



Mission Township
Planning Commission Meeting Agenda
July 14, 2025 @ 6:00 PM

Call to Order – Chair

Adoption of the Agenda (Consent)

Approval of Minutes (Motion)

(Action is to approve June 9, 2025, Regular Meeting minutes as presented).

Discussion/Action Items:

- 1. Consideration of Ordinance 2025-01- An Ordinance amending the Mission Township Subdivision Ordinance regarding administrative subdivisions.** *(Action is to conduct a public hearing, consider any amendments to the proposed ordinance, and by motion make a recommendation on adoption of the ordinance to the Town Board)*
- 2. Consideration of Ordinance 2025-02 – An Ordinance regulating Driveway Accesses on Town Roads.** *(Action is to conduct a public hearing, consider any amendments to the proposed ordinance, and by motion make a recommendation on adoption of the ordinance to the Town Board)*
- 3. Such other business as may properly come before the commission.**

Adjournment (Motion)

June 9, 2025 @ 6:30pm **Mission Township Planning Commission Meeting Minutes**

Present – Chair Jon Auge; Commission members Bob Steele and Erik Lee; and Clerk Naomi Scott. Tim Moody was also in attendance.

Zoom – Attending was Zoning Administrator Scott Saehr, an unidentified citizen, and Roads Committee Chair Dave Hauser

Call to Order – J. Auge called the June 9, 2025, Mission Township Planning Commission Meeting to order @ 6:34pm.

Adoption of the Agenda – Adopted as presented.

Approval of May 12th, 2025, Minutes - B Steele made a motion **(1)** to approve the May 12th, 2025 minutes, J Auge seconded. Voice vote with all commissioners voting aye. Motion passed.

Discussion/Action Items:

1. Consideration of Ordinance 2025-01- An Ordinance amending the Mission Township Subdivision Ordinance regarding administrative subdivisions.

The chair outlined the purpose and language in Ordinance 2025-01 regarding Administrative Subdivisions. Discussion occurred by the board on the ordinance. B. Steele made a motion **(2)**, second by J. Auge, to schedule a public hearing for July 14, 2025 @ 6:00 PM; to direct the clerk to publish notice of the proposed ordinance & public hearing in our official newspaper; and to direct the clerk to post notice of the public hearing and the proposed ordinance on the town's website. Voice vote with all commissioners voting aye. Motion passed.

2. Consideration of Ordinance 2025-02 – An Ordinance regulating Driveway Accesses on Town Roads as recommended by the Roads Committee.

- **Memorandum of June 5, 2025, Outlining purpose and proposed administration of the ordinance**
- **Draft Application for Driveway Access Permit with proposed fee**

The chair outlined the purpose and language in Ordinance 2025-02 regulating driveway accesses on town roads; the 6-5-2025 Memorandum providing background information, and the proposed Permit Application. Discussion occurred by the board on the ordinance and background materials. E. Lee made a motion **(3)**, second by J. Auge, to schedule a public hearing for July 14, 2025 @ 6:00 PM; to direct the clerk to publish notice of the proposed ordinance & public hearing in our official newspaper; and to direct the clerk to post notice of the public hearing and the proposed ordinance on the town's website. Voice vote with all commissioners voting aye. Motion passed.

3. Such other business as may properly come before the commission. None

Adjournment - B Steele made a **motion (4)** to adjourn the June 9th, 2025, Mission Township Planning Commission meeting at 6:49 pm, second by E Lee. Voice vote with all commissioners voting aye. Motion carried and the meeting was adjourned.

Respectfully Submitted,

Naomi Scott
Clerk

Jon Auge
Chair

*******Planning Commission minutes are unapproved until the next PC meeting*******



MISSION TOWNSHIP
CROW WING COUNTY, MINNESOTA
Ordinance Number: 2025-01

**AN ORDINANCE AMENDING THE MISSION TOWNSHIP SUBDIVISION
ORDINANCE REGARDING ADMINISTRATIVE SUBDIVISIONS**

The Board of Supervisors of the Town of Mission ordains:

Article I. Definitions. Section 4 of the Mission Township Subdivision Ordinance is amended by adding a new definition as follows and renumbering the sections as may be needed:

(a) Administrative Subdivision. “Administrative Subdivision” has the same meaning given the term in the County Ordinance. Any division of land that is subject to approval by the County as an administrative subdivision shall constitute an administrative subdivision for the purpose of this Ordinance.

