



CITY OF BALDWIN
PLANNING COMMISSION MEETING AGENDA
Wednesday, September 23, 2026 at 7:00 P.M.
Baldwin City Hall

- A. **Call to Order:**
 - 1. Pledge of Allegiance
 - 2. Roll Call
 - 3. Planning Commission claim forms
- B. **Approval of the Agenda**
- C. **Approval of Minutes:**
 - 1. Planning Commission meeting of July 22, 2026
- D. **Public Hearings:**
 - 1. Mason Management, LLC (PID 01-00015-4401)
 - a. Zoning Ordinance text amendment
- E. **New Business:**
 - 1. None
- F. **Old Business:**
 - 1. None
- G. **City Council Liaison Update**
- H. **Commissioner Update**
- I. **City Staff Update**
- J. **Miscellaneous Information and Communications**
- K. **Adjourn by 9:00PM**

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.



PLANNING COMMISSION MEETING MINUTES

JULY 22, 2026

Call to Order: Chair Clarence Mattson called the Baldwin 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 Teresa Barnes, Commissioners Mary Larson, Ed Stofferahn, Sarah Bostock, and Bruce West.

Absent: Commissioner Chad Gerads

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:

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

Approval of the Minutes:

Planning Commission meeting of June 24, 2026

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

Public Hearings:

DMP 111th MN LLC (PID 01-00027-1400)

City Planner Licht presented the planning report.

Dave Jurek, 13076 1st Street, Becker, was in attendance representing Widseth. Mr. Jurek agreed with the recommendation of city staff.

Chair Mattson opened the public hearing at 7:08 pm.

Teresa McCall, 11435 293rd Ave, asked for clarification on how many lots were being subdivided and how many houses were being built. City Planner Licht responded.

Tom Zinken, 29114 113th Street, questioned if this was zoned residential and if the lots need to confirm to building code. City Planner Licht responded.

Dan Walters, 11425 290th Ave, questioned the property line at the end of the cul-de-sac.

Russ Flett, 11447 290th Ave, questioned the property lines around the end of the cul-de-sac. City Planner Licht clarified that the proposed driveway connects to the public right-of-way at the end of the cul-de-sac.

Dewayne Boeckerman, 28841 116th Street, questioned the subdivision of the proposed property. Chair Mattson responded.

Adam Johnson, 29067 115th Circle, has concerns about heavy equipment damaging the existing road during construction. Chair Mattson responded stating road maintenance concerns would be discussed by the City Council.

***Commissioner Larson motioned to close the public hearing at 7:21 pm.
Commissioner West seconded. All in favor. Motion carried.***

Commissioner West asked for clarification on condition number four. City Planner Licht responded.

***Commissioner Barnes motioned to recommend approval of the preliminary and final plat of Buck Creek Estates, subject to the six conditions listed by city staff.
Commissioner Stofferahn seconded. All in favor. Motion carried.***

Buell Consulting/AT&T Mobility (28829 104th Street)

City Planner Licht presented the planning report.

Blair Ransom, 9973 Valley View Road, Eden Prairie, is representing Buell Consulting/AT&T Mobility. Mr. Ransom agreed with the recommendation of city staff.

Commissioner Stofferahn asked for clarification on the tower coverage with the movement of the tower. Mr. Ransom responded.

Chair Mattson opened the public hearing at 7:31 pm.

***Commissioner Stofferahn motioned to close the public hearing at 7:32 pm.
Commissioner Larson seconded. All in favor. Motion carried.***

Commissioner Barnes asked for clarification on the location of the driveway. Mr. Ransom stated they are using a previous driveway approach.

Commissioner Stofferahn motioned to recommend approval of an amendment of a Conditional Use Permit to allow for construction of a telecommunications tower at 28829 104th Street, subject to the seven conditions listed by city staff. Commissioner Barnes seconded. All in favor. Motion carried.

City of Baldwin - Zoning Ordinance; R2 District

Commissioner Mattson motioned to table the public hearing for the Zoning Ordinance amendment establishing an R2 district to August 26, 2026. Commissioner West seconded. All in favor. Motion carried.

New Business:

Commissioner Gerads Resignation

Chair Mattson read Commissioner Gerads resignation letter.

Commissioner West motioned to approve Commissioner Gerads resignation. Commissioner Larson seconded. All in favor. Motion carried.

The Commissioners discussed filling the vacancy.

Old Business:

Andy's Electric (PID 01-00009-3105)

City Planner Licht presented the planning report.

