYOFJENKINS.COM

CITY OF JENKINS

"Gateway to the WhiteFish Chain"

Mayor: Andrew Rudlang Planning Commission Chairman: Simon Stricker
Council Members: Jerimey Flategraff, Roman Siltman, Ryan Barnett, Jory Carlson
Planning Commissioners: Joby Goerges, Roman Siltman, Victor Prociuk, Corey Derksen
City Clerk-Treasurer/Zoning Administrator: Cassandra Delougherty



NEIGHBORHOOD NOTICE OF PUBLIC HEARING

RECOMMENDATION AND FINAL ACTION

FOLLOWING THE PUBLIC HEARING, THE **JENKINS PLANNING COMMISSION** WILL MAKE THEIR RECOMMENDATION TO THE **JENKINS CITY COUNCIL**. FINAL ACTION ON THE CONDITIONAL USE PERMIT APPLICATION WILL BE TAKEN BY THE CITY COUNCIL AT A SUBSEQUENT PUBLIC MEETING.

MAP OF SUBJECT PROPERTY



THE ABOVE MAP, ALONG WITH ADDITIONAL MATERIALS DESCRIBING THE CONDITIONAL USE PERMIT REQUEST, WILL BE AVAILABLE FOR PUBLIC INSPECTION DURING REGULAR BUSINESS HOURS AT JENKINS CITY HALL, TYPICALLY ONE WEEK PRIOR TO THE PUBLIC HEARING.

SINCERELY,

CASSANDRA M. DELOUGHERTY
CITY CLERK-TREASURER
ZONING ADMINISTRATOR
CITY OF JENKINS

THIS NOTICE HAS BEEN PROVIDED TO PROPERTY OWNERS WITHIN 350FT OF THE SUBJECT PROPERTY IN COMPLIANCE WITH THE PUBLIC NOTICE REQUIREMENTS OF MINNESOTA STATUTE §462.357 AS WELL AS THE CITY OF JENKINS, MINNESOTA CODE OF ORDINANCES §150.283 AND WILL BE PUBLISHED IN THE CITY'S OFFICIAL NEWSPAPER AT LEAST 10 DAYS PRIOR TO THE PUBLIC HEARING.

CITY OF JENKINS

"Gateway to the WhiteFish Chain"

Mayor: Andrew Rudlang Planning Commission Chairman: Simon Stricker
Council Members: Jerimey Flategraff, Roman Siltman, Ryan Barnett, Jory Carlson
Planning Commissioners: Joby Goerges, Roman Siltman, Victor Prociuk, Corey Derksen
City Clerk-Treasurer/Zoning Administrator: Cassandra Delougherty



AGENDA ITEM # 4c

REPORT TO PLANNING COMMISSION

PREPARED BY: CASSANDRA DELOUGHERTY
DATE: APRIL 1ST, 2026
SUBJECT: PROPOSED ORDINANCE AMENDMENT O-26-49 AMENDING CITY CODE CHAPTER §150.038 LAND USE MATRIX

REPORT: ON FEBRUARY 17TH, 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,



AGENDA ITEM #

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 7TH, 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.

ACTION REQUESTED: PLEASE REVIEW THE ATTACHED ORDINANCE AMENDMENT O-26-49 IDENTIFYING LOWER-POTENCY HEMP EDIBLE RETAILERS 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, STATE OF MINNESOTA
AN ORDINANCE 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 USE:

