

**CASS COUNTY PLANNING COMMISSION
APRIL 25, 2019**

1. MEETING TO ORDER

A meeting of the Cass County Planning Commission was called to order on April 25, 2019, at 7:00 AM in the Vector Control Conference Room with members present as follows: David Gust, Ken Lougheed, Keith Monson, Dr. Tim Mahoney and Duane Breitling. Brad Olson and Kevin Fisher were absent. Also present were County Planner Barrett Voigt; County Engineer Jason Benson and Assistant County Engineer Tom Soucy.

2. MINUTES, APPROVED

MOTION, passed

Dr. Mahoney moved and Mr. Breitling seconded to approve the minutes of the February 28, 2019 meeting as presented. Motion carried.

3. PUBLIC HEARING ITEMS

a. Minor Subdivision application and variance request—Ottis Subdivision in Normanna Township

Mr. Lougheed opened the public hearing.

Mr. Voigt provided an overview of an application for a minor subdivision entitled Ottis Subdivision and variance request for the transfer of development rights from land located in the 1% annual chance flood plain located in Normanna Township, a part of the West ½ of Section 34, Township 137 North, Range 50 West.

Mr. Voigt stated that the applicant is proposing to divide the residence from the farm yard and that there are no proposals for new construction. The access easement will be dedicated on the final plat. The current regulatory Flood Insurance Rate Map delineates the majority of the land of the subject property and surrounding property with the 1% annual chance floodplain. The Cass County Subdivision Ordinance prohibits the transfer of development rights from properties with floodplain designations. Staff recommends the variance because a new flood insurance study shows that the 1% annual chance flood plain will be removed when it is tentatively adopted in the fall. Staff recommends approval with the following conditions:

1. A deed restriction be recorded that meets the requirements of Section 308 of the Cass County Subdivision Ordinance.

The public hearing was closed.

MOTION, passed

Mr. Gust moved and Mr. Monson seconded to approve the minor subdivision and variance request with the conditions outlined by the County Planner.

Motion carried.

b. Application requesting a Text Amendment to Cass County Subdivision Ordinance

Mr. Lougheed opened the public hearing.

Mr. Voigt provided an explanation of the proposed text amendment to amend Sections 106.4, 302.1, 302.4, 303, 303.4, and 305.1 of the Cass County Subdivision Ordinance relating to application requirements. This change would remove the 21 day deadline in all sections to eliminate any conflict with state statute.

The public hearing was closed.

MOTION, passed

Dr. Mahoney moved and Mr. Breitling seconded to approve the text amendments to the Cass County Subdivision Ordinance as outlined by the County Planner.

Motion carried.

c. Application requesting a Text Amendment to Cass County Subdivision Ordinance

Mr. Lougheed opened the public hearing.

Mr. Voigt provided an explanation of the proposed text amendment to amend Section 203 of the Cass County Subdivision Ordinance relating to subdivision ordinance exemptions. This change would allow for lot line adjustments of abutting properties with agricultural land use.

Discussion was held by the board as to whether or not it would be necessary to limit the amount of land transferred or gained. Mr. Gust stated that limiting the agricultural land transaction amount prevents building on any development. The opinion of the board members is that the size limit is not needed.

Mr. Ellig was present as a private citizen and spoke with regards to whether the board or county has the authority to regulate something where no development is proposed. He questions whether the county is putting unnecessary or unauthorized restrictions on agricultural land.

The public hearing was closed.

MOTION, passed

Mr. Gust moved and Dr. Mahoney seconded to approve the text amendment to the Cass County Subdivision Ordinance as outlined by the County Planner, striking the 15% limit language.

Motion carried.

4. NEW BUSINESS

a. Recognition of the service of Todd Ellig

The board recognized Todd Ellig for his 22 years of service on the Cass County Planning Commission and thanked him for all of his work.

5. ADJOURNMENT

On motion by Mr. Gust, seconded by Dr. Mahoney, and all voting in favor, the meeting was adjourned at 7:40 AM.

Minutes prepared by DeAnn Buckhouse, Election Coordinator