Lincoln County Planning Commission
Meeting Minutes
February 20, 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 February 20, 2024 at 5:13 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, Jim Schmidt, and Erik Scott. County Board of Commissioners present were James Jibben, Tiffani Landeen, Jim Schmidt, and Joel Arends. The Board of Commissioners were present for a joint work session from 5:13 p.m. to 6:25 p.m. 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 January 16, 2024. No one proposed any changes. A motion was made by Commissioner Green and seconded by Commissioner Jongeling to approve the meeting minutes from January 16, 2024. A voice vote was taken. Yeas: All. Nays: None. Motion carried.

APPROVAL OF THE MEETING AGENDA

Commissioner Scott asked for a motion to move item #1 of new business to after the approval of the meeting agenda and approve the meeting agenda. A motion was made by Commissioner Jibben and seconded by Commissioner Boots to approve the meeting agenda and move item #1 of new business to after approval of the 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-0003-2024: Conditional use permit to exceed 1.500 square feet of accessory building space (requesting 4,000 square feet) on the property legally described as Tract 2, Skiles Addition, SW1/4 SE1/4, Section 33-T99N-R50W LaValley Township.
   Applicant: Bryan Dobesh
   Property Owner: Bryan & Julie Dobesh
   Location: 47254 279th Street

   Toby Brown introduced the application and presented a brief summary of the staff report. Bryan Dobesh was present to speak and answer questions. Mr. Dobesh agreed with the staff's analysis and stated that the building would be used for personal storage. Some questions were asked about the equipment on site, if the applicant found the conditions acceptable, and if additional access would be added. Mr. Dobesh explained the equipment was for the construction of the shop, the conditions were acceptable, and that no access would be added. Commissioner Scott then opened the floor to public comment. First, those in favor were asked to come forward. Seeing none, Commissioner Scott asked those in opposition to come forward. Shawn Lund, 47257

279th St, expressed concerns about the size of the structure and the potential of a business operating on the site. Commissioner Scott invited Bryan back to answer questions. Questions were asked about the size of the shop, the black dirt on site, the current storage of work materials, and storage of large equipment. Mr. Dobesh answered that the size was within his budget, the black dirt was from the construction of the house, and that only his tools would be stored on site. Hearing no additional comments, 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. Before occupancy, all development and construction is to substantially comply with the approved plans.
3. The accessory building shall only be used for the storage of personal property, and no commercial uses and commercial storage shall take place.
4. There shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
5. The permit holder is responsible for compliance with all Federal, State, and Local rules, regulations, and permitting requirements.

Deliberation was had amongst the Planning Commission. A roll call vote was taken. Yeas: Sweeter, Jongeling, Boots, Green, Schmidt, and Scott. Nays: None. Motion carried.

OLD BUSINESS

No old business was discussed.

NEW BUSINESS

1) Joint Work Session with the Board of Commissioners - 5:00 p.m.

Mr. Brown gave a presentation on the 2023 year for the Planning and Zoning Department. This presentation highlighted increased permits, increased permit fees, and record-breaking construction values. Mr. Brown went on to discuss the Planning Commission 2024 Work Plan which included adopting the comprehensive plan update and updating the Lincoln County zoning ordinance.

Mr. Brown informed the planning commission and board of commissioners about the current status of the comprehensive plan update as well as the history of planning & zoning in Lincoln County. Mr. Brown shared the changes between the past zoning ordinances and comprehensive plans and how they have influenced where we are today. Mr. Brown then showcased the current proposed goals/policies and future land use map of the comprehensive plan update.

Mr. Brown emphasized that the comprehensive plan update was drafted to reflect the opinions of the constituents of the county that were provided in various surveys and stakeholder meetings. Mr. Brown also stated that the comprehensive plan update was drafted to be easier to interpret, encourage development to move towards municipalities/appropriate nodes, and preserve agriculture and the rural quality of life. Mr. Brown provided insight into how the goals of the comprehensive plan update would help mitigate some of the issues faced by those developing in the county and encourage more cooperative planning with municipalities.

The planning commission and board of commissioners deliberated and expressed opinions on rural residential zoning, traffic/road quality, joint jurisdiction, spot zoning, new uses, and rural commercial/industrial. After deliberation, Commissioner Scott adjourned the Joint Work Session with the Board of Commissioners and called for a recess.

2) Election of Planning Commission Officers for 2024.

Mr. Brown introduced the item and explained the election process to the Planning Commission.

A motion was made by Commissioner Boots and seconded by Commissioner Sweeter to nominate Erik Scott to be the Planning Commission Chairperson. A roll call vote was taken. Yeas: Sweeter, Jongeling, Boots, Green, Schmidt, and Scott. Nays: None. Motion carried.

A motion was made by Commissioner Green and seconded by Commissioner Scott to nominate Jerry Jongeling to be the Planning Commission Vice-Chairperson. A roll call vote was taken. Yeas: Sweeter, Jongeling, Boots, Green, Schmidt, and Scott. Nays: None. Motion carried.

A motion was made by Commissioner Boots and seconded by Commissioner Jongeling to appoint Collin Enstad and Monty Derousseau as Planning Commission Alternates. A voice vote was taken. Yeas: All. Nays: None. Motion carried.

Finally, Mr. Brown informed the Planning Commission that the board has one vacancy in District #1.

3) Work Session: Remanded Carbon Dioxide Pipelines and Carbon Dioxide Production Facilities Ordinances.

Mr. Brown introduced the item and recommended that the Planning Commission set a public hearing date for all four of the remanded carbon dioxide pipelines and carbon dioxide production facilities ordinances. Mr. Brown also informed the Planning Commission that the Board of County Commissioners requested that the Planning Commission propose a fee schedule for the remanded ordinances.

Some questions were asked about the proposed bill in the state legislature and how it would affect the remanded ordinances. Mr. Brown informed the Planning Commission that a public hearing should still be set for the remanded ordinances.

A motion was made by Commissioner Green and seconded by Commissioner Sweeter to schedule a public hearing for the remanded carbon dioxide pipelines and carbon dioxide production facilities ordinances on the next Planning Commission meeting, pending any legislative developments with the State. A voice vote was taken. Yeas: All. Nays: None. Motion carried.

ADJOURNMENT

A motion was made by Commissioner Boots and seconded by Commissioner Green to adjourn the meeting at 7:19 p.m. A voice vote was taken. Yeas: All. Nays: None. Motion carried.