



Regular Planning Commission Meeting & Public Hearing Agenda

Monday, August 3rd, 2026 @ 6:00 PM

Commission Chair: Simon Stricker

Commission:

Joby Goerges
Roman Siltman
Corey Derksen
Debbie Siltman*

City Clerk/Zoning Administrator:

Cassandra Delougherty

City Community Development

Administrator: Katie Kostohryz

City Attorney: Joe Langel

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
 - a. INTRODUCTION OF NEWLY APPOINTED PLANNING COMMISSIONER-DEBBIE SILTMAN*
2. ROLL CALL
 - a. NEW PLANNING COMMISSION MEETING ATTENDANCE RECORD
3. APPROVAL
 - a. AGENDA
 - b. MINUTES FROM JULY 6TH, 2026 PLANNING COMMISSION MEETING & PUBLIC HEARING (ORD AMNDMT O-26-51)
4. PUBLIC HEARING:
 - a. PROPOSED ORDINANCE AMENDMENT O-26-52 “FISHHOUSE,” “RECREATIONAL VEHICLE,” AND “CAMPING”
 - i. OPEN HEARING FOR PUBLIC COMMENT
 - ii. CLOSE PUBLIC HEARING
 - iii. PLANNING COMMISSION DELIBERATION
 - iv. PLANNING COMMISSION ACTION
5. UNFINISHED BUSINESS
 - a. REVIEW OF AGRICULTURAL USES AND AGRICULTURAL STRUCTURES
 - i. REVIEW OF NEIGHBORING CITIES
 - ii. MAYOR’S LETTER
 - iii. AG STRUCTURE PROCESS REPORT
 - iv. AG STRUCTURE FLOW CHART
 - v. MAP & LIST OF AG-ZONED PROPERTIES UNDER 10 ACRES
6. NEW BUSINESS
 - a. NOTICE OF POSSIBLE QUORUM
 - i. PEQUOT MANUFACTURING OPEN HOUSE & DAD FEST
7. MISCELLANEOUS/COMMUNICATION
 - a. ZONING ADMINISTRATOR’S REPORT
8. ADJOURNMENT

Planning Commission Meeting Attendance

Name	Date	Signature
Compensation Amounts Authorized by City Council Ordinance O-20-19A Approved January 13, 2020		

Disbursements Approved by Council: (date)

City Clerk/Administrator Signature:

JULY 6TH, 2026
JENKINS PLANNING COMMISSION & PUBLIC HEARING
MEETING MINUTES

CALL TO ORDER – PLEDGE OF ALLEGIANCE

MAYOR ANDREW RUDLANG CALLED THE MEETING TO ORDER AT 6:00PM.

ROLL CALL

PRESENT: COMMISSION CHAIRMAN STRICKER; PLANNING COMMISSIONERS GOERGES, SILTMAN, DERKSEN, CITY CLERK DELOUGHERTY, AND CITY COMMUNITY DEVELOPMENT ADMINISTRATOR KOSTOHRYZ. PLANNING COMMISSIONER VICTOR PROCIUK WAS ABSENT (RESIGNED EFFECTIVE JULY 3, 2026).

APPROVAL

THE COMMISSION REVIEWED THE AGENDA AND THE MINUTES FROM JUNE 1ST, 2026 PLANNING COMMISSION MEETING & PUBLIC HEARING (PETERSON CUP)

THE AGENDA AND MINUTES FROM THE JUNE 1ST, 2026 PLANNING COMMISSION MEETING AND PUBLIC HEARING MADE BY COMMISSIONER GOERGES, SECONDED BY COMMISSIONER SILTMAN. ALL PRESENT VOTED AYE.

PUBLIC HEARING

PROPOSED ORDINANCE AMENDMENT O-26-51 "WAREHOUSING, PRIVATE"

I. OPEN HEARING FOR PUBLIC COMMENT 6:04 PM

THE PUBLIC HEARING WAS OPENED. CITY CLERK/ZONING ADMINISTRATOR DELOUGHERTY PRESENTED THE STAFF REPORT AND READ INTO THE RECORD A LETTER SUBMITTED BY MAYOR ANDREW RUDLANG, WHO WAS UNABLE TO ATTEND. THE MAYOR'S LETTER EXPRESSED SUPPORT FOR STRIKING "WAREHOUSING, PRIVATE" FROM THE LAND USE MATRIX, AGREEING THAT THE CATEGORY IS OVERLY BROAD AND INCONSISTENT WITH THE CITY'S LONG-TERM PLANNING GOALS. THE MAYOR ALSO ENCOURAGED THE COMMISSION, AS A SEPARATE FOLLOW-UP MATTER, TO CONSIDER A NARROWLY TAILORED ORDINANCE THAT WOULD ALLOW A SINGLE NON-COMMERCIAL STORAGE BUILDING ON LARGER PARCELS IN AGRICULTURAL OR RURAL RESIDENTIAL ZONING DISTRICTS, SUBJECT TO CLEAR STANDARDS AND SAFEGUARDS. NO ADDITIONAL PUBLIC COMMENT WAS RECEIVED.

II. CLOSE PUBLIC HEARING 6:07 PM

THE PUBLIC HEARING WAS CLOSED.

III. PLANNING COMMISSION DELIBERATION 6:07 PM

THE COMMISSION DISCUSSED THE MAYOR'S LETTER AND AFFIRMED THE CONSENSUS REACHED AT THE PRIOR MEETING: THAT "WAREHOUSING, PRIVATE" AS CURRENTLY LISTED IN THE LAND USE MATRIX SERVES NO MEANINGFUL REGULATORY PURPOSE DISTINCT FROM EXISTING STORAGE AND ACCESSORY USE PROVISIONS, AND THAT ITS BROAD, BY-RIGHT ALLOWANCE ACROSS NEARLY ALL ZONING DISTRICTS CREATES AN AVENUE FOR UNINTENDED LAND USES. THE COMMISSION NOTED THAT THE DEFINITION WAS REDUNDANT, AS STATE LICENSING REQUIREMENTS GOVERN TRUE COMMERCIAL WAREHOUSING OPERATIONS. COMMISSIONERS AGREED THAT REMOVING THE

CATEGORY WAS THE APPROPRIATE IMMEDIATE STEP, AND ACKNOWLEDGED THE MAYOR'S BROADER POLICY CONCERN REGARDING NON-COMMERCIAL STORAGE BUILDINGS ON LARGE RURAL PARCELS AS A MATTER FOR FUTURE CONSIDERATION.

IV. PLANNING COMMISSION ACTION

MOTION TO APPROVE THE CHANGES TO PROPOSED ORDINANCE AMENDMENT O-26-51, RECOMMENDING THAT "WAREHOUSING, PRIVATE" BE STRICKEN FROM THE CITY OF JENKINS LAND USE MATRIX (CITY CODE §150.038), WAS MADE BY COMMISSIONER GOERGES AND SECONDED BY COMMISSIONER SILTMAN. ALL VOTED AYE.

UNFINISHED BUSINESS

REVIEW OF CAMPING/RV ORDINANCE/PERMITTING

CITY CLERK/ZONING ADMINISTRATOR DELOUGHERTY PRESENTED PROPOSED ORDINANCE AMENDMENT O-26-52, WHICH HAD BEEN DRAFTED IN RESPONSE TO THE COMMISSION'S DIRECTION AT THE JUNE MEETING. THE AMENDMENT PROPOSES TWO KEY CHANGES: (1) ADDING A DEFINITION OF "FISH HOUSE" TO CITY CODE §150.005, SPECIFYING THAT A STRUCTURE 160 SQUARE FEET OR LESS, MOVEABLE, AND CURRENTLY LICENSED QUALIFIES AS A FISH HOUSE, AND THAT ANY OFF-ICE USE OF SUCH A STRUCTURE FOR HABITATION SHALL CAUSE IT TO BE CLASSIFIED AS A RECREATIONAL VEHICLE; AND (2) AMENDING §150.112 (CAMPING) TO EXPLICITLY INCLUDE HABITABLE FISH HOUSES WITHIN THE DEFINITION OF RECREATIONAL VEHICLES AND TO ADD CLARIFYING LANGUAGE STATING THAT ALL CAMPING PROVISIONS APPLY TO FISH HOUSES LICENSED AS SUCH.

THE COMMISSION DISCUSSED THESE PROPOSED CHANGES IN THE CONTEXT OF BROADER TRENDS, NOTING THAT MODERN FISH HOUSES SUCH AS ICE CASTLES ARE INCREASINGLY SOPHISTICATED HABITABLE STRUCTURES THAT WERE NEVER CONTEMPLATED BY THE ORIGINAL ORDINANCE. THE INTENT OF THE AMENDMENT IS TO CLOSE THE GAP BETWEEN HOW THE ORDINANCE TREATS TRADITIONAL CAMPERS AND HOW IT APPLIES TO THESE NEWER STRUCTURES WHEN USED FOR OFF-ICE HABITATION.

DELOUGHERTY ALSO RAISED A QUESTION REGARDING THE 160 SQUARE FOOT SIZE THRESHOLD IN THE PROPOSED FISH HOUSE DEFINITION, NOTING THAT SOME MODERN ICE CASTLES EXCEED THAT SIZE. THE COMMISSION CONSIDERED WHETHER THE THRESHOLD SHOULD BE INCREASED TO 200 SQUARE FEET TO BETTER REFLECT CURRENT PRODUCTS ON THE MARKET.