The applicant, Andy Franey, PO Box 160, was in attendance and agreed to the thirteen conditions listed by city staff.

The commissioners discussed the location of the septic system.

Commissioner West motioned to recommend approval of the site and building plans for Andy's Electric at PID 01-00009-3105, subject to the thirteen conditions listed by city staff. Commissioner Larson seconded. All in favor. Motion carried.

City Council Liaison Update:

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

Commissioner Update:

Commissioner Stofferahn will not be able to attend the September 9th, 2026 Special Planning Commission meeting.

Commissioner West declared his intention to run for City Council.

City Staff Update:

City Planner Licht updated the Planning Commission on future applications.

Miscellaneous Information and Communications:

May 2026 and June 2026 building permits

Adjourn:

Commissioner West motioned to adjourn the July 22, 2026 Planning Commission meeting at 8:40 pm. Commissioner Stofferahn seconded. All in favor. Motion carried.

Submitted by: Kayla Nielsen
Deputy Clerk/Treasurer

Approved by: Clarence Mattson
Chair

Date

Attendees: Deb and Tom Zinken, Dewayne and Ruth Boeckerman, Adam Johnson, Roger Pearson, Dan Walters, Teresa McCall, Ryan Eik, Blair Ransom, Andy Franey, Sheldon Pool, David Jurek, and Russ Flett.



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Anoka, MN 55303
763.231.5840
TPC@PlanningCo.com

PLANNING REPORT

TO: Baldwin Planning Commission

FROM: D. Daniel Licht

DATE: 18 September 2026

120-DAY DATE: 27 November 2026

RE: Baldwin – Country Pup Kennel; Zoning Ordinance Amendment

TPC FILE: 269.02

BACKGROUND

Mason Management, LLC owns the property at 30209 116th Street (01-00015-4401). The 34.93 acre property is developed with a single family dwelling, a commercial kennel, and a detached accessory building used as part of the kennel for training purposes. The business provides boarding, daycare, grooming, and a self-care dog wash as a secondary use of the property. The commercial kennel is allowed by an Interim Use Permit approved by the Town Board on 3 May 2024 and amended on 4 March 2026.

The property owners are requesting an amendment to the Zoning Ordinance to allow commercial kennels, and their existing business, as a conditional use in the R1, General Rural District. Applications to amend the text of the Zoning Ordinance are processed in accordance with the provisions of Section 900-3-3 of the Zoning Ordinance and are subject to review by the Planning Commission and approval by the City Council. A public hearing to consider the proposed amendment has been noticed for the Planning Commission meeting on 23 September 2026 at 7:00PM.

Exhibits:

- Site Location Map
- Applicant narrative
- Draft ordinance
- Draft findings

ANALYSIS

Conditional v. Interim Use. Activities allowed by the Zoning Ordinance either as conditional uses or interim uses are regulated in much the same way. These are activities that are permitted to occur within a zoning district subject to specific performance standards that address potential negative effects, ensure functionality, provide for compatibility with the surrounding area, and guarantee adequate infrastructure.

A Conditional Use Permit, once approved by the City, is recorded with the property and carries forward indefinitely. This means that, provided the use operates under the Conditional Use Permit in the same manner as it was approved, it can continue without review, amendment, or termination of the Conditional Use Permit by the City, except through the process of revocation. Interim uses specifically allow for a termination of the Interim Use Permit under the provisions established by Section 900-5-6 of the Zoning Ordinance on the happening of any of the following events, whichever first occurs:

- A. *The date or event stated in the interim use permit.*
- B. *Upon violation of conditions under which the interim use permit was issued.*
- C. *Upon change in the city's zoning regulations that renders the use nonconforming.*
- D. *The redevelopment of the use and property upon which it is located to a permitted or conditional use as allowed within the respective zoning district.*
- E. *Upon a change in ownership, whether pursuant to move, sale, transfer, assignment, or otherwise, the owner or proposed new owner must complete a new application subject to approval pursuant to this ordinance. A change of ownership or control includes, but is not limited to:*
 - 1. *The sale of all or substantially all of the company assets.*
 - 2. *Sale or acquisition of 40 percent or more of the controlling interest (voting) stock if the company stock is publicly traded;*
 - 3. *Sale of 51 percent of the voting stock if a non-publicly traded stock or closely held corporation;*
 - 4. *Execution of a management agreement; or*
 - 5. *The change of any officer or majority stockholder if the company is a closely-held corporation. The IUP shall expire with a change of ownership, or unless otherwise required by the IUP's conditions as determined by the city council.*
- F. *The approved use is inactive for one year or longer as determined by the Zoning Administrator.*

