

**ROCK CREEK  
PLANNING COMMISSION  
APPROVED MINUTES  
October 21, 2024**

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**1. Chair Curt Kubesh called the Planning Commission meeting to order at 7:00PM.**

Members present:

Dan Saumer, Curt Kubesh, Oliver Rauschnot, Josh Froelich, Donnie Peterman III

Members Absent:

Chad Pasch, Dillon Barton

Others present:

Ashley Rauschnot, Don Burger, Nancy Rys, Wayne and Jennifer Elliott, Amy Thompson, Richard Drotning, Unknown Gentleman

**2. Pledge of Allegiance**

**3. Public Forum**

Wayne and Jennifer Elliott spoke in regards to not receiving a Public Notice about the Public Hearing that took place for CUP-24-00:3 Josh Froelich's Campground/Resort. They expressed great concern about the amount of traffic already on the road and the speeds that these vehicles travel. They do not want the road widened/paved/or treated for dust, they just want to ensure their peace/travel/safety.

**4. Approval of Minutes**

*Dan Saumer motioned seconded by Oliver Rauschnot to approve the September 16, 2024 minutes as sent. Motion passed with all ayes – with Josh Froelich abstaining due to being absent.*

**5. Old Business**

**a. TA-24-002: Text Amendment for Resorts:**

**Ordinance 77: Campground/Resort Ordinance**

**Subd. 1 General.**

Campgrounds/RV parks and/or resorts shall be considered a form of planned unit development and administered thereunder as conditional uses in the district where the use is allowed, except no density increases will be considered.

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**Subd. 2 Minimum parcel size.**

No campground or recreational vehicle park or resort shall be allowed on a parcel less than twenty acres and with a minimum of fifteen sites. Up to fifteen additional sites may be allowed for each additional 20 acres.

**Subd. 3 Districts Allowed.**

- 1 Allowed in the following districts:
  - a. Rec-1: Recreational District
  - b. C-1: Highway Commercial District
  - c. C-2: Highway Commercial Scenic Byway District
  - d. I-1: Light Industrial District
- 2 Not Allowed in the following districts:
  - a. Ag: Agricultural District
  - b. Res-1: Residential District
  - c. Res-2: Residential District
  - d. FP: Flood Plain

**Subd. 4 Dwelling site requirements.**

1. All campground/resort sites must conform to the state's Department of Health standards.
2. All campground/resort structures/dwellings must meet the Minnesota State Building code.
3. All campground/resort sites shall have a minimum of 3,000 square feet designated for each family unit, with a minimum of 40 feet of width, as measured center to center.
4. A strip of land with a minimum width of 60 feet shall be reserved for a service road and road right of way providing access to each of the designated sites.
5. Parking shall be off the road.
6. Recreational facilities shall be provided as determined by PUD process.
7. A water system capable of providing 100 gallons per site, per day, at a pressure of 20 psi at the most remote fixture for campground/resort sites, or within 400 feet of each campsite

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for non-RV sites.

8. Conforming on-site sewage collection and disposal system sized for 100 gallons per campsite per day.
  - a. All sewage and waste water must be discharged into an approved municipal sewage system if one is available or an individual on-site sewage treatment system that meets the requirements of the Minnesota Pollution Control Agency rules, Chapter 7080 [LINK <https://www.revisor.mn.gov/rules/7080/>] and any applicable local codes.
  - b. All resort structures/dwellings must be connected to an approved sewer system.
9. Solid waste facilities consisting of one 90+ gallon can for each four campground/resort sites or one dumpster for each 20 campground/resort sites, constructed to prevent overturning or cover removal by animals, and screened.
10. Campsites for recreational vehicles shall have sewer connection, water connection and electric connection or recreational vehicles shall be self-contained, and a wastewater disposal station shall be provided on site.
11. Drinking water and restroom facilities with showers shall be provided, all within 400 feet of every site not served with full facilities.
12. Grass or other complete ground cover shall be maintained, except in parking areas and roads.
13. Evidence shall be provided, prior to final approval, that the licenses and approval process of the state's Department of Health has been adhered to.
14. All sites shall be well-drained, preventing any pooling of water and avoiding wetlands.
15. Sufficient storm shelter shall be provided to accommodate all occupants of the campground/resort.

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16. Domestic animals or pets must not be allowed to run at large or cause any nuisances within campground/resort sites. Any kennels, pens, dog parks, or other facilities provided for animals must be maintained in a sanitary condition.

17. Campground/resort will be determined to allow permanent or seasonal camper/RV sites on conditional use permit.

**Subd. 5 Submission requirements.**

The submission requirements for a campground shall be the same as PUDs, except as determined not applicable by the Zoning Administrator.

**Subd. 6** Application must be accompanied by a Surveyed Professional Site Plan

**Subd. 7** This Ordinance shall be in full force and effect from and after the date of passage and publication.

**Discussion**

Members noted an error [Subd. 2 – Should say a “maximum” of fifteen sites].

