

CALL TO ORDER

The regular meeting of the Lincoln County Planning Commission was called to order by Chairman Jongeling on December 19, 2022 at 5:15 p.m. in the Commissioner's Meeting Room of the Lincoln County Courthouse.

ROLL CALL

Planning Commission members present were Mark Johnson, Colin Enstad, Scott Green, Erik Scott, Tiffani Landeen, and Jerry Jongeling. Board of Commissioners present for the work session were Jim Schmidt, Joel Arends, and James Jibben. County staff present were Toby Brown and Noah Watson.

APPROVAL OF THE MEETING MINUTES

- 1) Chairman Jongeling asked if there were any changes to the meeting minutes from November 21, 2022. Commissioner Green pointed out that on Agenda Items 3 and 4, Commissioner Enstad was mistakenly placed on the vote instead of Commissioner Johnson. Hearing no more proposed changes, a motion was made by Commissioner Green and seconded by Commissioner Scott to approve the minutes with corrections to Public Hearing Items 3 and 4 that would replace Commissioner Enstad with Commissioner Johnson. A roll call vote was taken. Yeas: Johnson, Enstad, Green, Scott, Landeen, Jongeling. Nays: None. Motion carried.

APPROVAL OF THE MEETING AGENDA

Chairman Jongeling asked if there were any changes to the meeting agenda. No one proposed any changes. A motion was made by Commissioner Landeen and seconded by Commissioner Johnson to approve the meeting agenda. A roll call vote was taken. Yeas: Johnson, Enstad, Green, Scott, Landeen, Jongeling. Nays: None. Motion carried.

PUBLIC INPUT ON NON-AGENDA ITEMS

Chairman Jongeling opened the floor for public comment on non-agenda items. Hearing none, he closed the floor to public comment on non-agenda items.

OLD BUSINESS

No old business was discussed.

PUBLIC HEARINGS

- 1) Toby Brown introduced the application and presented a brief summary of the staff report. Korey Kyle was present to speak and answer questions. Chairman Jongeling opened the floor to public comment. Greg Best, 5200 South Rateliff Avenue, spoke in favor of the application. Dennis Kautz, 46533 270th Street, and Thomas Waldner, 46549 270th Street, spoke in opposition to the application. Hearing no additional comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Johnson and seconded by Commissioner Green to recommend denial of the application to the Board of County Commissioners. A roll call vote was taken. Yeas: Johnson, Enstad, Green, Scott, Jongeling. Nays: Landeen. Motion carried.
- 2) Toby Brown introduced the application and presented a brief summary of the staff report. Nick Davey was present to speak and answer questions. Chairman Jongeling opened the floor to public comment. Sarah Oudman and Dirk Oudman, 27943 471st Avenue, spoke in favor of the application. Marleen Sweeter, 47158 283rd Street, brought attention to the importance of road conditions for the township. Hearing no additional comments, Chairman Jongeling closed the floor to public comment. A motion

was made by Commissioner Scott and seconded by Commissioner Enstad to approve the application with the following conditions:

1. The operation shall be substantially in accordance with the submitted Site Plan (dated October 18, 2022).
2. Any expansion or intensification of the use beyond that which has been proposed by the applicant shall be treated in the same manner as a request for a new Conditional Use Permit, as per the Lincoln County Code of Ordinances.
3. All materials and equipment shall be stored in an enclosed building or secured outdoor storage.
4. The permit holder shall comply with the road authority's (Lynn Township) access requirements, improvements and/or standards it has, if any.
5. The Major Home Occupation will be in conformance with the criteria specified in Section 154.244 of the Lincoln County Code of Ordinances.
6. There shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
7. The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
8. The permit holder is responsible for compliance with all Federal, State, and Local rules, regulations, and permitting requirements.

A roll call vote was taken. Yeas: Johnson, Enstad, Green, Scott, Landeen, Jongeling. Nays: None. Motion carried.