Establishing a specific date for termination or terminating an Interim Use Permit if a Zoning Ordinance amendment renders the use non-conforming, allows the City to provide for uses that are appropriate now but may not be expected to continue to be over the long-term. The provision terminating an interim use based on noncompliance with the Zoning Ordinance or conditions of the Interim Use Permit is an additional enforcement tool for the City. The provisions addressing a change in ownership allow the City to review the continued operation of the interim use to ensure that the new ownership understands and complies with the provisions of the Zoning Ordinance and any conditions of approval specific to the Interim Use Permit.

Determining whether an activity is to be allowed as a permitted use, conditional use, or interim use within the various zoning districts is a legislative action for which the City has broad discretion. As noted above, conditional or interim uses are activities that may cause potential negative effects that can be addressed through additional performance standards and a more intensive review process. In considering whether such an activity should be allowed as a conditional use or interim use, the termination provisions applicable to Interim Use Permits are a much stronger regulatory tool for the City than a Conditional Use Permit.

However, the termination provisions of an Interim Use Permit may cause concern for the property owner. The property owner makes investments in the use of the property, including site and building improvements necessary for the operation and for compliance with the Zoning Ordinance. This investment is placed at significant risk because the Interim Use Permit may be terminated by the City a Zoning Ordinance amendment that renders the use nonconforming, or because continued operation of the business after a change requires City approval. It is this risk to the continuity of the business that has caused the applicant to propose an amendment of the Zoning Ordinance to allow operations such as Country Pup Kennels as a conditional use within the R1 District.

Existing Regulation. The Zoning Ordinance allows commercial or private kennels for keeping more than 10 dogs as an interim use within the R1 District. The interim use is subject to the following performance standards established in Section 900-5-4.1 of the Zoning Ordinance:

1. *An interim use permit issued under this section shall not be transferred to any person other than the person to whom the permit was issued.*
2. *No more than 40 dogs over six months of age shall be kept on the private and/or commercial kennel property, including no more than 10 unsterilized female dogs over six months of age, unless approved by the city council.*
3. *Dogs must be confined or under direct control of the kennel operator or staff at all times.*
4. *The owner and/or operator of the private or commercial kennel shall operate the kennel so as to not unreasonably disturb the peace and quiet of any person in accordance with this ordinance.*
5. *Outdoor kennel areas shall be fenced consisting of durable materials with a minimum height of six feet and shall deter dogs from escaping over, under, or through the fence.*

6. *Shelter:*
 - a. *All-weather kennels or shelters and dog runs or enclosed exercise areas shall be provided for all dogs and shall be adequately sized for the particular breed.*
 - b. *Kennels may require a building permit if over 200 square feet in area.*
7. *A waste management plan for proper disposal of animal feces at least once each day shall be submitted to provide for disposal of animal wastes via a subsurface sewage treatment system or enclosed in a container of sufficient construction to eliminate odors and organisms.*
8. *Location:*
 - a. *Kennels shall be located on a parcel that complies with the minimum lot requirements of the applicable zoning district.*
 - b. *Kennels, runs, and shelters shall be setback a minimum of 500 feet from any existing residence except that of the kennel owner.*
 - c. *Kennels, runs and shelters shall comply with the minimum setback requirements of the applicable zoning district.*

Applicant Proposal. The applicant proposes to amend the Zoning Ordinance by repealing commercial and private kennels as interim uses and reestablishing commercial kennels as conditional use within the R1 District. The only change to the performance standards for commercial kennels as a conditional use proposed by the applicant is removal of the termination provision:

- ~~1. An interim use permit issued under this section shall not be transferred to any person other than the person to whom the permit was issued.~~

City staff advises that it is not necessary to repeal the existing interim use provisions for commercial and private kennels to achieve the applicant's purpose. Rather, City staff recommends consideration of an amendment establishing commercial kennels only as a conditional use within the R1 District. City staff further recommends additional standards as part of the proposed amendment that would distinguish a specific use from a commercial kennel allowed as an interim use. This approach avoids unintentionally terminating the interim use permit for other existing commercial or private kennels within the City.

Draft Amendment. City staff has prepared a draft amendment establishing commercial kennels as a conditional use within the R1 District for consideration by the Planning Commission. The amendment includes performance standards requiring a minimum lot area and increased setbacks for commercial kennels. These performance standards are intended to distinguish the commercial kennels allowed by Conditional Use Permit from those allowed by Interim Use Permit and to provide additional protections against potential compatibility issues.