THE COMMISSION ALSO BRIEFLY REVISITED BROADER QUESTIONS RAISED IN PRIOR MEETINGS REGARDING CAMPERS ON PROPERTIES WITHOUT A PRINCIPAL STRUCTURE, ENFORCEMENT LIMITATIONS UNDER THE COMPLAINT-DRIVEN POLICY, AND THE DISTINCTION BETWEEN STORAGE AND HABITATION. THE GENERAL CONSENSUS WAS THAT THE EXISTING ORDINANCE FRAMEWORK REMAINS SOUND IN THOSE RESPECTS, AND THAT THE PRIMARY GAP TO BE ADDRESSED THROUGH O-26-52 IS THE EXPLICIT INCLUSION OF HABITABLE FISH HOUSES AS RECREATIONAL VEHICLES. COMMISSIONERS WHO HAD NOT BEEN PRESENT AT THE JUNE MEETING WERE BRIEFED ON THOSE PRIOR DISCUSSIONS.

MOTION TO APPROVE THE CHANGES TO PROPOSED ORDINANCE AMENDMENT O-26-52, WITH THE MODIFICATION OF INCREASING THE FISH HOUSE SIZE THRESHOLD FROM 160 SQUARE FEET TO 200 SQUARE FEET, WAS MADE BY COMMISSIONER GOERGES AND SECONDED SILTMAN. ALL VOTED AYE.

NEW BUSINESS

REVIEW OF AGRICULTURAL USES AND AGRICULTURAL STRUCTURES

CITY CLERK/ZONING ADMINISTRATOR DELOUGHERTY INTRODUCED A STAFF REPORT EXAMINING THE AMBIGUITY IN THE CITY'S CURRENT ORDINANCE REGARDING AGRICULTURAL USES AND AGRICULTURAL STRUCTURES. SHE NOTED THAT WHILE "AGRICULTURAL Use" IS DEFINED IN §150.005 — ENCOMPASSING FARMING, DAIRYING, PASTURAGE, HORTICULTURE, FLORICULTURE, VITICULTURE, ANIMAL AND POULTRY HUSBANDRY, AND NECESSARY ACCESSORY USES SECONDARY TO THOSE ACTIVITIES — THE TERM "AGRICULTURAL STRUCTURE" IS NOT DEFINED. THE LAND USE MATRIX (§150.038) PERMITS AGRICULTURAL STRUCTURES IN THE AGRICULTURAL (AG) ZONING DISTRICT AND EXCLUDES THEM FROM ALL OTHERS, BUT WITHOUT A DEFINITION OF WHAT CONSTITUTES AN AGRICULTURAL STRUCTURE, THE PRACTICAL APPLICATION OF THAT CLASSIFICATION IS UNCLEAR.

DELOUGHERTY FURTHER NOTED THAT §150.025 STATES THAT ALL ACCESSORY STRUCTURES OR USES REQUIRE THE PRIOR ESTABLISHMENT OF A PRINCIPAL STRUCTURE, AND THAT A PRINCIPAL STRUCTURE MUST BE AT LEAST 400 SQUARE FEET. THIS RAISES THE QUESTION OF WHETHER AN AGRICULTURAL STRUCTURE COULD ITSELF SERVE AS THE PRINCIPAL STRUCTURE ON A PARCEL, OR WHETHER A RESIDENTIAL DWELLING MUST FIRST BE ESTABLISHED BEFORE ANY STRUCTURE CAN BE BUILT ON AGRICULTURALLY ZONED PROPERTY.

THE COMMISSION DISCUSSED SEVERAL RELATED CONCERNS. COMMISSIONERS NOTED THAT AN AGRICULTURAL PARCEL OWNER — FOR EXAMPLE, SOMEONE OWNING 40 ACRES FOR HUNTING OR RECREATIONAL PURPOSES — MIGHT SEEK TO CONSTRUCT A SHED OR STORAGE BUILDING AND CLAIM IT QUALIFIES AS AN AGRICULTURAL STRUCTURE, EVEN IF NO TRUE AGRICULTURAL ACTIVITY IS OCCURRING ON THE PROPERTY. THE CONCERN IS THAT WITHOUT A DEFINED TERM AND CLEAR STANDARDS, THE CITY CANNOT MEANINGFULLY REGULATE WHETHER SUCH A STRUCTURE IS GENUINELY AGRICULTURAL IN NATURE OR IS SIMPLY FUNCTIONING AS A STORAGE BUILDING OR HABITABLE STRUCTURE WITHOUT MEETING APPLICABLE REQUIREMENTS.

THE COMMISSION ALSO DISCUSSED THE RISK THAT, IF AGRICULTURAL STRUCTURES ARE PERMITTED WITHOUT A PRINCIPAL RESIDENTIAL STRUCTURE BEING REQUIRED FIRST, A PROPERTY OWNER COULD ERECT MULTIPLE BUILDINGS, THEN SEEK TO REZONE AND SUBDIVIDE THE PARCEL, EFFECTIVELY CIRCUMVENTING THE INTENT OF THE RESIDENTIAL STORAGE AND ACCESSORY STRUCTURE REGULATIONS THE COMMISSION HAS WORKED TO STRENGTHEN. THIS CONCERN WAS ILLUSTRATED BY REFERENCE TO PAST SITUATIONS IN THE CITY WHERE SIMILAR REGULATORY GAPS HAD BEEN EXPLOITED.

THE COMMISSION ACKNOWLEDGED THE IMPORTANCE OF NOT UNNECESSARILY RESTRICTING LEGITIMATE PROPERTY RIGHTS, PARTICULARLY FOR LARGER RURAL PARCELS WHERE A SINGLE ENCLOSED STORAGE BUILDING FOR PERSONAL OR AGRICULTURAL-RELATED EQUIPMENT WOULD HAVE MINIMAL LAND USE IMPACT. HOWEVER, THE COMMISSION AGREED THAT CLEARER DEFINITIONS AND PARAMETERS ARE NECESSARY TO PREVENT UNINTENDED OUTCOMES. COMMISSIONERS EXPRESSED INTEREST IN RECEIVING ADDITIONAL INFORMATION, INCLUDING A SURVEY OF HOW OTHER MUNICIPALITIES HANDLE AGRICULTURAL STRUCTURES AND USES, THE NUMBER AND CHARACTERISTICS OF AGRICULTURALLY ZONED PARCELS CURRENTLY WITHIN THE CITY, AND HOW MANY OF THOSE PARCELS HAVE AN EXISTING PRINCIPAL RESIDENTIAL STRUCTURE.

THE ITEM WAS TABLED TO ALLOW STAFF TO GATHER THAT RESEARCH AND FOR COMMISSIONERS TO FURTHER DELIBERATE.

MOTION TO TABLE THE REVIEW OF AGRICULTURAL USES AND AGRICULTURAL STRUCTURES FOR FURTHER INPUT AND RESEARCH WAS MADE BY PLANNING COMMISSIONER GOERGES AND SECONDED BY SILTMAN. ALL VOTED AYE.

MISCELLANEOUS/COMMUNICATION

ZONING ADMINISTRATOR'S REPORT

CITY CLERK/ZONING ADMINISTRATOR DELOUGHERTY REPORTED THAT NO NEW PERMITS HAD BEEN ISSUED SINCE THE PRIOR MEETING. SHE NOTED THAT ONE PERMIT APPLICATION FOR A 40-ACRE PARCEL SEEKING TO CONSTRUCT A SHED FOR AGRICULTURAL USE HAD BEEN RECEIVED BUT HAD NOT BEEN DEEMED COMPLETE, AS REQUIRED DOCUMENTATION HAD NOT YET BEEN SUBMITTED. THIS APPLICATION WAS CITED AS DIRECTLY RELEVANT TO THE AGRICULTURAL USE DISCUSSION UNDER NEW BUSINESS.

DELOUGHERTY ALSO INFORMED THE COMMISSION THAT COMMISSIONER VICTOR PROCIUK HAD SUBMITTED HIS RESIGNATION FROM THE PLANNING COMMISSION EFFECTIVE JULY 3, 2026, CITING ANTICIPATED SCHEDULING CONFLICTS. THE VACANCY WAS NOTED, AND IT WAS INDICATED THAT THE MATTER WOULD BE BROUGHT BEFORE THE CITY COUNCIL AT ITS NEXT REGULAR MEETING TO INITIATE THE PROCESS OF FILLING THE POSITION. THE COMMISSION ACKNOWLEDGED THAT A REPLACEMENT MUST BE A CITY RESIDENT OR BUSINESS OWNER.

ADJOURNMENT

MOTION TO ADJOURN WAS MADE BY GOERGES AND SECONDED BY SILTMAN. ALL VOTED AYE. THE MEETING WAS ADJOURNED AT 7:17 PM.

RESPECTFULLY SUBMITTED THIS _____ DAY OF _____, 202__.

CASSANDRA M. DELOUGHERTY, CITY CLERK-TREASURER
ZONING ADMINISTRATOR



AGENDA ITEM #

REPORT TO PLANNING COMMISSION

PREPARED BY: CASSANDRA DELOUGHERTY

DATE: JULY 29TH, 2026

SUBJECT: ORDINANCE AMENDMENT O-26-52 RELATED TO CAMPING AND FISH HOUSES

REPORT: THE PLANNING COMMISSION HAS REVIEWED CHAPTER 150.112 CAMPING AND RECOMMENDED THAT HABITABLE FISH HOUSES, SUCH AS ICE CASTLES, SHOULD BE IDENTIFIED AS RECREATIONAL VEHICLES FOR THE PURPOSES OF OFF-ICE RECREATIONAL USE.

