

TOWN of MAY
WASHINGTON COUNTY, MINNESOTA
OFFICIAL PLANNING COMMISSION MINUTES
January 30th, 2025

The Planning Commission for the Town of May held its regular monthly meeting on Thursday, January 30th, 2025 at the May Town Hall. Members in attendance were Chair Chad Nelson, Vice Chair Walt Peterson, Lester Rydeen, Ted Nesse, and Dave Ubel. Also present was Town Planner Nate Sparks and Town Clerk Bobbi Hummel. Members Mitchell Otterson and Dave Langer were absent. Chad Nelson called the meeting to order at 6:59 p.m.

Minutes from December 19, 2024, Planning Commission Meeting.

Motion by Nesse, seconded by Peterson to approve minutes from the December 19th, 2024 meeting. All in favor. Motion passed.

Rural Residential District Study

Planner Sparks notes that public feedback has been received over several meetings and a framework has now been drafted for review. The Planning Commission will craft a recommendation tonight to present to the Board next week for endorsement. The endorsement would then be drafted into an ordinance amendment for another public hearing at next month's Planning Commission meeting.

Uses that are incompatible with the comprehensive plan have been removed, other uses have been clarified and/or re-defined. Amendments have also been made to other uses. The goal is to make an ordinance that is reflective of what the comprehensive plan outlines the rural residential district to be, as well as modernize it.

From last month, institutional uses were one item that warranted more discussion. Using the Comprehensive Plan as a guide, it states "institutional uses are inappropriate" in the rural residential district. If the direction is to follow the comprehensive plan and not change it, institutional uses would no longer be an option in the rural residential district. Other options are to scale or limit the use to the property size. This is especially important for our township as many of our gravel roads (scenic and rustic) have a limited capacity. Another approach (that other cities sometimes use) is to allow "assemblies" in a zoning district, size specified. May Township does not have the differences in zoning districts necessary to create a distinction and this may create conflicts and challenges.

Another challenge is parks or public spaces with an unfettered access to a property. Again, road limitations in the township need to be considered. Perhaps the answer again is to not have public uses in the rural residential zoning district. Instead, an option could be to create a new zoning district. With this, the land would get re-zoned and it would not be a conditional use permit but rather a re-zoning request.

Essential Services currently includes building large government buildings. This may not fit in the rural residential district. Some scenarios make sense for this use and we may consider it as a re-zoning rather than a conditional use permit. The currently allowed essential services could be better defined and scaled down. Clarity is important to distinguish exactly what is allowed. A re-zoning would allow more discretion for the Board. Some essential uses would be inappropriate if following the comprehensive plan, and should be removed. For example, home occupations can create a vast difference in size and scale. Small business permits create ongoing negative comments from residents. The increased activity can be bothersome to neighbors.

A new public (or semipublic) zoning district could include agriculture, parks, schools, places of assembly, and government buildings as conditional uses. Performance standards are also presented for these, including buffering, setbacks, and lighting.

According to the PCA, there are currently 5 feedlots in the township. 2 have no animals at this time. None of the 3 remaining, actually require a permit as they are simply registered as feed lots. In reality, there may not be any land owners in the township that have a lot large enough to have 1,000 animal units to require a permit. Perhaps the township could only require a permit when exceeding the animal unit count. A working farm would remain as is.

The state allows farmers to sell produce at their property, as road side sales. It does not make sense to require a CUP when this is something the township cannot prohibit. Sparks suggests removing this from the conditional use list and make it an accessory use to an agricultural use. An exception to access the front of the property should be granted. However, a situation where a building is used or sales take place on the interior part of their property should be considered as a small business permit.

Horse uses have been treated as agriculture. There is a difference in training a horse -vs- training the people riding the horse. Historically, a small business permit has been required to train riders. This could remain as written.

Temporary Homes/Mobile homes is only used in emergency situations. For example, with a fire, an IUP is granted to place a mobile home on the property while the permanent residence is repaired/rebuilt. A suggestion is to have an administrative function that grants this allowance solely with a building permit posted to rebuild the damaged home. This may also be allowable when someone builds a pole barn to store supplies for a new home on the same land.

