



## PLANNING & ZONING COMMISSION

*Agenda*  
November 18, 2025  
7:00 PM

**1. ROLL CALL**

**2. APPROVAL OF AGENDA**

**3. APPROVAL OF MINUTES**

3A. October 21, 2025 regular meeting.

**4. PUBLIC DISCUSSION** – Public comment on any item not otherwise listed on the agenda.

**5. PUBLIC HEARINGS**

**5A.** An application by JLG Enterprises for a Preliminary and Final Plat for a 14 lot subdivision located at the formerly addressed 3956 Stebner Road. The property is located in an R-3 zoning district.

**5B.** An application by JLG Enterprises for a Preliminary and Final Planned Unit Development for 3 two-family structures on 3 lots (6 units total) within the Peyton Acres Subdivision. The property is located at the formerly addressed 3956 Stebner Road and is located in an R-3 zoning district.

**5C.** An application by Robin Mansell for a Special Use Permit for cannabis cultivation. The property is located at 4599 Abrahamson Road is located in a C-1A zoning district.

**5D.** An application for a Special Use Permit by Windsor Engineers for grading and filling in a Natural Environment Shoreland Area for the purpose of constructing a new 15,000 square foot office/warehouse facility and associated site improvements. The property is located at 47xx Maple Grove Road.

**5E.** An amendment to Chapter 18 of the Hermantown Zoning Code by adding Section 1830, Accessory Dwelling Units to the code.

**6. CONTINUING BUSINESS**

**7. NEW BUSINESS**

**8. COMMUNICATIONS**

Logged Correspondence 25-516 through 25-640 and 25-643 through 25-693.

Logged Correspondence 25-694 from Mortenson Dev., Inc. (attached).

**9. COMMISSION MEMBER REPORTS**

Joe Peterson  
Corey Kolquist  
Beth Wentzlaff  
Kevin Hagen  
Matthew Fournier  
John Stauber  
Amanda Radzak  
Ryan Johnson

**ADJOURN**



## PLANNING & ZONING COMMISSION

October 21, 2025 Meeting Summary

7:00 PM

### 1. ROLL CALL

Members Present: Joe Peterson; Corey Kolquist; Beth Wentzlaff; John Stauber; Matthew Fournier; Kevin Hagen; Amanda Radzak; and Ryan Johnson

Members Absent: None

Others Present: Eric Johnson, Community Development Director; Tracy Gavist, 330 N 16<sup>th</sup> Ave., E, Duluth; Rebecca Gilbertson, 5854 Hermantown Rd.; Lynn Anderson, 4001 Getchell Rd.; Isabella Nicola, 102 S 17<sup>th</sup> Ave. E, Duluth; Jim & Tracy Sonneson, 5629 W Arrowhead Rd.; Seth & Alexandra Betts, 5053 Morris Thomas Rd.; Owen Lyons, 5143 W Arrowhead Rd.; Katie Hawkins, 3683 Stebner Rd.; Brad Schminski, 3483 Stark Jct. Rd., Duluth; and Alicia Navetta, 5219 Wadena St., #2, Duluth.

### 2. APPROVAL OF AGENDA

Motion made by Corey Kolquist to approve the October 21, 2025 agenda as presented. Seconded by Kevin Hagen. Motion carried 7-0.

### 3. APPROVAL OF MINUTES

Motion made by Matthew Fournier to approve the September 16, 2025 minutes as presented. Seconded by John Stauber. Motion carried 7-0.

### 4. PUBLIC DISCUSSION

The following people spoke about their concerns regarding Data Center project:

Carrie Haren, 37 Fourth St., Proctor  
Lynn Anderson, 4001 Getchell Rd.  
Rocki Modeen, 4884 Midway Rd.  
Emma Richtman, 5215 Chris Dr.  
Isabella DiNicola, 102 S 17<sup>th</sup> Ave. E, Duluth  
Nick Rhinehart, 4976 W Arrowhead Rd.  
Rebecca Gilbertson, corner of Highway 2 and Hermantown  
Danielle Fitzimmons, 4742 Matterhorn Cir.  
Allison Hafften, 5971 St. Louis River Rd., Proctor  
Meagan Elling, 5969 Morris Thomas Rd., Duluth  
Josh Sandstrom, 3892 Munger Shaw Rd., Proctor  
Rebecca Oikari, 2902 Midway Rd., Duluth

Alyssa Burr, 5778 W Arrowhead Rd.  
Jackie Dolentz, 5842 Old Highway 2  
David Johnson, 1025 Firwood Ct.  
Owen Lyons, 5143 W Arrowhead Rd.  
Frankie Feligee 1905 E Third St., Duluth  
Aaron Rose, Lincoln Park, Duluth  
Richard Hilton, 5502 Hermantown Rd.

Comments included:

Thank you for pausing and for looking at environmental issues; proposed project is in a wetland; water concerns; electronic waste; noise pollution; electric rate hike; electric frequency; jobs; not acting in the public's best interest; AUAR document; Adolph abomination; cooling of the Data Center; rural living; school zone lights; loss of woodlands; AI bust; impact on fishing; river concerns; and we the people;

## **5. PUBLIC HEARING**

5A. An application for a Special Use Permit by Alexandra and Seth Betts for the keeping of small livestock (3 horses and 4 goats). The property is located at 5053 Morris Thomas Road.

Eric Johnson, Comm. Dev. Dir., presented the application of Alexander and Seth Betts for a Special Use Permit for the keeping of livestock at 5053 Morris Thomas Road, located in the R-3, Residential zoning district. The purpose of the request is the keeping of small livestock (3 horses and 4 goats) at the property.

The property is within a Recreational Environment Shoreland Area, however, the applicant is not proposing any modifications or disturbances within the shoreland area

The applicant intends to fence the perimeter of the property with fence appropriate for horses and goats. The proposed fence would be setback a minimum of 70 feet from the adjacent property lines. There is an existing pole building within the proposed pasture area which can be used for shelter of the horses and goats.

Motion made by Ryan Johnson to approve the Special Use Permit by Alexandra and Seth Betts for the keeping of small livestock (3 horses and 4 goats). The property is located at 5053 Morris Thomas Road. Seconded by Beth Wentzlaff. Motion carried 7-0.

5B. An application for a Special Use Permit by Jordan Urshan for grading and filling in a Natural Environment Shoreland Area for the purpose of building a new residential structure and driveway. The property is located at 557x Hermantown Road.

Eric discussed that the applicant, Jordan Urshan, desires to build a new residential structure, 4,200 square foot accessory structure and driveway on a property at 557x Hermantown Road. The portion of the property where the proposed residential structure is within a Natural Environment Shoreland Area and will require filling and grading within an approximately 7,000 square feet area of disturbance. The proposed 4,200 square foot accessory structure is outside of the shoreland area but requires a Special Use Permit.

Eric further advised the Commission members that the applicant owns a property which involved a flag lot split, which was approved by the Planning and Zoning Commission in April 2025. The applicant is now proposing to construct a new single family home, a 4,200 square foot accessory structure and driveway on the property. The proposed home is in a Natural Environment Shoreland Area and the accessory structure and driveway are outside of it. The proposed work within the Natural Environment Shoreland Area associated with Rocky Run and is expected to impact approximately 7,000 square feet of shoreland area.

Owen Lyons, 5143 W Arrowhead Rd., stated the property is located by a trout stream, and that people have been trying to build on this property for years and said the DNR has said no way.

Richard Hilton, 5502 Hermantown Rd., would also like to know what the DNR has to say about the project.

Eric responded that building setbacks with a Natural Environment Shoreland is 150 feet from the water course. In this case, the setback is greater than 150 feet. He also noted that if the setback was under 150 feet, the DNR would certainly take issue with it.

Motion made by John Stauber to approve the Special Use Permit by Jordan Urshan for grading and filling in a Natural Environment Shoreland Area for the purpose of building a new residential structure and driveway. The property is located at 557x Hermantown Road. Seconded by Corey Kolquist. Motion carried. 7-0.

## **6. CONTINUING BUSINESS**

Eric stated that Staff is continuing work on the accessory dwelling unit and it is anticipated that the revised ordinance will come before the Commission at the November 18, 2025 meeting.

## **7. NEW BUSINESS**

None.

## **8. COMMUNICATIONS**

Logged Correspondence 2025-151 through 2025-503; 2025-505 through 2025-509; 2025-511; 2025-512; 2025-514 and 2025-515.

## **9. COMMISSION MEMBER REPORTS**

Joe Peterson – None  
Corey Kolquist – None  
Beth Wentzlaff – None  
Kevin Hagen – None  
Matthew Fournier – None  
John Stauber – None  
Amanda Radzak – None  
Ryan Johnson – None

**ADJOURN**

Motion made by John Stauber to adjourn the meeting. Seconded by Amanda Radzak. Meeting adjourned at 8:07 pm.

Officiated by:

Transcribed by:

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Joe Peterson, Chairman

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Mary Melde, Administrative Assistant



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**5A. 3956 Stebner Road - Peyton Acres Final Plat Phase 4**

**Applicant:** JLG Enterprises of Hermantown, LLP  
**Case No.:** 2020-08-SUB-P  
**Staff Contact:** Eric Johnson, Community Development Director  
**Request:** Approval of a Preliminary and Final Plat Phase 4

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**DESCRIPTION OF REQUEST:**

Applicant is requesting approval of a Preliminary and Final Plat for construction of a 14 lot residential development at 3956 Stebner Road. The property has a zoning of R-3, Residential.

**SITE INFORMATION:**

**Parcel Size:** +/-14 acres  
**Legal Access:** 3956 Stebner Road  
**Wetlands:** Yes, delineation approved in 2019; Impacts approved in 2020 and 2024  
**Existing Zoning:** R-3, Residential (1/2 acre minimum)  
**Airport Overlay:** None  
**Shoreland Overlay:** None  
**Comprehensive Plan:** Suburban

**Development Details**

JLG Enterprises (Applicant) is proposing to construct the final phase of the Peyton Acres development. Since 2020, JLG has constructed 45 lots, 3 ponds and approximately 4,400 linear feet of road and utilities over the previous phases. The Applicant is now bringing forward the preliminary and final plat for Phase 4 of the project consisting of 14 lots.

This proposed phase is in keeping with the Peyton Acres Master Plan that would originally envisioned in 2020.

**Zoning Analysis**

The entirety of the Peyton Acres development is zoned R-3, Residential.

The Applicant is also applying for a preliminary and final Planned Unit Development (PUD) associated with 3 of the platted lots. The purpose of the PUD is to construct 3 two-family structures (6 units total) on these lots. This PUD request falls under a separate application.

**Lot Size**

The proposed preliminary and final plat meets the R-3, Residential dimensional standards for single-family homes connected to City water and sanitary sewer of ½ acre in area with 100 feet wide frontage at lot line and at the 50’ building setback line of lots on cul-de-sacs.

**Setbacks**

The proposed site plan shows the building setbacks associated with the R-3, Residential dimensional standards for single-family homes.

**Utilities**

The project will connect to City water lines located within the right-of-way of Peyton Drive. New sewer and water lines will be via City mains constructed to City standards. The Applicant will provide engineered plans to the City Engineer for utility connections prior to beginning such work on this phase. Preliminary engineering plans are in the process of being developed by the Applicants engineer.

**Stormwater**

The applicant is proposing to treat stormwater in a separate retention treatment pond previously constructed as part of Phase 2. Final location, sizing, and design of permanent stormwater control will be subject to approval of final stormwater plans and MS4 Letter of Compliance by the City Engineer.

**Roadway**

The applicant will construct a +/-1,300’, 28’ wide curb face to curb face bituminous roadway with curb and gutter with a sidewalk on one side with a cul-de-sac in accordance with the City of Hermantown Urban Section design standards and City design speed standards as approved by the City Engineer. This new road will connect to Peyton Drive.

**Wetlands**

There are proposed wetland impacts associated with the construction of the cul-de-sac serving the seven lots associated with Block 1. The applicant has purchased wetland credits associated with the previous wetland impacts for the previous phases and will be required to purchase additional credits should the existing wetland be impacted.