ATTACHED FOR YOUR REVIEW IS POTENTIAL ORDINANCE AMENDMENT O-26-52 THAT IDENTIFIES HABITABLE FISH HOUSES AND BETTER DEFINES RECREATIONAL VEHICLES.

REQUESTED ACTION: PLEASE DISCUSS THE PROPOSED ORDINANCE AMENDMENT AND MOTION TO MAKE RECOMMENDATION TO THE COUNCIL TO APPROVE OR DENY THE AMENDMENT. THE COMMISSION MAY ALSO TABLE THE AMENDMENT AND DIRECT STAFF TO COMPLETE FURTHER RESEARCH OR PROVIDE ADDITIONAL DEFINITIONS DEEMED NECESSARY TO EXPRESS THE INTENT OF THE CITY'S CAMPING ORDINANCE.

ORDINANCE NO. O-26-52
CITY OF JENKINS
COUNTY OF CROW WING, STATE OF MINNESOTA

AN ORDINANCE AMENDING TITLE XV 'LAND USAGE', CHAPTER 150 'LAND USE AND SUBDIVISIONS' SUBSECTIONS 150.005 'DEFINITIONS' AND 150.112 'CAMPING' OF THE JENKINS CODE OF ORDINANCES

THE CITY COUNCIL OF THE CITY OF JENKINS DOES ORDAIN AS FOLLOWS:

PURPOSE AND INTENT: THE PURPOSE AND INTENT OF THIS ORDINANCE IS TO AMEND THE JENKINS CODE OF ORDINANCES, TITLE XV: LAND USAGE, CHAPTER 150: LAND USE AND SUBDIVISIONS SUBSECTIONS 150.005: DEFINITIONS AND 150.112: "CAMPING" TO DEFINE AND REGULATE THE USE OF FISH HOUSES AS HABITABLE STRUCTURES FOR CAMPING.

SECTION 1. TITLE XV, CHAPTER 150, SUBSECTION 150.005 TITLED "DEFINITIONS" IS AMENDED TO INCLUDE:

FISH HOUSE. A STRUCTURE PLACED ON A LAKE DURING THE WINTER FOR USE IN FISHING. A STRUCTURE WILL ONLY BE CONSIDERED A FISH HOUSE IF IT IS **160 200** SQUARE FEET OR LESS, IS MOVEABLE, AND HAS A CURRENT LICENSE. **OFF-ICE USE THAT INCUDES HABITATION OF THIS STRUCTURE SHALL BE CONSIDERED A RECREATIONAL VEHICLE.**

RECREATIONAL VEHICLE. VEHICLES FOR RECREATIONAL USE THAT CAN BE DRIVEN, TOWED, OR HAULED. THESE VEHICLES ARE DESIGNED TO BE TEMPORARY LIVING SPACE FOR CAMPING OR TRAVEL USE. RVs SHALL INCLUDE TRAVEL TRAILERS, CAMPER TRAILERS, TRUCK CAMPERS, SELF-PROPELLED MOTOR HOMES, **HABITABLE FISH HOUSES**, AND OTHER SIMILAR VEHICLES.

SECTION 2. TITLE XV, CHAPTER 150, SUBSECTION 150.112 TITLED "CAMPING" IS AMENDED TO INCLUDE:

§ 150.112 CAMPING.

(A) GENERAL.

(1) ALL RECREATIONAL VEHICLES MUST BE DESIGNED TO OPERATE ON STATE ROADS WITHOUT A SPECIAL PERMIT AND MUST HAVE A CURRENT LICENSE. **THESE PROVISIONS APPLY TO ALL RECREATIONAL VEHICLES, INCLUDING FISH HOUSES THAT ARE LICENSED AS SUCH.**

(2) NO CAMPING UNIT MAY BE PERMANENTLY PLACED OR SKIRTED.

(3) ALL CAMPING UNITS MUST BE ABLE TO BE MOVED READILY.

(4) CAMPING UNITS MUST MEET DWELLING SETBACK REQUIREMENTS.

(5) PRIOR TO PLACING A CAMPING UNIT, THE OCCUPANT MUST HAVE THE PERMISSION OF THE PROPERTY OWNER. THE PERMISSION MUST BE WRITTEN WHEN THE PROPERTY OWNER IS NOT AVAILABLE ONSITE.

(B) PROPERTIES WITH PRINCIPAL STRUCTURES.

(1) THERE SHALL BE A MAXIMUM OF TWO UNITS ALLOWED AT ANY ONE TIME.

(2) NO INDIVIDUAL CAMPING UNIT MAY BE PLACED FOR USE LONGER THAN 14 DAYS WITHIN ANY 60 DAYS.

(3) ONE CAMPING UNIT MAY BE ALLOWED IN OUTSIDE STORAGE. THAT UNIT MAY BE STORED YEAR ROUND.

(C) PROPERTIES WITHOUT PRINCIPAL STRUCTURES.

(1) THERE SHALL BE A MAXIMUM OF TWO UNITS ALLOWED AT ANY ONE TIME.

(2) EACH INDIVIDUAL CAMPING UNIT IS ALLOWED FOR 14 DAYS IN ANY ONE CALENDAR YEAR WITHOUT A PERMIT.

(3) A PERMIT IS REQUIRED FOR CAMPING UNITS ESTABLISHED FOR MORE THAN 14 DAYS IN ANY ONE CALENDAR YEAR. THE MAXIMUM TIME AN INDIVIDUAL UNIT CAN BE ESTABLISHED IS NINE MONTHS IN ANY ONE CALENDAR YEAR.

(4) ONE PERMIT PER PARCEL PER CALENDAR YEAR IS ALLOWED.

(5) A PERMIT FOR A CAMPING UNIT REQUIRES INSTALLATION OF A PERMANENT SEWAGE TREATMENT SYSTEM.

(D) PROPERTIES WHERE A PRINCIPAL STRUCTURE IS BEING CONSTRUCTED.

(1) CAMPING UNITS ARE ALLOWED IN CONJUNCTION WITH A LAND USE PERMIT FOR CONSTRUCTION OF A PRINCIPAL STRUCTURE.

(2) CAMPING UNITS ARE ALLOWED UP TO 12 MONTHS DURING CONSTRUCTION, WITH EXTENSION FOR AN ADDITIONAL 12 MONTHS IN CONJUNCTION WITH EXTENSION OF A ZONING PERMIT.

(ORD. PASSED 4-10-2017) PENALTY, SEE § 150.999

SECTION 3. REPEAL: THIS ORDINANCE SHALL REPEAL ALL ORDINANCES INCONSISTENT HERewith.

SECTION 4. EFFECTIVE DATE: THIS ORDINANCE AMENDMENT SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER PASSAGE AND PUBLICATION ACCORDING TO STATE LAW. PASSED BY THE JENKINS CITY COUNCIL OF THE CITY OF JENKINS, MINNESOTA, THIS ____ DAY OF _____ 2026.

ANDREW RUDLANG, MAYOR

ATTEST:

CASSANDRA M. DELOUGHERTY, CITY CLERK-TREASURER

Summary Ordinance for Publication
ORDINANCE NO. O-26-52

**AN ORDINANCE AMENDING TITLE XV LAND USAGE, CHAPTER 150 LAND USE AND
SUBDIVISIONS SUBSECTIONS 150.005: DEFINITIONS, , AND 150.112 “CAMPING” OF THE
JENKINS CODE OF ORDINANCES**

The City Council of the City of Jenkins, Minnesota has approved this summary publication of Ordinance #O-26-47, which amends the Jenkins Code of Ordinances, Title XV: LAND USAGE, Chapter 150: LAND USE AND SUBDIVISIONS Subsections 150.005: DEFINITIONS, , and 150.112 “CAMPING” to define and regulate the use of “FISH HOUSES” and “RECREATIONAL VEHICLES”, while protecting the property rights of the citizens of the City of Jenkins.

**THE FULL TEXT OF THIS ORDINANCE AMENDMENT IS AVAILABLE DURING
NORMAL OFFICE HOURS AT THE OFFICE OF THE CITY CLERK AND IS POSTED AT
THE JENKINS CITY HALL.**

Dated this _____ day of _____, 2026.

Cassandra M. Delougherty
City Clerk-Treasurer
City of Jenkins



AGENDA ITEM # 5a

REPORT TO PLANNING COMMISSION

PREPARED BY: CASSANDRA DELOUGHERTY

DATE: JULY 29TH, 2026

SUBJECT: REVIEW OF AGRICULTURAL USE AND AGRICULTURAL STRUCTURES

REPORT: THE JENKINS CITY CODE OF ORDINANCES IS VAGUE REGARDING AGRICULTURAL STRUCTURES AND USES, WHICH CAN BE PROBLEMATIC. IN REVIEWING CITY CODE, IT APPEARS THAT AGRICULTURAL STRUCTURES ARE NOT DEFINED. IT IS ALSO UNCLEAR AS TO WHETHER AN AGRICULTURAL STRUCTURE CAN BE A “PRINCIPAL STRUCTURE”.

ALL ACCESSORY STRUCTURES OR USES REQUIRE A PRINCIPAL STRUCTURE OF AT LEAST 400 SQUARE FEET. THIS RAISES THE QUESTION AS TO WHETHER A DWELLING MUST FIRST BE ESTABLISHED IN ORDER FOR THERE TO BE AN AGRICULTURAL STRUCTURE ESTABLISHED ON A PARCEL.

UNFORTUNATELY, THE DEFINITION OF “PRINCIPAL STRUCTURE” IS NOT HELPFUL EITHER, BECAUSE IT JUST REFERS TO A PRIMARY STRUCTURE, WHICH IS CIRCULAR.