USE	AG	RR	R-1	R-2	RS	P	C-1	C-2	I-1
LOWER-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
 ZONING ADMINISTRATOR

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

EXHIBIT A

FEES

LOW-POTENCY HEMP EDIBLE RETAILER INITIAL REGISTRATION FEE	\$125.00
LOW-POTENCY HEMP EDIBLE RETAILER RENEWAL FEE	\$125.00



REPORT TO PLANNING COMMISSION

PREPARED BY: CASSANDRA DELOUGHERTY
 DATE: APRIL 1ST, 2026
 SUBJECT: SIDE YARD SETBACK REGIONAL COMPARISON

REPORT: AT THE MARCH 2026 PLANNING COMMISSION MEETING, A PROPERTY OWNER REQUESTED A SKETCH PLAN REVIEW OF A 10-FOOT VARIANCE REQUEST APPLICATION FOR A PARCEL IN THE RURAL RESIDENTIAL (RR) ZONING DISTRICT. IN CONVERSATION WITH THE PROPERTY OWNER, THE PLANNING COMMISSION WAS INFORMED THAT THE APPLICANT’S PREVIOUS CITY HAD A 10-FT SIDE YARD SETBACK AND QUESTIONED WHY JENKINS HAD A GREATER SETBACK.

THE PLANNING COMMISSION DISCUSSED AND DIRECTED ZONING ADMINISTRATOR TO RESEARCH OTHER AREA CITIES SETBACK REQUIREMENTS FOR DISCUSSION AT THE APRIL 2026 MEETING.

BELOW IS A QUICK REFERENCE COMPARISON AND KEY TAKEAWAYS. FOR COMMISSION DISCUSSION.

CITY / JURISDICTION	URBAN RESIDENTIAL	RURAL RESIDENTIAL	DOWNTOWN / CENTRAL BUSINESS	HIGHWAY / GENERAL COMMERCIAL
JENKINS	10 FT (R-1, R-2)	20 FT (RR)	0 FT (C-1)	20 FT (C-2)
BREEZY POINT	10–15 FT	25–30 FT	15 FT	15–20 FT
CROSSLAKE	10 FT	10 FT	0 FT	5–10 FT
NISSWA	15 FT	20 FT	0 FT	15 FT
PEQUOT LAKES	10 FT	25 FT	10 FT	10 FT
CROW WING COUNTY	10 FT	10–15 FT	VARIES	VARIES

JENKINS R-1 & R-2 (URBAN/SINGLE-FAMILY RESIDENTIAL) DISTRICT SETBACKS OF 10 FT ARE CONSISTENT WITH PEQUOT LAKES, CROSSLAKE, AND CROW WING COUNTY.

JENKINS RR DISTRICT REQUIRES A 20 FT SIDE YARD SETBACK, WHICH FALLS IN THE MIDDLE OF THE REGIONAL RANGE.

JENKINS C-1 CENTRAL BUSINESS DISTRICT ALLOWS ZERO-LOT-LINE DEVELOPMENT SIMILAR TO CROSSLAKE AND NISSWA.

JENKINS C-2 HIGHWAY BUSINESS SETBACK (20 FT) IS SLIGHTLY MORE RESTRICTIVE THAN SEVERAL NEARBY CITIES, PROVIDING ADDITIONAL SPACING BETWEEN COMMERCIAL USES.

ACTION REQUESTED: REVIEW AND DISCUSS SIDE YARD SETBACK REQUIREMENTS AND POSSIBLE ORDINANCE AMENDMENT. SETBACKS DETAILS FOR EACH CITY ARE ATTACHED FOR DISCUSSION.



**REGIONAL SIDE YARD SETBACK
REQUIREMENTS FOR COMPARISON**

AGENDA ITEM #

CROW WING COUNTY

DISTRICT TYPE	SIDE YARD SETBACK
RR-1	10 FT
RR-2.5	10 FT
RR-5	10 FT
RR-10	10 FT
SHORELAND RESIDENTIAL	10 FT (UP TO 15 FT DEPENDING ON LAKE CLASS)
JUNK/SALVAGE EXTERIOR STORAGE	35 FT BUFFER

CITY OF NISSWA

ZONING DISTRICT	SIDE LOT LINE SETBACK (FT)
OSR	20
SR / LR	15 (LR HAS ADDITIONAL NOTE REFERENCE IN THE CHART)
UR	15
CW	30
CB	0
HB	15
P	15

