

**Lincoln County Planning Commission
Meeting Minutes
March 19, 2024**

CALL TO ORDER AND ROLL CALL

A special meeting of the Lincoln County Planning Commission was called to order by Chairperson Scott on March 19, 2024 at 6:31 p.m. in the Commissioner's Meeting Room of the Lincoln County Courthouse. Planning Commission members present were Marlene Sweeter, Jerry Jongeling, Todd Boots, Jim Schmidt, Collin Enstad, and Erik Scott. County staff present were Toby Brown, Noah Watson and Drew DeGroot.

APPROVAL OF THE MEETING MINUTES

- 1) Commissioner Scott asked if there were any changes to the meeting minutes from February 20, 2024. No one proposed any changes. A motion was made by Commissioner Boots and seconded by Commissioner Jongeling to approve the meeting minutes from February 20, 2024. A voice vote was taken. Yeas: All. Nays: None. Motion carried.

APPROVAL OF THE MEETING AGENDA

Commissioner Scott asked for a motion to approve the meeting agenda. A motion was made by Commissioner Jongeling and seconded by Commissioner Enstad 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-0008-2024: Conditional use permit to exceed 20,000 square feet of warehousing building space (requesting 62,250 square feet) on the property legally described as Tract 13, Southtown Addition, Government Lots 1 and 2, NW1/4, Section 7-T98N-R50W Lynn Township.
Applicant: Zach Porter
Property owner: Heibult Investment, LLC
Location: Parcel ID: 098.50.07.C130

Toby Brown introduced the application and presented a brief summary of the staff report. Zach Porter was present to speak and answer questions. Zach Porter explained the proposal to the Planning Commission. Some questions were asked about the intent of the units, the number of units, electrical codes, and fire suppression requirements. Commissioner Scott then opened the floor to public comment. Seeing none, Commissioner Scott closed the floor to public comment. A motion was made by Commissioner Jongeling 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/operation, all development and construction is to substantially comply with the approved plans.
3. The proposed buildings shall only be utilized for warehousing.
4. There shall be no unsecured or unscreened outdoor storage.
5. There shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
6. 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, Schmidt, Enstad, and Scott. Nays: None. Motion carried.

- 2) **Application:** USE-0010-2024: Conditional use permit to allow a Class 1 Major Home Occupation on the property legally described as N350' W65' NE1/4 and N500' E420' NW1/4, Section 28-T96N-R50W Pleasant Township.
Applicant: Keegan and Mikayla Nordquist
Property Owner: Same
Location: 47247 295th St

Toby Brown introduced the application and presented a brief summary of the staff report. Keegan Nordquist was present to speak and answer questions. Keegan Nordquist explained the proposal. Some questions were asked about what equipment would be welded on site and how long the applicant had been welding/fabricating. Commissioner Scott then opened the floor to public comment. First, those in favor were asked to come forward. Commissioner Scott read correspondence from Elizabeth Rahn, 47262 295th St, supporting the application. Commissioner Scott asked those in opposition to come forward. Hearing no additional comments, Commissioner Scott closed the floor to public comment. A motion was made by Commissioner Enstad 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/operation, all development and construction is to substantially comply with the approved plans.
3. The occupation shall be conducted entirely within a dwelling and/or accessory building and clearly incidental to the use of the structure for residential purposes.
4. The occupation shall be operated by a member of the family residing in the dwelling.
5. Employees of the occupation shall be limited to residents of the dwelling and up to two non-resident employees, not to exceed four employees on site.
6. In addition to the dwelling, up to 2,000 square feet of accessory building space may be used for the occupation.
7. The occupation shall not create noise which, when measured off the property, exceeds 60 decibels between the hours of 8:00 a.m. and 6:00 p.m. The occupation shall not create noise which is detectable to the normal sensory perception off the property between the hours of 6:00 p.m. and 8:00 a.m. These

off the property noise standards shall not apply to public and railroad rights-of-way.

8. The occupation shall not create vibration, glare, fumes, odor, or electrical interference detectable to the normal senses off the property.
9. No outside storage, display of goods or merchandise, or external evidence of the occupation shall occur except as outlined in this section.
10. A non-illuminated nameplate not exceeding two square feet in area may be placed on the dwelling or accessory building. Additionally, one non-illuminated sign not exceeding four square feet in area may be located along the driveway for the occupation. No off-premises signs shall be used.
11. The occupation shall not generate more than ten visits per day from clients or customers averaged over a period of seven consecutive days.
12. There shall be only limited and incidental sale of products conducted on the premises.
13. The number of deliveries generated by the occupation shall not significantly affect the character of the area. Delivery vehicles shall be limited to auto, pick up, or typical delivery service truck.
14. 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, Schmidt, Enstad, and Scott. Nays: None. Motion carried.

- 3) Text amendments to Chapter 154 (Zoning) of the Lincoln County Code of Ordinances for carbon dioxide pipelines and carbon dioxide production facilities.

Toby Brown introduced the item and presented a summary of the staff report and the proposed amendments. Some questions were asked about potential additions to the ordinance and Senate Bill 201. Drew DeGroot was asked to come forward and answer questions. Questions were asked about Senate Bill 201 and the effects of it on the amendments. Commissioner Scott then opened the floor to public comment. First, those in favor of the application were asked to come forward. Anthony Ventura, 47763 292nd St, and Wendi Hogan, 602 Laura St, spoke in favor of the ordinance amendments. Comments were made about the township ordinances, Senate Bill 201, postponing the ordinance, support of amendment #3 (conditional use permit), and potential fees. Commissioner Scott then asked for those in opposition to come forward. Duane Carlson, 29287 467th Ave, spoke in opposition. Comments were made regarding setbacks. Hearing no additional comments, Commissioner Scott closed the floor to public comment. A motion was made by Commissioner Jongeling and seconded by Commissioner Boots to postpone the item until the August Planning Commission meeting.

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

OLD BUSINESS

No old business was discussed.

NEW BUSINESS

- 1) **Conditions Review:** USE-0032-2022: Conditional use permit to allow fireworks sales on the property legally described as Lot 3A, Tower Estates, NW1/4, Section 6-T99N-R50W LaValley Township.
Applicant: Kevin Wheeler
Property Owner: Kevin and Jodie Wheeler
Location: 47022 Teri Lane

Toby Brown introduced the item and explained that the review was a requirement of the approved conditions of conditional use permit #USE-0032-2022. Kevin Wheeler was present to speak and answer questions if needed. No action was taken, and the condition was considered to be satisfied.

- 2) Discuss conclusions from the Joint Work Session with the Board of Commissioners.

Toby Brown introduced the item and discussed the status of the Comprehensive Plan update. Mr. Brown informed the Planning Commission that a story map is currently available on the Lincoln County website that allows for public input on the Comprehensive Plan update. Discussion was had about the Comprehensive Plan, housing, and growth in the county.

Erik Scott ended the item by asking the Planning Commission to make a motion to allow Russell Swanson to provide a presentation on parliamentary procedure at the April 15, 2024 Planning Commission Meeting. A motion was made by Commissioner Boots and seconded by Commissioner Enstad to invite Russell Swanson to provide a presentation on the April 15, 2024 Planning Commission agenda. A voice vote was taken. Yays: All. Nays: None. Motion carried.

ADJOURNMENT

A motion was made by Commissioner Jongeling and seconded by Commissioner Enstad to adjourn the meeting at 8:07 p.m. A voice vote was taken. Yeas: All. Nays: None. Motion carried.