

MINUTES OF A PUBLIC HEARING CONDUCTED BY THE ST. LOUIS COUNTY PLANNING COMMISSION MARCH 14, 2019, ST. LOUIS COUNTY PUBLIC WORKS, LOWER-LEVEL TRAINING ROOM, VIRGINIA, MN.

9:02 A.M. – 11:49 A.M.

Planning Commission members in attendance: David Anderson
Daniel Manick
Commissioner Keith Nelson
Sonya Pineo, Chair
Dave Pollock
Roger Skraba
Ray Svatos

Planning Commission members absent: Steve Filipovich
Diana Werschay

Decision/Minutes for the following public hearing matters are attached:

NEW BUSINESS:

- A. Christine Schlotec, continuance of a hearing for a conditional use permit for a resort/RV park expansion as a Planned Development - Class II.
- B. Dave and Shannon Ralidak, a conditional use permit for a general purpose borrow pit as an Extractive Use – Class II.

OTHER BUSINESS:

Motion by Skraba/Manick to approve the minutes of the February 14, 2019 meeting.

In Favor: Anderson, Manick, Nelson, Pineo, Pollock, Skraba, Svatos - 7

Opposed: None – 0

Motion carried 7-0

Omar's Sand and Gravel

Jenny Bourbonais, Acting Secretary, stated there had been confusion regarding the legal description of the gravel pit boundaries from the February 14, 2019 hearing. The original legal description was for property much larger than where the gravel pit was located. Staff double checked where the gravel pit boundaries would be and the legal description was revised accordingly. The Planning Commission had been mailed a copy of the revised legal description showing where the pit boundaries are located and this will be used for the conditional use permit.

Motion by Nelson/Svatos to approve the pit boundary based on the revised legal description.

In Favor: Anderson, Manick, Nelson, Pineo, Pollock, Skraba, Svatos - 7

Opposed: None – 0

Motion carried 7-0

Commission member *Svatos* stated there should be a policy regarding limiting the amount of time a member of the audience would be allowed to provide their testimony. The Planning Commission discussed whether or not a policy should be approved. Commission member *Pineo* stated that time should not be limited if the member of the audience did not repeat the same thing over and over. *Jenny Bourbonais* stated that adjoining landowner notices have been updated to include language that the Planning Commission may limit testimony and any extensive testimony should be provided in writing prior to any hearing. Commissioner *Nelson* stated that a spokesperson could be named to speak for a group of people to provide testimony. The County Board does have a five minute time limit, but it is rarely observed. Commission member *Pollock* stated there should be no time limit as people need time to make their points. The Chair can take control if there is redundancy. No vote was taken.

NEW BUSINESS:

Christine Schlotec

The first hearing item is for Christine Schlotec, the continuance of hearing of a conditional use permit for a resort/RV park expansion as a Planned Development - Class II, located in S8, T62N, R16W (Greenwood). Commissioner *Nelson* stated that he has a conflict of interest with this case and asked to recuse himself from this hearing. *Jared Ecklund*, St. Louis County Planner, reviewed the staff report as follows:

- A. The applicant is proposing a resort expansion of the existing Daisy Bay Resort by adding recreational vehicle (RV) sites.
- B. The proposed expansion would include a number of RV sites, potentially expanding up to the maximum density allowed in Zoning Ordinance 62. There are three tiers of development used to calculate the density allowed.
- C. The Minnesota Department of Health will determine the final number of RV sites allowed.
- D. The development on the property currently consists of a dwelling/office, 9 cabins, 5 RV sites and a few accessory structures.
- E. The cabins are either located inside or near Tier 1 in development. The RV sites will be located in Tier 2 and Tier 3. The RV sites will be located in an area that is currently wooded.
- F. There is slope on the property that has been noted by both staff and adjoining landowners.