- ~~1. An interim use permit issued under this section shall not be transferred to any person other than the person to whom the permit was issued.~~

7. Location:

- a. Kennels shall be located on a parcel that is a minimum of 30 acres in area.
- b. Kennels, runs, and shelters shall be set back a minimum of 500 feet from any existing residence except that of the kennel owner.
- c. Indoor kennels, runs, and shelters shall comply with the minimum setback requirements of the applicable zoning district.
- d. Outdoor kennels, runs, and shelters not fully enclosed shall be set back a minimum of 100 feet from all property lines.

RECOMMENDATION

The City regulates uses within its zoning districts as a matter of policy. Commercial kennels are appropriate for rural areas but have the potential to cause negative effects through noise, traffic, waste disposal, and the general intensity of the activity, any of which may disrupt the desired rural character of the area. As such, allowing commercial kennels warrants review and approval through either a Conditional Use Permit or Interim Use Permit process.

The Planning Commission should evaluate whether allowing commercial kennels as conditional uses in the R1 District is consistent with the Comprehensive Plan, compatible with the purpose of the district, and adequately addressed through the proposed performance standards. The Commission may also consider whether retaining the existing interim use provisions while adding a conditional use option provides an appropriate balance between long-term business investment and the City's interest in regulating potentially intensive rural commercial activities.

In their narrative, the applicant has provided draft findings supporting the requested amendment. City staff has included these findings, with additional edits, in the draft findings of fact prepared for review by the Planning Commission.

POSSIBLE ACTIONS

- A. Motion to adopt findings of fact and recommend **approval** of an amendment of the Zoning Ordinance establishing commercial kennels as a conditional use within the R1 District.
- B. Motion to recommend **denial** of the requested Zoning Ordinance amendment based on a finding that the request is inconsistent with the goals and policies of the Comprehensive Plan.
- C. Motion to **table**.
- c. Joan Heinen, City Clerk/Treasurer

01-00010-3300

01-00010-4100

01-00011-3300

01-00015-1200

01-00015-1100

01-00014-2200

01-00015-1205

01-00015-4401

01-00015-4403

01-00014-3100

01-00015-3400

01-00015-4401

01-00015-4403

01-00023-2202

01-00022-2400

01-00022-1300

01-00022-1400

01-00023-2300

01-00022-3101

01-00022-4201

01-00022-4100

01-00023-3200

Roads

- MN Highway; US Highway
- Municipal-State Aid Street
- Municipal Street
- Township Road
- State Forest Road
- Bureau of Fish and Wildlife Road
- Connector (Ramp)
- Privately Maintained Public Access Road
- County Road
- County-State Aid Highway

 Parcels

 Streams

PROPOSED AMENDMENTS TO TEXT OF ORDINANCES:

A. PROPOSED AMENDMENTS

1. The applicants seek to amend city of Baldwin Ordinance 900, Chapter 51 as follows:

- a. Delete subsection E from Section XX-51-4 ("Interim Uses"), as follows:

XX-51-4; INTERIM USES: In addition to other uses specifically identified elsewhere in this ordinance, and subject to applicable provisions of this ordinance, the following are interim uses in a R1 district and are governed by chapter 5 of this ordinance. Additionally, besides the specific standards and criteria which may be provided for in section XX-5-4 of this ordinance, each request for an interim use permit shall be evaluated based upon the standards and criteria set forth in section XX-5-2 and section XX-5-3 of this ordinance, with termination as specified by section XX-5-6 of this ordinance.

- A. Activities Requiring Rural Isolation
- B. Asphalt and Concrete Mixing Plants, Portable
- C. Auction Business
- D. Bed and Breakfast (Ord. 900, 18 Apr 22)
- E. Commercial kennel; any private kennel for keeping more than 10 dogs over six months of age. (Ord 900-2, 19 Sep 23)
- F. Contractor's Yard (Small and Medium)
- G. Farm-Related Bunkhouse for a Temporary Residence
- H. Home Business in an Accessory Building
- I. Manufactured Home, Farm Related (temporary seasonal)
- J. Manufactured Home, Farm Related (temporary year-around)
- K. Manufactured Home (Temporary) for Parents, Grandparents, Children, Sisters or Brothers by Blood or Adoption)
- L. Mining
- M. Occasional Special Event
- N. Recreational Activity
- O. Rural Tourism
- P. BALDWIN TOWNSHIP ZONING ORDINANCE
- Q. 51-3
- R. Solar Farm
- S. Temporary Start-up Business
- T. Temporary Use by Government Entities
- U. Yard Waste Composting (Ord. 900, 18 Apr 22)