FOR REFERENCE, THE CURRENT CITY CODE SHOWS THE FOLLOWING:

§ 150.005 DEFINITIONS.

ACCESSORY USE OR STRUCTURE. A USE ON THE SAME LOT THAT IS BOTH INCIDENTAL AND SUBORDINATE TO AND SERVING THE PRINCIPAL USE OR STRUCTURE OF FACILITY.

AGRICULTURAL USE. THE USE OF LAND FOR AGRICULTURAL PURPOSES, INCLUDING FARMING, DAIRYING, PASTURAGE, AGRICULTURE, HORTICULTURE, FLORICULTURE, VITICULTURE, AND ANIMAL AND POULTRY HUSBANDRY, AND THE NECESSARY ACCESSORY USES USED FOR PACKING, TREATING, OR STORING THE PRODUCT, PROVIDED, HOWEVER, THAT THE OPERATION OF ANY SUCH ACCESSORY USES SHALL BE SECONDARY TO THAT OF THE NORMAL AGRICULTURAL ACTIVITIES.

PRINCIPAL STRUCTURE OR USE. THE SINGLE PRIMARY STRUCTURE OR USE ON A LOT, AS DISTINGUISHED FROM ACCESSORY USES OR STRUCTURE. TO BE CONSIDERED A *PRINCIPAL STRUCTURE*, THE STRUCTURE MUST BE AT LEAST 400 SQUARE FEET.

STRUCTURE. ANY BUILDING, APPURTENANCE, INCLUDING DECKS OR OTHER FACILITY CONSTRUCTED, PLACED, OR ERECTED BY MAN EXCEPT AERIAL OR UNDERGROUND UTILITY LINES SUCH AS SEWER, ELECTRIC, TELEPHONE, TELEGRAPH, GAS LINES AND EXCEPT WALKS OR STEPS ON GRADE NOT MORE THAN FOUR FEET WIDE OUTSIDE OF THE SHORE IMPACT ZONE, STOOPS NOT EXCEEDING 30 SQUARE FEET, TEMPORARY FURNITURE, PLANTER, OR DECORATIVE MATERIAL AND RETAINING WALLS CONSISTING OF WOOD OR DECORATIVE BLOCK.

§ 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.



AGENDA ITEM

(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.

§ 150.026 AGRICULTURAL DISTRICT (AG).

PURPOSE AND INTENT. THIS DISTRICT IS INTENDED TO PRESERVE AREAS FOR LOW INTENSITY USE SUCH AS FORESTRY, PASTURE, AND CROPLAND, LOW DENSITY RESIDENTIAL DEVELOPMENT, AND OUTDOOR RECREATION, AND TO SERVE AS A HOLDING ZONE FOR FUTURE HIGHER INTENSITY USES WHEN INFRASTRUCTURE IS MADE AVAILABLE.

§ 150.038 LAND USE MATRIX.

USE	AG	RR	R-1	R-2	RS	P	C-1	C-2	I-1
ACCESSORY STRUCTURE	P	P	P	P	P	P	P	P	P
AGRICULTURAL STRUCTURE	A	E	E	E	E	E	E	E	E

CITY OF JENKINS AGRICULTURAL PARCELS:

THERE ARE 40 AGRICULTURAL PARCELS WITHIN THE MUNICIPAL LIMITS OF JENKINS, MAKING UP 996.85-ACRES, OR 34.54% OF THE CITY'S TOTAL PROPERTIES.

10 OF THE 40 PARCELS ARE UNDER THE MINIMUM LOT SIZE REQUIREMENT OF 10-ACRES. THIS MAKES UP 47.69-ACRES.



AGENDA ITEM

6 OF THE 10 PROPERTIES BELOW THE MINIMUM LOT SIZE REQUIREMENT ARE FROM THE BEAN ESTATE PLAT, APPROVED JUNE 2024, AT WHICH TIME, THE MINIMUM LOT SIZE REQUIREMENT WAS ONLY 2-ACRES, AMENDED TO 10-ACRES IN DECEMBER 2024.

THESE 10 PROPERTIES WOULD BE CONSIDERED “LEGAL NON-CONFORMING,” AND STAFF RECOMMEND THAT THE CITY INITIATES A REZONE OF THE PROPERTIES TO RURAL RESIDENTIAL (RR), OR SINGLE-FAMILY RESIDENTIAL (R-1)

ATTACHED FOR YOUR REVIEW ARE DEFINITIONS AND INFORMATION RELATED TO ACCESSORY USES/STRUCTURES, AGRICULTURAL USES/STRUCTURES, AND PRINCIPAL/PRIMARY USES/STRUCTURES FROM NEIGHBORING COMMUNITIES.

ALSO ATTACHED IS A LETTER PROVIDED BY MAYOR RUDLANG RELATED TO AGRICULTURAL STRUCTURES AND USES, ALONG WITH A PROPOSED PROCESS FOR AGRICULTURAL STRUCTURES AND A PROCESS FLOW CHART FOR YOUR REVIEW.

REQUESTED ACTION: STAFF REQUESTS THAT THE PLANNING COMMISSION REVIEW THE ATTACHED DEFINITIONS AND INFORMATION FROM OTHER NEIGHBORING CITIES/COUNTY ORDINANCES, ALONG WITH LETTER FROM MAYOR RUDLANG, PROCESS REPORT, AND FLOW CHART. PLEASE DISCUSS THE CITY’S INTENT RELATED TO REGULATING THE AGRICULTURAL ZONING DISTRICT AND DEFINING AGRICULTURAL USE, AGRICULTURAL STRUCTURES, AND AGRICULTURAL-TYPE ACTIVITIES.

KEY QUESTIONS:

- SHOULD AGRICULTURAL STRUCTURES BE DEFINED?
- SHOULD AGRICULTURAL USES/ACTIVITIES BE BETTER DEFINED?
- CAN AN AGRICULTURAL BUILDING BE CONSIDERED A PRINCIPAL STRUCTURE?
- WHAT INFORMATION SHOULD BE PROVIDED TO THE CITY TO DETERMINE IF A BUILDING IS INTENDED FOR AGRICULTURAL USE?
- SHOULD THE CITY INITIATE A REZONE OF PARCELS ZONED AGRICULTURAL THAT DO NOT MEET THE MINIMUM LOT SIZE REQUIREMENTS?
- IF SO, SHOULD THE PARCELS BE ZONED RR (RURAL RESIDENTIAL) OR R-1 (SINGLE FAMILY RESIDENTIAL)? SEE MAP

CITY OF EMILY

Accessory Use: A use naturally and normally incident and subordinate to the main use of the premises

Accessory Structure: A building or other structure that is supportive, secondary and subordinate in use and/or size to the principal structure on the same parcel or lot which, because of the nature of its use, can reasonably be located at or greater than minimum structure setbacks. Includes all structures not considered the principal structure including, but not limited to, television towers/antennas, dish antennas, outdoor swimming pools, outdoor hot-tubs, detached garages, sheds, guest quarters and boathouses.

Agricultural Use: The use of land for agricultural purposes including farming, dairying, pasturage, agriculture, horticulture, floriculture, tree farming and lumbering, viticulture and animal and poultry husbandry and the necessary accessory uses used for packing, treating or storing the product; provided, however, that, the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

Principal Use/Structure: The single primary structure or use on a lot, as distinguished from accessory uses or structure. To be considered a *PRINCIPAL STRUCTURE*, the structure must be at least 400 square feet.

CITY OF BREEZY POINT

Accessory Use/Accessory Structure: A use or structure on the same lot and of a nature customarily incidental and subordinate to, the principal use or structure, including t.v. tower antennas, dish antennas exceeding a 60-inch diameter, swimming pools, wind generators, solar energy systems, garages, sheds, guest quarters and similar structures. ACCESSORY STRUCTURES attached to the principal structure shall not be counted in the total accessory structure square footage allowed on a property as per the Zoning Chart. Antennas shall meet all setback requirements, but shall not be subject to height restrictions.

Agricultural Use: The use of land for the growing and/or production of crops or livestock products for the production of income, including incidental retail sales of produce.

Principal Use/Structure: The single primary structure or use on a lot, as distinguished from accessory uses or accessory structures. The principal structure on a residential lot shall be a dwelling unit.

CITY OF PEQUOT LAKES

Accessory Use: A use naturally and normally incident and subordinate to the main use of the premises.

Accessory Structure: A building or other structure that is supportive, secondary and subordinate in use and/or size to the principal structure on the same parcel or lot which, because of the nature of its use, can reasonably be located at or greater than minimum structure setbacks. Includes all structures not considered the principal structure including, but not limited to, T.V. towers antennas, dish antennas, outdoor swimming pools, outdoor hot-tubs, detached garages, sheds, guest quarters and boathouses.

Agricultural Use: The use of land for agricultural purposes including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture and animal and poultry husbandry and the necessary accessory uses used for packing, treating or storing the product, provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

Principal Use/Structure: The single primary structure or use on a lot, as distinguished from accessory uses or structures. To be considered a principal structure, the structure must be at least 400 square feet in area and must be utilized for the purpose of the principal use of the property.

CITY OF NISSWA

Accessory Use/Structure: a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure, including tower antennas, dish antennas exceeding 36 inches in diameter, swimming pools, wind generators, garages, sheds, boathouses, and similar structures. The terms "accessory use" or "accessory structure" does not include a guest cabin or guest quarters.

Agricultural Use: the use of land for the growing or production of crops, or livestock products for the production of income, including incidental retail sales of produce and animal products.