Jared Ecklund reviewed staff facts and findings as follows:

- A. Plans and Official Controls:
 1. The Lake Vermilion Plan states that resorts and other water related commercial activities provide significant services for Lake Vermilion residents and visitors. Resorts provide a significant opportunity for the public to utilize the County's water resources, and it is in the public's interest for the County to encourage the long-term viability of the industry.
 2. Goal LU-7.2 of the Comprehensive Land Use Plan is to develop opportunities for neighborhood commercial sites that are compatible in scale and operation with the surrounding residential development.
 3. This property is within the Lakeshore Development Area in Planning Area 3 of the Future Land Use Map.

- a. The Lakeshore Development Area (LDA) is intended for rural development adjacent to lakes, including infill, new development, or redevelopment of existing residential, commercial, or mixed-use areas.
4. Zoning Ordinance 62 allows for Planned Development-Class II with a conditional use permit in a Lakeshore Commercial Overlay District.

B. Neighborhood Compatibility:

1. The property is located between the plats of Clover Point to the west and Vermilion Shore Acres to the east.
 - a. A portion of the Daisy Bay property is within the Clover Point plat.
2. The area along this shoreline is highly developed with residential properties.
 - a. The residential properties in this area are a mix of seasonal and year-round.
3. The Pier 77 mini-golf course and café is located approximately 0.1 mile to the west of this property.
4. The Lakeshore Commercial Overlay District in this area allows for commercial business to continue operation and expand as necessary even though the area is residential.
5. The proposed RV sites would increase the traffic to the property as well as require parking for vehicles, trailers, and boats. Additional dock space may also be required and would require Department of Natural Resources (DNR) approval.

C. Orderly Development:

1. The area to the south of County Road 77 is highly developed with residential properties.
2. The area to the north of County Road 77 is much less developed, but steep slopes and wetlands make those areas much less suitable for development.

D. Desired Pattern of Development:

1. The pattern of development in this area is primarily residential.
2. There is limited potential for future development in this area since much of the area is either already developed or not suitable for development.
3. The pattern of development may be residential; however, the Lakeshore Commercial Overlay district allows the existing commercial businesses to continue operation and expand on the property.
4. Expansion of the resort would provide greater opportunities for visitors and local residents that do not live on the lake to enjoy Lake Vermilion.

E. Other Factors:

1. The proposed expansion would be a significant increase in the use of the property.
 - a. Much of the property is currently wooded and undeveloped.
 - b. The majority of the proposed RV sites would be located in the currently wooded areas of the property. Much of the trees/vegetation would need to be removed to develop these areas into RV sites.
 - c. There are currently 9 cabins and 5 RV sites on the property. Commercial Planned Development standards may allow up to 43 total RV sites on the property.
2. The area of the proposed expansion has a fairly steep slope, between 10 and 14 percent.

- a. Safety and stormwater/erosion control concerns would need to be addressed while developing the RV sites and access roads.
3. A Minnesota Pollution Control Agency (MPCA) NPDES (Construction Stormwater) permit may be required if there is over one acre of new disturbed soils caused by the development of the roads and RV sites.
4. Leaving a buffer of trees around the property boundaries would be an important aspect for screening of the sites from the lake, the neighboring properties and the road.

Jared Ecklund noted items of correspondence received for the February 14, 2019 and the March 14, 2019 hearings; 9 items were received prior to the February 14 hearing and 11 items were received after the February 14 hearing. There were some items received from duplicate landowners and there were a few items received from outside this specific area. Correspondence was also received from the Environmental Services Department that stated, per SSTS Ordinance 61, a compliance inspection would be required for all septic systems on the property, including the existing system and the proposed future system. The inspection would also be required if the property changes hands.