**Park Dedication Fees**

The Applicant will be required to pay park dedication fees consistent with the requirements of the City Zoning Ordinance. Park dedication fees will be paid according to the Hermantown Fee Schedule. Those fees currently are:

Development Type	Recommended
Single Family, Two Family, Three Family Residential Parcel/CIC Unit	\$1,100/lot
Per bedroom fee	\$150

## Summary:

Staff recommends approval of the Preliminary and Final Plat based on the following findings:

1. The proposed plat meets the intent of the R-3, Residential Zoning District and the overall goals and policies of the Zoning Ordinance.
2. The proposed plat meets the Comprehensive Plan criteria for residential development.
3. The lots will be served by public water and sewer which will be constructed by the applicant. The new water and sewer main will be constructed by the applicant, reviewed and approved by the City Engineer then turned over to the City.
4. The development agreement shall prescribe either a:
  - a. Letter of Credit or other financial surety acceptable to the City Attorney for 125% of the construction value of the road and infrastructure improvements to be made at the time of approval of the Final Plat, or
  - b. Installation of road and infrastructure facilities prior to obtaining the Final Plat for the development.
  - c. Letter of Credit or other financial surety acceptable to the City Attorney for 125% of the construction value of the stormwater facilities to be made at the time of approval of the Final Plat.
5. Prior to starting any site work, the Applicant shall hold a preconstruction meeting with the appropriate development, construction, and City representatives.
6. Prior to issuance of a building permit:
  - a. All necessary permits shall be obtained.
7. Erosion control measures shall be utilized and remain in place throughout the construction period, and shall not be removed until vegetation is established on the site.
8. Prior to issuance of a building permit, all necessary permits shall be obtained, including, without limitation, any stormwater permits required by the Minnesota Pollution Control Agency.
9. The Applicant shall comply with the following conditions during construction:
  - a. Development activity shall comply with all City noise ordinances. There shall be no construction activity between the hours of 10 p.m. and 7 a.m.
  - b. Loud equipment shall be kept as far as possible from adjacent residences.
  - c. The site shall be kept free of dust and debris that could blow onto neighboring properties.
  - d. Public streets shall be maintained free of dirt and shall be cleaned as necessary.
  - e. The City shall be contacted a minimum of 72 hours prior to any work in a public street or right-of-way. Work in a public street shall take place only upon the determination by the Public Works Director that appropriate safety measures have been taken to ensure motorist and pedestrian safety.
  - f. No burning or burying of trees, stumps or brush is allowed on site.

g. The Zoning Administrator may impose additional conditions if it becomes necessary in order to mitigate the impact of construction on surrounding properties.

10. Prior to the issuance of any temporary or permanent occupancy permit the following shall be completed:
  - a. All exterior building improvements shall be completed.
  - b. All disturbed areas on the site shall be seeded or sodded.
11. The Applicant shall pay a park dedication fee of \$15,400.00 (\$1,100/lot for 14 lots). This fee will be paid at the time of plat approval. The applicant/builder will be responsible for the \$150/bedroom park dedication at the time of building permit. There may be an additional \$3,300.00 of park dedication required depending upon a future split of the two-family lots into individual parcels/
12. The Applicant shall sign a consent form assenting to all conditions of this approval.
13. The Applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

**ATTACHMENTS:**

- Location Map
- Preliminary and Final Plat
- Overall Project Master Plan

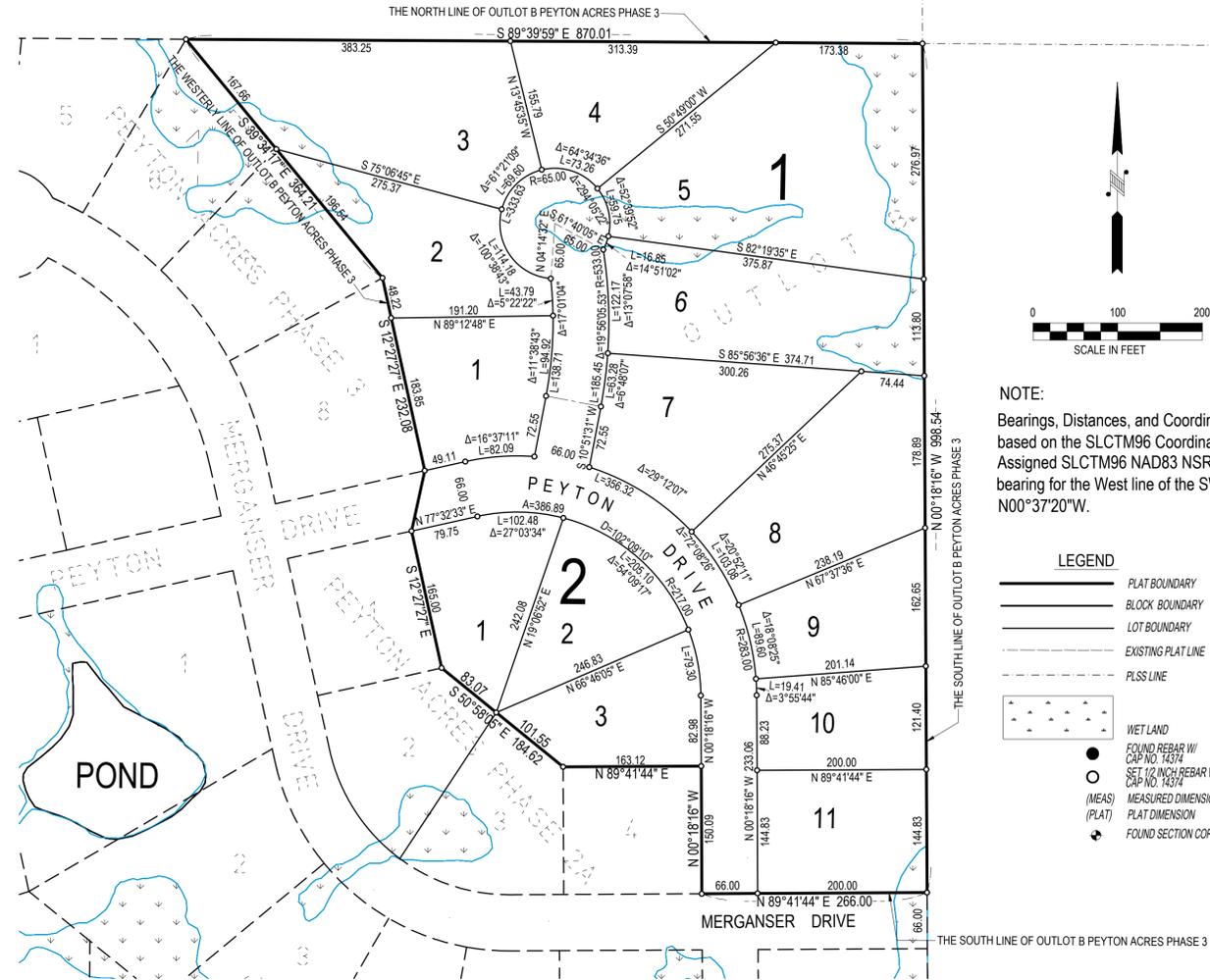
**Location Map**



OFFICIAL PLAT

# PEYTON ACRES PHASE 4

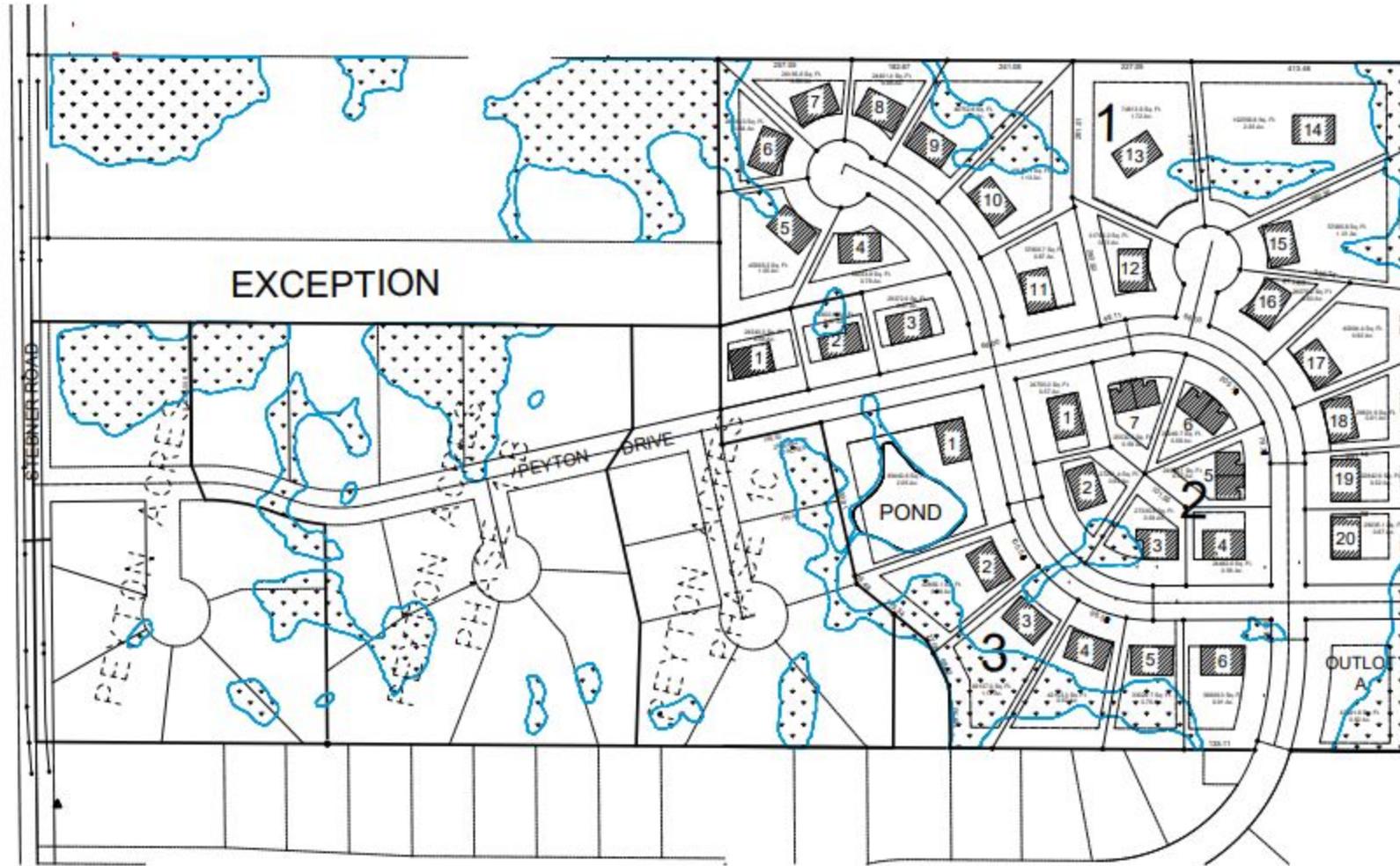
LOCATED IN OUTLOT B, PEYTON ACRES PHASE 2A  
SECTION 24, TOWNSHIP 50 NORTH, RANGE 15 WEST,  
ST. LOUIS COUNTY, MINNESOTA



NOTE:  
Bearings, Distances, and Coordinates are based on the SLCTM96 Coordinate System. Assigned SLCTM96 NAD83 NSRS 2007 bearing for the West line of the SW 1/4 is N00°37'20"W.

- LEGEND**
- PLAT BOUNDARY
  - BLOCK BOUNDARY
  - LOT BOUNDARY
  - EXISTING PLAT LINE
  - PLSS LINE
  - WET LAND
  - FOUND REBAR W/ CAP NO. 14374
  - SET 1/2 INCH REBAR W/ CAP NO. 14374
  - (MEAS) MEASURED DIMENSION
  - (PLAT) PLAT DIMENSION
  - FOUND SECTION CORNER

**PEYTON ACRES  
PHASING PLAN**





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**5B. 3956 Stebner Road - Peyton Acres Preliminary and Final Planned Unit Development Phase 4**

**Applicant:** JLG Enterprises of Hermantown, LLP  
**Case No.:** 2020-08-PUD  
**Staff Contact:** Eric Johnson, Community Development Director  
**Request:** Approval of a Preliminary and Final Planned Unit Development Phase 4

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**DESCRIPTION OF REQUEST:**

Applicant is requesting approval of a Preliminary and Final Planned Unit Development (PUD) for construction of a 3 lot (6 unit total) PUD development at 3956 Stebner Road. The property has a zoning of R-3, Residential.

