



Hall County Regional Planning Commission

Wednesday, March 1, 2017

Regular Meeting

Item 1

Hall County Zoning Review Committee Report

Staff Contact: Chad Nabity

Hall County Zoning Review Subcommittee
Meeting Minutes
Thursday, February 9, 2017
Hall County Administration Building, Committee Room

Present: Hall County Supervisors Steve Schuppan and Karen Bredthauer; Planning Commission Chairman Pat O'Neill; Hall County Planning Commissioners Leslie Ruge, Leonard Rainforth and Judd Allan; Regional Planning Director Chad Nabity.

Absent: Regional Planning Commissioner Greg Robb; Hall County Facilities and Zoning Administrator Loren "Doone" Humphrey.

Livestock Friendly Regulations: Nabity opened the meeting at 5:17 p.m. He said Nebraska adopted Livestock Friendly County designation regulations in 2004, but he has resisted participating in the program because he saw no real direct advantage and the program takes time to pass policies and file annual reports. Schuppan said he's heard people complain that Hall County is not state designated as livestock friendly – even though it is hugely supportive of ag and has ag industry that slaughters 5,000 head of cattle a day. O'Neill said economic developers have told him that the county can get overlooked by out-of-state companies that simply look at the state list of livestock friendly counties. Nabity said it may be time to go ahead and consider the designation locally, however there is concern if the county would apply and be denied by the state. O'Neill was also concerned about any loss of local control under the designation. Nabity said there shouldn't be any loss of local control, but there will need to be consensus from the county and all the cities and villages in the county. The county will have to submit its zoning, identify its animal feeding regulations and hold public hearings and have the passage of like resolutions from Grand Island, Cairo, Alda, Doniphan, Wood River and Hall County. The committee decided it may be best to apply for the livestock friendly designation, in conjunction with a bigger passage of changes, including the potential passage of a livestock siting matrix based on the Nebraska Department of Agriculture Livestock Siting Matrix. That matrix gives points to a potential livestock operation based on factors such as location, separation, waste controls, etc. If enough points are scored, the operation becomes a permitted use. Schuppan said it would be nice to have that matrix in lieu of issuing conditional use permit, which tend to get weighted down in emotion. Nabity said the committee may want to look at developing the matrix for use in lieu of issuing conditional use permits, except if animal units exceed a certain threshold, such as 5,000 animal units – then the matrix and a conditional use permit could be used.

Livestock Siting Matrix/Livestock Numbers: Nabity displayed a map of address points in Hall County and a quarter-mile setback around each. The map was to show where the most open areas in the county are for potential livestock operations. Schuppan said the map gives Hall County a black eye because it shows there are plenty of people in any area to object to livestock operations as there are lots of rural residences. With more and more people moving into rural areas, Schuppan said such objections will increase because many city people moving to the country want fresh air and smooth roads – they don't understand about livestock smells and gravel roads. Schuppan said even one of the most isolated parts

of the county, the northwest portion, generated livestock operation complaints about the C and I feedlot. He said that feedlot was two times the size allowed with no conditional permit under current county regulations when county officials asked the Nebraska Department of Environmental Quality about the number of head there. Some of the most open ground currently is at the former Cornhusker Army Ammunition Plant, O'Neill said. O'Neill said starting or expanding business is costly and having to rely on obtaining conditional use permits is difficult for business owners. He favored looking into developing a local siting matrix that would allow livestock operations to locate or expand if sufficient points were accumulated. The matrix could also serve as a way for self-scoring before a business thought about an expansion or new site. A localized matrix could also take into account changes in production technology, such as the use of hoop houses with dry bedding. Schuppan volunteered to help with developing a local siting matrix. Nabity said Robb will also be asked to serve on the committee. Schuppan said compliance with DEQ, size and use of pens, and size of animals needs to be taken into consideration. He said 1,000 head of 600-pound cattle produce a lot less waste than 1,000 head of 1,200-pound cattle. Schuppan said he wants more than just set back from a house as a determining factor for livestock operations. Nabity said the matrix could require certain setbacks for certain size operations, and potentially offer bonus points for operators who exceed the minimum setbacks. As an example, he said maybe a 1/4 mile set back would be required up to 1,000 head, 3/8 mile for 3,000 head and 1/2 mile for 5,000 head, but a 2,000 head operator with a 3/8 setback could score bonus points on the matrix. O'Neill wondered if the matrix could be used for any value-added ag industry. Dairies and livestock trailer washouts were mentioned. Allan asked if a previously denied conditional use permit could come back for consideration under the matrix. Nabity said yes because the matrix would be a new rule, similar to the changes in speed limits on the interstate – in 1985 driving 75 mph would have been 20 miles over the speed limit and now 75 mph is the speed limit. The road didn't change, but the rules for driving it did. Schuppan said he thinks it's key to have the matrix tied in with obtaining a livestock friendly designation for Hall County. The committee will begin work on the matrix to take back to the Regional Planning Commission.

Meeting adjourned at 6:20 p.m. Members will be asked to complete a DoodlePoll to set the next meeting time.

Documents handed out at the meeting were:

- Nebraska Department of Agriculture Application for Designation as a Livestock Friendly County.
- Nebraska Department of Agriculture Annual Report of a Livestock Friendly County.
- Nebraska Legislature Program Summary of the Livestock Friendly County Program.
- Frequently Asked Questions fact sheet by Nebraska Department of Ag on Livestock Friendly.
- Livestock Friendly County Designation Statutes.
- Livestock Friendly County Benefits document from Nebraska Department of Ag.
- Nebraska Administrative Code, Title 29, Chapter 2, Livestock Friendly County Regulations.
- Nebraska Animal Feeding Operation Siting Matrix.

Respectfully submitted,
Tracy Overstreet
Planning Administrative Assistant