The following is the list of concerns brought up in the correspondence:

1. Large number of sites in a small area near several residential properties.
2. Means to separate the RV park area from neighboring properties and a clear definition of the boundaries (fence, signs, etc.).
3. Design of septic system to handle the additional RV sites.
4. Checking the additional boats for aquatic invasive species.
5. Seasonal versus year-round RV park. Zoning Ordinance 62 only allows the RV campground to be used 7 months out of the year. A year-round RV campground is not allowed.
6. Will there be a lake water system or will a well be used for additional water usage?
7. Impact of the additional lighting on neighboring properties (light pollution).
8. Significant increase in parking on the site. Is there enough parking area for all RV sites to have additional parking?
9. Water runoff, drainage and erosion/sediment running downhill and into the lake.
10. Vegetative buffer to provide screening of the RV sites.
11. Grading impacts from development of the sites.
12. Stormwater management.
13. Noise caused by the RV campground.
14. Campfire smoke.
15. The property no longer fitting into the neighborhood with the increase in usage.
16. Additional traffic on the public road as well as on site.
17. Safety on the public road.
18. Implementation of standards/park rules (pet waste, lighting, quiet time, etc.).
19. Waste management.
20. Reduction in wildlife habitat.
21. Access to the sites to ensure that Jarnstrom road is not used by the RV campground guests.

STAFF RECOMMENDATION

In the event that the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow a resort/RV park expansion as a Planned Development - Class II, the following conditions shall apply:

1. The number of RV sites shall not exceed the commercial planned development standards.
2. St. Louis County on-site sewage treatment standards shall be followed.
3. An engineered stormwater and erosion control plan shall be submitted prior to a conditional use permit being issued.
4. All recreational vehicle administrative standards shall be met.
5. The applicant shall comply with Minnesota Accessibility Code.
6. The applicant shall comply with all county, state and federal regulations.

Christine Schlotec, the applicant, stated that only the resort will be year-round as they want to include ice fishing for winter revenue. The RV park will not be year-round. She has a purchase agreement on the Daisy Bay Resort tentative on finances. The current owner purchased the resort 24 years ago. She is the first person to make an offer on the resort. Currently, Daisy Bay Resort supports about half of the land value. There is a convenience store, gift shop and protected dock system. Adding the RV sites would help prevent a financial loss and keep the resort open. There is also a mini-golf business next door that might also appreciate the business.

She is asking for the maximum number of sites allowed. St. Louis County has a strict density maximum allowed. It is unknown how many sites will be allowed. It is unknown how the sites will be laid out on the property. She did have to provide a site sketch showing what it could look like. There are four government entities involved in this and St. Louis County is the first. Access to the property can remain as one entrance from Highway 77. There is plenty of room to provide additional parking. Each RV site will be approximately 30 feet by 70 feet to accommodate both an RV and parking. She listed an example of campground rules, including:

- Quiet time will be before 8 a.m. and after 10 p.m.
- Seasonal residents will be appropriately screened.
- Animals will be on leash and their waste will be picked up.
- Campfires will be allowed in designated rings only in convenient places to minimize smoke issues.
- Docks will be first come, first served.

Any changes to the docks will be brought to the DNR as needed. All government rules and regulations will be followed. A list of rules will be provided to Planning Department staff. Solar lights will be used where possible. Directional lighting will be utilized. They will leave as many trees and vegetation as possible to provide buffer. There is a natural, 100 foot buffer that cannot be used between the campground property and the next neighboring property.

She referred to the recent Bayview conditional use permit and requested the same conditions. Bayview was not required to have an engineered stormwater plan. If there is more than one acre disturbed, it would require a different MPCA permit and testing. This is only in the investigation stage as she does not know how many sites will be allowed and, without knowing this, she is unable to say how many acres would be disturbed. The MPCA has been notified of potential

construction in the event more than an acre is modified. There is no guarantee they will be allowed more than an acre. The cost of a permit would be large.

There will be an on-site well for drinking water and an intended water storage system in the event there is a loss of power. The Minnesota Department of Health will cover all well permits.

Six members of the audience spoke in opposition.

