

ROCKREEK PLANNING COMMISSION
APPROVED MINUTES
May 20, 2024

Chair Curt Kubesh called the Public Hearing to Order: Text Amendment for R-1/R-2 – Hooved animals not allowed in platted subdivisions at 7:00PM.

Ashley Rauschnot:

Notice is hereby given that the Rock Creek Planning Commission will conduct a public hearing Monday May 20, 2024 at 7PM at the Rock Creek City Center.

The purpose of this public hearing is to review the following text amendments:

Section 1000.07: R-1 Residential District,
Subd. 4: Interim Uses.

A. Agricultural Activities.

ADD

a. Hooved Animals Not Allowed in Platted Subdivisions

and

Section 1000.08: R-2 Residential District,
Subd. 2: Permitted Uses.

F. Continuance of existing Agricultural Activities, prior to the adoption of this Ordinance.

ADD

a. Hooved Animals Not Allowed in Platted Subdivisions

Interested persons are invited to attend this public hearing and be heard on this matter. Letters are also welcomed and can be submitted by:

Email at: arauschnot@cityofrockcreek.org

Mail at: City of Rock Creek
7000 State Hwy 70
Pine City, MN 55063

The Planning Commission shall hold their regular meeting immediately following the public hearings.

Ashley Rauschnot
Deputy Clerk
City of Rock Creek

Curt Kubesh: We only received one letter.

Ashley Rauschnot: Does anyone want to say anything else before I read the letter?
No?

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Don Burger: You're going to read the letter?
Ashley Rauschnot: Yes
Curt Kubesh: Yes
Ashley Rauschnot: You didn't send me anything did you?
Don Burger: No, no no no no
Ashley Rauschnot:
Um, so this is a letter from Chelsy Lindman.

Dear Planning Commission,
I am writing to express my concern over the proposed text amendment to restrict hooved animals in the residential zonings of the City of Rock Creek. If you look around, you will find many communities in this State reversing course on decisions like these. Urban and suburban areas are seeing the negative effects of losing their ag-minded communities. As areas around the state became densified it made sense to implement best-practices with keeping farm animals, with some areas putting in all out bans such as this. I think we can all agree that those who have chosen to embrace differing lifestyles and implement smart guidance instead of restrictions have and will do better than those who won't. Let's take a moment to do our research and find ways to empower people in their lifestyle choices instead of controlling them. Here are some examples from around the state I have found:
She listed ordinances Oak Grove, Columbus, Corcoran, and Orono. I did like those all on the website if you want to read those.
I believe implementing this text amendment will restrict people's ability to provide for themselves. Given that the City of Rock Creek has established a minimum lot size of platted neighborhoods at 2.5 acres, there is sufficient means to maintain a set number of hooved animals. Land is for business, sustenance, and pleasure and with the right guidance there's no reason you can't have these cohesively exist. If the city expects the people to put effort into their planning, then so shall the city be held to those same standards. Please reconsider your text amendment and take the time to research best-practices from other thriving communities to ensure inclusivity for all. I strongly believe you will come to regret driving these walks of life further apart instead of bringing them together.
Thank you for your consideration.
Sincerely,
Chelsy Lindman

Oliver Rauschnot: One thing on that. We are not looking to remove the animals from all of...
Ashley Rauschnot: We can do the discussion after.

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Oliver Rauschnot: I know I'm just correcting...

Curt Kubesh: An incorrect statement.

Oliver Rauschnot: Yeah, it is not all of the residential area that we are talking about.

Ashley Rauschnot: And we'll discuss that in a bit.

Curt Kubesh: Anyone else.

Oliver Rauschnot: If they giving false data, I'm going to correct it.

Curt Kubesh: Come on up Don.

Don Burger: Ok, this is Don Burger. Um, in response, uh, to reading the letter, thank you very much, um, having attended some of the other meetings and knowing the reasons, uh. It looks as if the text amendment is trying to be, you know, a practical fix for an otherwise unclear portion of the ordinance. And in future it would be nice to address other related issues. You discussed, you know, the idea of setting acreage limits per animal and I guess if you, when you do your, um what would you call it, findings of fact and decision wording however you want to uh, you know, consider this. If you could, for future reference, for other planning commissions or other councils if they revisit this. And don't have this experience of how you got to this decision. If you could maybe give a few of the reasons, even though they're obvious reasons, as to why you're just doing in platted subdivisions, which tend to be the smaller lots, you know, why doing a blanket hooved animal description is just a more practical administrative process to cover all of the bases, so include the reasons please. Or consider it. Thank you.

Oliver Rauschnot: Yep

Curt Kubesh: Thank you Don

Meggie Olsen: I was just talking this over with my husband cuz um, I had kind of suggested, I kind of, in one of the other meetings that there should be something that states for, so that people aren't getting in trouble, they can know in advance what the rules are. But what would you guys think, instead of stating, you said "blanketed" hooved, blanket hooved? Are you talking about? Not, Ok, well maybe that's just, uh, what kind of term are you talking about are you talking about just a certain type of hooved animal when you say that? Blanketed?

Don Burger: I don't know if it's appropriate for me to...