Principal Structure/Use: the single primary structure or use on a lot, as distinguished from accessory uses or accessory structures.

CITY OF LAKE SHORE

Principal Structure/Use: The single primary structure or use on a lot, as distinguished from accessory uses or structure.

CITY OF PINE RIVER

Accessory Use: A land use which is subordinate to and serving the principal use and customarily incidental to the land use district in which the use is located.

Accessory Structure: A structure which is subordinate to and serving the principal structure customarily incidental to the use district in which the structure is located.

Agricultural Use: Real or personal property used for the production of crops, tillage, husbandry, or farming including but not limited to, fruit and vegetable production, tree farming, livestock, poultry, dairy products or poultry products, but not a facility primarily engaged in processing agricultural products. An agricultural operation shall also include certain farm activities and uses as follows:

- Chemical and fertilizer spraying
- Farm machinery noise
- Extended hours of operation
- Storage and spreading of manure and biosolids under state permit
- Open storage of machinery
- Odors produced from normal farm activities
- On farm marketing of farm products

Agricultural Structure: Any structure existing or erected which is used principally for agricultural purposes. Examples of agricultural structures include: Barns, greenhouses, and storage buildings for farm equipment/ animal supplies/farm products.

Principal Use: The main or primary use of land or buildings as distinguished from subordinate or accessory use. A "principal use" may be either permitted or conditional.

CITY OF FIFTY LAKES

Accessory Use: an adult use, business, or establishment having no more than ten percent (10%) of the floor area of the establishment in which it is located; or having no more than twenty percent (20%) of the gross receipts of the entire business operation; and not involving or including any activity except the sale or rental of merchandise.

Accessory Structure: any building or improvement subordinate to a principal use or primary dwelling. Such structures include sheds, storage shelters, pole buildings, detached garages, and similar structures.

Agricultural Use: the use of land for the growing and/or production of crops or livestock products for the production of income including incidental retail sales of produce or animal products.

Principal Structure/Use: the primary purpose for which land or a building is arranged, designed, intended, or used.

CROW WING COUNTY

Accessory Structure/Use: A use or structure which is incidental and subordinate to and on the same lot as the principal structure and does not include living quarters. Such structures include sheds, storage shelters, pole buildings, detached garages, cargo containers, in-ground pools, and similar structures.

Agricultural Use/Structure:

12.2 DENSITY AND DIMENSIONAL STANDARDS

- A. All lots, structures, and uses permitted in the Agricultural/Forestry District shall meet the following density and dimensional requirements:

Table 12.1 Lot Size, Width, Setback and Height Standards for the Agriculture/Forest District						
District	Minimum Lot Area	Minimum Lot Width	Structure Lot Line Setbacks	Road Right-of-Way Setback	Wetland Setback	Structure Height
Ag/Forest	35 acres	330'	10'	35'	15'	35' **

**--Agricultural storage buildings, barns, silos, grain elevators, and similar structures are exempt from building height standards.

Principal Structure/Use: The primary purpose for which land or a structure is arranged, designed, intended, or used.

To: Jenkins Planning and Zoning Commission

From: Mayor Andrew Rudlang

Re: Warehousing - Private and broader storage building policy discussion

Date: 7/6/2026

Chair and Members of the Planning and Zoning Commission,

I am unable to attend tonight's public hearing, but I would like to provide comments for the Commission's consideration.

First, I support removing "Warehousing - Private" from the zoning definitions and land use matrix. I believe that is the correct direction. As a land use category, "private warehousing" is broad enough to create confusion and may invite uses that are not consistent with the City's long-term planning goals, especially if interpreted to allow warehouse-type structures or storage activity in areas where that was not the City's intent.

That said, I believe there is a separate policy question that will remain even if "Warehousing - Private" is removed: whether the City should allow a limited, non-commercial storage building on larger parcels in less dense zoning districts, particularly Agricultural and Rural Residential areas.

I am not raising this in relation to any specific property or project. My concern is broader. Our ordinance framework appears to rely heavily on the concept of a principal structure or principal use, and in many practical situations that tends to mean a house or other primary developed use before an accessory storage building can exist. That approach makes sense to me within denser parts of the city and on smaller residential lots. On a typical residential lot, allowing standalone storage buildings without a residence could easily undermine neighborhood character and orderly development.

However, I do not think a 10, 20, or 40-acre parcel in an outlying Agricultural or Rural Residential area presents the same planning concern as a small lot in the developed portions of town. In those larger, lower-density areas, a single well-sited storage building for personal or agricultural-related equipment may be reasonable and may not be detrimental to the long-term growth or character of Jenkins.

My concern is that if the ordinance is too rigid, we may effectively require a property owner to build a house, septic system, well, or other improvements before they can make practical use of a large rural parcel for basic non-commercial storage. In some cases, that may create more development pressure, not less. It may also discourage reasonable stewardship and use of larger parcels where the actual impact of one enclosed storage building would be minimal.

I would encourage the Commission, after dealing with tonight's "Warehousing - Private" amendment, to consider whether a separate and narrowly tailored ordinance amendment should be discussed. Such an amendment could allow one standalone storage building on sufficiently large parcels in appropriate zoning districts, subject to clear standards and safeguards.

For example, the Commission might consider whether such a use should be allowed only if all or most of the following conditions are met:

- The parcel is located in the Agricultural or Rural Residential district.
- The parcel meets a minimum size threshold, possibly 10 acres or another threshold the Commission believes is appropriate.
- Only one standalone storage building is allowed before establishment of a residence or other principal structure.
- The use is strictly non-commercial.
- No dwelling, sleeping quarters, kitchen, bathroom, septic, or well connection is allowed unless otherwise permitted under the ordinance.
- All setbacks, impervious surface limits, building permit requirements, driveway/access standards, and shoreland or floodplain rules still apply.
- Outdoor storage, junk storage, commercial vehicle storage, or business activity is not allowed unless separately permitted.
- The building must be maintained in a manner compatible with the rural character of the area.

I am not asking the Commission to resolve that broader question tonight. I simply want to make clear that removing "Warehousing - Private" is, in my view, the right step, but it should not be the end of the discussion. The City should still consider whether our ordinances properly distinguish between small residential lots and large rural parcels.

In short, I support eliminating the overly broad "Warehousing - Private" use, but I also believe Jenkins should consider a carefully limited path for non-commercial storage buildings on larger parcels in appropriate outlying zones. I think that would better reflect the reality of our community while still protecting residential neighborhoods, preventing commercial warehousing, and preserving the City's long-term development goals.

Respectfully,

Andrew Rudlang

Mayor, City of Jenkins

Proposed Process for the Agricultural Parcel Building

Draft for City Staff and City Attorney Review Before Release

Purpose of this report

This report explains the procedural next steps for the proposed building on the approximately 40-acre Agricultural-zoned parcel. It is intended to clarify how the application should move through the City's established land-use process and what options are available at each decision point.

No decision has yet been made concerning whether the proposed building qualifies as an agricultural structure or under another permitted-use classification. That determination must begin with a complete written application reviewed by the City's Planning and Zoning Administrator.

The Mayor may assist by communicating this staff-approved process, but the Mayor does not individually approve permits, interpret the zoning ordinance, or decide an administrative appeal outside the formal public process.

1. Submit a formal City Land Use Application

The first required step is to submit the City of Jenkins Land Use Application to the Planning and Zoning Administrator or City Clerk.

Based on the project as it has been described, the applicant may request approval for:

- **Proposed use:** Agricultural
- **Structure type:** Storage building or pole building
- **Construction:** New construction

The local land-use matrix lists an "**Agricultural structure**" as an allowed use in the Agricultural District. Jenkins Code §150.038 designates that use as "A" in the AG column.

Although the matrix legend describes "A" as "allowed without a permit," Jenkins Code §150.286 expressly requires a land-use permit before any new structure is constructed. The practical reading is that an agricultural structure is an allowed use in the AG District and does not require a conditional-use permit merely because of its use classification, but the physical building still requires the ordinary City land-use permit and compliance review.

Information that should accompany the application

The application and site plan should include, at minimum:

- Parcel identification number and property-owner signature;
- Parcel dimensions and total acreage;
- Proposed building dimensions, square footage, and height;
- Proposed location of the building;
- Distances from property lines, roads, wetlands, and any other applicable setback lines;
- Existing or proposed driveway, access road, and parking areas;
- Existing or proposed wells and septic systems, if applicable;
- Impervious-surface calculations;
- Any survey or wetland information requested by the Administrator;
- The applicable application fee; and
- A truthful written description of the proposed use of the building.

The applicant should request a dated receipt and written confirmation when the City determines that the application is complete.

2. Explain the agricultural basis for the application

The application should explain the actual agricultural use of the parcel and how the proposed building supports that use.

Jenkins Code §150.005 defines agricultural use as land used for activities including farming, dairying, pasturage, horticulture, viticulture, and animal or poultry husbandry. It also recognizes “necessary accessory uses used for packing, treating, or storing the product,” provided those activities remain secondary to normal agricultural activities.

Because the Jenkins ordinance lists “Agricultural structure” but does not separately define that term, the City may also consider the related Minnesota statutory definition of an agricultural building. Minnesota Statutes §326B.103, subdivision 3, describes an agricultural building as a structure:

1. Located on agricultural land as determined by the governing assessor;

2. Designed, constructed, and used to house farm implements, livestock, or agricultural products; and
3. Used by the owner or lessee, immediate family, employees, and persons involved in pickup or delivery of agricultural products.

