

**Lincoln County Planning Commission
Meeting Minutes
January 16, 2024**

CALL TO ORDER AND ROLL CALL

The regular meeting of the Lincoln County Planning Commission was called to order by Acting Chairperson Scott on January 16, 2024 at 6:30 p.m. in the Commissioner's Meeting Room of the Lincoln County Courthouse. County Planning Commission members present were Marlene Sweeter, Jerry Jongeling, Todd Boots, Scott Green, and Erik Scott. County staff present were Toby Brown and Noah Watson.

APPROVAL OF THE MEETING MINUTES

- 1) Commissioner Scott asked if there were any changes to the meeting minutes from December 18, 2023. No one proposed any changes. A motion was made by Commissioner Boots and seconded by Commissioner Green to approve the meeting minutes from December 18, 2023. A voice vote was taken. Yeas: All. Nays: None. Motion carried.

APPROVAL OF THE MEETING AGENDA

Commissioner Scott asked if there were any changes to the meeting agenda. There were none. A motion was made by Commissioner Jongeling and seconded by Commissioner Sweeter to approve the meeting agenda. A voice vote was taken. Yeas: All. Nays: None. Motion carried.

PUBLIC INPUT ON NON-AGENDA ITEMS

Commissioner Scott opened the floor for public input on non-agenda items. Hearing none, he closed the floor to public input on non-agenda items.

PUBLIC HEARINGS

- 1) **Application:** USE-0078-2023: Conditional use permit to allow motor vehicle sales within Unit #1 on the property legally described as Tract 25, Southwest Industrial Park, NE1/4 SE1/4, Section 24-T100N-R51W Delapre Township.
Applicant: Pederson Auto Brokers, LLC
Property Owner: ROJ, LLC
Location: 27050 Sunset Boulevard (Unit #1)

Toby Brown introduced the application and presented a brief summary of the staff report. Commissioner Green asked staff if condition #6 applied to all parking. Mr. Brown responded that no vehicle display would be allowed outside. Rahn Pederson was present to speak and answer questions. Mr. Pederson agreed with the staff analysis and stated that all vehicles would be kept inside. Commissioner Green inquired about projected vehicle sales. Rahn Pederson stated that typically 6–10 sales are made a year, the majority of which are done online. Commissioner Green then asked if any repair work would be done on site and if Mr. Pederson found the conditions acceptable. Rahn informed the commission that on-site work was limited to cleaning and that all conditions were acceptable. Commissioner Scott then opened the floor to public comment. Hearing none, Commissioner Scott closed the floor to public comment. A motion was made by Commissioner Green and seconded by Commissioner Boots to approve the application with the following conditions:

1. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
2. No motor vehicles in disrepair or waiting to be repaired shall be stored outside unscreened.
3. No outside storage of equipment, parts, or materials shall be permitted.
4. All junk, debris, and other discarded items must be promptly removed from the site.
5. All employees, customers, and vehicles for sale shall park on-site and in designated spaces.
6. No vehicles for sale shall be displayed out front.
7. There shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
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: Green, Boots, Jongeling, Sweeter, and Scott. Nays: None. Motion carried.

OLD BUSINESS

No old business was discussed.

NEW BUSINESS

- 1) Work Session: Comprehensive Plan Update.

Toby Brown started by requesting that the joint meeting between the planning commission and board of commissioners be set for February 20, 2024 at 5:00 pm. Mr. Brown explained that the joint meeting would be used to present an annual report on building activity and to allow a conversation of the draft future land use map and the goals/policies of the comprehensive plan update.

Toby Brown then elaborated on the current status of the comprehensive plan. Mr. Brown informed the planning commission that all rural commercial/industrial nodes had been moved to the interstate interchanges. The purpose of this change was to provide new areas for that type of development without compromising the rural quality of life. Toby Brown emphasized that the survey results show that Lincoln County residents desire to keep rural areas rural. Mr. Brown also pointed out that urban expansion areas were removed from the future land use map to encourage municipalities to pursue joint jurisdictional planning and zoning. Mr. Brown then continued on to discuss the goals and policies of the comprehensive plan. Mr. Brown stated that revisions would be made to simplify the goals and policies of the comprehensive plan. Mr. Brown went on to say that the survey would be closed on Friday, January 19, 2024, and replaced with a story map that will show the comprehensive plan progress update to date. The public will be able to make comments on the draft future land use map.

Toby Brown then invited any questions from the planning commission. Commissioner Green asked if staff anticipated municipalities accepting joint jurisdiction areas. Mr. Brown explained that it would take time for any joint jurisdiction areas to be adopted,

but he did anticipate that informal and formal agreements would be made between the county and municipalities. Commissioner Green implied that the omission of the urban expansion areas on the Future Land Use map would then reserve those areas for agricultural areas or annexation. Commissioner Scott agreed with Commissioner Green and expressed interest in deferring decisions within proximity of municipalities to the municipalities. Mr. Brown agreed and explained that urban expansion areas now extend out from municipalities by about 3-miles, and this has created conflict between the county and municipalities regarding zoning decisions. Discussion was also had on the costs associated with premature development once municipalities begin annexing those properties. Commissioner Jongeling thanked Mr. Brown and all involved in the Comprehensive Plan update and encouraged municipalities to pursue joint jurisdiction or informal agreements with Lincoln County. Toby Brown closed out the discussion by further emphasizing the importance of the comprehensive plan update and the impact it will have on Lincoln County for years to come.

Mr. Brown then informed the planning commission that the board of commissioners upheld the decision of the planning commission on the appeal of conditional use permit USE-0072-2023 and the recommendation of RZNE-0069-2023. Commissioner Scott expressed appreciation of the decisions made by the board of commissioners to continue adhering to the comprehensive plan and the recommendations of the planning commission. Commissioner Scott then requested an update on the status of carbon transmission pipeline ordinances. Toby Brown informed the planning commission that the ad hoc committee recommended frameworks for the ordinance, which was then drafted by county staff. These ordinances will be presented to the board of commissioners on January 23, 2024, along with a request to remand them back to the planning commission for a recommendation. Commissioner Scott also requested clarification on the current permitting process for carbon transmission pipelines in the county. Mr. Brown explained that the use is not currently identified, which could be interpreted to mean that the use is not allowable or only allowable in the I-2 General Industrial district. Mr. Brown also provided insight into each proposed ordinance.

ADJOURNMENT

A motion was made by Commissioner Green and seconded by Commissioner Jongeling to adjourn the meeting at 7:12 p.m. A voice vote was taken. Yeas: All. Nays: None. Motion carried.