**SITE INFORMATION:**

**Parcel Size:** +/-1.8 acres  
**Legal Access:** 3956 Stebner Road  
**Wetlands:** Yes, delineation approved in 2019; Impacts approved in 2020 and 2024  
**Existing Zoning:** R-3, Residential (1/2 acre minimum)  
**Airport Overlay:** None  
**Shoreland Overlay:** None  
**Comprehensive Plan:** Suburban

**Development Details**

JLG Enterprises (Applicant) is proposing to construct the final phase of the Peyton Acres development. As part of this phase the applicant is proposing 3 lots within the plat to be designated as a PUD in order to construct 3 two-family homes (6 units total). The applicant is proposing another type of housing style (two-family homes) that are in keeping with the size and scale of the other homes within the development.

**Zoning Analysis:**

The property is zoned R-3, Residential. The applicant has applied for a Planned Unit Development (PUD) for the property. A PUD is a permitted use in an R-3 zone district. Section 11 of the zoning ordinance explains that: 'A PUD is intended to encourage a more efficient and creative use of land and development, more efficient and effective use of streets, utilities and public services; protection of natural resources; and more efficient and effective provision of recreational, public and open space than can be achieved through conventional development procedures.

The purpose of the PUD request is to allow for the creation of 3 two-family structures for a total of 6 units.

Lot Size

The proposed lot sizes are equal to or greater than 1/2 acre. The lot size for a stand alone two-family structure is 1 acre within the R-3, Residential zoning district.

Setbacks

City Code allows a PUD to have standards that meet the City’s goals for each proposed development. These standards include building height, density, roadway widths and setbacks. The proposed project is for 3 two-family structures (6 units total). The applicant is proposing a minimum 10’ foot minimum, 25’ total aggregate, side yard setback, a 50’ foot front yard setback and a 40’ foot rear yard setback. The PUD allows for the setting of site specific setbacks.

The proposed site plan shows the building setbacks associated with the PUD to be consistent with the R-3, Residential dimensional standards for the adjacent single-family homes.

Table 1. R-3 Residential Requirements	R-3 Requirement	Proposed Two-family Structure
Minimum lot area	1/2 acre (2 units/acre)	1/2 acre minimum
Minimum lot width (at setback line)	100 feet	100 foot minimum
Minimum front yard	50 feet from public ROW	50’ from public ROW
Minimum side yard	10 feet, 25 feet aggregate	10 feet minimum, 25 feet aggregate
Minimum rear yard	40 feet	40’ feet minimum
Roadway ROW width	66 feet	66’ Public ROW – 28’ with curb, gutter and 5’ sidewalk

**PUD Process:**

The City’s zoning regulations governing PUD’s require that each PUD obtain preliminary and final approval. The City’s Planned Unit Development ordinance states that PUDs over 4 units/acre and/or 5 acres in size are required to make separate Preliminary and Final PUD submissions.

The PUD review and approval process include a public hearing by the Planning Commission and a recommendation to the City Council. A PUD order will be issued by the City setting project specific development standards. Following completion of the development contract the applicant will be granted final Zoning approval and can begin construction, pending approval of the associated building permits.

Per Section 1105 of the Planned Unit Development section of the Zoning Ordinance, it requires that a PUD must provide public benefits to the surrounding neighborhood and to the city above and beyond what can be reasonably achieved by application of the zoning provisions applicable to the underlying

zoning district. The nature and scale of public benefit shall be determined by the City and include, but not be limited to:

- 1.1 Provision of a variety of housing and community types. – The project proposes 3 – two family structures (6 units total) which there is a general shortage of within the City.
- 1.2 Provision of recreational amenities including trails and parks. – The Project utilizes the proposed 5’ foot wide sidewalk as part of Phase 4, which connects to the overall Peyton Acres development.

**Utilities**

The project will connect to City water lines located within the right-of-way of Peyton Drive. New sewer and water lines will be via City mains constructed to City standards. The Applicant will provide engineered plans to the City Engineer for utility connections prior to beginning such work on this phase. Preliminary engineering plans are in the process of being developed by the Applicants engineer.

**Stormwater**

The applicant is proposing to treat stormwater in a separate retention treatment pond previously constructed as part of Phase 2. Final location, sizing, and design of permanent stormwater control will be subject to approval of final stormwater plans and MS4 Letter of Compliance by the City Engineer.

**Roadway**

The applicant will construct a +/-1,300’, 28’ wide curb face to curb face bituminous roadway with curb and gutter with a sidewalk on one side with a cul-de-sac in accordance with the City of Hermantown Urban Section design standards and City design speed standards as approved by the City Engineer. This new road will be an extension of Peyton Drive, with the proposed cul-de-sac connecting to Peyton Drive and will be constructed during the overall Phase 4 project.

**Wetlands**

This portion of the Phase does not have any existing wetlands.

**Park Dedication Fees**

The Applicant will be required to pay park dedication fees consistent with the requirements of the City Zoning Ordinance. Park dedication fees will be paid according to the Hermantown Fee Schedule. Those fees currently are:

Development Type	Recommended
Single Family, Two Family, Three Family Residential Parcel/CIC Unit	\$1,100/unit
Per bedroom fee	\$150

**Summary:**

Staff recommends approval of the Preliminary and Final PUD based on the findings of this report and the following conditions

- 1. The proposed PUD meets the intent of the R-3, Residential Zoning District, Chapter 11 – Planned Unit Developments, and the overall goals and policies of the Zoning Ordinance.

2. The proposed development meets the Comprehensive Plan for residential development and standards of a Planned Unit Development by providing public benefit through enhanced and coordinated development design and a greater variety of housing types in the community.
3. The Planned Unit Development is hereby approved is hereby expressly subject to the following conditions:
  - 3.1 That the Project will be constructed as described in the plans accompanying the Application and the conditions contained herein.
  - 3.2 The Zoning Administrator of the City of Hermantown shall be notified at least five (5) days in advance of the commencement of the work authorized hereunder and shall be notified of its completion within five (5) days thereafter.
  - 3.3 No change shall be made in the Project without written permission being previously obtained from the City of Hermantown.
  - 3.4 Applicant shall grant access to the site at all reasonable times during and after construction to authorized representatives of the City of Hermantown for inspection of the Project to see that the terms of this permit are met.
  - 3.5 Applicant is initially and continually in compliance with all of the ordinances and regulations of the City of Hermantown.
  - 3.6 Trees and brush cannot be burned on the property, but may be chipped and shredded.
  - 3.7 An MPCA Stormwater Permit and erosion control measures must be in place prior to the start of operations.
  - 3.8 All utility line easements shall be observed and any encroachment into the utility right-of-way shall only be permitted with the written approval of the utility.
  - 3.9 The Applicant shall take measures to control erosion that has the potential to damage adjacent land, and control sedimentation that has the potential to leave the site.
- 4 Dimensional requirements of lots, setbacks, and rights-of-way shall be according to the attached site plan and table 1.

Table 1. R-3 Residential Requirements	R-3 Requirement	Proposed Twinhome
Minimum lot area	½ acre (2 units/acre)	½ acre minimum
Minimum lot width (at setback line)	100 feet	100 foot minimum

Minimum front yard	50 feet from public ROW	50' from public ROW
Minimum side yard	10 feet, 25 feet aggregate	10 feet minimum, 25 feet aggregate
Minimum rear yard	40 feet	40' feet minimum
Roadway ROW width	66 feet	66' Public ROW – 28' with curb, gutter and 5' sidewalk

- 5 Applicant to submit final construction documents (water, storm sewer, sanitary sewer, roadway, etc.) according to City standards and coordinated with the City Engineer. Final PUD Order and Stormwater Certificate will be issued after review and approval of documents by the City Engineer.
- 6 Installation of water and sanitary sewer shall require the Property Owner to enter into an agreement with the City governing the terms of such work. All utility plans shall be approved by the City Engineer. The City/Developer agreement shall specify the amount of a financial guarantee to be held by the City from the time of commencement of work until such a time as the City is prepared to accept as complete the new public infrastructure. All drainage and utility easements shall have associated easements. The Property Owner shall enter into a Development Agreement with the City for all public utilities.
- 7 The Applicant is to enter into a development agreement for the infrastructure improvements associated with the project.
- 8 The Applicant shall sign a consent form assenting to all conditions of this approval.
- 9 The Applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

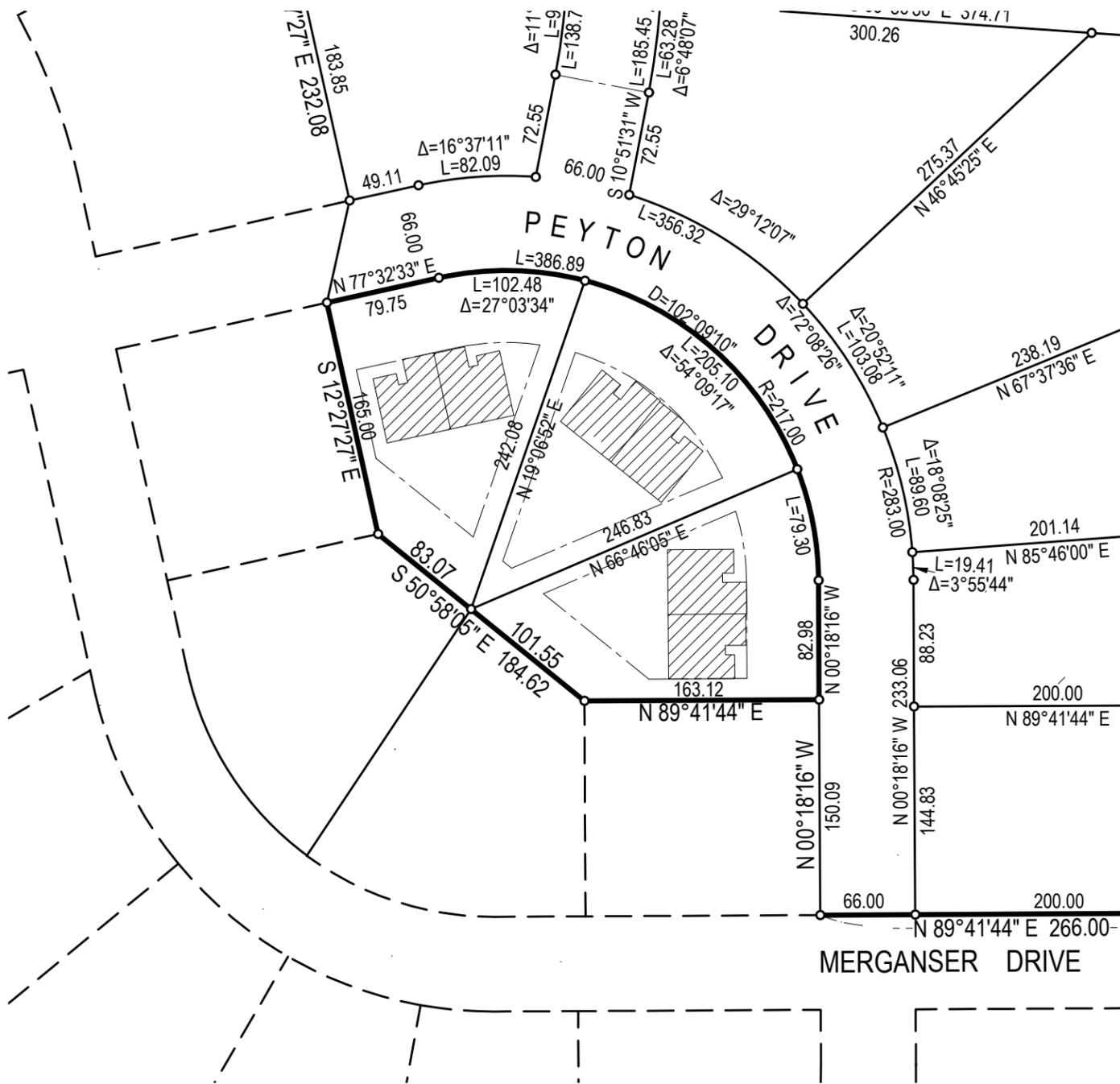
**ATTACHMENTS:**

- Location Map
- Preliminary Plan

**Location Map**



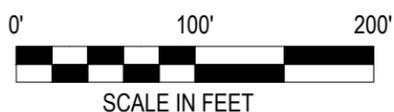
# PROPOSED REZONING EXHIBIT FOR: JLG ENTERPRISES OF HERMANTOWN



**PROPOSED LEGAL DESCRIPTION FOR PROPERTY WITHIN PROPOSED PEYTON ACRES  
PHASE 4 PLAT TO BE REZONED**

That part of Outlot A, Peyton Acres Phase 3 described as follows:

Beginning at the Northeast corner of Lot 1, Block 2, Peyton Acres Phase 2A; thence on a bearing of North 77 degrees 32 minutes 33 seconds East along the Northeasterly extension of the Northerly line of said Lot 1, Block 2 Peyton Acres Phase 2A, a distance of 79.75 feet; thence Easterly and Southeasterly a distance of 386.89 feet along a tangential curve to the right having a central angle of 102 degrees 09 minutes 10 seconds and a radius of 217.00 feet; thence South 00 degrees 18 minutes 16 seconds East a distance of 82.98 feet to the Northeast corner of Lot 4, Block 2, Peyton Acres Phase 2A; thence South 89 degrees 41 minutes 44 seconds West along the North line of said Lot 4, Block 2 of Peyton Acres Phase 2A a distance of 163.12 feet to the Northwest corner of said Lot 4, Block 2; thence North 50 degrees 58 minutes 05 seconds West along the Northerly line of Lots 2 and 3, Block 2, Peyton Acres Phase 2A a distance of 184.62 feet to the Southeast corner of Lot 1, Block 2, Peyton Acres Phase 2A; thence North 12 degrees 27 minutes 27 seconds West along the Easterly line of said Lot 1, Block 2 a distance of 165.00 feet to the point of beginning. Containing 1.74 Acres



DATE: 10/17/25  
SCALE: 1"=100'  
PROP ADD:  
PROJECT NO: 25-0015

**RON KRUEGER**  
Land Surveyor  
7066 HIGHWAY 8  
SAGINAW, MN 55779  
Phone: 218-390-4030



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**5C. Communication Services Facility**

**Applicant:** Robin Mansell  
**Case No.:** 2025-70-SUP  
**Staff Contact:** Eric Johnson, Community Development Director  
**Request:** Special Use Permit request for Cannabis Cultivation in a C-1A Zoning District

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**DESCRIPTION OF REQUEST:**

Robin Mansell (Applicant) is requesting approval of a Special Use Permit (SUP) for a cannabis cultivation facility. The proposed project is located at 4599 Abrahamson Road and is located in an Office and Light Industrial/Adult Use - C-1A zoning district.

**SITE INFORMATION:** 40 acres  
**Legal Access:** 4599 Abrahamson Road  
**Wetlands:** Yes – been delineated  
**Existing Zoning:** C-1A  
**Airport Overlay:** Zone 2  
**Shoreland Overlay:** No  
**Comprehensive Plan:** Business and Light Manufacturing

**Background**

The Applicant is proposing the construction of a 2,700 square foot indoor cannabis cultivation facility. The proposed building is 54' x 50' and is approximately 20 feet in height. The proposed location of the facility is at the north end of Abrahamson Road. The property is a 40 acre parcel which has a split zoning of C-1A, Office/Light Industrial/Adult Uses and O, Open. The southern 16 acres of the property is zoned C-1A and is where the proposed building is located. There is an existing residential structure on the property which is proposed to be used as an office. The application is only for cannabis cultivation and not for a retail facility.

Per the applicant:

The facility is only used for production with yearly yields of approximately 450 pounds of cured dried flower and approximately 135 pounds of extra leaf product to be used in pre-roll manufacturing. The remaining plant matter will be composted and reused in the operation.

There is 24/7 alarm monitoring, cameras on all exits and entrances that record at 720p min. Footage is stored for 90 days. Motion activated flood lights and alarms at each door that can be heard at 100 ft. All doors are metal, commercial grade doors with badge access that records who has entered the building and when. A universal back-up battery will be installed in case of power outage that can keep the security system running for up to 3 days. Our security system will meet or exceed the Office of Cannabis Management's (OCM) requirements

The cannabis would be produced at this location, then transported to the applicant’s retail store in Duluth. The applicant anticipates less than 5 employees being on the site at any given time. Transportation will follow OCM transportation requirements and will be insured for a minimum of \$300,000.00 and Bonded for a minimum of \$1,000,000.00. Our transportation vehicle will be registered with the OCM and UNG employees will complete each trip as required. All of our product that we produce is entered into METRC the state wide track and trace system down to the gram.

**Process**

The property is zoned of C-1A, Office/Light Industrial/Adult Uses and P, Public. The C-1A zoning district permits cannabis cultivation on a 5 acre minimum parcel in the C-1A zoning district with a SUP. City staff has had multiple conversations with the applicant regarding the nature of the business, anticipated number of employees, access to the property and use of the property.

**Zoning Analysis:**

Cannabis Cultivation is permitted on a 5 acre minimum parcel in the C-1A zoning district with a SUP. The proposed property is located at the end of Abrahamson Road with abutting properties consisting of Tamarack Materials, Economy Garages, Acuren Inspection and an existing warehouse. The property located directly to the east is vacant and zoned M-2 Manufacturing and Heavy Industrial. In addition, the property is located in a Airport Safety Zone 2, which limits the number of people that can be on a property.

Access

The property is accessed via Abrahamson Road, which has a gravel surface. The City maintains the road and utilizes an informal turn around on the M-2 property. In order to ensure access to the subject property, City staff is requiring the dedication of a hammerhead style turnaround at the northern terminus of Abrahamson Road. The hammerhead will be dedicated to the City in order to provide turnaround capabilities of both maintenance and public safety vehicles/equipment.

Setbacks

Typical setback standards in the C-1A - Office/Light Industrial/Adult Uses Zoning District and proposed setbacks are shown in Table 1:

Zoning District: C-1A Office/Light Industrial/Adult Uses		
Type	Required	Proposed
Min Lot Area	2.5 acres	40 acres
Lot Width	200 feet	+/- 1320 feet
Front Yard	35 feet	+/- 130 feet
Rear Yard	35 feet	+/- 1120 feet
Side Yard	15 feet	+/- 1140 feet
Lot coverage	50%	0.22%
Maximum Building Height	45 feet	+/- 20 feet
Parking	1 for each employee on the maximum working shift	10 spaces

**Special Use Permit**

There are general conditions for all SUPs. Staff finds the following in regard to the criteria for Special Use Permits in the Zoning Ordinance:

No special use permit shall be approved unless positive findings are made with respect to each and every one of the following criteria:

- 1. The proposed development is likely to be compatible with development permitted under the general provisions of this chapter on substantially all land in the vicinity of the proposed development;**

The proposed use is located at the end of an existing gravel road. There is an existing small warehouse building 350 feet to the southeast and a small office building located approximately 600 feet to the southeast.

- 2. The proposed use will not be injurious to the use and enjoyment of the environment, or detrimental to the rightful use and enjoyment of other property in the immediate vicinity of the proposed development;**

Conditions placed on the SUP regarding City will be required prior to the issuance of any building permits.

- 3. The proposed use is consistent with the overall Hermantown Comprehensive Plan and with the spirit and intent of the provisions of this chapter;**

The property is within an area marked for Business and Light Manufacturing on the Hermantown Comprehensive Plan, which envisions this property and surrounding area be guided towards Business and Light Manufacturing.

- 4. The proposed use will not result in a random pattern of development with little contiguity to existing programmed development and will not cause negative fiscal and environmental effects upon the community.**

This area of the City is characterized by a mixture of office, storage, contractor yards and small businesses. The proposed project abuts existing C-1A zoned property located to the south and west, O, Open zoned land to the north and M-2 Manufacturing and Heavy Industrial to the east.

- 5. Other criteria required to be considered under the provisions of this code for any special use permit.**

Any deviations from the submitted/approved documents would necessitate the Applicant to modify the SUP application for review and approval.

### **Summary**

Staff recommends approval of the Special Use Permit based on the findings of this report and the following:

1. The Project meets the intent of the C-1A, Office/Light Industrial/Adult Uses Zoning District, Chapter 5 Section 530 and the overall goals and policies of the Zoning Ordinance.
2. The Project meets the Comprehensive Plan for Business and Light Manufacturing, which is land guided for the integration of commercial and industrial land uses which are compatible with each other, including office, light industrial and retail/services uses.
3. The Project hereby approved is hereby expressly subject to the following conditions:
  - 3.1 That the Project will be constructed and run as described in the /information accompanying the Application.

- 3.2 The Zoning Administrator of the City of Hermantown shall be notified at least five (5) days in advance of the commencement of the work authorized hereunder and shall be notified of its completion within five (5) days thereafter.
- 3.3 Applicant shall grant access to the site at all reasonable times during and after construction to authorized representatives of the City of Hermantown for inspection to see that the terms of this permit are met.
- 3.4 Applicant/Property Owner is initially and continually in compliance with all of the ordinances and regulations of the City of Hermantown.
- 3.5 Trees and brush cannot be burned on the Land, but may be chipped and shredded.
- 3.6 Applicant/Property Owner shall take measures to control erosion that has the potential to damage adjacent land, and control sedimentation that has the potential to leave the site.
- 3.7 Dimensional requirements of lots, setbacks, and rights-of-way shall be according to the site plan submitted with the Application and table 1 below.

Zoning District: C-1A Office/Light Industrial/Adult Uses		
Type	Required	Proposed
Min Lot Area	2.5 acres	40 acres
Lot Width	200 feet	+/- 1320 feet
Front Yard	35 feet	+/- 130 feet
Rear Yard	35 feet	+/- 1120 feet
Side Yard	15 feet	+/- 1140 feet
Lot coverage	50%	0.22%
Maximum Building Height	45 feet	+/- 25 feet
Parking	1 for each employee on the maximum working shift	10 spaces

- 3.8 The Applicant shall sign a consent form assenting to all conditions of this Resolution.
- 3.9 The Applicant shall dedicate the hammerhead turnaround as depicted in Exhibit D to the City.
4. The approval given is not effective until Applicant executes and delivers an acceptance of the terms and provisions of this Resolution.
5. The approval made by this resolution only extends to the Project as defined in this resolution.
6. The Applicant shall pay an administrative fine of \$750 per violation of any condition of this Resolution.

**ATTACHMENTS:**

- Location Map
- Site/Hammerhead Plan
- Building Floor Plan
- Proposed Building Images

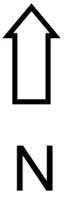
**Location Map**





# 4599 Abrahamson Rd Hermantown MN 55811

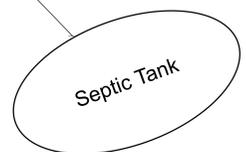
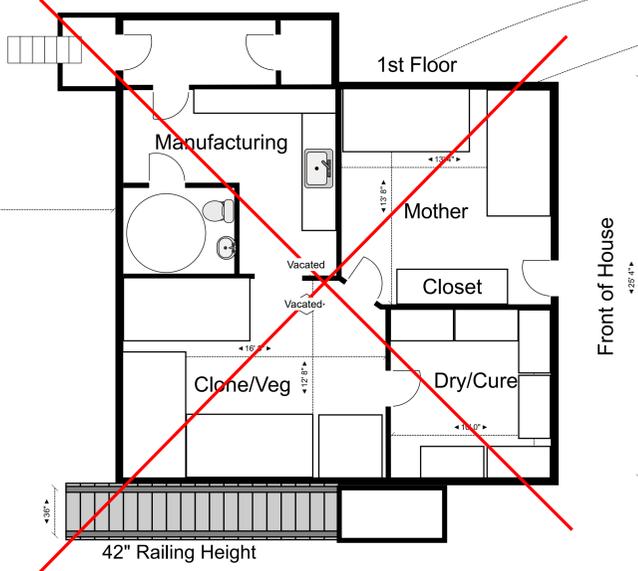
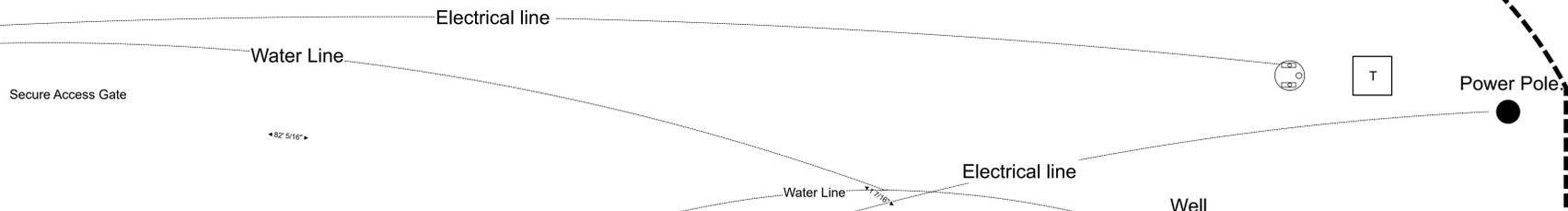
## UpNorth Growery Cultivar Site Plan