Jerry Hoel, 4104 Hoel Road, stated he is representing ten families and lives about 300 feet from the proposed RV park. Some of their concerns have been addressed. Up until this point, there has been very limited information and engineering data provided. The proposed RV park is not a good fit for the neighborhood as it will change a mom-and-pop style resort into a RV park that will increase RV usage by 900 percent on the site. He is concerned about campfire smoke and air quality. He is pleased that dark sky standards will be addressed. This RV park will be a significant change to their residential neighborhood and will not be in harmony. He is concerned about the amount of vegetation and trees being removed as there needs to be a buffer between the RV park and neighboring properties. Staff also said a buffer would have to be maintained around the perimeter of the property. Screening is an important consideration. This proposal is not consistent with a desirable pattern of development. They are not against economic development. Staff indicated that part of the development will provide the Lake Vermilion experience to those that are not on the lake. What good is it to expand a parcel to provide the Lake Vermilion experience to campers and take it away from those that live there? He handed out a letter to the Planning Commission from Rick Sathre, a retired professional engineer and noted that engineering information is needed to assess erosion control, sediment control, tree loss and buffers, proposed site grading impacts and the drainage and stormwater ponding details. There is concern that with building roads and RV pads, installing pressurized water systems and electrical hook-ups that the land will be disturbed.

Don Marolt, 4052 Clover Point Road, agrees with Mr. Hoel.

Shelley Padgett, 4184 Highway 77, stated that she is concerned about the number of RV units. The proposed expansion is too large. She is also concerned about public safety with the increase in traffic within a mile of the resort and the need for turn lanes, overflow parking, speed control and more Sheriff's Office and DNR presence to protect and ensure public safety.

Cindy Pettinelli, 4120 Hoel Circle, stated she has safety concerns in the lake inlet with swimmers and strangers with speed boats that do not know the area.

Angela Canttilen (?), 4016 Hoel Road, stated she is concerned with children's safety. There are no trails for people to walk or ride bikes.

Todd Betterley, 4058 Clover Point Road, stated he agrees with Mr. Hoel. His main concern is the fit of an RV park in a residential area. He has no issue with a resort.

No other audience members spoke.

The *Planning Commission* discussed the following:

- A. Commission member *Svatos* inquired if calculating the potential 43 sites had addressed land concerns such as slope. *Jared Ecklund* stated that the calculation is based on the usable area of the property. The calculation removes land like wetlands and right-of-ways, land that is regulated and cannot be used. Slope is only removed from the calculation if a bluff is present. None of the area shown has had slope removed because there are no bluffs present.
- B. Inquired if the Minnesota Department of Health has the final say on how many sites there are. *Jared Ecklund* stated that the Department of Health could limit the number of sites. The Environmental Services Department will also have review to see if the existing septic system as well as the new septic system will be adequate for the number of sites proposed. The new system may remove some of the usable land that could be used for the RV sites. The final say on the number of sites is based on the density allowed and the number of sites cannot go beyond that number.
- C. Commission member *Skraba* asked if land was considered north of Highway 77. *Jared Ecklund* stated that the only land considered was part of Tier 1, Tier 2 and Tier 3, none of which were north of Highway 77. As far as impervious surface is concerned, the whole property is included.
- D. Commission member *Skraba* created a list of the number of times a specific issue was brought up and the number of people that addressed the issue in the correspondence: drainage concerns (10), noise (9), number of sites (7), dark sky lighting (7), additional boats (7), buffer (6), congestion (3), additional traffic/road safety (3), source of drinking water (3), waste management (2), conflicting zoning (2) and the well (1).
- E. Commission member *Pollock* inquired who would make the determination on how much parking is allowed. *Jared Ecklund* stated that each site has a total usable area that is allowed. For any additional parking outside of that area, parking could be utilized in an open area. However, if there is a paved or gravel parking lot, that would be impervious surface.
- F. Commission member *Pollock* asked if the potential number of RV sites could be reduced because of the amount of parking that could be required. *Jared Ecklund* stated there is no specific formula to say how much parking would be available for each RV site. However, there are a number of issues that could limit the potential number of RV sites, including Environmental Services determining the number of septic systems necessary for the number of RV sites allowed.
- G. Commission member *Pollock* inquired who will be looking at the engineered stormwater plan. *Jared Ecklund* stated that the engineered plan for erosion control will be submitted to Planning Department staff and reviewed internally. This plan will also be submitted to the Public Works Department as they have the professional staff to review this plan.
- H. Commission member *Pollock* stated there are a number of other agencies involved in determining the number of RV sites, docks and parking areas. This is not just a rubber stamp for 43 RV sites. *Jared Ecklund* stated the first step for staff was determining how many RV sites would be allowed, if any. There are a lot of factors that go into determining the total number of sites.
- I. Commission member *Skraba* stated that while there are a number of things that could add to the amount of impervious surface, including gravel roads and gravel pads, is impervious surface included in the equation for the number of RV sites? *Jared Ecklund* stated that 25