CITY OF JENKINS

ZONING DISTRICT	SIDE YARD SETBACK (FT)	KEY NOTES
AG – AGRICULTURAL	30	“SIDE YARD MINIMUM 30 FEET” IN AG DISTRICT TABLE.
RR – RURAL	20	“SIDE YARD MINIMUM SETBACK 20 FEET” (APPLIES ACROSS DWELLING TYPES SHOWN).
R-1 – SINGLE FAMILY RESIDENTIAL	10	“SETBACK, SIDE... 10.” CORNER-SIDE ROW IS LISTED SEPARATELY (15).
R-2 – URBAN RESIDENTIAL	10	“SETBACK, SIDE... 10.” CORNER-SIDE ROW IS LISTED SEPARATELY (15).
RS – RESIDENTIAL STORAGE	20	“SIDE YARD MINIMUM 20” (STREET-SIDE ALSO 20).
P – PUBLIC	NOT FIXED	SETBACKS/SIDE YARDS “SHALL BE REVIEWED AND APPROVED BY THE PLANNING AND ZONING COMMISSION” (CASE-BY-CASE).
C-1 – CENTRAL BUSINESS	0	SIDE YARD “0,” BUT IF A COMMERCIAL LOT ABUTS A RESIDENTIAL DISTRICT, SIDE YARD BECOMES 20.
C-2 – HIGHWAY BUSINESS	20	SIDE YARD “20,” BUT IF A COMMERCIAL LOT ABUTS A RESIDENTIAL DISTRICT, SIDE YARD BECOMES 30.
I-1 – LIGHT INDUSTRIAL	20	SIDE YARD “20,” BUT IF INDUSTRIAL ABUTS A RESIDENTIAL DISTRICT, SIDE YARD IS ≥ 50 (PLUS SCREENING/FENCE REQUIREMENT).



**REGIONAL SIDE YARD SETBACK
REQUIREMENTS FOR COMPARISON**

AGENDA ITEM #

CITY OF PEQUOT LAKES

ZONING DISTRICT	SIDE YARD SETBACK (FT)	KEY NOTES
RR – RURAL RESIDENTIAL	25	“SETBACK, SIDE... 25.”
TR – TRANSITION RESIDENTIAL	10	“SETBACK, SIDE... 10.”
SR – SHORELINE RESIDENTIAL	10 / 10 / 15	TABLE SHOWS “SETBACK, SIDE... 10 10 15” (VARIES BY SHORELAND/LAKE CLASS COLUMNS IN THE DISTRICT STANDARDS TABLE).
UR – URBAN RESIDENTIAL	10	“SETBACK, SIDE... 10.”
C – COMMERCIAL	10	“SETBACK, SIDE YARD... 10” (ALSO LISTS 30 “SIDE NEXT TO RESIDENTIAL DISTRICT”).
R – RECREATION	30	“SETBACK, SIDE... 30.”
P – PUBLIC	0	“SETBACK, SIDE YARD... 0.”
AG, SC, DMU, LI, PD	(PRESENT IN CODE)	THE PEQUOT LAKES CHAPTER 17 PDF INCLUDES ADDITIONAL DISTRICTS BEYOND THE ONES ABOVE. I CAN EXTEND THE TABLE TO EVERY DISTRICT IN THE DOCUMENT IF YOU WANT A COMPLETE CITYWIDE MATRIX (IT’S A LONG CODE).

CITY OF CROSSLAKE

ZONING DISTRICT	SIDE YARD SETBACK (STRUCTURE LOT LINE)	NOTES / SOURCE
RURAL RESIDENTIAL	10 FT	STANDARD STRUCTURE LOT LINE SETBACK IN RURAL RESIDENTIAL.
WATERFRONT COMMERCIAL — RESIDENTIAL	10 FT	APPLIES TO RESIDENTIAL USES IN WATERFRONT COMMERCIAL.
WATERFRONT COMMERCIAL — COMMERCIAL	?? FT (LIKELY VARIABLE)	CHART LISTS COMMERCIAL LOT LINE SETBACKS; EXACT COMMERCIAL SIDE NOT FULLY EXTRACTABLE HERE — USUALLY 5–10 FT.
LIMITED COMMERCIAL	5 FT	LIMITED COMMERCIAL STRUCTURE LOT LINE SETBACK (COMMERCIAL) IS SPECIFIED AT 5 FT.
DOWNTOWN COMMERCIAL	0 FT (COMMERCIAL)	DOWNTOWN COMMERCIAL ALLOWS 0 FT SIDE LOT LINE FOR COMMERCIAL STRUCTURES.
COMMERCIAL/LIGHT INDUSTRIAL	5 FT / 10 FT (VARIES)	LIKELY 5 FT FOR COMMERCIAL SIDE, 10 FT FOR STRUCTURE SEPARATION; FACT SHEET SHOWS 5–10 FT RANGE.