Article II. Administrative Subdivisions. The Mission Township Subdivision Ordinance is amended by creating a new Section 7 as follows and renumbering the remaining sections as needed:

Section 7. Administrative Subdivisions. No more than three lots containing less than 10 acres may be established through the Administrative Subdivision process within a five-year period. No further subdivision of the property shall occur except by plat preapproved by the Town Board in accordance with the Development Process and Standards of this Ordinance. Any subdivision of property in the shoreland district shall be platted if it results in one or more new riparian lots.

Article III. Effective Date. This Ordinance shall take effect and be in full force on the first day of publication after its passage.

Article IV. Incorporate Amendments. The Town Attorney is authorized and directed to incorporate the amendments made by this Ordinance into the Mission Township Subdivision Ordinance. The numbering shall be updated and other non-substantive changes shall be made as may be needed. The updated subdivision ordinance shall constitute the official Mission Township Subdivision Ordinance.

Adopted this 14th day of July 2025.

BY THE TOWN BOARD

Jon Auge, Chair

Attest: _____
Naomi Scott, Clerk



**MISSION TOWNSHIP
CROW WING COUNTY, MINNESOTA
Ordinance No. 2025-02**

**AN ORDINANCE REGULATING
DRIVEWAY ACCESSES ON TOWN ROADS**

The Board of Supervisors of the Town of Mission ordains:

1. **Title.** This Ordinance shall be known and cited to as the Mission Township Driveway Ordinance and shall be referred to herein as this “Ordinance.”
2. **Purpose.** It is the purpose of this Ordinance is to establish reasonable regulations, requirements, and restrictions regarding the construction, reconstruction, or relocation of a driveway access onto a Mission Township Road in order to protect the health, safety and welfare of Town residents, those traveling on town roads, and the general public. It is also the purpose of this Ordinance to protect the cumulative investment the public has made to construct, maintain, and improve the Town’s roads by requiring those undertaking construction, reconstruction, or relocation projects in and near town roads to obtain a permit from the Town and to be responsible for complying with certain minimum specifications. Finally, this Ordinance provides for the recovery by the Town of its actual expenses incurred related to such projects where reimbursement is required by this Ordinance.
3. **Authority.** A person is required by Minnesota Statutes, sections 160.18 and 160.2715 to obtain a permit from the road authority before constructing an approach to a public right-of-way and before constructing a driveway headwall. Pursuant to Minnesota Statutes, section 160.18, subdivision 3, the installation of a driveway access is also subject to reasonable regulation by the road authority. Finally, pursuant to Minnesota Statutes, section 164.36, the Town Board has broad authority to regulate erosion, drainage, public nuisances, and other matters of public interest. An improperly installed driveway access can interfere with proper drainage, damage or undermine the surface of a road, and create a safety hazard for the traveling public. The restrictions contained in this Ordinance are in addition to the prohibitions contained in Minnesota Statutes, sections 160.2715; 609.74; and such other law as may apply.
4. **Scope.** This Ordinance applies to the construction, reconstruction, or relocation of a driveway access within a town road right-of-way. A person desiring to construction, reconstruction, or relocation of a driveway access in the right-of-way of another road authority, such as the state or county, must contact that road authority and comply with all requirements imposed by that road authority. This Ordinance also does not apply to the construction of a driveway access from a private road or to the construction of the portion of a driveway located entirely outside the boundaries of a town road right-of-way.
5. **Definitions.** For the purposes of this Ordinance, the following terms shall have the meaning given them in this Section.

