



CITY OF BALDWIN
SPECIAL PLANNING COMMISSION AGENDA
Wednesday, November 19, 2025 at 7:00 P.M.
Baldwin City Hall

- A. **Call to Order:**
 - 1. Pledge of Allegiance
 - 2. Oath of Office
 - 3. Roll Call
 - 4. Planning Commission claim forms
- B. **Election of Officers**
 - 1. Vice Chair
- C. **Approval of the Agenda**
- D. **Approval of Minutes:**
 - 1. Planning Commission Special Meeting of October 15, 2025
- E. **New Business:**
 - 1. Planning Commission training and discussion
 - 2. Planning Commission 2026 meeting schedule
- F. **Old Business:**
 - 1. None.
- G. **Comprehensive Plan Update**
 - 1. None.
- H. **City Council Liaison Update**
- I. **Commissioner Update**
- J. **City Staff Update**
- K. **Miscellaneous Information and Communications**
- L. **Adjourn by 9:00 P.M.**

Notes:

- 1. Five copies of the agenda and two copies of the packet materials are available for review by the public.
- 2. The meeting will be video and audio recorded for transcription purposes only.
- 3. This agenda does not claim to be complete and is subject to change.
- 4. A quorum of the City Council may be present at the Planning Commission meeting.



SPECIAL PLANNING COMMISSION MEETING MINUTES

OCTOBER 15, 2025

Call to Order: Chair Clarence Mattson called the Baldwin Special Planning Commission meeting to order at 7:00 pm.

Pledge of Allegiance: All present recited the Pledge of Allegiance.

Roll Call: Present: Chair Clarence Mattson, Vice Chair Richard Marshall, Commissioners Calvin Schmock, Patti Miller, Teresa Barnes, Ed Stofferahn, and Abby Newland.

Also present: City Planner, Dan Licht, and City Council Liaison, Jay Swanson.

All claim forms were filled out and returned to the Deputy Clerk.

Approval of the Agenda:

Add Cal Schmock Announcement as number one and Applicant Discussion as number two under New Business.

***Commissioner Miller motioned to approve the agenda as amended.
Commissioner Schmock seconded. All in favor. Motion carried.***

Approval of the Minutes:

Special Planning Commission meeting of September 17, 2025

***Commissioner Stofferahn motioned to approve the minutes as written.
Commissioner Marshall seconded. All in favor. Motion carried.***

New Business:

Cal Schmock Announcement

Commissioner Schmock stated that he has taken on a new position at the school district and has decided to resign from the Planning Commission. His term ends in April 2026. Commissioner Schmock can serve the remainder of his term, however if there is another applicant available to fill his seat, he will resign immediately.

Applicant Discussion

The commissioners discussed the applicant interviews from the September 17, 2025 Special Planning Commission meeting. The two open seats are for Seat A ending in April 2027 and Seat F ending in April 2026.

Chair Mattson made a motion to appoint Bruce West for Seat A and Mary Larson for Seat F. Commissioner Stofferahn seconded. All in favor. Motion carried.

Planning Commission training and discussion

City Planner Licht asked if the commissioners would like to start the training when the two new commissioners are sworn in at the November meeting. Chair Mattson agreed.

Commissioner Stofferahn thanked City Planner Licht for putting this training together and helping the new commissioners understand the job of being a commissioner.

Planning Commission meeting schedule

The commissioners discussed the meeting schedule for the rest of 2025.

Chair Mattson stated the November 26, 2025 meeting will be cancelled as the commissioners do not want to meet the night before Thanksgiving. Meetings in December will be cancelled unless any new applications are received that need a public hearing. The last meeting of the Planning Commission for the year will be the Special Planning Commission meeting on November 19, 2025.

Old Business: None

Comprehensive Plan Update: None

City Council Liaison Update:

Mayor Swanson updated the Planning Commission on recent City Council discussions.

Commissioner Update:

Commissioner Miller stated the Planning Commission needs to have a discussion on shipping containers and sheds that require tarps.

Commissioner Barnes agreed with Commissioner Miller and stated that the Planning Commission should modify the shipping container ordinance.

Commissioner Stofferahn stated that either the city needs to enforce the shipping container ordinance more or the city needs to adjust the ordinance because residents are currently not following the ordinance that is in place.

The commissioners discussed the Shipping/Storage Container ordinance. City Planner Licht stated this can be added to the Planning Commission agenda for January 2026.

City Staff Update:

City Planner Licht updated the Planning Commission on future applications.

Miscellaneous Information and Communications: None.

Adjourn:

Commissioner Marshall motioned to adjourn the October 15, 2025 Special Planning Commission meeting at 8:05 pm. Commissioner Schmock seconded. All in favor. Motion carried.

Submitted by: Kayla Nielsen
Deputy Clerk/Treasurer

Approved by: Clarence Mattson
Chair

Date

Attendees: None.