That state definition primarily governs application of the State Building Code. It does not automatically control the City's zoning classification, but it provides useful guidance concerning what ordinarily qualifies as an agricultural building.

Helpful supporting information

The applicant should include facts such as:

- The present or planned agricultural activity on the parcel;
- Whether any portion is used or will be used for cropland, pasture, hay, livestock, forestry, horticulture, or another agricultural purpose;
- A list of the farm implements, agricultural equipment, livestock supplies, harvested products, or other agricultural materials that will be stored;
- The parcel's assessor classification, if relevant;
- Who will use the building;
- Confirmation that storage space will not be rented or leased to others;
- Confirmation that the building will not be used as a residence; and
- Confirmation that no unrelated commercial storage business will operate from the property.

The description must reflect the applicant's genuine intended use. Merely owning land zoned Agricultural does not necessarily make every storage building an agricultural structure. If boats, ATVs, or other personal equipment will also be stored, that should be disclosed. The Administrator and City Attorney can then determine whether that storage is incidental to a bona fide agricultural use or changes the proper classification.

3. Planning and Zoning Administrator review

Under Jenkins Code §150.280, the Planning and Zoning Administrator is responsible for:

- Determining whether the application is complete;

- Determining whether it complies with Chapter 150;
- Conducting or directing necessary inspections;
- Maintaining the application record;
- Issuing permitted land-use permits when the ordinance requirements are met; and
- Providing the applicant with the resulting findings or determination.

The City's application materials state that staff will notify the applicant when additional information is needed and will identify the date on which the application is considered complete.

Jenkins Code §150.291 and Minnesota Statutes §15.99 generally require the City to approve or deny a complete written land-use request within 60 days. If information is missing, state law provides that the deadline starts over only if the City gives written notice within 15 business days identifying what is missing. The City may extend the initial deadline by up to an additional 60 days through timely written notice stating the reasons for the extension.

No construction may begin until the required land-use permit has been issued.

Decision paths

Path A — Application is incomplete

If the Administrator determines that information is missing, the City should provide the applicant with a written list of the missing items.

The applicant may then:

1. Supply the requested information;
2. Revise the site plan or project description as necessary; and
3. Request written confirmation when the application is complete.

Terminal point: If the applicant does not provide the required information, withdraws the application, or abandons the project, no permit is issued and the application process ends.

Path B — Agricultural-structure application is approved

If the Administrator determines that:

- The proposed use qualifies as an agricultural structure;
- The structure and use comply with the AG District;
- All applicable setbacks and dimensional requirements are satisfied;
- Wetland, floodplain, access, impervious-surface, and other site requirements are satisfied;
- Required fees and outstanding City or County obligations are resolved; and
- Any other required governmental approvals have been obtained,

the Administrator should be able to issue the City land-use permit.

Approval as an agricultural structure does not necessarily mean that every state, county, watershed, wetland, or building-code requirement has also been satisfied. Those requirements remain the applicant's responsibility.

Under Jenkins Code §150.286, a permit generally becomes void if no action occurs within 12 months. Exterior work must generally be completed within 24 months, subject to the extension provisions in that section.

Terminal point: The permit is issued, the applicant completes the project in compliance with the permit, and the matter concludes without an appeal.

Path C — Application is denied or receives an unfavorable interpretation

If the Administrator determines that the building does not qualify as an agricultural structure, or that some other ordinance requirement prevents approval, the City should provide a written determination that identifies:

- The application that was reviewed;
- The relevant facts;
- The specific ordinance provisions relied upon;
- The reason or reasons for the decision; and
- The applicant's appeal rights and applicable filing instructions.

Minnesota Statutes §15.99 requires written reasons when a land-use request is denied.

The applicant would then have several options.

Option C-1 — Correct or revise the application

If the reason for denial is curable—for example, an incomplete agricultural-use explanation, inadequate site plan, setback problem, access issue, or missing supporting information—the applicant may work with staff to revise or resubmit the proposal.

A materially revised application may be treated as a new application and may create a new review period.

Terminal point: The revised application is either approved, withdrawn, or denied again.

Option C-2 — Appeal the Administrator’s decision

Jenkins Code §§150.006 and 150.281 allow an affected applicant to appeal an interpretation, order, requirement, decision, or determination made by the Planning and Zoning Administrator.

The applicant should obtain the City’s appeal form or written filing requirements and submit the appeal to the City Clerk or Planning and Zoning Administrator promptly. The appeal should include:

- The written decision being appealed;
- The particular findings or interpretations disputed;
- The ordinance provisions the applicant believes support approval;
- Supporting documents, maps, photographs, assessor records, and other evidence;
- A description of the agricultural activity and intended building use; and
- The required appeal fee, if applicable.

The Jenkins ordinance does not clearly state a general filing deadline for this type of administrative appeal. The applicant should therefore ask staff to confirm the applicable deadline and file without unnecessary delay.

4. Board of Adjustment appeal process

Jenkins Code §150.281 states that:

- The Board of Adjustment consists of the members of the Planning Commission;
- The Board has exclusive authority to hear and decide appeals from decisions of the Zoning Administrator;

- The Board must maintain a record of its proceedings, findings, and determinations; and
- Its decision on an administrative appeal is final locally, subject to judicial review.

Jenkins Code §150.006 also says that an appeal of an Administrator's ordinance interpretation may be made through a hearing of the Planning Commission.

There is, however, inconsistent language elsewhere in Chapter 150 describing the Planning Commission as advisory and referring to the "Board of Adjustment (City Council)." Before an appeal is scheduled, City staff and the City Attorney should confirm whether:

1. The Planning Commission formally convenes as the Board of Adjustment and issues the final decision; or
2. The Planning Commission conducts the hearing and makes findings or a recommendation, followed by final action by the City Council sitting as the Board of Adjustment.

The City should provide the applicant with the confirmed hearing sequence, notice requirements, meeting date, and submission deadline.

At the appeal hearing

The reviewing body should consider the existing administrative record and any properly submitted evidence. The question is whether the Administrator correctly applied and interpreted the ordinance based on the facts of the application.

The applicant may ordinarily:

- Appear personally or through an attorney or agent;
- Explain the proposed agricultural use;
- Present documents, testimony, maps, and other evidence;
- Respond to staff's findings; and
- Explain why the building does or does not fit the disputed ordinance classification.

The reviewing body should make findings based upon the ordinance and the evidentiary record. This is an appeal of an administrative interpretation—not a request for a personal exception from the ordinance.

5. Possible appeal outcomes

Outcome 1 — Administrator’s decision is overturned or modified

The Board of Adjustment may determine that the Administrator’s interpretation was incorrect or should be modified.

The matter would then return to the Administrator for issuance or further processing of the permit, subject to any remaining objective requirements and the terms of the appeal decision.

Terminal point: The permit is issued after all remaining requirements are satisfied.

Outcome 2 — Administrator’s decision is upheld

If the Board of Adjustment agrees with the Administrator, the denial or unfavorable interpretation remains in effect.

The applicant may:

- Accept the decision;
- Revise the project and submit a materially different application;
- Pursue another ordinance classification that truthfully fits the proposed use;
- Seek an ordinance amendment or rezoning through the applicable legislative process; or
- Seek judicial review.

Terminal point: If no further action is taken, the local denial becomes final and the proposed project may not proceed as submitted.

Outcome 3 — Judicial review

Jenkins Code §150.281 states that an aggrieved party may appeal a final Board of Adjustment decision to District Court within 30 days after receiving notice of the decision.

Minnesota Statutes §462.361 also authorizes District Court review of municipal zoning decisions and allows the City to argue that an applicant must first exhaust available local remedies.

Judicial review should be discussed with the applicant’s own attorney. The City cannot provide the applicant with private legal advice.

Terminal point: The court may uphold the City’s decision, reverse it, or return the matter to the City for further proceedings.

6. A variance is a separate and limited remedy

An administrative appeal asks whether the Administrator interpreted or applied the existing ordinance correctly.

A variance asks for relief from a particular zoning standard because of practical difficulties unique to the property.

A variance generally cannot be used to create a land use that is not allowed in the zoning district. Jenkins Code §150.285 and Minnesota Statutes §462.357, subdivision 6, both prohibit using a variance to authorize a use that the zoning ordinance does not permit.

A variance may potentially be relevant to a dimensional requirement such as a setback, but it is not a substitute for demonstrating that the proposed use itself is allowed.

7. Possible alternative classification: private warehousing

Under the ordinance currently in effect, the land-use matrix also lists “Warehousing, private” as an allowed use in the AG District, and the ordinance defines warehousing as a principal use involving storage of materials or equipment within an enclosed building.

The City is presently considering an ordinance amendment that may remove or change that classification. The proposed amendment has not yet been adopted and is not presently effective.

The applicant may ask staff and the City Attorney whether the proposed building could be considered under private warehousing as an alternative classification. That possibility is not an assurance of approval, and the applicant should not use that classification unless it accurately describes the intended use.

Because no formal application has yet been submitted, the applicant should not assume that preliminary conversations preserve the current ordinance indefinitely. Questions concerning which ordinance applies to a pending application should be answered by the City Attorney based on the submission date, completeness date, effective date of any amendment, and other relevant facts.

8. Communication and official roles

Going forward, the primary point of contact should be the Planning and Zoning Administrator or City Clerk.

Questions, documents, revised plans, and requests for a formal determination should be submitted through staff so that:

- The City has one complete and consistent administrative record;
- The applicant receives authoritative procedural information;
- Staff is not placed in a position where different City officials appear to be giving separate instructions;
- Any appeal is based on a clear written determination; and
- Any later review occurs through the proper public process.