- 3) Toby Brown introduced the application and presented a brief summary of the staff report. Russ VanderPol was present to speak and answer questions. Chairman Jongeling opened the floor to public comment. Hearing no comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Green and seconded by Commissioner Enstad to approve the application with the following conditions:

1. The construction shall be substantially in accordance with the submitted Site Plan (dated October 27, 2022).
2. The total area of accessory buildings shall not exceed 6,112 square feet on the property.
3. Any expansion or intensification of the use beyond that which has been proposed by the applicant shall be treated in the same manner as a request for a new Conditional Use Permit, as per the Lincoln County Code of Ordinances.
4. The permit holder shall comply with the road authority's (LaValley Township) access requirements, improvements and/or standards it has, if any.
5. The building shall only be used for the storage of personal property, and no commercial uses and commercial storage shall take place.
6. There shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
7. The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.

8. The permit holder is responsible for compliance with all Federal, State, and Local rules, regulations, and permitting requirements.

A roll call vote was taken. Yeas: Johnson, Enstad, Green, Scott, Landeen, Jongeling.
Nays: None. Motion carried.

- 4) Toby Brown introduced the application and presented a brief summary of the staff report. Rhiannon Nothdurft was present to speak and answer questions. Chairman Jongeling opened the floor to public comment. Zach Nothdurft, 117 East 1st Avenue, spoke in favor of the application. Hearing no additional comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Scott and seconded by Commissioner Green to approve the application with the following conditions:
 1. The construction shall be substantially in accordance with the submitted Site Plan (dated December 12, 2022).
 2. Any expansion or intensification of the use beyond that which has been proposed by the applicant shall be treated in the same manner as a request for a new Conditional Use Permit, as per the Lincoln County Code of Ordinances.
 3. The existing home shall be removed prior to the placement of the manufactured home.
 4. The permit holder shall comply with the road authority's (LaValley) access requirements, improvements and/or standards it has, if any.
 5. The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
 6. The permit holder is responsible for compliance with all Federal, State, and Local rules, regulations, and permitting requirements.

A roll call vote was taken. Yeas: Johnson, Enstad, Green, Scott, Landeen, Jongeling.
Nays: None. Motion carried.

- 5) Toby Brown introduced the application and presented a brief summary of the staff report. Brian Kabat was present, via phone, to speak and answer questions on behalf of the applicant, Verizon Wireless. Chairman Jongeling opened the floor to public comment. Hearing no comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Johnson and seconded by Commissioner Scott to approve the application with the following conditions:
 1. The construction shall be substantially in accordance with the submitted Site Plan (dated April 21, 2020).
 2. Any expansion or intensification of the use beyond that which has been proposed by the applicant shall be treated in the same manner as a request for a new Conditional Use Permit, as per the Lincoln County Code of Ordinances.
 3. A sign including the owner's name, telephone number, and site ID number shall be provided on the perimeter fence.
 4. All lighting on site shall be down-directional, sharp cut-off luminaries, to ensure no spillage of illumination of the parcel.
 5. All materials shall be stored in an enclosed building or secured outdoor storage.

6. The permit holder shall comply with the road authority's (Springdale Township) access requirements, improvements and/or standards it has, if any.
7. There shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
8. The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
9. The permit holder is responsible for compliance with all Federal, State, and Local rules, regulations, and permitting requirements.

A roll call vote was taken. Yeas: Johnson, Enstad, Green, Scott, Landeen, Jongeling.
Nays: None. Motion carried.

NEW BUSINESS

- 1) Toby Brown presented the 2022 Year in Review PowerPoint (with statistics through November 2022) and the 2023 Planning Commission Work Plan. The Planning Commission and Board of Commissioners also discussed additional topics related to development trends.
- 2) Toby Brown updated the Planning Commission that the Board of Commissioners overruled/amended the denial of USE-0068-2022 on November 22, 2022.

ADJOURNMENT

A motion was made by Commissioner Landeen and seconded by Commissioner Green to adjourn the meeting at 7:35 p.m. A voice vote was taken. Yeas: All. Nays: None. Motion carried.