Conflicting language around grading and land reclamation needs to be rectified, both are poorly defined. Grading is moving dirt; land reclamation is brought in dirt from off-site to move around. Both can be handled by the same permit process but thresholds should be required. The concern is the amount of work, not why or how the work is being done.

Antennas and Towers must have some allowance, but it should be consistent. Sparks proposes new general language around this use.

Board discussion on each use follows:

Speaking on institutional uses, Nelson is concerned with potential future challenges in setting size limitations. Using the comprehensive plan as a guide may make a more sensible approach. Peterson supports the scaling based on the size of the lot and creating standards, similar to what was done in the conservancy district. Sparks cautions the Commissioners in comparing this sizing approach to what is allowed in the conservancy district. The land sizes are vastly different (much larger) in the conservancy district than in the rural residential district. The entire scenario changes drastically with 1,000 acres of open land in a conservancy district versus a 40-acre tract in the rural residential district.

A potentially new public district is related to a comprehensive plan designation, just like the rural residential district. The location/zoning of a property guides the allowed uses and/or permits. The procedure to change zoning is discretionary and would allow the town more options to determine appropriate uses. The principal purpose of a new public district is for places like the town hall or county facilities and CUP's would still be required.

Upon review, Commission Nesse found it hard to scale many currently allowed uses into the rural residential district. The proposal to move some of the uses into a public zoning district is compelling and appropriate. It is problematic to try to come up with an arbitrary number at which to cap a use and/or trying to scale a non-residential use into residential district. He is in agreement on Planner Sparks recommendations and encouraged by the approach to create a new zoning district.

With this information, Peterson withdraws his comments about potentially scaling a use to the property.

Nelson agrees it makes the most sense to isolate public services into a public zoning district and manage it under the comprehensive plan.

Rydeen asks if care facilities considered an institutional use. Sparks clarifies it is a residential care facility and it is required to be permitted under state statute provide that is 6 or fewer people. Without public septic, a large facility would not be realistic in the township.

Nelson suggests institutional uses and government buildings be placed in a new public zoning district, following the current comprehensive plan.

Essential Services - Utility Substation. One example is our local 201 system, requires it be in a certain location based on infrastructure. Nesse suggests a narrow definition be drafted of what exactly is meant by this.

Home Businesses – Consider a home business with a CUP. This would be a business, for example, conducted in a pole building on the owner's property. It would be impactful to neighbors. The proposal is to add limits/restrictions to reduce potential complaints.

Home Occupations – Make this a simple registration requirement, it is a common requirement in many other towns. A house cannot be modified to accommodate a business.

Rydeen believes small businesses are good for the township and produce good people and that is good for the township.

Agricultural Uses – Not currently included in this ordinance. These are allowed as a CUP.

Roadside Sales Stand – Permitted as an accessory use. Sales in another structure or on the interior part of the property would require a small business permit.

Temporary Structures – Nelson believes it makes sense to grant this use in an emergency situation or when building a home. Allowing the building inspector to make a determination with individual situations.

Grading/Land Reclamation – Nelson mentions concerns about ongoing work with these projects. Nesse clarifies that grading and land reclamation would be considered one topic and thresholds would be established to determine a need for an IUP. The building inspector would be involved. Nelson agrees. The City Engineer would be involved in creating the threshold limits, it is somewhat driven by truck traffic. This has been problematic in recent history.

Antennas/Towers – Planner Sparks will make this a separate ordinance; it will require a CUP.

Nelson summarizes that the commission is in relatively high agreement at this point and offers a motion to recommend the proposed modifications as presented by Planner Sparks, using the comprehensive as the guiding document and creating a new public /semi-public zoning district.

Nesse notes the change in employee count on a home business as a change.

Peterson adds that the Building Inspector be involved in approving emergency temporary dwellings.

Motion seconded by Walt Peterson. All in favor. Motion passed.

This is Walt Peterson's last night as a Planning Commissioner and encourages everyone to consider joining the Planning Commission, as it has been a fulfilling experience.

Meeting adjourned at 8:47 p.m.

Respectfully submitted by Bobbi Hummel.



Bobbi Hummel
Clerk/Treasurer