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- Meggie Olsen:** Oh, I'm sorry... So what I was getting at is that, um, do you guys think it would be reasonable to say, animals under, I mean, a certain weight like. I could see someone who lives in R-1 or R-2 having a couple of goats and that be manageable. You know, we've got our goats on an acre and maybe 2 acres, that they manage for us. They clean up all the weeds, they, um, they've taken out the buckthorn and we have a bunch of, um, really big rocks in that field. So it'd be difficult to mow it. I know in R-1/R-2 that may not be the, I mean it's maybe a different scenario, but feeling like it saves us a lot of time and a lot of labor. Those goats have produced milk for us, um meat at times, and so I feel like it is really beneficial. And I don't know, do you guys have a lot of people in this community that you've had an issue with? That you feel like? Yeah
- Curt Kubesh:** There's been a lot of this situation coming up more and more as the city grows.
- Meggie Olsen:** Okay, I mean I can see like maybe not having a cow, or a horse maybe you feel like is too big of an animal for an area like that. But
- Curt Kubesh:** Everybody is thinking that it's in all residential. It's not in all residential. It's in platted developments.
- Meggie Olsen:** Okay
- Curt Kubesh:** Every development that we have is Timber Ridge, ???, Rolling Meadows, Mallard, Olson Memorial. Them have all been platted and a lot of them have covenants.
- Meggie Olsen:** Okay
- Curt Kubesh:** So what it is, is it's going to them only, not R-1, you know where you have 10-15 acres. It ain't affecting that.
- Meggie Olsen:** Okay
- Curt Kubesh:** So it's just affecting platted developments.
- Meggie Olsen:** Okay, u, so I'm sorry what does platted mean.
- Curt Kubesh:** Means it's been subdivided.
- Ashley Rauschnot:** It just means it's an official development and it has been recorded.
- Dan Saumer:** It's been created into a little housing development. M
- Meggie Olsen:** But so most of these developments people are on approximately 2-3 acres would you say?

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- Curt Kubesh:** Minimum 2 and a half
- Meggie Olsen:** Okay
- Dan Saumer:** And mostly of the reason for that is
- Curt Kubesh:** You need the room for
- Dan Saumer:** house, septic, alternate septic, and then if there's
- Ashley Rauschnot:** And that doesn't leave a whole lot of acreage left over on that site for hooved animals that we feel like they would be able to be well taken care of
- Dan Saumer:** And you have to take into consideration other residents next door with little kids and we don't want people to get hurt.
- Meggie Olsen:** Well right, but it's interesting because when I was, when I visited someone who lived in this kind of a development, this woman had like 4 dogs. You know, I mean like, there were no, there's no rules on anything like that? I mean like some of these dogs were the size of a small goat, or a goat.
- Curt Kubesh:** But dogs aren't considered farm animals.
- Meggie Olsen:** Alright
- Oliver Rauschnot:** And it's just to be quick, like he said it is ONLY in the developments, it's not the other residential areas.
- Dan Saumer:** And it's not to say that some day we might have to look at dogs too or something.
- Meggie Olsen:** Yea
- Dan Saumer:** That, that may be coming, I dunno
- Meggie Olsen:** Yeah, well, we so in Mallard Creek, My property butts up to Mallard Creek and I have, actually, my neighbors said, can I please buy like just like quarter of an acre from you so I can have chickens. And I thought you've got three acres there and you can't have chickens, um.
- Dan Saumer:** That must be a covenants.
- Ashley Rauschnot:** Yeah that doesn't come from us.
- Meggie Olsen:** Yeah, so that had to be a covenants? Right
- Dan Saumer:** The developer put that in the covenants so that when people bought into that. They have to abide by the covenants.

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Meggie Olsen: Ok, well it feels like we should be trying to give people as much freedom as we can. If they are respon., or if they are being responsible, you know. But, thank you all.

Chair Curt Kubesh closed the Public Hearing: Text Amendment for R-1/R-2 – Hooved animals not allowed in platted subdivisions at 7:10PM.

Chair Curt Kubesh called the Planning Commission meeting to order at 7:10PM.

Members present:

Oliver Rauschnot, Dan Saumer, Curt Kubesh, Dillon Barton, Josh Froelich

Members Absent:

Stefon Boleen, Donnie Peterman III

Others present:

Ashley Rauschnot, Don Burger, Amy Thompson, Meggie Olsen

Pledge of Allegiance

Public Forum

Oliver Rauschnot motioned seconded by Dillon Barton to approve the March 18, 2024 minutes as sent. Motion passed with all ayes.

New Business

Discussion on Public Hearing: Text Amendment for R-1/R-2 – Hooved animals not allowed in platted subdivisions

Council members discussed and they all agreed that most comments regarding the text amendment were confused as to where this applied to. They reiterated that this was only going to apply to platted subdivision (basically official developments) within the city. Members reiterated previous discussions and agreed that there is just not enough room on a smaller lot to have a house, accessory building, well, septic system, alternate septic system site, and road easements to be able to have enough left over for a hooved animal. Dan Saumer is also concerned about safety in developments with kids wondering onto properties and being injured by animals. Or animals getting loose and hurting children.

Dillon Barton motioned seconded by Dan Saumer to approve the Text Amendment for R-1/R-2 – Hooved animals not allowed in platted subdivisions. Motion passed with all ayes.

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Wheelock CUP – In-Law Apartment

Ashley Rauschnot explained that the Wheelock couple came into the office and are possibly looking to put a Park Model on their property for their daughter who was diagnosed with terminal cancer. After reviewing the ordinance book on what is allowed, this would fall under an in-law apartment (detached), but it does not meet the minimum square footage listed in the ordinance book. Members thought that with the first condition of the permit that it could be listed that this is a one-time exemption from that rule due to urgency and acreage. Planning commission members also discussed that they should look at revising that minimum square footage rule in the future, as it seems rather large for smaller acre lots in R-2. The Wheelock couple was not present at this meeting, so no decisions were made.

Old Business – N/A

City Council Notes – N/A

Curt Kubesh closed the Planning Commission Meeting at 7:37pm.

Ashley Rauschnot
Deputy Clerk