- (a) Applicant. A person who requests or installs a driveway access.
- (b) Driveway. A private road, drive, or way constructed for use by motor vehicles to provide access from a public road to a parking structure or parking area on private property. The term includes the entire length of the drive on the property including, but not limited to, the portion of the drive located within the public right-of-way and which is referred to herein as the driveway access.
- (c) Driveway Access. The portion of a driveway located within a public right-of-way and which serves to connect the portion of the driveway located on private property to the surface of the public road. A driveway access is sometimes referred to as, and the term includes, a driveway approach or an access drive.
- (d) Driveway Access Permit. A permit issued by the Town to allow an applicant to install, reconstruct, or relocate a driveway access within a town road right-of-way.
- (e) Person. An individual or entity subject to the laws and rules of this state, however organized, whether public or private, whether domestic or foreign, whether for profit or nonprofit, and whether natural, corporate, or political.
- (f) Reconstruct. With respect to an existing driveway access, is: (1) any alteration that increases or decreases the vertical profile or width of the driveway access; (2) any alteration to drainage by raising, lowering, changing the diameter, removing, or blocking an existing culvert; or (3) a change in the use of the land that results in a significant change in the use of the driveway access such as if the land is converted from a residential to commercial use.
- (g) Relocate. With respect to an existing driveway access, is to move or otherwise change the location of a driveway access within a town road right-of-way.
- (h) Right-of-Way. The entire area of a town road in which the Town has an interest including, but not limited to, the road surface, shoulders, ditches, backslopes, and all areas beyond such improvements out to the edges of the Town's easement or other ownership interest.
- (i) Town. Mission Township, Crow Wing County, Minnesota.
- (j) Town Board. The board of supervisors of Mission Township, Crow Wing County, Minnesota.
- (k) Town Road. A public roadway right-of-way that is regularly maintained by the Town as part of its system of regularly maintained roads. The term includes, but is not limited to, platted roads and cartways that have been taken over by the Town for public maintenance, and minimum-maintenance roads.

6. **Permit Required.** It is a violation of this Ordinance for any person to install, reconstruct, or relocate a driveway access within a town road right-of-way without first obtaining a driveway access permit from the Town. A driveway access permit is required regardless of the intended use of the driveway. The applicant for a driveway access permit is required to pay the applicable application fee, reimburse the Town for the costs of an engineering review if required, and is responsible for all costs associated with constructing the driveway access and obtaining and installing a culvert, or other drainage structures, as may be required.
7. **Application Procedures.** A request for a driveway access permit to access a town road must be made using the application form approved by the Town and submitted with the required permit fee, which shall be set by Town Board resolution, in accordance with the following:
 - (a) The applicant shall provide all information required in the application form including, but not limited to, whether the driveway access is intended for primarily a residential or commercial use, a sketch of the driveway access showing its proposed location, width, and describing any proposed culverts or other drainage structures. The application shall be submitted to the Town Clerk for processing.
 - (b) The applicant shall place stakes at each end and at each corner of the desired access showing its proposed location and width.
 - (c) The Town will inspect the proposed driveway access. If the inspector determines review by the Town's engineer is required, the applicant shall be required to reimburse the Town the actual costs it incurs related to the engineer's review. The requirement to reimburse the Town for its costs for the engineer's review is a condition of issuing the permit and failure to fully reimburse the Town is a violation of the permit and of this Ordinance. Any specific requirements, conditions, or restrictions identified by the engineer during the review shall be incorporated in and made part of the driveway access permit.
 - (d) No work on the driveway access shall occur until the Town issues the driveway access permit. The driveway access and associated drainage structures must be constructed in accordance with the standards contained within this Section and any specific requirements, conditions, or restrictions set out in the permit and in the engineer's report (if issued). The engineer's report is automatically incorporated in and made part of the driveway access permit issued by the Town.
 - (e) A change, or proposed change, in use of a property that results in a significant increase in the use, or intensity of the use, of an existing driveway access requires a new driveway access permit from the Town. The permit may require reconstruction of the driveway access to adequately accommodate the increased use.
8. **Standards.** The construction or modification of a driveway access shall comply with the following standards as well as any specific requirements imposed on the permit issued for the driveway access.

