

Mower County Planning Commission

Minutes of the Mower County Planning Commission

Members Present: David Hillier, Diane Benson, Harold Boverhuis, Vance Larson, Meri Jo Lonergan, Brian McAlister.

Members Absent: Sheldon Lukes, Don Olson.

Others Present: Citizens, Glen Jacobsen (Mower Co. Asst. Attorney), Dan Vermilyea (Feedlot Office), Denise Mudra, Daryl W. Franklin.

Chair David Hillier called the regular meeting to order at 7:00 p.m. on Tuesday, September 29, 1998, at the Mower County Courthouse, 201 1st Street NE, Austin, Minnesota. Minutes of the July 28, 1998, meeting approved as mailed on a motion by Brian McAlister, seconded by Harold Boverhuis. The motion passed unanimously.

Amendment to Mower County Zoning Ordinance – Recommendation from the Feedlot Committee regarding change to the Agricultural Zone of the Mower County Zoning Ordinance. The recommendation and wording presented to the Planning Commission came from the Feedlot Committee. A discussion centered on the proposed wording of the definition for Feedlot, existing. Mr. Harold Boverhuis served on the feedlot committee as the Planning Commission representative. Mr. Boverhuis expressed concern that the proposed wording would create more limitations for feedlots which was not the intent of the committee. After an extensive discussion, a motion was made by Vance Larson, seconded by Meri Jo Lonergan, to recommend to the Board of Commissioners approval of the following amendment/change to the Mower County Zoning Ordinance:

**Division 2
Section 14-7
Current:**

Feedlot, Existing - An animal feedlot which has obtained a feedlot permit from the Mower County Feedlot Officer or Minnesota Pollution Control Agency (MPCA), a minimum size of ten (10) animal units in shoreland areas and fifty (50) animal units in other areas. Those feedlots without permits need to be permitted by the year 2000 to be considered an "existing feedlot".

**Division 2
Section 14-7**

Change to:

Feedlot, Existing – A feedlot, with or without buildings, must have had an assessed value for real estate tax purposes within the preceding five (5) years from the time of the feedlot application. In addition, lots, buildings or any combination of lots and buildings for use as a feedlot must have been used for the confined feeding, breeding, raising, or holding of ten (10) or more animal units in shoreland areas and fifty (50) or more animal units in other areas within the preceding five (5) years. Those feedlots without permits need to be permitted or apply for a permit by December 31, 1999, to be considered an "existing feedlot".

**Division 2
Section 14-7**

Add:

Feedlot, Permitted - An animal feedlot which has obtained a feedlot authorization from the Mower County Feedlot Officer and a Minnesota Pollution Control Agency (MPCA) Certificate of Compliance and other required State and Federal permits before January 1, 2000. All permits authorized by MPCA prior to June 1, 1996, shall be considered to have obtained a valid Mower County Feedlot Authorization.

The motion passed unanimously.

Amend Mower County Zoning Ordinance – Change to Article V. Outdoor Advertising of the Mower County Zoning Ordinance. A written request from Mr. Klahen was received to change the Mower County Zoning Ordinance regarding the placement of directional signs in the Agricultural District. A copy of Minnesota State Law regarding sign placement was presented to the Planning Commission. It was explained that the change to the Mower County Zoning Ordinance would adopt the state rules. After some discussion, a motion was made by Brian McAlister, seconded by Vance Larson, to recommend to the Board of Commissioners approval of the following amendment/change to the Mower County Zoning Ordinance:

Add the Following Sections:

Division 2. Agricultural District

Section 14-152. Permitted Signs

In the Agricultural District, no sign, business sign, or advertising sign shall be erected except for the following uses:

- (g) Directional Signs. Directional signs containing information about attractions, whether publicly or privately owned, deemed to be in the interest of the traveling public. To qualify for directional signs these attractions must be of outstanding interest to the traveling

public and fit into one of the following categories. Qualifying categories for directional signing are: public places; natural phenomena; historic, cultural, scientific, educational and religious sites; and areas of natural scenic beauty or naturally suited for outdoor recreation.

- (1) Directional signs must be authorized under Section 131 of Title 23, United States Code and Minnesota Statutes 173 as it applied to Directional Signs.

**Division 2
Section 14-7**

Add Definition

Directional Signs. Directional signs containing information about attractions, whether publicly or privately owned, deemed to be in the interest of the traveling public. To qualify for directional signs these attractions must be of outstanding interest to the traveling public and fit into one of the following categories. Qualifying categories for directional signing are: public places; natural phenomena; historic, cultural, scientific, educational and religious sites; and areas of natural scenic beauty or naturally suited for outdoor recreation.

The motion passed unanimously.

Amend Mower County Zoning Ordinance – Change to Section 14-8.2. Utility Line Placement. Recommended changes to the Mower County Zoning Ordinance regarding the utility line/pipe lines were discussed. The recommended changes were made by Rinke-Noonan. The County's relationship with Rinke-Noonan was explained. After some discussion, a motion was made by Vance Larson, seconded by Brian McAlister, to recommend to the Board of Commissioners approval of the following amendment/change to the Mower County Zoning Ordinance:

CURRENT:

Section 14-8.2. Utility Line Placement

(c)

Subdivision 2. Scope of Control - This ordinance and regulations contained herein shall become effective on May 6, 1980. It shall apply to all pipelines, not exempted pursuant to Minn. Stat. 1161, (1979 Session Laws) for which physical manipulation of the land within this county commences after the effective date.

Subdivision 9. Inspection Fee - Any person proposing to construct a pipeline in this county shall pay to the county treasurer a fee in accordance with Minnesota Statutes 1161.06, Subdivision 6 (1979 Session Laws).

CHANGE TO:
Section 14-8.2. Utility Line Placement

(c)

Subdivision 2. Scope of Control - This ordinance and regulations contained herein shall become effective on May 6, 1980. It shall apply to all pipelines covered by Minnesota Statutes, and all other gas pipelines for which physical manipulation of the land within this county commences after the effective date.

Subdivision 9. Inspection Fee - Any person proposing to construct a pipeline in this county shall pay to the county treasurer a fee in accordance with Minnesota Statutes and shall reimburse the County for all extraordinary costs and expenses paid or incurred by the County in connection with the application for a conditional use permit to construct a pipeline and all costs paid or incurred by the County in assuring the terms of the conditional use permit are met by the applicant.

ADD:
Section 14-8.2. Utility Line Placement

(c)

Subdivision 11. Other Requirements. As part of the issuance of a conditional use permit for the construction of a pipeline, the County may, in addition to the requirements set out in Section 14-8.2, attach such other conditions, terms, bonds, and indemnities as may be necessary to protect the public interest.

The motion passed unanimously.

OTHER BUSINESS:

There being no further business, the meeting adjourned at 8:40 p.m. on a motion by Diane Benson, seconded by Harold Boverhuis. The motion passed unanimously.

Respectfully Submitted,



Daryl W. Franklin
Mower Co. Planning Director