Parking up to 10 cars

Gravel Driveway

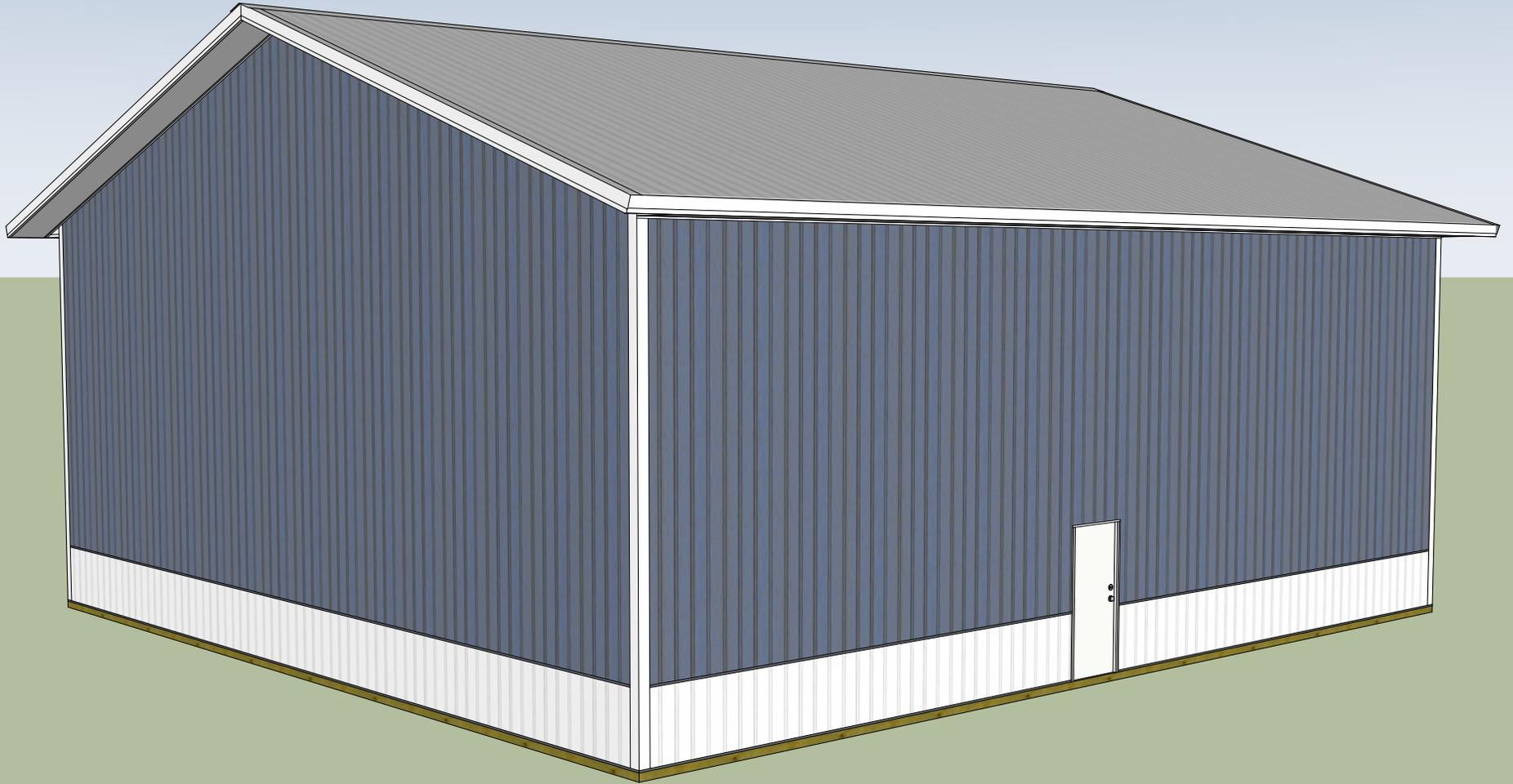
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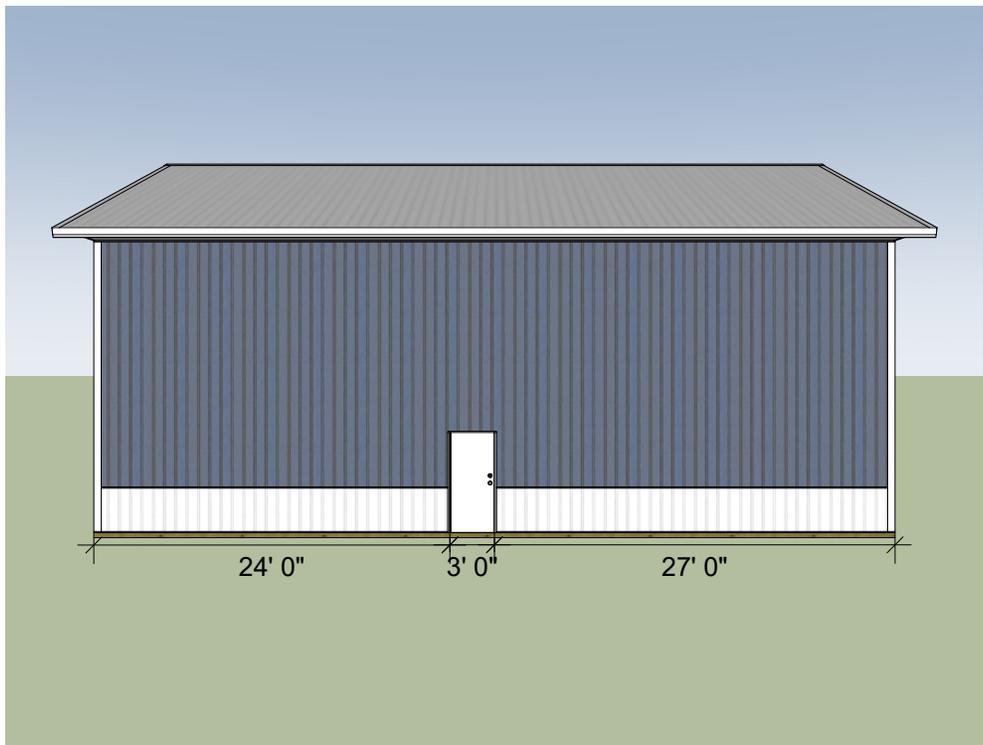
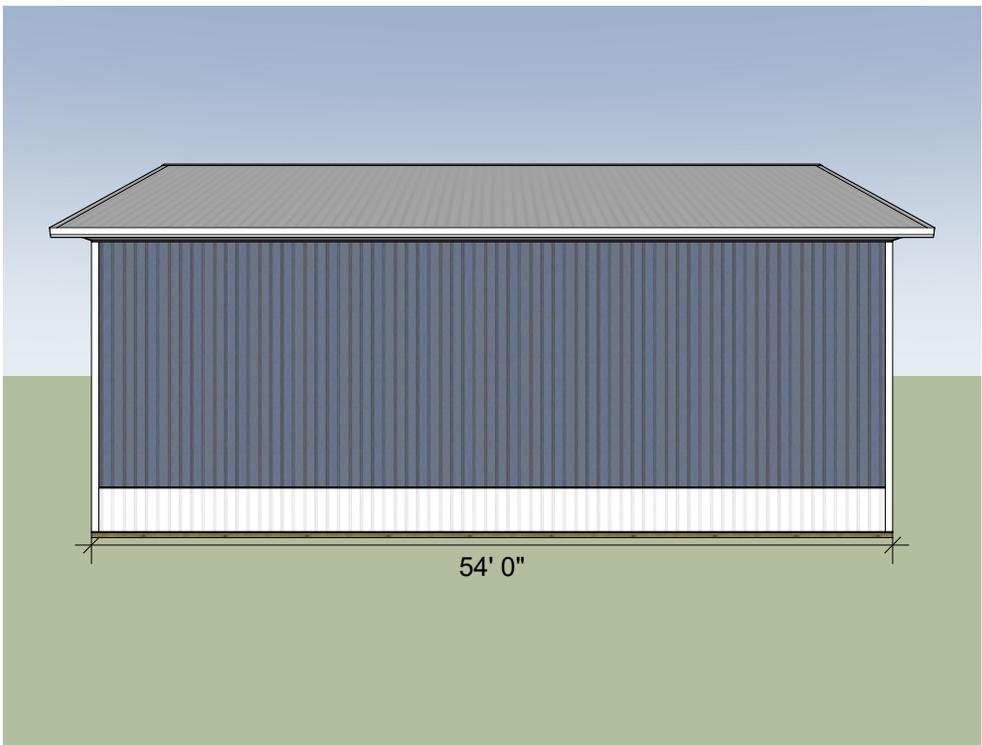
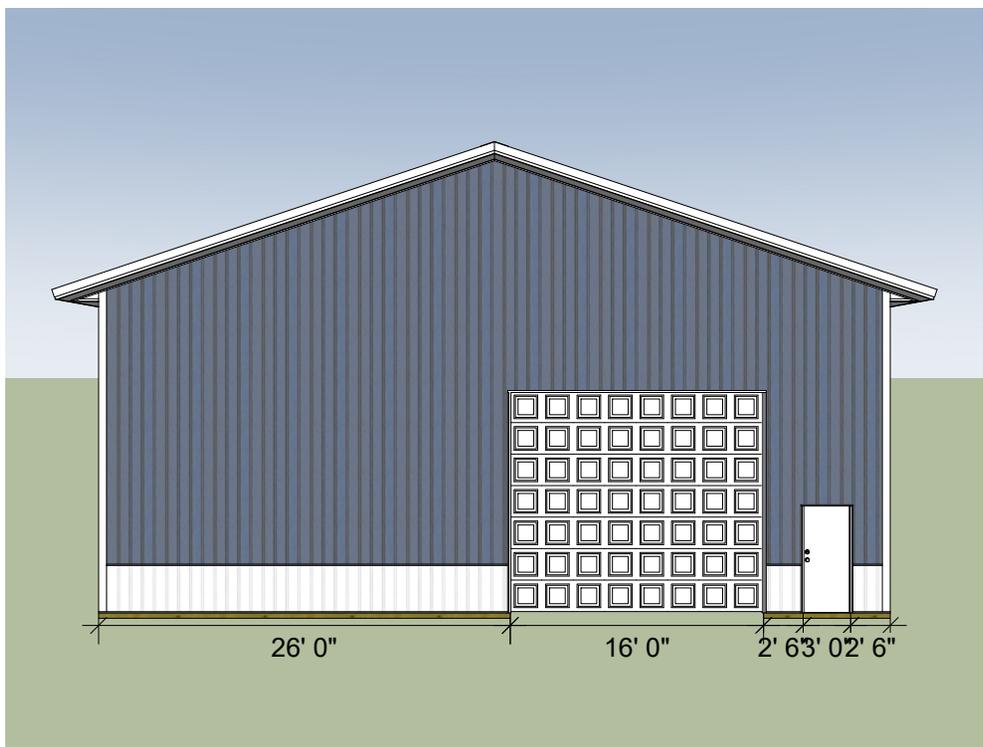
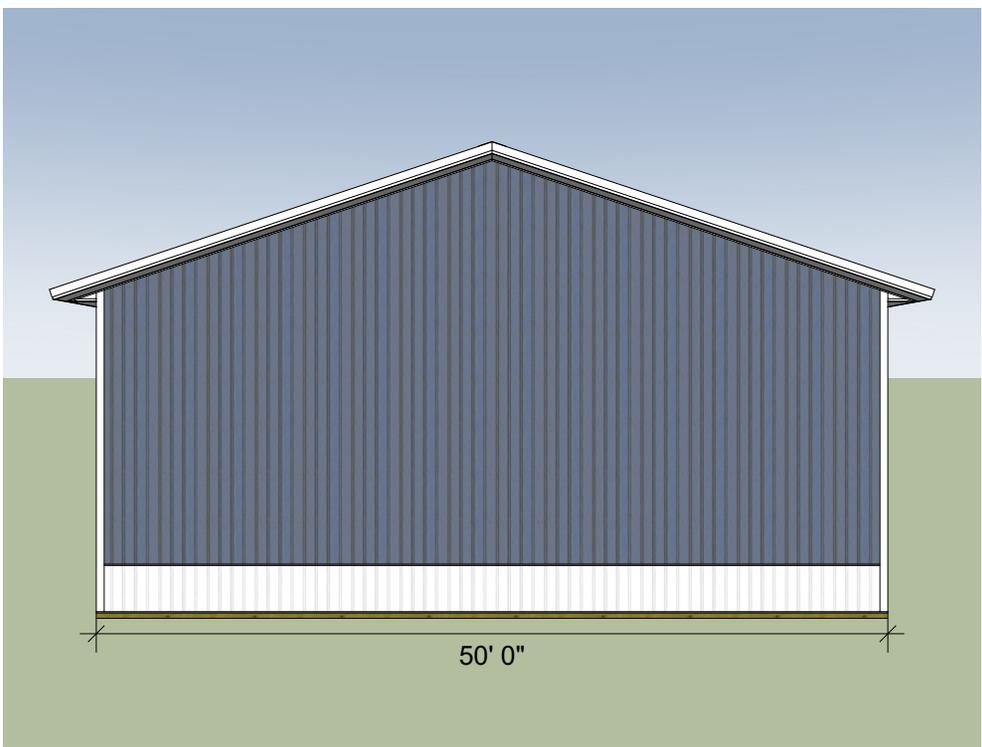