- b. Amend Section XX51-3 as follows:

XX-51-3; CONDITIONAL USES: In addition to other uses specifically identified elsewhere in this ordinance, the following are conditional uses in a R1 district and require a conditional use permit based upon procedures set forth in and regulated by chapter 4 of this ordinance. Additionally, besides the specific standards and criteria provided for in section XX-4-4 of this ordinance, for respective conditional uses, each request for a conditional use permit shall

RESPONSES TO CONSIDERATIONS OF THE AMENDMENT REQUEST:

- A. Is the proposed rezoning consistent with the Comprehensive Plan?
The purposed amendment is consistent with the Comprehensive Plan.
- B. Is the current use of the property a permitted use within the proposed zoning district, or will the rezoning create a non-conforming use?
The current use of the property subject to the amendment would remain a conforming use.
- C. Will permitted uses within the proposed zoning district be injurious to health or interfere with the comfortable enjoyment of life or property within the vicinity?
The purposed amendment will not be injurious to health or interfere with the comfortable enjoyment of life or property.
- D. How will public services (e.g. transportation, schools, parks, and police/fire) be impacted by the proposed rezoning? Will permitted uses within the proposed zoning district adversely impact or overburden existing public service capacity?
The purposed amendment will not impact public services.
- E. Is the proposed rezoning located in an area that has the potential to adversely impact natural resources such as surface water, groundwater, or wetlands, or sites identified for rare biological species habitat?
The proposed amendment will not impact natural resources.
- F. Does the proposed rezoning have the potential to impact ecologically sensitive or historically significant areas?
The proposed amendment will not impact ecologically sensitive or historically significant areas.
- G. Does the property have sufficient size and physical characteristics to permit a reasonable use under the current zoning district?
Not applicable.
- H. Any other factors that may be relevant to determining whether the proposed rezoning is appropriate.
See attached explanation.

Country Pup Kennel, LLC
Proposed Amendment to Baldwin Ordinance 900, Ch. 51, Section XX-51-4

6. Shelter:
 - a. All-weather kennels or shelters and dog runs or enclosed exercise areas shall be provided for all dogs and shall be adequately sized for the particular breed.
 - b. Kennels may require a building permit if over 200 square feet in area.
 7. A waste management plan for proper disposal of animal feces at least once each day shall be submitted to provide for disposal of animal wastes via a subsurface sewage treatment system or enclosed in a container of sufficient construction to eliminate odors and organisms.
 8. Location:
 - a. Kennels shall be located on a parcel that complies with the minimum lot requirements of the applicable zoning district.
 - b. Kennels, runs, and shelters shall be setback a minimum of 500 feet from any existing residence except that of the kennel owner.
 - c. Kennels, runs and shelters shall comply with the minimum setback requirements of the applicable zoning district. (Ord. 900-2, 19 Sep 23).
3. Amend Chapter 4 ("Conditional Use Permits), Section xx-4-4(F) (Specific Use Standards"), of the Baldwin Code of Ordinances as follows: Add:
- F. Commercial or Private Kennel:
- ~~1. An interim use permit issued under this section shall not be transferred to any person other than the person to whom the permit was issued.~~
 1. No more than 40 dogs over six months of age shall be kept on the private and/or commercial kennel property, including no more than 10 unsterilized female dogs over six months of age, unless approved by the Town Board.
 2. Dogs must be confined or under direct control of the kennel operator or staff at all times.
 3. The owner and/or operator of the private or commercial kennel shall operate the kennel so as to not unreasonably disturb the peace and quiet of any person in accordance with this Ordinance.
 4. Outdoor kennel areas shall be fenced consisting of durable materials with a minimum height of six feet and shall deter dogs from escaping over, under, or through the fence.
 5. Shelter:
 - a. All-weather kennels or shelters and dog runs or enclosed exercise areas shall be provided for all dogs and shall be adequately sized for the particular breed.
 - b. Kennels may require a building permit if over 200 square feet in area.
 6. A waste management plan for proper disposal of animal feces at least once each day shall be submitted to provide for disposal of animal wastes via a subsurface sewage treatment system or enclosed in a container of sufficient construction to eliminate odors and organisms.
 7. Location:
 - a. Kennels shall be located on a parcel that complies with the minimum lot requirements of the applicable zoning district.