percent impervious surface area is allowed for this type of use. The applicant is proposing 15 percent. An engineered stormwater plan is required for any use between 15 percent and 25 percent impervious surface.

- J. This is not a RV park for year-round use. *Jared Ecklund* stated that a year-round use for an RV park would be considered a mobile home park and would have different standards to follow. The applicant could keep the resort year-round, but the RV park could only be open for 7 months a year.
- K. Inquired if the Planning Commission could suggest a number of sites. Commission member *Pollock* stated that there are a number of agencies involved in determining the final number of RV sites. It would not help anyone to state a specific number of sites without knowing all of the factors involved.
- L. Commission member *Pineo* inquired if there were any considerations for back-up septic systems for Tier 3. *Jared Ecklund* stated that Environmental Services did state on the record review that the existing system was a definitional failure because of drywells in the shoreland area. The department did not address the proposed future septic site. However, this will need to be addressed. When a septic design is submitted, the number of RV sites could change. It is hard to factor in any septic system without having a design. The proposal will need to meet Environmental Services Department's requirements for a septic system.
- M. Inquired about the difference between MPCA permits if less than one acre of land is disturbed and if more than one acre of land is disturbed. *Jenny Bourbonais* stated that a NPDES permit would be required for more than one acre of disturbed soils.
- N. Inquired why this proposal would require an engineered stormwater plan while a project like Bayview did not. *Jenny Bourbonais* stated this has been a condition on other conditional use permits where slope is a concern. This is a recommended condition if the Planning Commission wants to keep it. There may be an engineered plan from another government agency's process.
- O. Reiterated that the Lakeshore Commercial Overlay was for a residential area that also had established commercial use. This allows for greater control over the commercial use should the use ever expand.
- P. Whether or not the conditional use permit could be issued without the condition that an engineered stormwater and erosion control plan be required before a conditional use permit is issued. It was determined that an engineered plan will likely be completed during the approval process with other government agencies and should not be required for conditional use permit approval. The condition itself could read that the 'engineered stormwater and erosion control plan shall be submitted.' *Jared Ecklund* explained that Zoning Ordinance 62 would require the engineered stormwater and erosion control plan if the proposed impervious surface exceeds 15 percent as part of the standard requirements for an RV park. As the proposed RV park will not exceed 15 percent but because there is slope present on the property, staff recommends the condition but it is not a requirement.
- Q. A majority of the issues and concerns raised by the Planning Commission and the adjoining landowners are addressed and regulated by other agencies.

DECISION

Motion by Svatos/Anderson to approve a conditional use permit to allow a resort/RV park expansion as a Planned Development - Class II, based on the following facts and findings:

A. Plans and Official Controls:

1. The Lake Vermilion Plan states that resorts and other water related commercial activities provide significant services for Lake Vermilion residents and visitors. Resorts provide a significant opportunity for the public to utilize the County's water resources, and it is in the public's interest for the County to encourage the long-term viability of the industry.
2. Goal LU-7.2 of the Comprehensive Land Use Plan is to develop opportunities for neighborhood commercial sites that are compatible in scale and operation with the surrounding residential development.
3. This property is within the Lakeshore Development Area in Planning Area 3 of the Future Land Use Map.
 - a. The Lakeshore Development Area (LDA) is intended for rural development adjacent to lakes, including infill, new development, or redevelopment of existing residential, commercial, or mixed-use areas.
4. Zoning Ordinance 62 allows for Planned Development-Class II with a conditional use permit in a Lakeshore Commercial Overlay District.