-  Led Fixture
-  Motion Detector
-  Smoke Detector
-  Carbon Monoxide Detector
-  Camera

All Grow box doors are panic bar  
 All Man doors are panic bar  
 Building height less than 45'

Abrahamson Road





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**5D. 47xx Maple Grove Road – Special Use Permit - Filling and grading within a Natural Environment Shoreland Overlay Zone**

**Applicant:** Windsor Engineers  
**Case No.:** 2025-63 SUP  
**Staff Contact:** Eric Johnson, Community Development Director  
**Request:** Issue a special use permit for filling and grading within a Natural Environment Shoreland Overlay for the construction of a 15,000 square foot office/warehouse

---

**RECOMMENDED ACTION:**

Approve a Special Use Permit for filling and grading within a Natural Environment Shoreland Overlay Zone.

**DESCRIPTION OF REQUEST:**

The applicant (Windsor Engineers) is working with their client for the construction of a 15,000 square foot office/warehouse building and associated site improvements on a property at 47xx Maple Grove Road. The property is located in a HM, Hermantown Marketplace zoning district.

As part of the project, the applicant is proposing a stormwater pond which is located south of the proposed building and parking lot. The southern half of the stormwater pond is within a Natural Environment Shoreland Area and will require filling and grading within an approximately 14,020 square feet area of disturbance. The remainder of the proposed project is outside of the shoreland area.

**SITE INFORMATION:**

**Parcel Size:** +/- 4.1 acres  
**Legal Access:** 47xx Maple Grove Road  
**Wetlands:** Yes, delineated in 2020  
**Existing Zoning:** HM, Hermantown Marketplace  
**Airport Overlay:** None  
**Shoreland Overlay:** Yes – Natural Environment Shoreland – Keene Creek  
**Comprehensive Plan:** Mixed Use

**BACKGROUND**

The applicant is the consultant engineer for their client Lake Superior Consulting. The proposed project is for a 15,000 square foot office/warehouse facility with parking for 43 vehicles. The project consists of a 10,493 square foot office component along with an attached 4,877 square foot warehouse. The project proposes to have access from Westberg Road, approximately 330 feet north of the Westberg/Maple Grove

Road intersection. There is a proposed stormwater pond located south of the paved parking lot, which is partially in the shoreland area.

**Process**

The property is zoned HM, Hermantown Marketplace, which identifies business and professional offices, not including medical or dental clinics, up to 20,000 square feet of gross floor space as a permitted use. The overall development plan will require full engineering and stormwater plans, which will be reviewed by City staff. Upon approval by staff, a zoning certificate and stormwater certificate will be issued for the project work.

The Special Use Permit (SUP) is for the grading and fill work associated with the stormwater facility located along the southern portion of the property. The Planning and Zoning Commission reviews the SUP application and makes a recommendation to the City Council for their decision. The zoning certificate and stormwater certificate will not be issued until the SUP is approved.

**Zoning Analysis:**

Business and professional offices are permitted in a HM zoning district as a permitted use.

Setbacks

Typical setback standards in the HM, Hermantown Marketplace zoning district and proposed setbacks are shown in Table 1:

Zoning District: HM, Hermantown Marketplace		
Type	Required	Proposed
Min Lot Area	None	+/- 4.1 acres
Lot Width	None	300 feet
Front Yard	5 feet	67 feet from Westberg Avenue 393 feet from Maple Grove Road
Rear Yard	5 feet	68 feet
Side Yard	5 feet	95 feet
Lot coverage	50%	8.4%
Maximum Building Height	45 feet	15 feet
Parking	1 per 250 square feet of floor space 10,493 SF – office space = 42 spaces	43 spaces

Building Architecture

The proposed building is 15,000 square feet in size and 15 feet in height. The HM zoning district has architectural and landscape requirements which will be reviewed under the zoning certificate application process.

Sign permit will need to be applied for under a separate application with the City Building Official.

**Wetlands**

The overall property was delineated in 2020. The applicant is proposing approximately 2,780 square feet of wetland impacts associated with the project. Wetland impacts of up to 10,800 square feet are permitted under a nationwide permit and is classified as de minimus exemption.

## Shoreland Area

The southern 200 feet of the property is located within a Natural Environment Shoreland Area associated with Keene Creek, which is on the south side of Maple Grove Road. Any work in the shoreland area is subject to the requirements of the City's Shoreland Ordinance as it pertains to grading a filling within a shoreland area.

## Special Use Permit

The Special Use Permit is for filling and grading within a Shoreland zone. There are general conditions for all SUPs. Staff finds the following in regard to the criteria for Special Use Permits in the Zoning Ordinance:

No special use permit shall be approved unless positive findings are made with respect to each and every one of the following criteria:

- 1. The proposed development is likely to be compatible with development permitted under the general provisions of this chapter on substantially all land in the vicinity of the proposed development;**

The proposed use is compatible with development within the vicinity which is characterized by commercial and office developments.

- 2. The proposed use will not be injurious to the use and enjoyment of the environment, or detrimental to the rightful use and enjoyment of other property in the immediate vicinity of the proposed development;**

Conditions placed on the SUP to minimize the clearing and grading within the shoreland area meet the intent of the zoning ordinance to protect natural resources. The development of an office/warehouse building is an allowed use within the HM, Hermantown Marketplace zoning district.

- 3. The proposed use is consistent with the overall Hermantown Comprehensive Plan and with the spirit and intent of the provisions of this chapter;**

The property is within an area marked for mixed use on the Hermantown Comprehensive Plan. The purpose of the Shoreland Overlay Zone is to protect public waterways. Impervious surface caps are included to prevent excessive runoff from constructed surfaces and the proposed impervious surface is below maximum limits.

- 4. The proposed use will not result in a random pattern of development with little contiguity to existing programmed development and will not cause negative fiscal and environmental effects upon the community.**

The proposed use is similar to uses of nearby properties in density and style.

5. **Other criteria required to be considered under the provisions of this code for any special use permit.**

The applicant will follow the rules for grading and filling in a Shoreland Overlay Zone established in Section 725.02 and Section 555.07.1 and 555.07.2.

**Findings of Fact and Recommendations**

Staff recommends approval of the special use application to conduct grading and filling in a Natural Environment Shoreland Area associated with the construction of a 15,000 square foot office/warehouse facility, subject to the following:

1. The approval is for a Special Use Permit to conduct grading and filling in a Natural Environment Shoreland Area associated with the construction of a 15,000 square foot office/warehouse facility on a property at 47xx Maple Grove Road. The Community Development Director may approve minor variations to filling and grading as long as the variations do not result in any wetland impacts.
2. The City will follow the rules for grading and filling in a Shoreland Overlay Zone established in Section 725.02 and Section 555.07.1 and 555.07.2 including, but not limited to:
  - a. The smallest amount of bare ground is exposed for as short a time as feasible;
  - b. Temporary groundcover, such as mulch, is used, and permanent groundcover, such as sod, is planted;
  - c. Adequate methods to prevent erosion and trap sediment are employed;
  - d. Fill is stabilized to accepted engineering standards;
  - e. Adequate methods are employed to reduce the runoff and/or flow of water on or over the affected shoreland so that the grading, filling or alteration of the natural topography does not contribute to downstream flooding;
  - f. Adequate methods are employed to preserve water quality so that the grading, filling or alteration of the natural topography will not detrimentally affect the quality of the public waters of the City of Hermantown;
  - g. Adequate methods are employed for the preservation or establishment of local vegetation that provides wildlife habitat and screening; and
  - h. Fill used will consist of suitable material free from toxic pollutants in other than trace quantities.
3. The applicant shall sign a consent form assenting to all conditions of this approval.
4. The applicant shall apply for a zoning certificate and stormwater certificate for the proposed project. The application is to include full engineering and stormwater plans, which will be reviewed by City staff.
5. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