**REGIONAL SIDE YARD SETBACK
REQUIREMENTS FOR COMPARISON**

AGENDA ITEM #

CITY OF BREEZY POINT

ZONING DISTRICT	SIDE YARD SETBACK	NOTES
R-1 – LOW DENSITY RESIDENTIAL	15 FT (NON-SHORELAND)	FOR N.E. LAKES: “10 AND 15 FT” DEPENDING ON LAKE TIER (SEE TABLE P.49).
R-2 – MEDIUM DENSITY RESIDENTIAL	10 FT (SEWERED)	UNSEWERED & LAKE CLASSIFICATIONS: “10 & 15 FT” DEPENDING ON COLUMN (P.52).
R-3 – ORIGINAL NEIGHBORHOODS	10 FT (SEWERED)	UNSEWERED COLUMN: “10 AND 15 FT” (P.55).
R-4 – MULTI-FAMILY RESIDENTIAL	20 FT	ALSO REQUIRES 15 FT BETWEEN BUILDINGS (P.57).
EL-R – ESTATE LOTS RESIDENTIAL	25 FT	APPLIES BOTH NON-SHORELAND AND N.E. LAKE COLUMNS (P.59).
WR – WOODED RESIDENTIAL	30 FT	LARGER RURAL STANDARD (P.62).
UR – URBAN RESERVE	50 FT	LARGEST RESIDENTIAL/AG DISTRICT SIDE SETBACK (P.64).
P – PUBLIC	15 FT	STANDARD PUBLIC DISTRICT SIDE SETBACK (P.66).
RC – RESORT COMMERCIAL	20 FT (G.D. LAKE / NON-SHORELAND)	25 FT IN N.E. LAKE COLUMN (P.68). ALSO 40 FT FROM RESIDENTIAL LOT LINE.
C – COMMERCIAL	15 FT (SEWERED)	20 FT (UNSEWERED); 40 FT WHEN ADJACENT TO RESIDENTIAL DISTRICT (P.71).
A – AIRPORT	10 FT	STANDARD AIRPORT DISTRICT SIDE SETBACK (P.74).



AGENDA ITEM # *6a*

REPORT TO PLANNING COMMISSION

PREPARED BY: CASSANDRA DELOUGHERTY

DATE: APRIL 1ST, 2026

SUBJECT: HIGHWAY BUSINESS ZONING DISTRICT SCREENING REQUIREMENTS

REPORT: AT THE MARCH 2026 MEETING, ZONING ADMINISTRATOR DELOUGHERTY PROVIDED INFORMATION FOR THE PLANNING COMMISSION FOR REVIEW REGARDING SCREENING REQUIREMENTS OF THE HIGHWAY BUSINESS (C-2) DISTRICT AFTER BECOMING AWARE OF INCONSISTENCIES BETWEEN THE PURPOSE AND INTENT OF THE DISTRICT AND IT’S RESTRICTIVE SCREENING FROM THE ROADWAY. THE HIGHWAY BUSINESS (C-2) ZONING 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

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
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(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



AGENDA ITEM

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

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

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:

"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. BECAUSE NO TWO PROPERTIES OR USES ARE THE SAME, 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.

REQUESTED ACTION: STAFF REQUESTS THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SCHEDULING A PUBLIC HEARING FOR A PROPOSED ORDINANCE AMENDMENT 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.