Zoning Administration & Decision Making

- Land development is a partnership between private landowners and the public.
- The landowner provides the private land (as well as the capital to develop it) and public agrees to provide access to properly maintained streets, highways, sanitary sewer treatment, water supply, storm water management systems, parks and recreation, police and fire protection, and other public functions.
- Because of the ongoing cost to the public of serving private land, the community must plan for development so that the public's costs will be manageable in the future.
- The Comprehensive Plan describes the community's vision of itself in the future and how it will manage growth and development.
- Adoption of a Comprehensive Plan is a legislative action by the City to establish land use policy.

Comprehensive Plan

• Components of the Comprehensive Plan:

- Natural Environment
- Land Use
- Housing
- Transportation
- Parks and Trails
- Sewer and Water
- Storm water management

Comprehensive Plan

- Zoning is used to implement the goals and policies of the Comprehensive Plan.
- The Zoning Ordinance regulates the physical occupation of the land by a use.
- The Subdivision Ordinance regulates the conversion of raw land to a condition in which it is ready to be built on.

Zoning Ordinance

- Amendments are legislative actions whereby the City establishes the standards, requirements, and locations for land uses guided by the Comprehensive Plan.
- Amendments to the Zoning Ordinance may take one of two forms:
 - Amendments to the text of the Zoning Ordinance, which apply generally to all properties or all properties within a given district; and,
 - Amendments to the map, which apply to specific property.

Zoning Ordinance

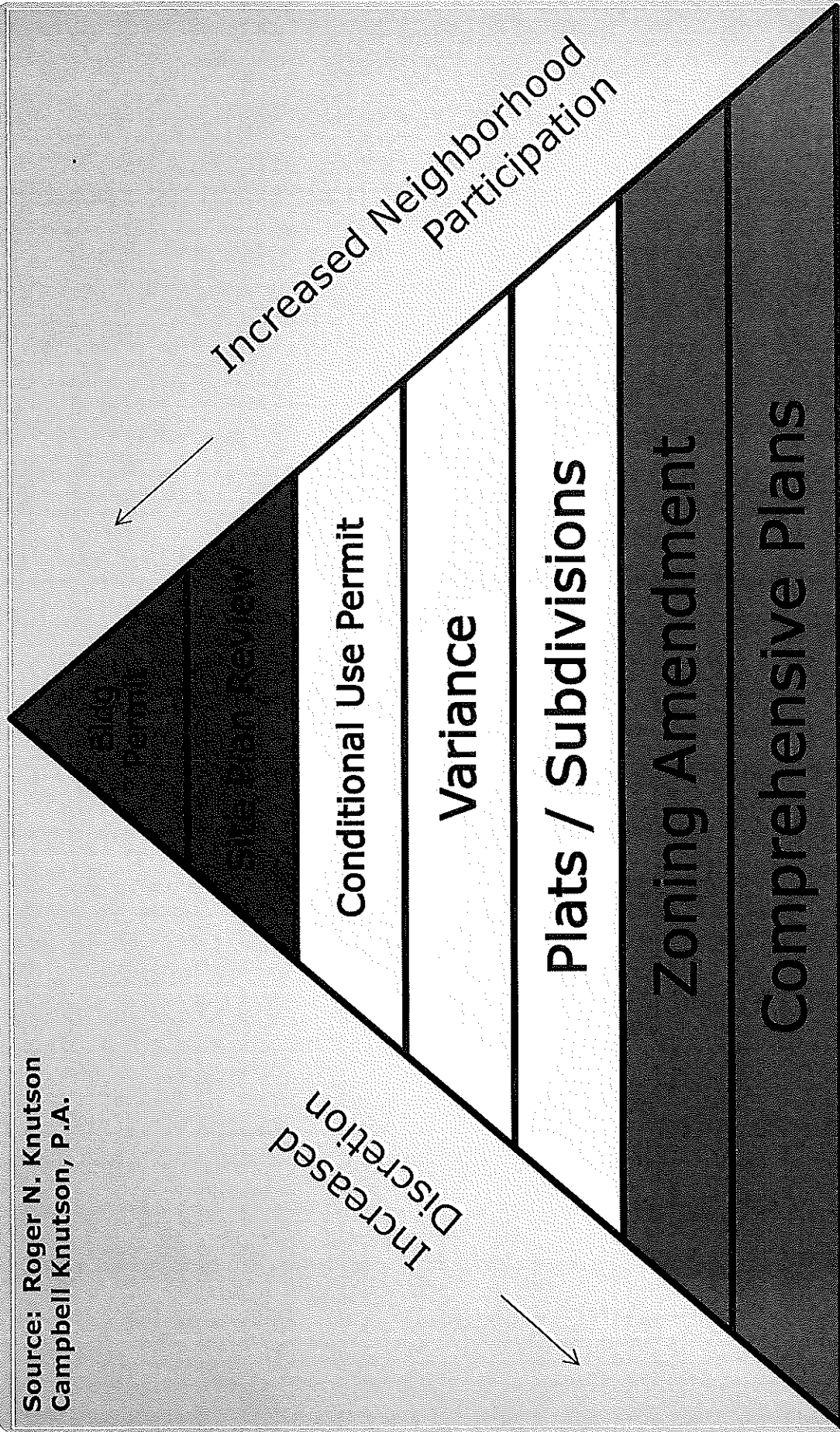
- A conditional use is a land use in a particular district that is presumed to be allowed and review of these is a judicial action.
- Interim uses are similar but are established with a termination date or event that the property owner agrees to.
- But due to inherent characteristics, there is potential for the use to cause a nuisance or place an extraordinary burden on public services.
- A conditional use permit (CUP) or Interim Use Permit (IUP) allows for additional standards and a more detailed review process, including a public hearing.
- The expectation is that the City must issue a CUP or IUP if an applicant can show that all of the standards and conditions placed on the CUP or IUP have been met (conditions must be rationally related to the impacts of the proposed use).