***Dan Saumer motioned seconded by Oliver Rauschnot to recommend approval of the Text Amendment TA-24-002 to add Resorts to the Campground Ordinance, with the above change to the City Council. Motion passed with all ayes – with Josh Froelich abstaining due to a conflict of interest.***

**b. CUP-24-003: Josh Froelich: Campground/Resort**

Josh Froelich recused himself from the Planning Commission meeting and went to sit in the “hot seat” for discussion.

Josh read all of the minutes from the last meeting and said he only had one thing to debate/discuss with the Planning Commission. This is the road width. Planning Commission mentioned that they wouldn’t budge on the 60-foot road width. Josh argued that Nature Ave is only 24 feet wide with traffic going BOTH ways. His road through the resort will be 24 feet wide, but it will only be a ONE-WAY Road. Dan Saumer said that he was fine with that, and also clarified that the 60 feet is just a clearance on the sides of the roadway. Oliver said, correct, so 30 feet from the center line on either side has to be clear of obstacles. Josh was ok with this decision.

Josh did address all of the concerns that Wayne and Jennifer Elliott had during

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the public forum. He mentioned that the traffic would be a wash, because he can't have guests shooting guns at the same time that guests are there to relax at a resort. He also mentioned that there will be no four-wheeling/snowmobiles/etc. allowed on the property, due to insurance reasons.

In talking with Richard Drotning, the building inspector, Josh said that all of the resorts will be built to MN State Building Code and that, being that they are short term rentals, the MN Public Health and Safety department has higher standards for him to follow. He will need extra windows, etc. Josh said that all tiny home resort buildings will be stick built on site on a slab. He will also have at least one ADA compliant cabin.

Josh also mentioned that he did have the parcels combined, so that is done already.

Amy Thompson asked where the campers will be dumped and if he will have a dump station. Josh said that he will not allow campers/RVs/etc. at the resort. He will have camping sites for tents only. So, he will not need a dumping station.

Curt Kubesh mentioned that another Public Hearing will have to be done next month because many of the neighbors did not get notified the first time around due to a miscommunication and a clerical error.

Josh Froelich rejoined as a Planning Commission member.

**c. THC/Cannabis**

Dan Saumer and Curt Kubesh met with Kelly Schroeder up at Pine County in regards to their zoning ordinance for THC/Cannabis. A survey was sent out from Pine County asking what each township/city would like to do in regards to their zoning on this matter. The options given were as follows:

- We would like to have the county administrate all cannabis zoning, but we want to retain all other zoning administration which we presently are or are not doing.
- We would like to pass all our zoning authority to Pine County or have already done so.
- We plan to adopt the language in the County Cannabis Business Zoning Ordinance as a guide and then administrate our own zoning cannabis ordinance.
- We plan to write and administrate our own cannabis zoning ordinance

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regardless of what the county has in place.

- We do not plan to do any special zoning administration of cannabis businesses.

Dan Saumer clarified that after talking with Pine County, the lower potency THC items don't apply to the sales anyway and that if they want the higher potency items, they have to have an entirely separate building/entrance/register/employees. It cannot be connected to a convenience store or bar like the liquor stores are in town.

Members agreed that with this information, they're not sure Rock Creek is a good fit for THC Retail sales anyway, so they would like Pine County to handle all THC Retail Sales. It was also mentioned that Rock Creek may have more people wanting to grow or manufacture here in the City.

Curt Kubesh said that we will need to have a public hearing next month for the Cannabis/THC Ordinance drafts to get these approved before the end of the year, just in case Pine County does not accept taking over the City's ordinance.

With all of this information, the following motion was made and they asked Ashley Rauschnot to submit the survey as follows.

***Oliver Rauschnot motioned seconded by Josh Froelich to have the Deputy Clerk, Ashley Rauschnot, submit the Pine County Survey with the option to allow Pine County to administrate all Cannabis Zoning, but to retain all other zoning administration which we presently are or are not doing. If approved by Pine County, the Rock Creek City Council will make the final decision on approval or denial. Planning Commission members added that they would like to limit all growing/manufacturing to the Light Industrial District and all Retail Sales to the C-1 Highway Commercial District. Motion passed with all ayes.***

**6. New Business:**

**a. Soil Borings/Type 1 Buildable Clarification – What is deemed buildable?**

Ashley Rauschnot is asking this question based on questions received in the office. After reviewing Ordinance 70 Subsurface Sewage Treatment Systems. 4.01.03 – States that all systems built on land that is split after 1996, must be Type 1. If it is a piece of land that has already been in existence, it can have a Type 3.

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**7. City Council Notes**

Dan Saumer said there is nothing from Council at this time.

**8. Adjourn**

*Donnie Peterman III motioned seconded by Josh Froelich to adjourn at 8:34PM.  
Motion passed with all ayes.*

Ashley Rauschnot  
Deputy Clerk