The Mayor may relay a staff-approved status update or help direct the applicant to the correct process, but cannot independently approve the permit, reverse staff, promise an outcome, or decide the merits outside a properly noticed proceeding.

If the matter eventually comes before a body on which the Mayor or Council has a formal decision-making role, the merits should be addressed at that stage, on the public record, and based upon the established application and findings.

Process summary

Formal application submitted

→ Staff determines completeness

- Incomplete: applicant supplies missing information, revises, withdraws, or abandons.
- Complete: formal review begins.

→ Planning and Zoning Administrator decides

- Approved: permit issued after all remaining requirements are met.
- Denied: written reasons and appeal information provided.

→ After denial

- Applicant revises or resubmits; or

- Applicant appeals through the Board of Adjustment process.

→ **Board of Adjustment decision**

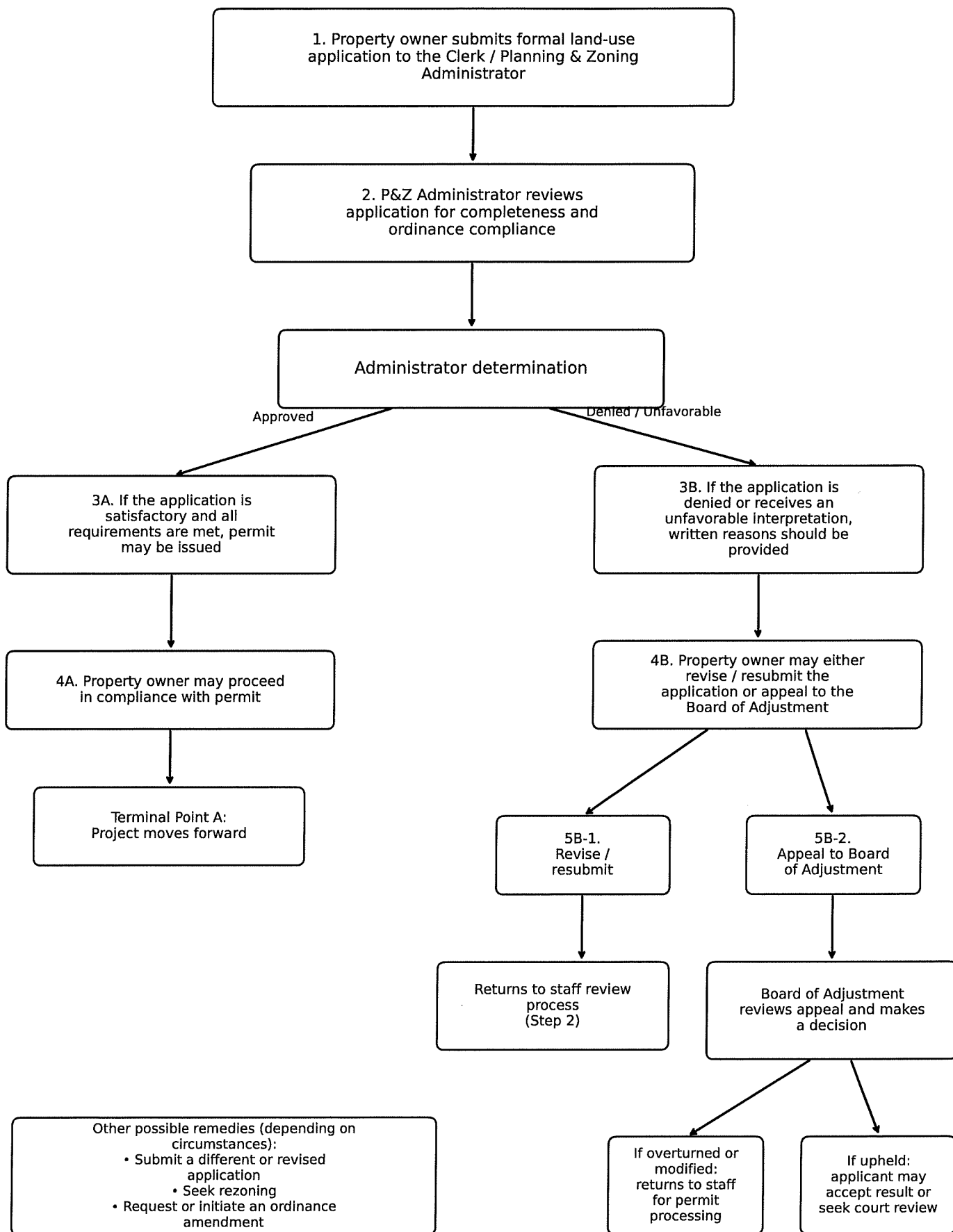
- Decision overturned or modified: application returns to staff for permit processing.
- Decision upheld: applicant accepts, revises, seeks another lawful approval, or requests judicial review.

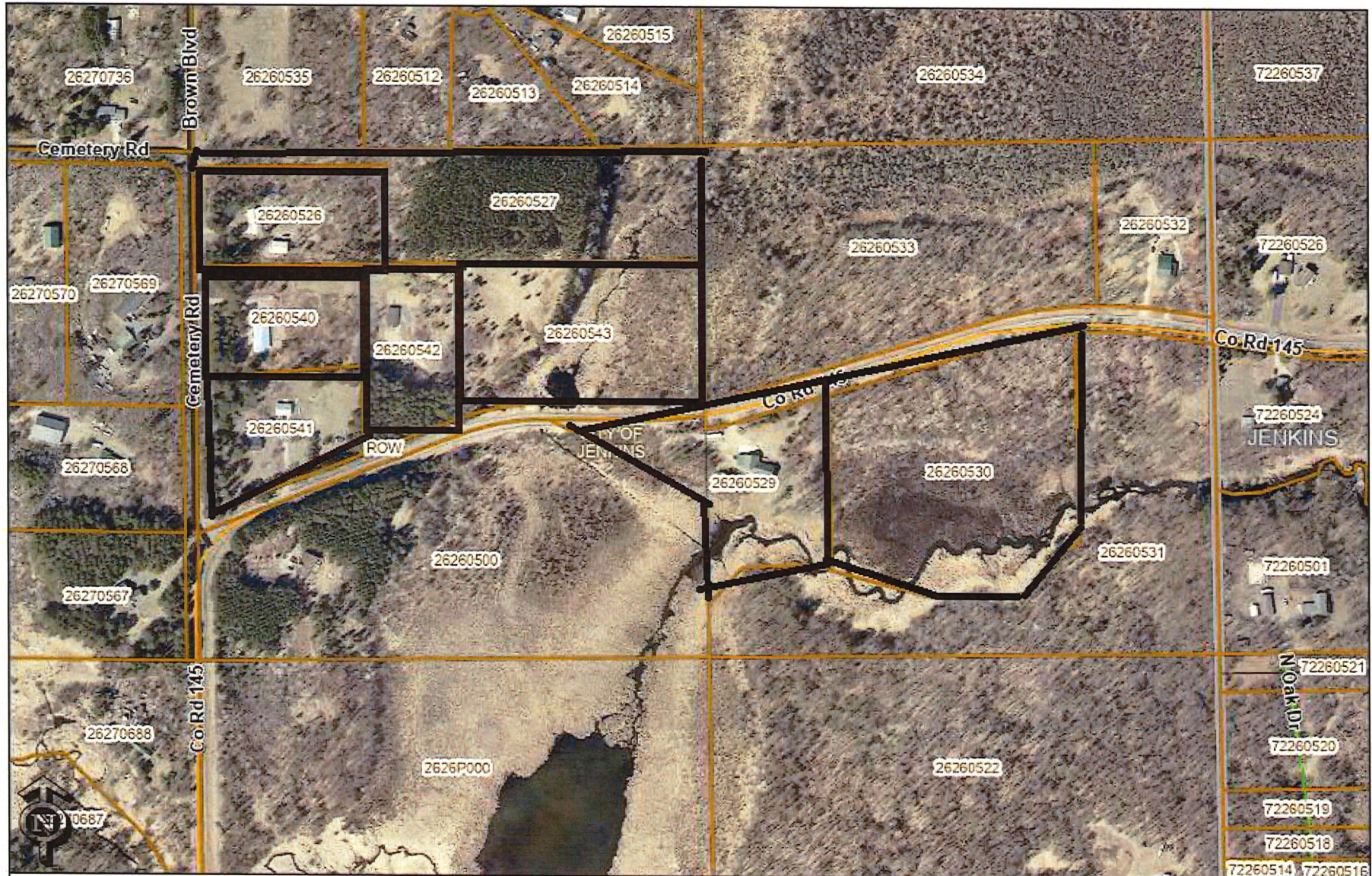
→ **District Court**

- Court affirms, reverses, or remands the decision.

This process allows the property owner to receive a formal, reviewable decision while ensuring that staff, the Planning Commission or Board of Adjustment, the City Council if legally applicable, and the Mayor remain within their assigned roles.

