

**ROCK CREEK PLANNING
COMMISSION UNAPPROVED MINUTES
April 17, 2023**

Chair Curt Kubesh called the planning commission meeting to order at 7:08PM.

Members present:

Curt Kubesh, Oliver Rauschnot, Donnie Peterman III,

Members Absent:

Stefon Boleen, Dillon Barton, Dan Saumer

Others present:

Ashley Rauschnot, Don Burger, Josh Froelich

Pledge of Allegiance

Oliver Rauschnot motioned seconded by Donnie Peterman III to approve the March 20, 2023 minutes as sent. Motion passed with all ayes.

New Business:

CUP-22-003 Froelich

Josh Froelich went to take his CUP document to submit his formal FFL paperwork. He said he works with a consultant to make things go more smoothly with the process. The consultant told him that he cannot submit the CUP paperwork for the FFL License as it's written. There are 31 different kinds of FFLs. So, they had to narrow it down and be specific on the application. They decided that it needs to say that he can manufacture and sell guns. He said that he doesn't plan on having presses or any kind of actual manufacturing equipment. But according to the law if you take a Dremel tool to a gun, it is considered manufacturing. The consultant asked Josh what he does with his old guns. Josh said that technically he sells them to himself (from the business) and then turns around and sell them as a private party. The consultant said that if he has his FFL dealer license, he can no longer do this. Everything has to be done through the business and therefore his CUP would say he needs to sell guns in order for him to keep his inventory fresh. 07 FFL allows him to sell firearms, Class 2 allows him to manufacture. Josh is not asking to do anything new; he just wants to be legit with the FFL. Oliver asked what the concern that was brought up in regards to this. Ashley explained that if this is in writing, the concern is that it would turn into an actual manufacturing and selling facility later on. Curt and Oliver said that Josh currently has a gun range and several businesses and if he's getting his FFL license, that he's already being vetted by the government and jumping through all of their hoops. They don't see a problem with this.

Donnie Peterman III motioned seconded by Oliver Rauschnot to approve the wording change to the CUP-22-003 CUP Condition number 6 to say "Froelich Firearms, Inc will be allowed to run his FFL at the property. This includes approval to manufacture and sell firearms.

SIGN ORDINANCE

Curt mentioned there is a discrepancy in our ordinance regarding signs. It was brought to our attention when we got a complaint about a sign on HWY 61 that looks like a for sale sign, but is actually an advertising sign. Our old ordinance required permitting. Our new ordinance does not. Oliver said in regards to that sign, according to the email from John Anderson, there is nothing we can do about that sign. Curt said that sign is technically legal. Curt said we need to fix the current sign ordinance for the future. The old ordinance is from 1991 and the new book came out in 2014 or 2016. Curt said one of the residents said that if we allow this sign, then everybody is going to put up signs all along the roadways for advertising. Donnie said that we should at least have some control over what is going up for signs. Donnie thinks the fee schedule is completely reasonable and we should keep that in place. Donnie says this shouldn't be considered a billboard sign. He says in our ordinance book they are talking about general signs UNDER the billboard section. Donnie said to change the ordinance to "Billboard and General Signs". Donnie said if he was putting up a sign, he would be arguing this ordinance as well. Some verbiage definitely needs to be changed. Signs need to be differentiated between on premise (accessory use) and off premise signs, except billboard signs. Curt says off premise signs should require a permit following the existing fee schedule. Donnie asked if we are fine with people having whatever signs they want as long as they pay a fee? Oliver said as it reads, anyone can put up as many signs as they want as long as it does not exceed 750 sq ft. Currently business can advertise all they want without a permit or fee. Oliver said so if someone comes in and pays \$30 for a sign they can put up whatever they want. What is the benefit of the \$30? Donnie said maybe we can set parameters or rules. Oliver said if we only change bulletin A and not C, then the only thing that changes is we collect \$30. Oliver said we have distances on billboards but not signs. Donnie said as a business owner he thinks that 1 sign per property is fair and there should be setbacks set for signs. Donnie said that each city and county has their own setbacks from the road for signs. So, residents should have to follow that for the road setbacks. Curt said 30 feet from neighboring premise is a fair number for side yard setbacks. Curt said do we still charge them? Donnie said permits are still required because it will be nice for them to have the rules and setbacks listed out for them when they fill out the permit. Oliver believes we need to decrease the square footage for general requirements for signs. Oliver suggested limited to 4x8 sheet (32 sq feet) for off premise signs. Oliver asked if we are going to require a permit for on-premise signs? On-premise should not be limited to 32 sq. ft. Oliver says right now as the ordinance reads. Anyone can put up a 750 sq. foot sign without a permit or fee. Curt said under General Requirements there needs to be extra verbiage. Curt said the nice thing about having to have a permit would be that we would know when they used up their one allotted sign.

Oliver Rauschnot motioned seconded by Donnie Peterman III to approve an addition to General Requirements (Page 128) Subdivision 4, Paragraph B – No off-premise sign shall exceed 32 sq. feet and will be limited to 1 sign per parcel and follow all setbacks in ordinance and a permit will be required with a flat fee of \$30.

THC Sales

Curt said this was brought up by the Council two meetings ago. Curt mentioned that the State of MN already legalized it. Donnie said he thinks you can buy it from a gas station now? Curt said the board is wondering if we have to develop an ordinance pertaining to it to try to control where it's sold. Donnie said he thinks Rush has a license needed to sell it. Donnie said they wanted to at least know who is selling it. Oliver said that you can't sell alcohol without a special license. So we should require something. Donnie said we should

make sure that only businesses can sell it, as we don't want it being sold out of someone's home. So where would we allow a business? In the commercial district only? Donnie says a permit/license will help to determine where they can sell and then we'd know. Donnie asked if we could contact Amy Mell to see what Rush just did. Oliver said the reason he's guessing this was brought up is that we don't want people parking their van on the corner to sell their gummies. Donnie said he's totally fine with people selling it, but that we need to have some idea of where they are selling it because it's just like alcohol and tobacco and there needs to be regulating. Curt says we need to know where they are. Oliver says it should stay in commercial district for sales. Curt says we need to look at Rush City and maybe Isanti?

RENTALS – VRBOs/Airbnbs

Oliver asked if anyone knows what our general rules on rentals/vacation homes are? Curt says we have none and this is from ground zero. Oliver asked what about general rentals/apartments maybe? Curt says we do have something on apartments under housing. Oliver said the closest thing we might have in our ordinance is for Bed and Breakfasts. Oliver said in order to allow them into our book, we have to write it into each individual district that they are allowed in the City. Oliver thinks that we need to add something about regular rentals in general to avoid a repeat of the Hwy 70 property in Roylton. Curt says one of the stipulations for Airbnb's would be that they have to have a management company if they don't live nearby. Donnie says we need to go through the ordinances that we found from other Cities and go through them and pick out what we like. Curt says if they are in a residential neighborhood, we should have a noise ordinance. Donnie said we shouldn't go too crazy; it doesn't need to be 12 pages. Curt says he likes that they need a management company if they don't live nearby. Donnie said we have to set a distance/time, maybe they have to be able to respond to the premises within 1 hour of a call if something comes up with the renters. Otherwise, they have to hire a management company.

Donnie Peterman III motioned seconded by Oliver Rauschnot to adjourn at 8:01 PM. Motion passes with all ayes.

Ashley Rauschnot
Deputy Clerk