MEETING MINUTES
POPE COUNTY PLANNING ADVISORY COMMISSION
Thursday January 28, 2021

The Planning Advisory Commission convened in regular session on Thursday, January 28, 2021 via telephone conference call in an effort to comply with MDH recommendations issued with the declared Peacetime Emergency in response to the spread of COVID-19 (coronavirus) in MN.

Members Present: Roger Isdahl, Ronald Feigum, Ivie Cooley, John Messenger, Brian Jergenson, Mark Halls, Larry Lindor (County Commissioner) and Cody Rogahn (C.C. alt)

Other Officials Present: David Green (Land & Resource Management Director), Shelley Cameron (Sr. Administrative Associate) and Jessica Hill (Land Use Specialist)

The meeting was called to order by Director Green at 6:09 p.m.

Election of Officers

Director Green asks for nominations for the position of chairman. No nomination made so Vice Chair will ascend to Chair. Chairman Messenger takes over the meeting and asks for nomination for Vice Chairman. Jergenson nominates Roger Isdahl. Halls seconded. Vote called with no dissenting votes noted.

The following items were addressed by the chair:

Additions and Corrections to the Agenda

There was no additions or corrections to the agenda.

Review Minutes of December 17, 2020
The minutes of the Planning Advisory Commission meeting held on Thursday; December 17, 2020 were submitted for approval. Motion by Commissioner Lindor to accept the minutes as written. Jergenson seconded. Motion carried with no dissenting votes noted.

Proposed Zoning Map Amendments:

a. **Fifteen (15) acres (approximately) of land described being located in the north four hundred (400) feet of the NE SW quarter and part of the SW quarter of Section 5, Township 123 Range 40 of Hoff Township.**

Chairman Messenger introduces the item. Director Green presents staff report and states "staff does not feel there are any negative impacts to traffic, or public facilities as a result of a zoning change in this area." Chairman Messenger opens the public meeting and asks "is there anyone speaking in favor of this?" None noted. Chairman Messenger asks "is there anyone speaking against this?" None noted. Chairman Messenger closes the public hearing. Comments from the site team indicate that they have no objections or concerns. Chairman

Messenger seeks a motion. Isdhal makes a motion to approve the rezoning. Cooley Seconded. Motion carried with no dissenting votes noted.

b. **Eighty (80) acres (approximately) of land described as being located in the E ½ of the SE quarter of Section 35, Township 125 Range 39 of White Bear Lake Township.**

Chairman Messenger introduces the item. Director Green presents staff report and recommends approval with findings to support and states "there is no impact to the nearest feedlot as comments provided by the County Ag Inspector/Feedlot Officer." Chairman Messenger opens the public meeting and asks "is there anyone speaking in favor of this?" None noted. Chairman Messenger asks "is there anyone speaking against this?" Jim Dittbenner states "we just bought here and I am curious what type of precedence this will have when we do decide to build. If we go as far as rules and regulations will the covenants or the rules of the county or is a combination of both?" Director Green states "basically covenants are contracts between you the purchaser, the seller and your neighbors. The county does not enforce covenants. The county would direct you to talk to your township as well." Jim Dittbenner states "thank you I was just wondering what took precedence and are you just kind of cleaning up some issues and this is why this is a proposed change?" Director Green states "from the perspective of staff, there were a number of areas in the county that we noticed some anomalies in terms of how land had been developed and then the way it ended up consequently being zoned. So, we are just going through identifying a few of these areas and trying to address them. The impacts are minimal to none to both the property owners within this proposed zoning district and those adjacent to it." Chairman Messenger closes the public hearing. Comments from the site team indicate that they have no objections or concerns. Chairman Messenger seeks a motion. Jergenson makes a motion to approve. Cooley seconded. Motion carried with no dissenting votes noted.

c. **Sixty-Nine (69) acres (approximately) of land described being located in the east six hundred sixty feet (660) of the NE quarter of Section 23, Township 125 Range 39 and the west six hundred sixty feet (660) of the NW quarter of Section 24, Township 125 Range 39 White Bear Lake Township.**

Chairman Messenger introduces the item. Director Green presents staff report and recommends approval with findings to support. Staff finds no impacts to any surrounding feedlots. Commissioner Lindor asks "is there a reason why on the east side that the line didn't go over to include the house there? I see the shed and some out buildings are in there but the house is not. What are the advantages or disadvantages to moving that line over to include the house?" Director Green states "what we tried to do is keep an even measurement so that the geometry works out well. I also was not sure if this was a non-farm agricultural. There can be an argument made to drag the line over further to the edges of these ¼ ¼ sections. Staff does not have an objection to expanding this if that would be the will of the planning commission." Chairman Messenger opens the public meeting and asks "is there anyone speaking in favor of this?" None noted. Chairman Messenger asks "is there anyone speaking against this?" None noted. Chairman Messenger closes the public hearing. Comments from the site team indicate that they have no objections or concerns. Chairman Messenger seeks a motion. Feigum makes a motion to approve. Motion fails with no second. Feigum withdraws his motion and makes a

motion to approve with the redraw of the proposed boundaries to add the small area to the east." Jergenson seconded. Motion carried with no dissenting votes noted.

d. **One hundred twenty-nine (129) acres of land described as being partially located in Government Lots 1 and 2 of Section 25, Township 125 Range 39 and in the SE quarter of Section 24 Township 125 Range 39 of White Bear Lake Township.**

Chairman Messenger introduces the item. Director Green presents staff report with recommendation to approve with staff findings to support. Staff doesn't see any impacts with this agriculture use changed to a residential use. Chairman Messenger opens the public meeting and asks "is there anyone speaking in favor of this?" None noted. Chairman Messenger asks "is there anyone speaking against this?" Brady Riley states "I am a property owner in this section and my question is that my house is literally cut in half on the map and I wonder how this will impact me?" Director Green states "in the zoning world, if the question comes to what zone am I in when applying for a permit they will look at what is the dominate zone. Your parcel you could argue both ways but I would expect in your case we would argue your residential and if wanted to expand we would not deem you as non-conforming provided your minimum lot size is correct and your setbacks have been met. So, the change in zoning essentially wouldn't have any impact to you other than eliminating any debate as to what zone you are in." Brady Riley states "this motion is to just to make this zone as residential and not to necessarily put this in the city limits is that correct?" Director Green states "that is correct. We know of no initiative to annex this area. This zoning is simply a function of unincorporated areas of the county outside of the city limits we think should be rezoned as to what their current use is now. It should have no impact on taxes as well. This was the two things that most people were concerned about, the annexation and taxes. Neither are expected to be impacted." Chairman Messenger closes the public hearing. Comments from the site team indicate that they have no objections or concerns. Chairman Messenger seeks a motion. Feigum makes a motion to approve. Isdahl seconded. Motion carried with no dissenting votes noted.

Proposed Amendments to Land Use Controls Ordinance

Director Green presents a review of proposed amendments to various sections for the Pope County Land Use Ordinance and there is open discussion with the Planning Advisory Commission. Chairman Messenger seeks a motion to approve the proposed amendments presented by staff here tonight. Jergenson makes a motion to approve. Feigum seconded. Motion carried with no dissenting votes noted.

Tabled/Old Business

There was no tabled or old business.

Adjournment 8:09 p.m. Motion by Commissioner Lindor to adjourn the Planning Advisory Commission meeting. Motion seconded by Cooley. Motion carried with no dissenting votes noted. *Feigum joined the meeting at 6:41 p.m.*

Respectfully submitted,

Shelley Cameron/Sr. Administrative Associate
Pope County Land & Resource Management