Conditional & Interim Use Permits

- Variances are “special exceptions” from the standard imposed by a (usually) dimensional zoning regulation, such as size, area, length, or bulk.
- Variances to permit a use otherwise prohibited by the Zoning Ordinance are not allowed.
- Variances are intentionally difficult to obtain based on the premise that the City establishes uniform zoning standards for the protection of public health, safety, and welfare.
- Variances should be approved rarely, only where special conditions are apparent that would deny a reasonable use of a property.
- If the circumstances for which a variance application is approved are commonplace, then an amendment should be processed that applies to all properties equally.

Variances

Source: Roger N. Knutson
Campbell Knutson, P.A.



Discretion in Land Use Decisions

- Land use decisions, whether amendments, variances, conditional use permits, or subdivisions, must meet the legal standard called the “rational basis” standard of review.
- There are numerous reasons a decision will be made based on evidence available to the Plan Commission and City Council.
- Document the decision to approve or deny an application with written findings of fact.
- Courts will defer to the City’s record in considering challenges to land use decisions.

Findings of Fact

- Findings need to be made “contemporaneously” with the decision.
- Findings need to be based on evidence submitted as a part of the City’s hearing process.
- Findings should be as specific as possible and include references to specific policies or components of the City’s Comprehensive Plan or a specific ordinance standard.

Findings of Fact

- The City may attach conditions to approval of a conditional use permit, variance, site plan, or subdivision provided that the condition bears a reasonable relationship to the proposed use and its allowance by the Zoning Ordinance.
- In considering possible challenges to its land use decisions, the City is in a better position to defend a decision to approve an application with reasonable conditions with the burden on the applicant to show that the City's action in imposing the conditions does not serve a legitimate government interest.
- Actions to deny judicial actions are more easily challenged on the basis of being arbitrary and capricious as the burden becomes more the City's responsibility to show how the proposed use did not comply with the standards of the Zoning Ordinance.

Approve or Deny?

- Be comprehensive.
- Potential conditions should be written in advance with copy given to the applicant.
- Planning Commission/City Council may add conditions but should be stated specifically in the minutes.

Drafting Conditions

- **Be specific:**

- *The hours of operation shall be from 7:00 AM to 7:00PM on Monday through Friday; at all other times there shall be no operations.*
- *Trucks hauling from the subject site shall be limited to travel upon County Road 118 from the Site to Trunk Highway 55 and shall not utilize any other street within the City.*

Drafting Conditions – Cont.

- **Language:**

- Do not use passive words such as “may” or “should” as this leaves issue open for interpretation.
- Use words such as “shall” or “must” to provide clear direction as to City’s intent and direction to applicant.
- Include reference to applicable Zoning Ordinance, State, or Federal regulations.

Drafting Conditions – Cont.

- Traffic/parking
- Screening/Buffering
- Exterior lighting
- Noise
- Stormwater drainage
- Building architecture
- Property maintenance
- Signs
- Hours
- Business licenses
- Compliance with Federal or State requirements
- Other conditions necessary to protect public health, safety and welfare

Possible Conditions

Discussion and Questions

2026 BALDWIN PLANNING COMMISSION MEETING SCHEDULE

The City of Baldwin Planning Commission will meet on the following dates identified below in 2026. If a regular meeting is to be cancelled, a notice will be posted showing if there is a rescheduled time, date and place for another meeting.

All meetings for the Planning Commission will begin at 7:00 pm at the Baldwin City Hall located at 30239 128th Street, Baldwin, MN 55371.

The public is cordially invited to attend all meetings of the Planning Commission.

A quorum of Council members may be in attendance at the Planning Commission meetings.

Special Meeting

Planning Commission

January 14, 2026

January 28, 2026

February 11, 2026

February 25, 2026

March 11, 2026

March 25, 2026

April 8, 2026

April 22, 2026

May 13, 2026

May 27, 2026

June 10, 2026

June 24, 2026

July 8, 2026

July 22, 2026

August 12, 2026

August 26, 2026

September 9, 2026

September 23, 2026

October 14, 2026

October 28, 2026

November TBD, 2026

November 18, 2026

December 9, 2026¹

December 23, 2026¹

1. Meetings in December will only be scheduled if needed.