Jenkins Agricultural Parcel Building Permit Process (Conceptual Flow Chart)





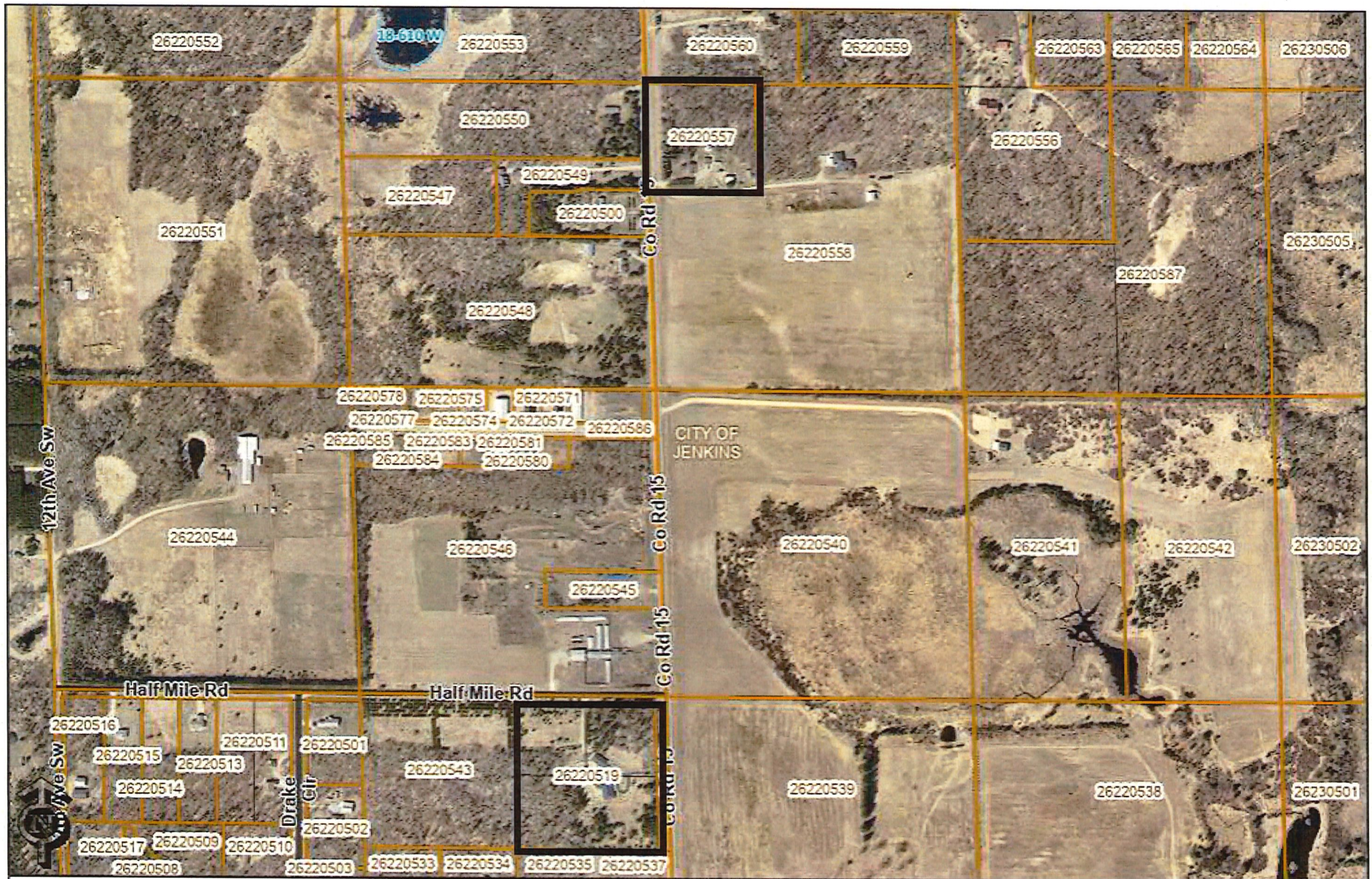
These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

26260526	2.98
26260527	6.1
26260540	2.5
26260542	2.51

Date: 7/29/2026 Time: 12:31 PM

26260543	5.46
26260541	2.67
26260529	3.05
26260530	8.59





These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

26220557 5.05

PID26220557 & PID26220519

26220519 8.78

Date: 7/29/2026 Time: 12:29 PM



PID#	ACRES	USE	DWELLING
26220557	5.05	Land Use App. (2) - Deck, addition (garage)	Yes
26260526	2.98	Building Permit- Shed/reside	Yes
26260527	6.1	Building Permit - Septic	No
26260540	2.5	SSTS/Land Use App. (2) - Reside, garage	Yes
26260542	2.51	SSTS/Land Use App. - Reside, deck	Yes
26260543	5.46	SSTS/Land Use App. - Reside	Yes
26260541	2.67		Yes
26260529	3.05	SSTS/Zoning App (3) - pole shed, garage, reside	Yes
26260530	8.59		No
26220519	8.78	SSTS/Building Permit App. - (2) New construction (reside)	Yes



AGENDA ITEM #

6a

REPORT TO PLANNING COMMISSION

PREPARED BY: CASSANDRA DELOUGHERTY

DATE: JULY 29TH, 2026

SUBJECT: NOTICE OF POTENTIAL QUORUM PEQUOT TOOL OPEN HOUSE & DAD'S FEST

REPORT: THE ELECTED AND APPOINTED OFFICIALS OF THE CITY OF JENKINS HAVE BEEN INVITED TO PEQUOT MANUFACTURING'S OPEN HOUSE AT THEIR NEW LOCATION (LOCATED AT 33040 ASPENWOOD) ON THURSDAY, AUGUST 6TH, 2026 FROM 3PM TO 6PM.

THE JENKINS VFW IS HOSTING A DAY-LONG DAD'S FEST/DAD'S DAY ON SATURDAY, AUGUST 15TH AT LOCATIONS THROUGHOUT THE CITY. (VETERAN'S PARK, VFW, AND POSSIBLY THE JENKINS BALLFIELD.)

ALL ELECTED AND APPOINTED OFFICIALS ARE ENCOURAGED TO ATTEND THE OPEN HOUSE, AS WELL AS TO ATTEND AND/OR VOLUNTEER FOR THE DAD'S DAY FESTIVITIES. NOTICE OF POTENTIAL QUORUM HAS BEEN PUBLISHED TO ENSURE TRANSPARENCY AND AVOID OPEN-MEETING LAW VIOLATIONS. NO CITY BUSINESS WILL BE CONDUCTED.

REQUESTED ACTION: PLEASE CONSIDER ATTENDING THE OPEN HOUSE AND/OR DAD'S FEST/DAD'S DAY CELEBRATION.



**CITY OF JENKINS
CROW WING COUNTY
STATE OF MINNESOTA**

PUBLIC NOTICE OF POSSIBLE QUORUM

NOTICE IS HEREBY GIVEN that the City Council and Planning Commission of the City of Jenkins, Crow Wing County, Minnesota, have been invited to attend two (2) local gatherings where a quorum of members may be present. The events include **Pequot Manufacturing's Open House located at 33040 Aspenwood Drive on Thursday, August 6th, 2026, from 3:00-6:00 PM, as well as a VFW-hosted City Festival throughout the City of Jenkins all day Saturday, August 15th, 2026.** Dad's Fest is a community event, and the public are welcome to attend. No portion of the festivities will be to determine any official city business.

BY ORDER OF THE CITY COUNCIL on Tuesday, July 28th, 2026.


Cassandra M. Delougherty, City Clerk-Treasurer

Posted this 29th day of July, 2026.



ZONING ADMINISTRATOR'S REPORT

PERMITS: THE FOLLOWING LAND USE PERMITS HAVE BEEN ISSUED SINCE THE LAST MEETING:

- TBD GOPHER TRAIL, CONSTRUCTION OF A RESIDENTIAL STORAGE BUILDING & E911 ADDRESSING REQUEST (WILL BE APPROVED UPON RECEIPT OF PAYMENT)

PENDING APPLICATIONS: THE FOLLOWING APPLICATIONS ARE PENDING:

- POTENTIAL RESIDENTIAL STORAGE REZONE AND COMMON INTEREST COMMUNITY (CIC): INFORMATION HAS BEEN PROVIDED TO POTENTIAL PURCHASER REGARDING PROCESS STEPS. DELOUGHERTY IS AWAITING THIS INFORMATION AND FORMAL APPLICATION TO PROCEED. **CURRENTLY ON HOLD**
- ACCESSORY DWELLING ON CEMETERY RD (RECEIVED SSTs DESIGN-APPROVED)
- AGRICULTURAL STRUCTURE IN AGRICULTURAL ZONING DISTRICT

PROPERTY OWNER REQUESTS FOR COUNCIL:

- NONE AT THIS TIME-SEE CITIZEN CONCERN BELOW

RECENT/UPCOMING PUBLIC HEARINGS:

- ORDINANCE AMENDMENT O-26-51 **REMOVAL OF 'WAREHOUSING, PRIVATE' FROM THE LAND USE MATRIX APPROVED** (PC RECOMMENDED APPROVAL TO CC ON 7/6/26, CC FINAL APPROVAL 7/13/26)
- ORDINANCE AMENDMENT O-26-52 **DEFINING 'FISH HOUSES' AND 'RECREATIONAL VEHICLES'** (PUBLIC HEARING: AUGUST 3RD, 2026, AT WHICH TIME PC WILL MAKE RECOMMENDATION OF APPROVAL OR DENIAL TO CC FOR 8/10/26 CC MEETING)

CURRENT PLANNING COMMISSION ITEMS & RECENTLY REVIEWED:

- AGRICULTURAL STRUCTURES/USES, PRIMARY/ACCESSORY STRUCTURES/USES
- REVIEW OF TRANSIENT MERCHANT/PEDDLER/MOBILE FOOD VENDOR PERMIT APPLICATION-NO CHANGES RECOMMENDED

ZONING COMPLIANCE

- CITIZEN CONCERN REGARDING THISTLES GOING TO SEED. (NOXIOUS OR PROHIBITED WEED SPECIES CONCERN)