Country Pup Kennel, LLC
Proposed Amendment to Baldwin Ordinance 900, Ch. 51, Section XX-51-4

be evaluated based upon the standards and criteria set forth in section XX-4-2 and section XX-4-3 of this ordinance.

- A. Aircraft Landing Strip, Private
- B. Airport, Public
- C. Aquaculture
- D. Cemeteries
- E. Churches

- Commercial Kennels for keeping more than 10 dogs over six months of age
- F. Communication towers up to 200 feet in height
- G. Daycare, Commercial
- H. Farm Related Business
- I. Farm Related Bunkhouse for a Temporary Residence
- J. Feedlots and/or Manure Storage Areas (Tier 2 – Tier 5)
- K. Game Refuge, Private
- L. Golf Course
- M. Historical Site
- N. Motor Sports Facility, Public
- O. Nursery, Retail
- P. Permanent Government Structure
- Q. Personal Storage Structure
- R. S. Private Game Refuge and Wildlife Management Areas
- S. T. Radio Facility
- U. V. Riding Academies, Stables and Similar Uses
- W. X. Seasonal Storage
- Y. Z. Second Farm-Related Dwelling (Ord. 900, 18 Apr 22)

2. Amend Chapter 5 ("Interim Use Standards), Section xx-5-4(H) (Specific Use Standards"), of the Baldwin Code of Ordinances as follows:

H. Commercial or-Private Kennel:

1. An interim use permit issued under this section shall not be transferred to any person other than the person to whom the permit was issued.
2. No more than 40 dogs over six months of age shall be kept on the private and/or commercial kennel property, including no more than 10-unsterilized female dogs over six months of age, unless approved by the Town Board.
3. Dogs must be confined or under direct control of the kennel operator or staff at all times.
4. The owner and/or operator of the private or commercial kennel shall operate the kennel so as to not unreasonably disturb the peace and quiet of any person in accordance with this Ordinance.
5. Outdoor kennel areas shall be fenced consisting of durable materials with a minimum height of six feet and shall deter dogs from escaping over, under, or through the fence.

Country Pup Kennel, LLC
Proposed Amendment to Baldwin Ordinance 900, Ch. 51, Section XX-51-4

- b. Kennels, runs, and shelters shall be setback a minimum of 500 feet from any existing residence except that of the kennel owner.
- a.c. Kennels, runs and shelters shall comply with the minimum setback requirements of the applicable zoning district. (Ord. 900-2, 19 Sep 23).

B. EXPLANATION

The purpose of the amendments stated above is to move Commercial Kennels from the permitting requirements of the Interim Use Ordinance to the requirements of the Continuous Use Permits ordinance. The reason for the change is that true commercial kennels (1) do not operate as temporary or seasonal businesses in a manner similar to those businesses enumerated in Chapter 51, Section XX-51-4 and (2) are not necessarily temporary or transitional land use businesses.

Instead, commercial kennels are permanent commercial animal-care businesses whose potential off-site effects can be identified, mitigated, and enforced through continuing permit conditions. Furthermore, commercial kennels, such as the one operated by the applicant, must make significant investments of time and money in its kennel in order to comply with all facets of the building code and all applicable state, county and city laws (consistent with all other permanent businesses). As such, commercial kennels more closely align with the businesses enumerated in Ch.4, Section XX-4-3 of the Conditional Use Permit ordinance.

More particularly, commercial dog kennels are comparable to the Riding Academies, Stables and Similar Uses permitted under Section XX-4-3 (T).¹ From a land-use permitting standpoint, a commercial dog kennel and a commercial horse stable are comparable because both uses are:

- Commercial animal-boarding or care facilities;
- Commonly located on rural or large-acreage property;
- Dependent on animal housing, exercise areas, fencing, employee and customer access, parking, and deliveries;
- Capable of producing noise, odor, animal waste, traffic, drainage, and potential nuisance impacts; and
- Uses whose impacts can be controlled through permanent, enforceable permit conditions concerning animal numbers, setbacks, hours, outdoor activity, waste removal, screening, lighting, and noise.