B. Neighborhood Compatibility:

1. The property is located between the plats of Clover Point to the west and Vermilion Shore Acres to the east.
 - a. A portion of the Daisy Bay property is within the Clover Point plat.
2. The area along this shoreline is highly developed with residential properties.
 - a. The residential properties in this area are a mix of seasonal and year-round.
3. The Pier 77 mini-golf course and café is located approximately 0.1 mile to the west of this property.
4. The Lakeshore Commercial Overlay District in this area allows for commercial business to continue operation and expand as necessary even though the area is residential.
5. The proposed RV sites would increase the traffic to the property as well as require parking for vehicles, trailers, and boats. Additional dock space may also be required and would require Department of Natural Resources (DNR) approval.

C. Orderly Development:

1. The area to the south of County Road 77 is highly developed with residential properties.
2. The area to the north of County Road 77 is much less developed, but steep slopes and wetlands make those areas much less suitable for development.

D. Desired Pattern of Development:

1. The pattern of development in this area is primarily residential.
2. There is limited potential for future development in this area since much of the area is either already developed or not suitable for development.
3. The pattern of development may be residential; however, the Lakeshore Commercial Overlay district allows the existing commercial businesses to continue operation and expand on the property.
4. Expansion of the resort would provide greater opportunities for visitors and local residents that do not live on the lake to enjoy Lake Vermilion.

E. Other Factors:

1. The proposed expansion would be a significant increase in the use of the property.
 - a. Much of the property is currently wooded and undeveloped.
 - b. The majority of the proposed RV sites would be located in the currently wooded areas of the property. Much of the trees/vegetation would need to be removed to develop these areas into RV sites.
 - c. There are currently 9 cabins and 5 RV sites on the property. Commercial Planned Development standards may allow up to 43 total RV sites on the property.
2. The area of the proposed expansion has a fairly steep slope, between 10 and 14 percent.
 - a. Safety and stormwater/erosion control concerns would need to be addressed while developing the RV sites and access roads.
3. A Minnesota Pollution Control Agency (MPCA) NPDES (Construction Stormwater) permit may be required if there is over one acre of new disturbed soils caused by the development of the roads and RV sites.
4. Leaving a buffer of trees around the property boundaries would be an important aspect for screening of the sites from the lake, the neighboring properties and the road.

The following conditions shall apply:

1. The number of RV sites shall not exceed the commercial planned development standards.
2. St. Louis County on-site sewage treatment standards shall be followed.
3. An engineered stormwater and erosion control plan shall be submitted.
4. All recreational vehicle administrative standards shall be met.
5. The applicant shall comply with Minnesota Accessibility Code.
6. The applicant shall comply with all county, state and federal regulations.

In Favor: Anderson, Manick, Pineo, Pollock, Skraba, Svatos - 6

Opposed: None – 0

Motion carries 6-0

Dave and Shannon Ralidak

The second hearing item is for Dave and Shannon Ralidak, a conditional use permit for a general purpose borrow pit as an Extractive Use – Class II, located in S32, T53N, R19W (Meadowlands). *Stephen Erickson*, St. Louis County Planner, reviewed the staff report as follows:

- A. The applicant is proposing a general purpose borrow pit to include crushing, washing and screening.
- B. There will be 0 to 10 trucks leaving the pit per day on average.
- C. The hours of operation will meet the standard hours of operation per Zoning Ordinance 62.
- D. The applicant is proposing to use an existing entrance off of County Road 226.

Stephen Erickson reviewed staff facts and findings as follows:

- A. Plans and Official Controls:
 1. Zoning Ordinance 62, Article V, Section 5.6 A., indicates general purpose borrow pits are an allowed use with a conditional use permit.