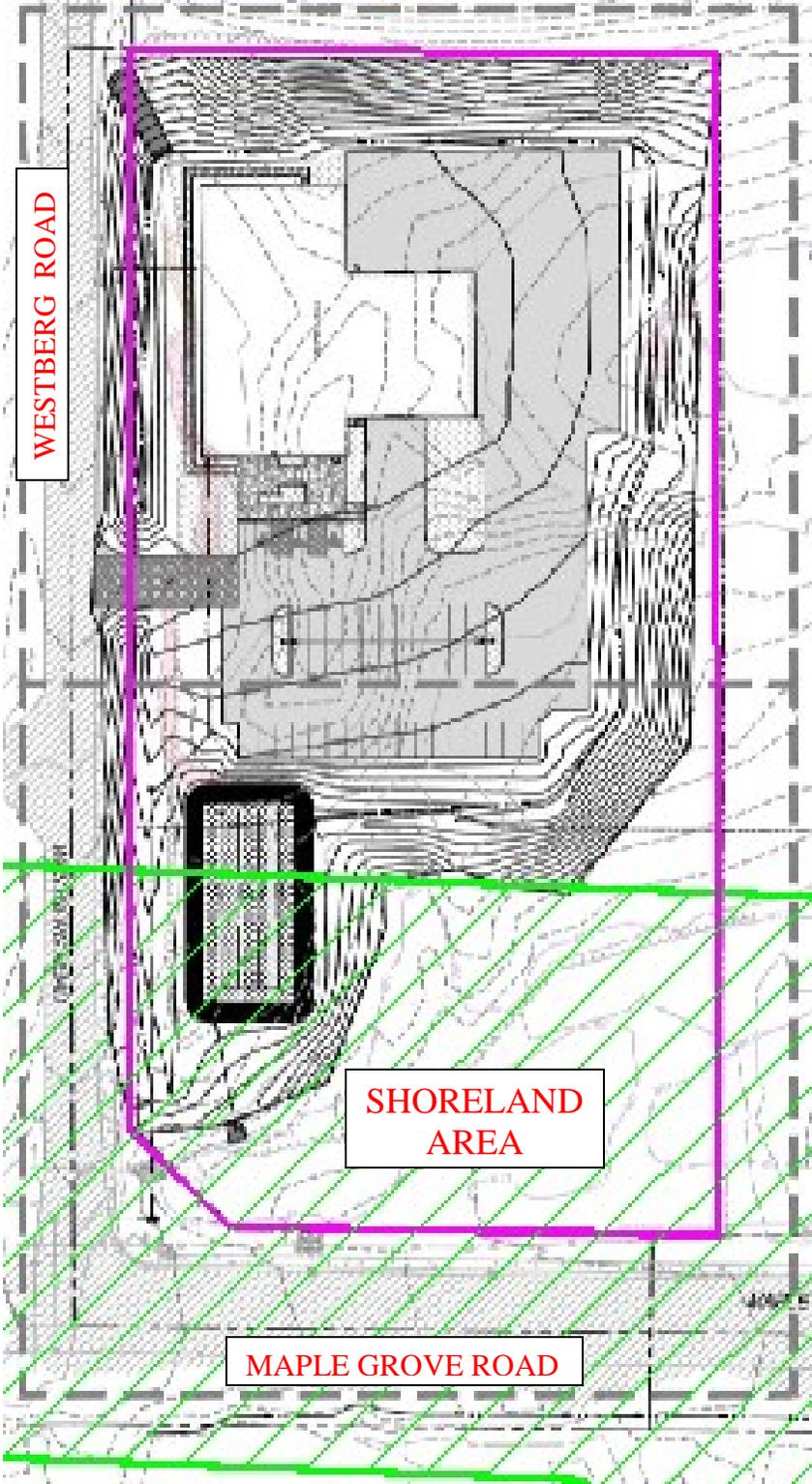
**ATTACHMENTS**

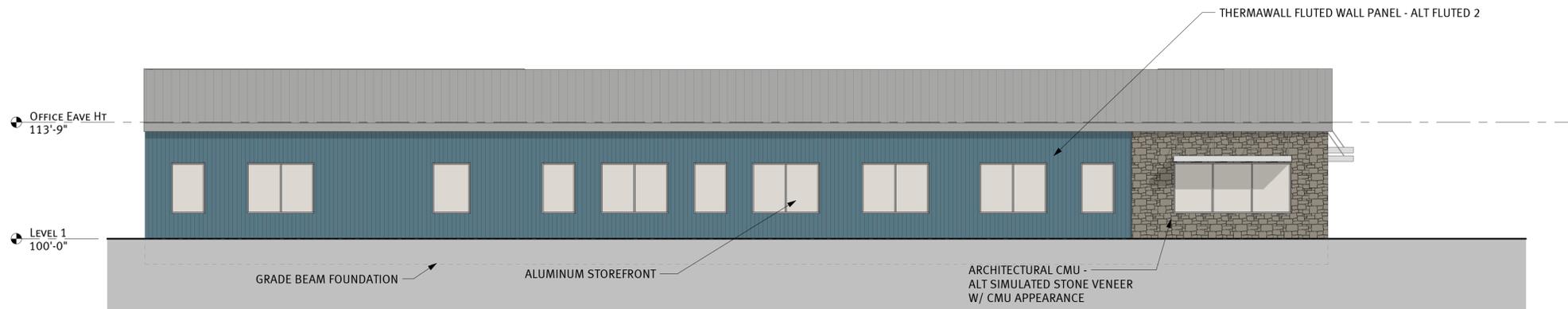
- Location Map
- Proposed Grading Plan with Shoreland Overlay Map
- Proposed Exterior Elevations

Location Map

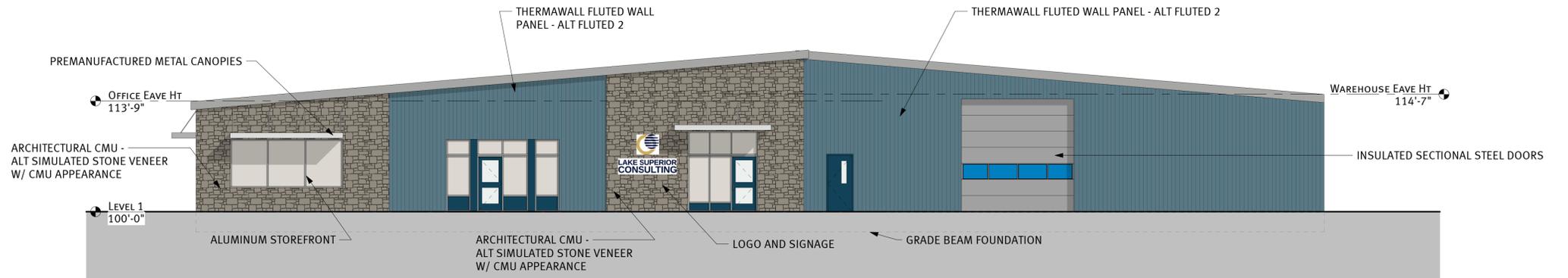


Shoreland Map

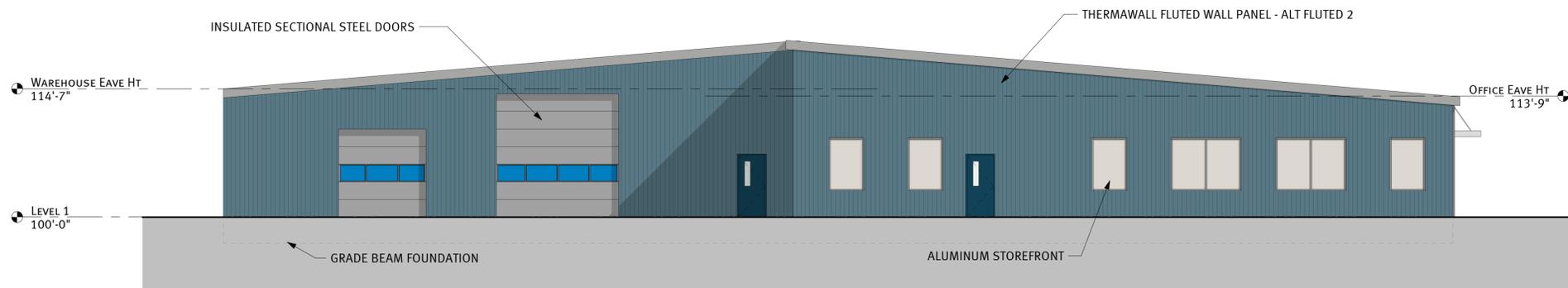




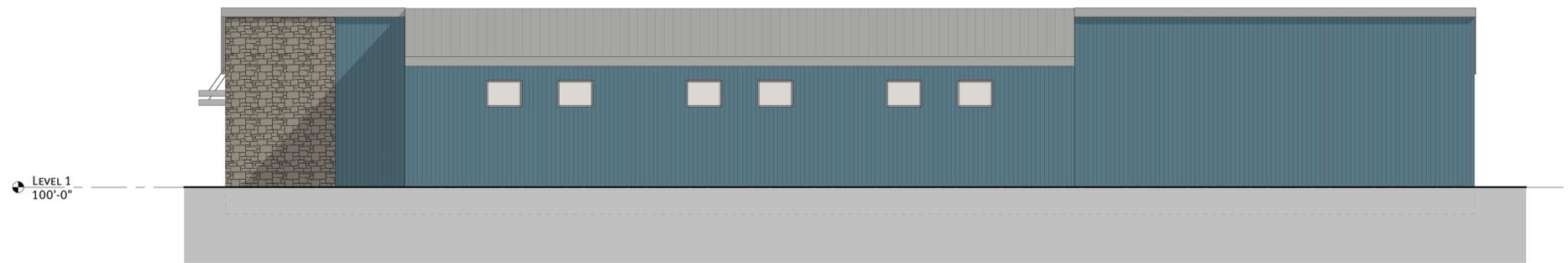
1 WEST\_ELEVATION  
A0.6 1/8" = 1'-0"



2 SOUTH\_ELEVATION  
A0.6 1/8" = 1'-0"



3 NORTH\_ELEVATION  
A0.6 1/8" = 1'-0"



4 EAST\_ELEVATION  
A0.6 1/8" = 1'-0"

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**5E. Accessory Dwelling Units**

<b><u>Applicant:</u></b>	City of Hermantown
<b><u>Case No.:</u></b>	2024-03 ZT Accessory Dwelling Units
<b><u>Staff Contact:</u></b>	Eric Johnson, Community Development Director
<b><u>Request:</u></b>	Amendment to Chapter 18 of the Hermantown Zoning Code by adding Section 1830, Accessory Dwelling Units

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**DESCRIPTION OF REQUEST:**

City staff has been discussing the addition of accessory dwelling units (ADU) to residentially zoned districts for the past 22 months. In January 2024, ADU's were discussed at the Planning and Zoning Commission meeting. There was a general support of ADU's from the Commission but no further action was taken at the time.

This item was also discussed with the City Council in April 2025, with the City Council directing staff to start the process by which ADU's could be incorporated into the City's residentially zoned districts.

Recently, there has been requests from City residents to allow ADU's in residential areas. As a result, City staff has reviewed other municipalities to understand what they allow and under what conditions.

Staff reviewed zoning ordinances from the following communities:

- St. Louis County
- City of Duluth
- City Minneapolis
- City of Richfield
- City of Northfield
- City of Burnsville
- City of White Bear Lake
- City of Golden Valley

All of these communities allowed ADU's and identified conditions under which they could be permitted. Generally, the following apply to most of the communities:

- Minimum size: 300 square feet
- Maximum size: 800 square feet

- Primary residence owner must live on premises
- Water and sewer connections from primary structure
- Minimum of 1 additional parking space for the ADU
- May be part of a garage or separate structure
- Maximum heights ranging from 12 feet to 21 feet

After discussions with the Planning and Zoning Commission as well as receiving comments from the public, City Staff has drafted an amendment to Chapter 18 of the Hermantown Zoning Code to add Section 1830, Accessory Dwelling Units.

#### **ATTACHMENTS**

- March 31, 2025 Memo
- Amended Chapter 18, Section 1830

## Accessory Dwelling Units – March 31, 2025

### St. Louis County, MN

- 1 ADU allowed per 1 acre minimum lot in shoreland areas
- Maximum size – 700 square feet
- Maximum height – 20 feet
- ADU may be part of a garage
- ADU may not be used for commercial or rental purposes
- ADU must meet all setbacks per underlying zoning district
- ADU must have adequate septic along with principal structure
- Applies to both shoreland and non-shoreland areas
- ADU's are allowed on lots less than ½ acre in shoreland areas, however
  1. Maximum size – 250 square feet
  2. Maximum height – 14 feet

### Duluth, MN

- Must be attached to permanent foundation (no RV's)
- Primary residential owner does not need to live on premises
- Maximum of 800 square feet. May not exceed square footage of principal structure
- 20 feet maximum height. May not exceed height of principal structure
- 1 additional parking space required
- Connected to public water and sanitary. May be stubbed from house or have its own services

Accessory dwelling units are secondary or subordinate dwelling units added to an existing one or two family dwelling; these are often called granny flats, mother-in-law homes, or carriage houses. These must be located on the same platted lot or tax parcel as a primary residential structure and must be owned by the same owner, but may be rented (with an approved rental permit from the Life Safety Division of the City of Duluth Fire Department).

Accessory dwelling units must provide the basic requirements for living, sleeping, cooking, eating, and sanitation, and are constructed on compliant permanent footings or foundation, with permanent connections to public sanitary sewer and water (which may be stubbed from the primary dwelling).

No recreational vehicle, or structure on a chassis, can be an accessory dwelling unit. Only one accessory dwelling unit is allowed per one or two family dwelling.

The city does not require that the owner of a primary residential structure with an accessory dwelling unit live on site. Traditionally that has been common, with the owner living on site in the primary residential structure and renting out the accessory dwelling to family or non-family members. But residency is not a requirement in the zoning code. The owner of the parcel that contains the primary and accessory dwellings may live outside the city or state.

Accessory dwelling units must not exceed 800 square feet of total floor space, nor shall it exceed the total floor area square footage of the principal structure. It should be designed and built consistent in

character and design with the primary dwelling, and shall not exceed the height of the principal residential structure or 20 feet, whichever is greater. In addition, at least one off-street parking space shall be provided in addition to off-street parking that is required for the primary dwelling.

#### Minneapolis, MN

- Minimum size – 300 square feet. Maximum size 800 square feet
- Maximum height – 21 feet
- Water and sewer connections are from primary structure

ADUs are accessory to both owner-occupied and non-owner-occupied single- and two-family dwellings.

Minimum ADU size is 300 sq. ft.; maximum is 800 sq. ft. Maximum building height is 21 feet.

Eaves/overhangs shall not extend closer than two feet to the lot line (exception for alley side). Openings (windows, doors, vents, etc.) are not permitted within three feet of side (shared) property line (exception for alley side).

Habitable space in the ADU and hallways, bathrooms, toilet rooms, laundry rooms shall have a ceiling height of not less than seven feet.

Water and sewer connections are specific to a PID number. A detached ADU is an accessory structure to the primary dwelling and is typically served through water and sewer service extensions from the primary structure to the ADU. However, dedicated water and/or sewer services to a detached ADU may be allowed in special circumstances. The layout and design of any new services shall be in accordance with engineering design standards and governing ordinances as well as the Minnesota Plumbing Code.

