



**MINUTES OF THE PROCEEDINGS OF THE PLANNING COMMISSION OF THE CITY OF STACY IN THE COUNTY OF CHISAGO IN THE STATE OF MINNESOTA PURSUANT TO DUE CALL AND NOTICE THEREOF**

**REGULAR MEETING – APRIL 19, 2022, 7:00p.m.  
30955 FOREST BOULEVARD, STACY MN**

**Call to Order**

Chair M. Ness called the meeting to order at 7:00 p.m.

**Attendance**

**Present:** Mark Ness, Jim Ness, and Tim Sawatzky

**Absent:** None

**Others Present:** None

**Agenda**

Additions to the agenda:

- Remove Item 5A-31208 Forest Boulevard
- Variance for Fence at Stacy Lions Park

Motion by J. Ness to approve the agenda as amended. Second by T. Sawatzky. Members J. Ness, T. Sawatzky, and M. Ness voted yes. Chair M. Ness declared the motion carried.

**Approval of Minutes**

Motion by J. Ness to approve the minutes as amended. Second by T. Sawatzky. Members J. Ness, T. Sawatzky, and M. Ness voted yes. Chair M. Ness declared the motion carried.

**Public Hearing 7:03-7:15p.m.**

The purpose of the public hearing is to gather public input on:

1. Ordinance 2022-5-1, Amending Chapter 31 of the City Code §31.01 Powers and Duties
2. Ordinance 2022-5-2, Amending Chapter 153 of the City Code §153.192 Information Requirement
3. Ordinance 2022-5-3, Amending Chapter 150 of the City Code §150.03 Individual Sewage Treatment Standards, and Chapter 52 §52.56
4. Ordinance 2022-5-4, Amending Chapter 152 of the City Code §152.01 Comprehensive Plan

5. Ordinance 2022-5-5, Amending Chapter 151 of the City Code §151.30 Preliminary Plat, §151.32 Data Requirements for Preliminary Plat
6. Ordinance 2022-5-6, Amending Chapter 151 of the City Code §151.31 Final Plat
7. Ordinance 2022-5-7, Amending Chapter 153 of the City Code §153.188 Variances
8. Ordinance 2022-5-8, Amending Chapter 153 of the City Code §153.189 Conditional Use Permit
9. Ordinance 2022-5-9, Amending Chapter 153 of the City Code §153.193 Information Requirement
10. Ordinance 2022-5-10, Amending Chapter 130 of the City Code, Firearms and Curfew
11. Ordinance 2022-5-11, Amending §112.03 Alcoholic Beverages, §153.053 Light Industrial District Permitted Uses, §153.051 General Business District Permitted Uses
12. Ordinance 2022-5-12, Amending Chapter 150 of the City Code §153.185 Zoning Administrator
13. Ordinance 2022-5-13, Amending Chapter 153 of the City Code §153.191 Amendment of Zoning Ordinance

No public comment taken as there was none present.

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**New Business**

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**Action on Public Hearing**

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Motion by J. Ness to recommend the council approve the following ordinances:

1. Ordinance 2022-5-1, Amending Chapter 31 of the City Code §31.01 Powers and Duties
2. Ordinance 2022-5-2, Amending Chapter 153 of the City Code §153.192 Information Requirement

3. Ordinance 2022-5-3, Amending Chapter 150 of the City Code §150.03 Individual Sewage Treatment Standards, and Chapter 52 §52.56
4. Ordinance 2022-5-4, Amending Chapter 152 of the City Code §152.01 Comprehensive Plan
5. Ordinance 2022-5-5, Amending Chapter 151 of the City Code §151.30 Preliminary Plat, §151.32 Data Requirements for Preliminary Plat
6. Ordinance 2022-5-6, Amending Chapter 151 of the City Code §151.31 Final Plat
7. Ordinance 2022-5-7, Amending Chapter 153 of the City Code §153.188 Variances
8. Ordinance 2022-5-8, Amending Chapter 153 of the City Code §153.189 Conditional Use Permit
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12. Ordinance 2022-5-12, Amending Chapter 150 of the City Code §153.185 Zoning Administrator
13. Ordinance 2022-5-13, Amending Chapter 153 of the City Code §153.191 Amendment of Zoning Ordinance

Second by T. Sawatzky. Members J. Ness, T. Sawatzky, and M. Ness voted yes. Chair M. Ness declared the motion carried.

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### **Stacy Lions Park – Fence Variance**

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The commissioner's reviewed the project and how it relates to the city code. The park is located in the Park Zoning District. The following motion was made:

Motion by J. Ness that based on City Code §153.032, Section E; that a variance is not required-the council should determine ultimately the placement of the fence. Second by T. Sawatzky.

Planning Commission

Members J. Ness, T. Sawatzky, and M. Ness voted yes. Chair M. Ness declared the motion carried.

It was also noted that this project would most likely not meet the statutory requirement for the granting of a variance.

City Code §153.032 (E) states:

(E) Location and height in non-residential districts, including commercial, industrial, agricultural, park and open space. Except as set forth below, in non-residential districts, fences may be located on the property line and may be constructed up to a height of 6 feet. If the fence includes a security arm for barbed wire, the maximum height, including the security arm for barbed wire, may be 8 feet tall. Fences allowed in conjunction with alternative energy systems, pursuant to § 153.034, may be constructed up to a height of 8 feet. The city will require compliance with the requirements of division (C) of this section for fences constructed on or near a property line, and one that adjoins a residential district.

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**Old Business**

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**Chapter 153 Review**

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The commission continued their review of Chapter 153, the following changes were made to the definitions:

***NURSING HOME.*** ~~A private home for the care of children or the aged or infirmed or place of rent for those suffering bodily disorder. Such a home does not contain equipment for surgical care or for the treatment of disease or injury, nor does it include maternity care for care for mental illnesses or infirmities.~~ A facility of one or more dwelling units where assistance is provided to the occupants in the form of meals, housekeeping, medical or other types of assistance, but not including hospitals, clinics, or similar institutions.

***RESTAURANT.*** An establishment which serves food ~~in or on non-disposable dishes~~ to be consumed primarily while seated at tables or booths within the building.

The commission will continue review of the city code at its next meeting beginning with §153.045.

**Adjourned at 8:26p.m.**

Chair M. Ness declared the meeting adjourned at 8:26p.m.

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Sharon MT Payne, City Clerk

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