



ENVIRONMENTAL SERVICES

Planning & Zoning Planning Commission

Courthouse
601 3rd Avenue
Two Harbors, MN 55616
218.834.8325

alexandra.campbell@co.lake.mn.us
www.co.lake.mn.us

DATE: April 29, 2024

TO: Maji ya Chai Land Sanctuary

FROM: Alexandra Campbell, Environmental Services Specialist

RE: **Notice of Decision; Conditional Use Application C-24-002**

This memo is to inform you that on April 15, 2024, the Planning Commission approved your request with conditions for the construction of a nature-based retreat center with a focus on Black, Indigenous, and people of color with lodging for 32 people that will host occasional community events. The area is located at 2792 Clark Rd., Two Harbors MN 55616 and is legally described as: N 1/2 of N 1/2 of SW 1/4, Section 27, Township 54 Range 10 West of the Fourth Principal Meridian; 40 acres; zoned shoreland; R-1/Residential District; 10 acre minimum; 20 acres; Silver Creek Township. PID: 29-5410-27550 / 27490.

Section 26.05 Land Use Ordinance #12 states: "Conditional Use Permits shall expire eighteen (18) months from date of approval where no substantial action to initiate the approved use is taken by the applicant. If a conditional use has been discontinued for twelve (12) months or more, the permit shall expire.

Here are findings from the Planning Commission hearing:

1. There is verbal assurance that there will be financial coverage. There were no comments from the road authority regarding access to the property. The plan has sufficient off-street parking and loading space for the use.
2. A wetland delineation, stormwater management plan, and a well draw down or water use study are to be completed on site.
3. This site has been established for a while with good vegetation cover. Soil conditions will be amended during construction on site.
4. A wetland delineation is required, and the stormwater management plan will speak to wetland impact. A pond will be established for capturing water and there are setbacks from the Encampment River.
5. The appropriate financial assurance will be put in place before construction occurs. Water supply and septic sizing will be according to code. Access is good. Drainage will have a stormwater plan and additional drainage will be constructed as necessary.
6. If the ordinance is followed, there should be no issues with health and safety, environmental, lighting, noise, signing, or visual problems. Demarcation of property and trails will help ensure the above problems do not occur.
7. The property is to be screened from road along with a forest management plan. There is no amplified music and a limit to the amount of people allowed on property at all times. Resorts are not known to diminish values within the neighborhood.
8. The proposed use is consistent with the Comprehensive Plan and the spirit and intent of the Ordinance as it speaks to tourism. Obtaining a Conditional Use Permit is allowed within R-1 zoning and is not a prohibited use.

There are conditions of approval:

1. The lodging establishment is subject to, and grantee must comply with Lake County Health Department requirements; a copy of the license shall be submitted to the Lake County P&Z.
2. The lodging establishment is subject to compliance with applicable State Subsurface Sewage Treatment System requirements.
3. Occupancy will be based on septic system capacity and Lake County Health Department occupancy of structures (whichever is less).
4. Final site plan of the lodging establishment to be submitted to Lake County P&Z.
5. Emergency Response and Fire Wise Plans shall be developed and submitted to Lake County P&Z.
6. Develop and implement a forestry/conservation plan from a certified plan writer.
7. Wetland delineation required prior to approval of land use permits.
8. Total number of persons on site at any one time shall not exceed 45 people, which includes staff.
9. There shall be no discharge of fireworks at all, firearms allowed on site by owners.
10. All ATVs and snowmobiles must be trailered while on the property.
11. All outdoor fires must be limited to use in a designated fire ring.
12. Quiet hours must be observed between the hours of 10 PM and 7 AM.
13. The owner or onsite management will live onsite during resort operations.
14. Property boundaries must be demarcated.
15. The use of RV for lodging purposes on site is prohibited.
16. All vehicles and trailers must be contained on the property; on-street parking is prohibited.
17. All guests of the Land Sanctuary must be Registered Guests.
18. Amplified outdoor music is prohibited.
19. Waste containers on site shall be bear resistant/proof.
20. Motorized recreation sports and activities are prohibited by guests.
21. Well draw down or water use study will be conducted to identify neighboring property impacts.
22. Maximum of 6 full time residents and a maximum of 24 overnight guests.
23. No pets allowed for guests.
24. No more than 12 events a year that exceed 24 guests on site.

Within 30 days, we will be recording the Conditional Use Order to the properties. When completed, we will then provide you with a copy of the official minutes from your portion of the hearing and the recorded conditional use order that will detail the findings of fact & conditions of your permit.

If you have any further questions or concerns, please give our office a call.