

The agenda for this meeting was posted in the legal paper of record, the Plattsouth Journal, on September 15, 2022. The Chairman, Alan Mueller, opened the public meeting at 7:00 pm & stated that the open meetings act is posted on the wall. Planning Commission Members Althouse, Mueller, Tesar, Oehlerking and Dennis met as advertised. Sullivan, Staben, Felthousen and Widick were not in attendance.

The first item on the agenda was a presentation by Courtney Kennedy for OPPD – this is a repeat from the August 29, 2022 due to a complaint that it wasn't posted on the agenda on the County website. The subject was their Plan for the Future and Power needs. A presentation about the first solar facility for OPPD located east of Fort Calhoun in Washington County. It's 5 megawatts and has been operational since 2019. She then gave an oral statement about "What is Solar".

The second item on the agenda was regulations update. Mueller stated that Jensen and Tesar were tasked with cleaning up the regulations. Jensen brought a list of the items that they had gone over and their proposed changes.

- **Fine tune 1/40, 1/20 language.** Jensen stated they are still working on the language of this. This will provide clarification while leaving it as it was. Mueller asked about irregular lot splits. 10% variance will stay for corrections, cemetery, road right-of-way and NRD trails. All members are ok with this.
- **Commercial Solar in TA clarify setback is measured from residence.** 300 ft. from approximate center of structure. 120 ft. from centerline of road. Discussion followed. Side and rear setbacks 50 ft. If two participating connected parcels, setbacks may be less. All members are ok with this.
- **Section 5.06 Residential acreage development- remove "A" & remove "C" out of AG.** All members are ok with this.
- **Section 5.06 matrix- residential living- remove single family dwelling limited to the living facilities for the family, relatives or persons owning, operating, and/or employed thereon.** Duplicitous. All members are ok with this.
- **Section 5.06 matrix-Civic uses- remove Church residences-ADD to Church above- associated hall and residence.** All members are ok with this.
- **Section 5.06 matrix-General Commercial-Auto wrecking, salvage or junk yard- Remove "C" from AG.** Not appropriate in AG. Size limitation? Jensen didn't think that was necessary. All members are ok with this.
- **Section 5.06 matrix-General Commercial-Bed and breakfast-Remove C from Residential.** Traffic and parking issues. All members are ok with this.
- **Section 5.06 matrix-General Commercial-Rental Cabin- ADD- less than 500 sq ft. & less than 30 days.** All members are ok with this.
- **Section 5.06 matrix-General Commercial-Indoor Storage Unit- Change- I, IND/AG T/AG Within ½ mile of a hard surface road or state highway.** Althouse thought they should ONLY be on hard surface road. Discussion followed. Mueller didn't think it was always feasible to have them on hard surface. Most members are ok with this.
- **Section 5.06 General Commercial- Remove- Self-service cleaning establishments including: RETAIN- (laundromats and laundries).** Cleaning up the language. All members are ok with this.
- **Section 5.06- Retail Stores- remove- Delicatessen.** All members are ok with this.
- **Section 5.06-Recreational Commercial- Event Centers- Remove- P- IND/AG.** Golf courses to fall under recreational facilities. All members are ok with this.
- **Section 5.06- Industrial-Outdoor Storage Facility- Change -I, I/AG, T/AG within ½ mile of a hard surface road maximum of 15 acres.** Mueller asked if screening and fencing was required. Jensen stated that he didn't think that was covered in the regulations. Mueller thought it should be on the outdoor only. They decided to remove it completely from T/A. All members are ok with this.
- **Section 5.06-Industrial- Building construction, general contractors, and builders operations Remove "C" - T/AG. ADD- "C" to IND/AG, Com/AG.** All members are ok with this.
- **Section 5.06-Industrial-Building Materials, hardware and garden supply-ADD-"P"-I.** Mueller asked where else it was located. Tesar stated it was in Commercial and Industrial AG. All members are ok with this.
- **Section 5.06-Industrial- Storage Container-ADD-"A" IND/AG.** All members are ok with this.
- **Section 5.06- Industrial-Animal rendering and hide curing- REMOVE "C" from I, COM/AG.** All members are ok with this.

- **Section 5.06-Industrial-Chemicals and allied products-REMOVE "C" from COM/AG.** All members are ok with this.
- **Section 5.06-Industrial- Mining, extraction of minerals, sand and gravel, clay, shale, limestone, and sandstone quarries-REMOVE "C" from REC/AG.** All members are ok with this.
- **Section 5.06-Parks and open space-Dog Park- CHANGE "A" to "C" in REC/AG.** All members are ok with this.
- **Section 5.06-Utilities and waste disposal- Sanitary sewer treatment facilities- ADD-"C" to I, I/AG, C/AG.** All members are ok with this.
- **Page 68 – Multifamily – 75 ft wide lots minimum lot width 70 ft.** Jensen & Tesar will work on that.
- **Page 69 – Density of auxiliary buildings – allow more buildings on a 5 – 10 acre site.** Jensen & Tesar will check with other counties to see how they do this. Jensen & Tesar will work on this.

Discussion followed about how close they were to having the regulations ready to go. They would have it ready for the County Attorney by the first part of November so he can have a couple of weeks to review it. Then they are hoping to have it ready for a late November Board of Commissioner's meeting. This will need to be added to their agenda before the meeting takes place. Althouse mentioned an article he read in a Washington County paper on feeding out 10 head of steer and take them to a certified government slaughter plant for processing. Then bring them back to his farm and freeze it to sell to the public. Is this permitted? Discussion followed. Most agreed that this would be in violation of our regulations. Oehlerking asked why this would be different than seed and chemical sales out of a residence. Both are commodities. Jensen stated that this would be no different than a grocery store. Oehlerking asked if the seed and chemical has to be NDEE certified and are permitted, why can't USDA come out and certify the beef and permit that sale. They are both commodities. They are both AG related products. Oehlerking stated to succeed in farming, you have to find a niche – if you limit these things, it makes it harder for the farmers to succeed. Mueller asked Jensen to do some research on this for the next meeting. Jensen stated he would. Tesar mentioned that Jensen had mentioned shifting the Administrative permits off of his plate – which meant it would fall on the County Board. The County Board doesn't want the responsibility of these permits, either. Tesar suggested these be brought before the Planning Commissioners. Jensen stated – basically - just lot splits would come before the Planning Commission – with Jensen taking care of the minor Administrative permits. Tesar and Jensen would discuss this more and bring it back.

Mueller then asked if there were any public comments. 2 people came up to speak – one in support of the solar project, one opposed. Their comments:

- Owns property east of the generation facility. Owners and ancestors will benefit from this project.
- Nebraska is the Cornhusker State, not the Solar state.
- Electric rates will triple.
- It will cost Cass County jobs.
- Reduces State Gross Domestic Product.
- There is a substantial likelihood of blackouts.

Mueller then asked if anyone else wished to speak. Since nobody came up, he closed the public comments portion of the meeting. He then asked Jensen if there was any other business. Jensen stated there was none. Mueller then asked for a motion to adjourn. Tesar made a motion to adjourn. Seconded by Oehlerking. A voice vote followed with all voting in favor. Meeting closed at 8:16 pm.

Linda Brouhard
Recording Secretary

*These minutes will not be approved until the next Planning Commission Special Meeting and are subject to change.