¹ Other municipalities and counties regulate commercial dog kennels using a Conditional Use Permit and in a similar manner to commercial horse stables, such as the city of Elk River, MN (Article VI, Div. 7, §30-1022 (d)(7)); Winona County §8.C.6 of the County of Winona's Zoning; and City of Andover, Ch. 11 Andover City Zoning Ordinance,

Country Pup Kennel, LLC
Proposed Amendment to Baldwin Ordinance 900, Ch. 51, Section XX-51-4

Moreover, like a commercial stable, a commercial kennel is a permanent commercial animal-care use whose potential off-site effects can be identified, mitigated, and enforced through continuing permit conditions. Therefore, the nature of the use supports CUP treatment rather than mandatory termination through an IUP.²

This comparison is useful because Baldwin itself has already determined that a continuing commercial animal use involving boarding, customers, animals, structures, waste, and outdoor activity can be compatible with the R-1 district indefinitely if appropriate CUP conditions are imposed. The city treats riding academies, stables, and similar commercial animal uses as conditional uses even though those operations may generate manure, odor, traffic, noise, outdoor animal activity, trailers, and substantial land disturbance. Since commercial kennels present the same general category of land-use concerns, all of which can be addressed through limitations on animal numbers, outdoor hours, setbacks, noise, waste disposal, screening, and inspections, there is no reasonable basis for categorizing commercial dog kennels any differently than commercial stables. In other words, because neither use is inherently temporary, there is no land-use reason why every commercial kennel must terminate upon a particular date or event while a commercial stable may continue indefinitely under a CUP.³

² Currently, the only business listed in the Interim Use standards that carries a termination on sale restriction is the commercial dog kennel. For a commercial dog kennel, this restriction has the potential to reduce the value of the kennel as it makes the sale of a kennel contingent on the city approving a new interim use permit.

³ Alternatively, the City could retain IUP treatment for private kennels, unusually intensive kennels or kennels that do not meet industry standard (barn kennels) while allowing CUP treatment for facilities satisfying objective standards, such as minimum acreage, indoor overnight housing, limits on outdoor hours, enforceable noise standards, waste-management plans, and substantial setbacks.

ORDINANCE NO.: 2026-XX

CITY OF BALDWIN
SHERBURNE COUNTY, MINNESOTA

AN ORDINANCE AMENDING THE ZONING ORDINANCE
REGARDING COMMERCIAL KENNELS.

THE BALDWIN CITY COUNCIL ORDAINS:

Section 1. Section 900-4-4 of the Zoning Ordinance (Conditional Use Permits – Specific Use Standards) is hereby amended to include the following provisions with subsequent sections renumbered accordingly:

E. Commercial Kennel:

1. No more than 40 dogs over six months of age shall be kept on the private and/or commercial kennel property, including no more than 10 unsterilized female dogs over six months of age, unless approved by the city council.
2. Dogs must be confined or under direct control of the kennel operator or staff at all times.
3. The owner and/or operator of the private or commercial kennel shall operate the kennel so as to not unreasonably disturb the peace and quiet of any person in accordance with this ordinance.
4. Outdoor kennel areas shall be fenced consisting of durable materials with a minimum height of six feet and shall deter dogs from escaping over, under, or through the fence.
5. Shelter:
 - a. All-weather kennels or shelters and dog runs or enclosed exercise areas shall be provided for all dogs and shall be adequately sized for the particular breed.
 - b. Kennels may require a building permit if over 200 square feet in area.
6. A waste management plan for proper disposal of animal feces at least once each day shall be submitted to provide for disposal of animal wastes via a subsurface sewage treatment system or enclosed in a container of sufficient construction to eliminate odors and organisms.
7. Location:
 - a. Kennels shall be located on a parcel that is a minimum of 30 acres in area.

- b. Kennels, runs, and shelters shall be setback a minimum of 500 feet from any existing residence except that of the kennel owner.
- c. Indoor kennels, runs, and shelters shall comply with the minimum setback requirements of the applicable zoning district.
- d. Outdoor kennels, runs, and shelters not fully enclosed shall be setback a minimum of 100 feet from all property lines.

Section 2. Section 900-4-4 of the Zoning Ordinance (R1 District - Conditional Uses) is hereby amended to include the following provisions with subsequent sections renumbered accordingly:

F. Commercial kennels.

Section 3. This ordinance shall be in full effect upon adoption and publication.

(Remainder of page blank; signatures follow)

ADOPTED by the Baldwin City Council this ____ day of _____, 2026.

MOTION BY:
SECONDED BY:
IN FAVOR:
OPPOSED:

CITY OF BALDWIN

Jay Swanson, Mayor

ATTEST:

Joan Heinen, City Clerk/Treasurer

**CITY OF BALDWIN
PLANNING COMMISSION
ZONING ORDINANCE AMENDMENT
FINDINGS OF FACT & RECOMMENDATION**

APPLICANT: Mason Management, LLC

APPLICATION: Request for a Zoning Ordinance amendment establishing commercial kennels as a conditional use within the R1, General Rural District.