2. The St. Louis County Comprehensive Land Use Plan under Objective LU-4.5 states that the development of new general purpose borrow pits should be directed to areas designated as Forest and Agriculture (FA) on the Future Land Use Map.
3. The applicants' parcel is designated as FA within Planning Area 5a on the Future Land Use Map.

B. Neighborhood Compatibility:

1. The closest year-round residence is approximately 1,200 feet to the north of the pit boundary and there is one seasonal residence over 1,000 feet south of the pit boundary on an adjacent parcel to the south.
2. The pit to the east of the applicants has previously been permitted as a Public Works single season permit.

C. Orderly Development:

1. The majority of the development on County Road 226 is rural vacant land.
2. The proposed use is bordered by previous borrow pit activity to the east.

D. Desired Pattern of Development:

1. The subject parcel, as well as a majority of the surrounding area, are zoned Forest Agricultural Management (FAM)-3.
 - a. FAM zone districts allow a wide range of uses.
 - b. A general purpose borrow pit is an allowed use in a FAM zone district.

E. Other Factor:

1. The pit to the east of the applicants has previously been permitted as a Public Works single season permit.

Stephen Erickson noted no items of correspondence.

STAFF RECOMMENDATION

In the event that the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow a general purpose borrow pit as an Extractive Use - Class II, the following conditions shall apply:

Conditions Precedent:

1. The applicant shall obtain access approval from the appropriate road authority.
2. The applicant shall maintain a no disturbance setback of 50 feet from all property lines and edge of all public road right-of-ways.

Conditions Concurrent:

1. All minimum extractive use standards shall be followed.

Dave Ralidak, the applicant, stated the pit was opened by his father 50 years ago. It was always a small pit.

No other audience members spoke.

The *Planning Commission* discussed the following:

- A. Commission member *Skraba* inquired if there are any other uses on the property.
- B. Commission member *Manick* inquired about the water supply. *Dave Ralidak* stated there is a small pond on the property and no washing is planned.

DECISION

Motion by Svatos/Skraba to approve a conditional use permit for a general purpose borrow pit as an Extractive Use – Class II, based on the following facts and findings:

A. Plans and Official Controls:

- 1. Zoning Ordinance 62, Article V, Section 5.6 A., indicates general purpose borrow pits are an allowed use with a conditional use permit.
- 2. The St. Louis County Comprehensive Land Use Plan under Objective LU-4.5 states that the development of new general purpose borrow pits should be directed to areas designated as Forest and Agriculture (FA) on the Future Land Use Map.
- 3. The applicants' parcel is designated as FA within Planning Area 5a on the Future Land Use Map.

B. Neighborhood Compatibility:

- 1. The closest year-round residence is approximately 1,200 feet to the north of the pit boundary and there is one seasonal residence over 1,000 feet south of the pit boundary on an adjacent parcel to the south.
- 2. The pit to the east of the applicants has previously been permitted as a Public Works single season permit.

C. Orderly Development:

- 1. The majority of the development on County Road 226 is rural vacant land.
- 2. The proposed use is bordered by previous borrow pit activity to the east.

D. Desired Pattern of Development:

- 1. The subject parcel, as well as a majority of the surrounding area, are zoned Forest Agricultural Management (FAM)-3.
 - a. FAM zone districts allow a wide range of uses.
 - b. A general purpose borrow pit is an allowed use in a FAM zone district.

E. Other Factor:

- 1. The pit to the east of the applicants has previously been permitted as a Public Works single season permit.

The following conditions shall apply:

Conditions Precedent:

- 1. The applicant shall obtain access approval from the appropriate road authority.
- 2. The applicant shall maintain a no disturbance setback of 50 feet from all property lines and edge of all public road right-of-ways.

Conditions Concurrent:

1. All minimum extractive use standards shall be followed.

In Favor: Anderson, Manick, Pineo, Pollock, Skraba, Svatos - 6

Opposed: None – 0

Motion carries 6-0

Motion to adjourn by Skraba. The meeting was adjourned at 11:49 a.m.