- (a) Width Requirements. The hard surface of the driveway access shall be no less than 12 feet and not more than 24 feet in width. The permitted width of a driveway access shall be established in the permit issued for the driveway access. The driveway access must be able to reasonably accommodate the type of vehicles anticipated to use the driveway access based on the primary use of the property.
- (b) Vertical Clearance. The area above the driveway access shall be clear of tree branches and other obstructions to achieve a vertical clearance of at least 14 feet and such vertical clearance shall be maintained in order to allow access by emergency vehicles.
- (c) Setbacks. No driveway access shall be placed within any of the following setback distances. Additional corner clearance may be required in the sole discretion of the Town based on the presence of a bus stop, turning lane(s), a skew or complex intersection, atypically wide intersection, heavily traveled roadways or other conditions that reasonably require a further setback distance. The setback from an intersection shall be measured from the closest edge of the intersection right-of-way.

Setback From:	Setback Distance:
Another Driveway Access*	200 feet
Right-of-Way Intersection	60 feet
Side Lot Line	20 feet

* Common or shared driveway accesses are exempt.

- (d) Driveway access Angle. All driveway accesses shall enter the right-of-way and connect to the surface of the town road at 90 degree angles. The driveway access angle is measured as the angle between the driveway centerline and the edge of the surface of the town road.
- (e) Driveway Access Profile. The constructed profile of the driveway access shall be such that it facilitates drainage and shall not exceed an 8% gradient for a driveway accesses used primarily for commercial purposes and a 10% gradient for all other driveway accesses.
- (f) Driveway Headwalls. The sides of a driveway access used to support its surface, which are also referred to as headwalls, must be constructed in a manner so as not to create an unreasonable hazard for recreational vehicles and vehicles that may leave the travelled surface of the road. Furthermore, placing rocks, fences, pillars, posts, and other materials or structures that extend above the level of the driveway access can also pose a safety hazard and interfere with maintenance of the right-of-way. To avoid or reduce such hazards and interferences, a driveway headwall erected or reconstructed within the right-of-way of a town road shall have a slope of no greater than 4 to 1 (horizontal to vertical). No materials or structures shall be placed on or along a driveway access that interfere with the maintenance of the right-of-way or that extend more than one foot above the surface of the access drive. This prohibition does not apply to mailboxes and newspaper boxes provided, however, that any mailbox placed or replaced within a town

road right-of-way shall comply with the standards in Minnesota Rules, chapter 8818 regardless of the speed limit on the town road.

- (g) Drainage. Drainage along the town road shall be maintained at all times. No driveway access shall be constructed, expanded, altered, or maintained such that it interferes with the drainage of water within a ditch. A culvert shall be required for a driveway approach unless the driveway access permit issued for the particular driveway approach indicates a culvert is not required. A permit issued for a driveway access may impose specific requirements for the installation of a culvert or other drainage structure to properly accommodate drainage. A culvert installed within a driveway access shall have a size of 15 inches in diameter, be a corrugated metal pipe (CMP), dual wall high density polyethylene, dual wall polypropylene, reinforced concrete pipe (RCP), or other material approved by the Town Board that is designed for such use, and shall extend at least 2 feet beyond the edges of the driveway. Culvert aprons made of the same or similar material as the culvert shall be installed on each end of the culvert. Culverts shall have a minimum of 12 inches of cover, excluding aggregate base and surfacing materials, and shall have adequate length to achieve a 4:1 slope or flatter.
 - (h) Maintenance of Drainage Structures. The owner or occupant of land is responsible for maintaining the drainage structures installed in or associated with a driveway access including, but not limited to, keeping culverts free of dirt and debris, repairing, and replacing drainage structures as needed so as not to interfere with or obstruct the drainage of water along the right-of-way. If an owner or occupant fails to maintain, clean, repair, or replace a culvert or other drainage structure as needed to avoid obstructing drainage, the Town may undertake such work as may be needed and the owner of the property shall be responsible for fully reimbursing the Town for its costs.
9. Multiple Driveway Accesses. No more than one driveway accesses to a lot shall be permitted, except upon approval of the Town Board. A request for an additional driveway approach shall not be approved unless the owner demonstrates, to the Town Board's satisfaction, a specific need for an additional driveway access and that additional driveway approach can be placed and constructed in such a way as to not unreasonably interfere with the safe use or maintenance of the right-of-way.
10. Unsafe Driveway Accesses. Any driveway access within a town road right-of-way that creates a safety hazard for the traveling public, or unreasonably interferes with the use, maintenance, or drainage of the town road, is hereby declared a public nuisance and is prohibited. The Town may issue one or more written orders requiring the owner or occupant of the property, or both, to take such actions as the Town determines are needed to eliminate or otherwise correct the nuisance condition. If the owner or occupant fails to promptly correct the condition as directed, or if the condition creates an eminent safety hazard requiring immediate action, the Town may take action to eliminate the nuisance condition. The owner shall be required to fully reimburse the Town for all costs it incurs to correct the condition.