#### Richfield, MN

- No more than one ADU shall be allowed on a lot.
- ADU must be attached to a garage or to the primary residential structure. Standalone units are not allowed
- The lot must meet current width and depth requirements.
- The creation of an ADU shall not create a separate tax parcel.
- An owner of the property must live on the lot. Proof of homesteading shall be required, and a rental license is required for the non-owner-occupied unit.
- ADUs must have a minimum floor area of 300 square feet, and cannot exceed 800 square feet.
- Exterior materials for new ADU construction must match the structure to which the ADU is attached.
- On the main residential structure, no additional entrances facing the public street may be added.
- No exterior stairways constructed with raw or unfinished lumber may be added to access an ADU.
- Excess garage space may be converted to an ADU without replacement so long as at least two auto parking spaces are preserved.
- A minimum of three off-street parking spaces are required in order to add an ADU of any kind.

## Northfield, MN

- ADUs can be located as part of a detached garage or can be their own separate structure. If the ADU is part of a garage, then the garage regulations should be followed.
- Limit on size: cannot exceed 50% of the gross floor area of the main home or 1,000 square feet, whichever is less.
- Constructed to be compatible with the main home and neighborhood.
- Must be at least 10 feet from the main home.
- Parking is not required, but have to provide unrestricted, improved access must be provided from the street to the ADU entrance.
- Must have a kitchen, bathroom, sanitary and water services.
- The ADU or main home may be rented if the owner of the property lives resides on the property.

## Burnsville, MN

- Be built and maintained with a consistent look/style of the primary home
- Be constructed on a permanent foundation with no wheels
- Contain no more than two bedrooms
- Be a minimum of 300 square feet
- Not exceed more than 50% of the primary home's square footage
- Have 1 additional parking space for ADU

**Garage Conversion:** A garage cannot be converted into an ADU unless a new 440-square-foot (or larger) garage is built without the need for a variance

**Entry Door:** If the exterior door for the ADU is on the same wall as the primary residence front door, the doors must be at least 20 feet apart

Both attached and detached ADUs must be connected to and served by the same municipal water, sanitary sewer, gas and electric utility, private well and/or septic system as the primary home. Temporary water, sewer and electrical connections are not allowed.

Properties that contain an ADU must provide one additional off-street parking space (in addition to the two spaces required for the primary home). An additional garage may be constructed if it complies with all state and City regulations.

All dwellings must be built and maintained to comply with all City Codes, and residents must adhere to the following:

Property owner must live in either the primary residence or ADU as their permanent home a minimum of 185 days each year

An ADU cannot be subdivided or sold separately from the primary home

Park Dedication fees are required when adding an ADU. These, and any additional utility connection fees will be collected if and when a building permit is issued for renovations

## White Bear Lake, MN

- ADUs shall be located in existing single family structures (principal or accessory), with the owner of the single family structure residing in the principal structure. Separate ownership of the accessory unit is not permissible
- Exterior modifications which detract from the single family character of the neighborhood will not be permitted
- ADUs shall not exceed 880 square feet or 40% of the habitable area within the single family home, whichever is less
- Where conditions or circumstances of a specific property make implementation of the zoning code standards impractical, City Council *may* alter the conditions of the section for the specific property in question
- If you are renting an ADU to a non-relative you are required to have a [rental license](#)

Begins with the homeowner submitting a [Land Use Application](#), including plans, to the Community Development Department

1. City staff brings the application to the Planning Commission and makes a recommendation for approval as-is, approval with additional conditions or denial. In turn, the Planning Commission hears the case and makes one of the above recommendations to City Council
2. City Council hears the case and has the final authority in approving or denying the application

The process typically takes 2-3 months and requires a non-refundable [application fee](#).

## Golden Valley, MN

- One ADU per lot. An ADU is only allowed in conjunction with a single-family home.
- The property owner must reside in either the principal dwelling or ADU as either their sole or primary residence.
- Minimum floor area: 250 square feet
- Maximum floor area: 950 square feet or 35 percent of the home's livable floor area, whichever is less
- Height: 12 feet measured from the structure floor to the top plate or highest horizontal component of the frame building.
- Setbacks: 35' – Front yard; 10' – side yard; 25' – rear yard; 10' minimum from existing home
- Designed and use materials that complement and match the principal dwelling.
- Entrances shall only face the side or rear yard.
- One additional off-street parking space is required for the ADU above the minimum required for single-family homes. The creation of an ADU by conversion of garage space shall not reduce the home's provide off-street parking below the minimum requirements.
- Utility connections for the ADU shall be provided from the existing principal structure so long as adequate capacity exists or can be provided.



Ordinance No. 2025-\_\_\_\_

The City Council of the City of Hermantown Does Ordain:

**AN ORDINANCE OF THE CITY OF HERMANTOWN,  
MINNESOTA, AMENDING CHAPTER 18 OF THE HERMANTOWN ZONING CODE BY  
ADDING A NEW SECTION 1830, ACCESSORY DWELLING UNITS**

**Section 1.** Purpose and Intent. The purpose of this Ordinance is to allow for and regulate the location, placement, design and use of accessory dwelling units in the City of Hermantown to broaden the range of its housing options.

**Section 2.** Amendment to Heading. The City of Hermantown Zoning Code is hereby amended by revising Chapter 18’s heading to read as shown:

“Chapter 18. Home Occupations and Accessory Dwelling Units.”

*New language is underlined.*

**Section 3.** Addition to Code. The City of Hermantown Zoning Code is hereby amended by adding a new Section 1830, Accessory Dwelling Units, to read as shown on Exhibit A attached hereto.

**Section 4.** Added to Zoning Code. The terms and provisions of this ordinance shall be amended in the appropriate place in the Hermantown Zoning Code, after adoption and becoming effective.

**Section 5.** Effective Date. The provisions of this Ordinance shall be effective after adoption immediately upon publication once in the official newspaper of the City of Hermantown and upon recording with the St. Louis County Recorder’s Office.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Adopted: \_\_\_\_\_

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_

## EXHIBIT A

### **Section 1830 - Accessory Dwelling Units.**

1830.1.       **Purpose.** The purpose of this section is to allow for and regulate the location, placement, design, and use of Accessory Dwelling Units (ADU) that broadens the range of housing options in the City of Hermantown (“City”).

1830.2.       **Definitions.** The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1830.2.1.     **Accessory Dwelling Unit.** A smaller, independent residential dwelling unit located on the same lot as a stand-alone single-family home.

1830.2.2.     **Finished Space.** the area within a house which is suitable for human habitation including suitable finished basement areas but excluding garages, services areas and unfinished portions of the building.

1830.2.3.     **Owner.** The person who holds fee title or is a bona fide purchaser under a contract for deed of the property.

1830.2.4.     **Attached ADU.** An accessory dwelling unit which involves an addition to the principal structure of a lot to allow for the new secondary unit.

1830.2.5.     **Internal ADU.** An accessory dwelling unit in which a portion of the existing principal structure is converted for use as a new secondary unit.

1830.2.6.     **Detached ADU.** An accessory dwelling unit which is stand-alone from the principal structure, or which is incorporated into an existing stand-alone accessory structure.

1830.3.       **General Regulations.** Accessory dwelling units shall not be created or used except in conformity with the following requirements:

1830.3.1.     Accessory dwelling units shall only be allowed on lots in residential zoning districts that have a single-family home present.

1830.3.2.     There shall be no more than one accessory dwelling unit allowed per lot.

1830.3.3.     The owner must have permanent residence established at the property and reside in either the principal or accessory dwelling.

~~1830.3.4.~~ Accessory dwelling units shall provide complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

1830.3.5. A minimum of one additional off-street parking space shall be provided for the accessory dwelling unit in addition to those required for the principal dwelling.

1830.3.6. Utility connections for the accessory dwelling unit shall be connected to City sanitary sewer and water services, or, if applicable, connected to the private well and industrial sewage treatment system serving the principal dwelling on the lot if said principal dwelling is not otherwise serviced by or required to be served by City sewer and water services and the same shall be in compliance with City Code.

1830.3.7. All other provisions of zoning code relating to single-family dwelling units shall be met, unless specifically amended by this code section.

1830.3.8. Accessory dwelling units shall have the same address as the principal structure. Prior to occupancy the owner shall notify the Hermantown Fire Department and register the ADU with their Community Connect program so that emergency responders are notified in the event of an emergency there are two distinct dwellings at the same address.

1830.3.9. **Administration and Establishment.**

1830.3.9.1. Establishment of an accessory dwelling unit shall require an administrative review by City Staff in addition to any required permits relating to construction.

1830.3.9.2. No accessory dwelling unit shall be created except in compliance with all applicable Minnesota State Building Code and related codes of the City;

1830.3.9.3. The accessory dwelling unit shall not be sold independently of the principal residential dwelling and may not be a separate tax parcel.

1830.4. **Attached and Internal ADUs.** Accessory dwelling units incorporated with the principal dwelling shall be subject to the following requirements.

1830.4.1. **Size; Height Restrictions.**

1830.4.1.1. The floor area of the accessory dwelling unit shall be no more than 50 percent of the home's gross living area, or 1,000 square feet, whichever is less. In the case of internal accessory dwelling units, the area being converted for use shall be included in this calculation of gross living area.

1830.4.1.2. The accessory dwelling unit shall have a minimum floor area of 350 square feet.

1830.4.1.3. The accessory dwelling unit shall be restricted to a maximum height of 35 feet.

1830.4.2. **Design Guidelines.**

1830.4.2.1. Exterior changes to the home shall not substantially alter the single-family character of the structure.

1830.4.2.2. The accessory dwelling unit must be a permanent structure affixed to a foundation.

1830.4.2.3. The accessory dwelling unit is subject to all setback restrictions of the principal structure.

1830.5. **Detached ADUs.** Stand-alone accessory dwelling units shall be subject to the following requirements.

1830.5.1. **Location Restrictions.**

1830.5.1.1. The accessory dwelling unit is subject to all of the setback restrictions as the principal structure.

1830.5.1.2. The accessory dwelling unit must be a permanent structure affixed to a foundation.

1830.5.2. **Size; Height Restrictions.**

1830.5.2.1. The floor area of the accessory dwelling unit shall be no more than 50 percent of the home's gross living area, or 1,000 square feet, whichever is less.

1830.5.2.2. The accessory dwelling unit shall have a minimum floor area of 350 square feet.

1830.5.2.3. Detached accessory dwelling units shall be restricted to a maximum height of 35 feet.

1830.5.3. **Design Guidelines.**

1830.5.3.1. The detached accessory dwelling unit shall be designed and use materials which complement and match the existing principal dwelling and are compatible with the surrounding neighborhood in terms of design, form, height, materials and landscaping.



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November 10, 2025

**Wayne Boucher**  
Mayor

**Joe Peterson**  
City Councilor

**John Geissler**  
City Councilor

**Brian LeBlanc**  
City Councilor

**Andy Hjele**  
City Councilor

**Matt Fournier**  
Planning & Zoning Commissioner

**Corey Kloquist**  
Planning & Zoning Commissioner

**Amanda Radzak**  
Planning & Zoning Commissioner

**Beth Wentzlaff**  
Planning & Zoning Commissioner

**Ryan Johnson**  
Planning & Zoning Commissioner

**Kevin Hagen**  
Planning & Zoning Commissioner

**Joe Peterson**  
Planning & Zoning Commissioner

**John Stauber**  
Planning & Zoning Commissioner

Dear Mr. Mayor, City Councilors and Planning Commissioners,

We are writing to inform you that the project team will be respectfully removing its request of review and approval from the Planning and Zoning meeting agenda on November 18, 2025 and the City Council agenda on December 1, 2025.

We take the public's requests for more information seriously, and for this reason, our team is committed to hosting an open house to answer questions and provide further facts about the project. We are working on securing a date and venue that is adequately sized and appropriate to foster meaningful dialogue.

The project team understands the significance of the proposed project, not just as an infrastructure investment, but as a long-term relationship with residents, business owners, the City of Hermantown, St. Louis County, and the greater Northland region.

We look forward to continuing our partnership with the City of Hermantown to ensure this project reflects the values and priorities of the community while meaningfully participating in the public process.

Sincerely,

Dan Lessor  
Mortenson Development, Inc.