



**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  
MAY 18, 2021, 7:00p.m.  
30955 FOREST BOULEVARD, STACY MN  
ALSO, BY WEBEX DUE TO COVID-19**

**Call to Order**

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

**Roll Call**

The following is the roll of attendees:

**Planning Commission:**

|             |   |                                 |
|-------------|---|---------------------------------|
| M. Ness     | <input checked="" type="checkbox"/> Present | <input type="checkbox"/> Absent |
| J. Ness     | <input checked="" type="checkbox"/> Present | <input type="checkbox"/> Absent |
| D. Thieling | <input checked="" type="checkbox"/> Present | <input type="checkbox"/> Absent |
| T. Sawatzky | <input checked="" type="checkbox"/> Present | <input type="checkbox"/> Absent |

**Others Present:** Michelle Hayes

**Agenda**

Addition to the agenda:

- Update on the Stacy Ponds Business Park Apartment Project.

Motion by J. Ness to approve the agenda as amended. Second by D. Thieling.

**Roll Call Vote:**

|             |   |                             |             |   |                             |
|-------------|---|-----------------------------|-------------|---|-----------------------------|
| M. Ness     | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | J. Ness     | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| T. Sawatzky | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | D. Thieling | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Chair M. Ness declared the motion carried.

**Approval of Minutes**

Motion by J. Ness to approve the minutes as presented. Second by T. Sawatzky.

**Roll Call Vote:**

|             |   |                             |             |   |                             |
|-------------|---|-----------------------------|-------------|---|-----------------------------|
| M. Ness     | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | J. Ness     | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| T. Sawatzky | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | D. Thieling | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Chair M. Ness declared the motion carried.

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**New Business**

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**Discharge of Firearms**

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The city clerk was contacted by a citizen regarding target practicing with a hand gun on his property, in review of the city code section regarding this use the clerk contacted the city attorney to comment on the following sections:

**§ 130.01 REGULATION OF FIREARMS AND OTHER WEAPONS.**

(A) *Definition.* **FIREARMS**, within the meaning of this section, shall be deemed to include shotguns of whatever size, and any rifle, revolver, or pistol of size 22 caliber or larger. **OTHER WEAPONS** shall be deemed to include air guns, spring guns, BB guns, pellet guns, bows and arrows, compound bows, cross bows, or any similar devices. (Prior Code, § 803.01)

(B) *Regulation of discharge.* It is unlawful for any person to fire or discharge any firearm or other weapon within the corporate limits of the city except for those areas zoned Agricultural, provided that no firearm or other weapon is discharged on another person's private land within 500 feet of a building occupied by humans or animals without written permission of the owner, or from or across the right-of-way of a road.

(C) *Liquor establishments.* It is unlawful for any person to possess a firearm or other weapon while in any licensed liquor establishment within the city. (Prior Code, § 803.03)

(D) *Exceptions.* This section shall not apply to officers or other persons required or permitted to use firearms in the performance of duty as fixed by statute or by common law. (Prior Code, § 803.04) (Am. Ord. 2009-5-1, passed 5-12-2009) Penalty, see § 10.99

**153.058 OS OPEN SPACE DISTRICT.**

(A) *Purpose.* The purpose of the open space district is to provide for publicly owned open space facilities. This district consists of the Carlos Avery WMA district and all other public open space land.

(B) *Permitted uses.* No structure or use shall be permitted in the OS zoning district except the following:

- (1) Open space, natural areas (including natural landscape areas), nature trails and nature observation areas;
- (2) Picnic area;
- (3) Picnic shelter;
- (4) Wildlife management areas and related facilities; and
- (5) Use of fire arm for hunting purposes as allowed in the Agricultural zoning district pursuant to § 130.01.

Attorney Mongé replied:

The language of Section 130.01 permits discharge of a firearm within the Agricultural district. If the intent of the Council is to only permit discharge of a firearm for hunting purposes on property zoned Agricultural, then the language of Section 130.01 should be changed to make that clear.

The Planning Commission forwarded this item to the council to determine if they see a need for clarification per the attorney's comments. The commission would also like the council to consider a bow and arrow practice range.

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**Old Business**

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**City Code Chapter 93**

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The member's reviewed Chapter 93 and made several changes to the draft per the city attorney's comments. This item will be set for public hearing with other city code updates.

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**Building Design Standards**

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The building design standards in Central Business, General Business, Light Industrial, and Industrial were reviewed. The clerk will make changes to these code sections for review by the commission at their June 15, 2021, meeting. They would like to hold the public hearing on these changes at their July meeting.

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**Continue Review of the City Code**

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The commission will review city code Chapter 112, and 115 for the next meeting. They will also refer to Chapter 110 to compare it to 112 and 115.

Chapters 113 and 114 will be reviewed at a later date.

The clerk was directed to research what the county ordinance is regarding Cigarette Sales (Chapter 111).

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**Update on SPBP Apartments**

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The clerk reported that the City Council was not in support of rezoning the property to allow apartments in the business park.

The developer is now exploring another property in the city and will be attending the next council meeting to see if the council is willing to explore TIF for the project.

**Adjourned at 8:28p.m.**

Chair M. Ness declared the meeting adjourned at 8:28p.m.

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Sharon MT Payne

DRAFT