PLANNING COMMISSION MEETING: 23 September 2026

FINDINGS: Based upon review of the application and evidence received, the Baldwin Planning Commission now makes the following findings of fact:

1. The property identified as PID 01-00015-4401.
2. The property is guided for rural land uses by the Comprehensive Plan.
3. The property is zoned R1, General Rural District.
4. The Town Board adopted Resolution 24-22 on 3 May 2024 approving an Interim Use Permit to allow a commercial kennel upon the subject property.
5. The City Council adopted Resolution 26-05 on 4 March 2026 amending the Interim Use Permit to further allow for and regulate a commercial kennel upon the subject property.
6. The applicant has requested an amendment to the Zoning Ordinance to establish commercial kennels as a conditional use within the R1 District.
7. The Planning Commission must take into consideration the possible effects of the request with its judgment based upon (but not limited to) the criteria outlined in Section 900-3-2 of the Zoning Ordinance:
 - A. The proposed action's consistency with the specific policies and provisions of the Town Comprehensive Plan.

Finding: A goal of the Comprehensive Plan is to develop a cohesive land use pattern that ensures compatibility and functional relationships among activities. Policies to achieve this goal include:

- *Regulate incompatible land uses so that conflicts are minimized through the use of physical barriers, distance, screening, or proper physical orientation of lots and buildings.*
- *Provide land use transitions and proper buffering between distinctly different types of land uses.*
- *Establish standards for development of all land uses to ensure desired community character.*
- *Consider interim uses where land use designations are provided for long-term market needs and absorption, provided that the activities are compatible with existing and proposed uses and will not obstruct planned development.*

Operation of a commercial kennel is a use common in rural areas, which is currently allowed by the Zoning Ordinance. The existing use has operated without documented issue since it was established, demonstrating that the performance standards adequately offset potential negative effects. The proposed Zoning Ordinance amendment is consistent with the goals and policies of the Comprehensive Plan.

- B. The proposed use's compatibility with present and future land uses of the area.

Finding: The +/-35 acre property is surrounded by large rural tracts. The area of the subject parcel and surrounding parcels separates the commercial kennel from surrounding residential dwellings mitigating potential compatibility issues. A minimum lot area requirement and increased setback requirements included in the proposed Zoning Ordinance amendment codify these conditions as additional protections to mitigate any potential compatibility issues caused by this or other commercial kennels proposed to be regulated as conditional uses with the Zoning Ordinance amendment.

- C. The proposed use's potential to impact natural resources such as surface water, groundwater, or wetlands; sites identified for rare biological species habitat; ecologically sensitive areas; or historically significant areas.

Finding: The proposed Zoning Ordinance amendment will not, by itself, create impacts natural resources; potential site-specific impacts will be reviewed through the Conditional Use Permit process for commercial kennels.

- D. The proposed use's conformity with all performance standards contained within the Zoning Ordinance and other City ordinances.

Finding: The proposed Zoning Ordinance amendment allowing commercial kennels as a conditional use within the R1 District includes additional performance standards to ensure functionality, land use compatibility, and provision of adequate infrastructure that all uses will be required to comply with.

- E. Traffic generation of the proposed use in relation to capabilities of street serving the property.

Finding: The existing commercial kennel, or any commercial kennel proposed as a conditional use within the R1 District, will be required to demonstrate through the Conditional Use Permit process that traffic generated by the use is adequately served by streets from which the use is accessed.

8. The planning report dated 18 September 2026 prepared by the City Planner, The Planning Company LLC, is incorporated herein.
9. The Planning Commission conducted a public hearing at their meeting on 23 September 2026 to consider the application, preceded by published and mailed notice; based upon review of the application and evidence received, the public hearing was closed and the Planning Commission voted to recommended that the City Council approve the request based on the aforementioned findings.

RECOMMENDATION: Based on the foregoing information and applicable ordinances, the Planning Commission recommends the request be **APPROVED**.

(Remainder of page intentionally blank; signature follows)

ADOPTED by the Baldwin Planning Commission this 23rd day of September, 2026.

MOTION BY:
SECOND BY:
ALL IN FAVOR:
THOSE OPPOSED:

BALDWIN PLANNING COMMISSION

BY: _____
Clarence Mattson, Chair