11. **Surfacing.** Driveway accesses constructed or reconstructed to provide access from a town road with a bituminous surface to property used primarily for a commercial purpose shall be hard surfaced with bituminous or concrete. Farming is not considered a commercial use for the purposes of this requirement. A driveway approach with a slope of 10% or greater shall be hard surfaced to prevent erosion of materials onto the road surface and to ensure proper maintenance of the right-of-way. The hard surfacing shall extend from the driveway approach within the right-of-way onto the driveway within the private property as needed to prevent eroded materials from running into the right-of-way.
12. **Construction.** The construction or reconstruction of a driveway access must not interfere with the maintenance or safe use of the town road. No materials shall be dumped or stockpiled on the surface of the road, on the shoulder, or within the right-of-way outside of the permitted location for the driveway access. Upon the completion of construction, the right-of-way must be cleared of any excess materials and any dirt or other materials shall be removed from the surface of the road.
13. **Restoration.** Any part of the right-of-way disturbed during construction of an driveway access, or the installation of drainage facilities, shall be restored by the permittee to its pre-construction or pre-installation condition. Such restoration shall include, but not be limited to, grading, seeding, and landscaping as needed to fully restore the right-of-way and prevent erosion.
14. **Waivers.** An applicant for a driveway access permit may request the Town Board grant a waiver of one or more of the standards or requirements of this Section. No waiver will be granted unless the applicant can demonstrate, to the satisfaction of the Town Board, that there are extenuating circumstances necessitating the deviation and that granting the waiver will facilitate the safe and efficient use of the property and will not interfere with the construction, maintenance, and safe use of the road and its appurtenances. A waiver must be in writing and approved by the Town Board at a meeting.
15. **Recovering Costs.** All costs the Town incurs related to processing, inspection, and enforcement actions shall constitute a service charge for a governmental service. If the applicant fails to fully reimburse the Town for any of the Town's costs required to be reimbursed in this Section, the unreimbursed amount, together with collection costs, may be collected on the taxes of the property to which the driveway access relates as provided in Minnesota Statutes, section 366.012, or collected in accordance with any other legal authority available to the Town.
16. **Violation and Penalty.**
 - (a) **Misdemeanor.** Any person who violates, or fails to comply with, a provision of this ordinance, knowingly makes a false statement in any document required to be submitted under the provision hereof, or that violates a condition of a permit issued, shall be guilty of a misdemeanor. Upon conviction thereof, such person shall be punished by a fine and/or imprisonment as authorized by law for the punishment of a misdemeanor. Each day that a violation continues shall constitute a separate offense.

(b) Civil Enforcement. In the event of a violation of this ordinance, the Town Board, in addition to the other remedies, may institute appropriate criminal and/or civil actions or proceedings to prevent, restrain, correct or abate such violations. Criminal prosecution of a violation shall not bar the Town from also pursuing a civil remedy, just as pursuit of a civil remedy does not bar criminal prosecution of a violation.

17. Delegation. The Town Board may delegate authority to administer and enforce all or any aspect of this ordinance to one or more supervisors, employees, contractors or agents as it deems appropriate.

18. Repealer. Any previous ordinance or regulation adopted by the Town Board regarding the same matters are hereby repealed and replaced by this Ordinance and are hereby repealed as of the effective date of this Ordinance.

19. Severability. If any portion of this ordinance is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

20. Effective Date. This Ordinance shall take effect and be in full force on the first day of publication of approved summary language after its passage.

Adopted on this 14th day of July 2025.

BY THE TOWN BOARD

Jon Auge, Chair

Attest: _____
Naomi Scott, Town Clerk