



Le Sueur County, MN

Thursday, January 11, 2018

Regular session

Item 1

Approved January 11, 2018 Meeting Minutes

Staff Contact: Kathy Brockway or Michelle Mettler

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
January 11, 2018

MEMBERS PRESENT: Don Reak, Jeanne Doheny, Don Rynda, Shirley Katzenmeyer,
Doug Krenik, Al Gehrke, Pam Tietz, Commissioner King

MEMBERS ABSENT:

OTHERS PRESENT: Michelle Mettler

The meeting was called to order at 7:00 by Chairperson, Jeanne Doheny

ITEM #1: The purpose of the public hearing is to hear testimony from interested parties in regards to amending the definition of "Buildable Lot Area" as defined in Section 4 of the Le Sueur County Zoning Ordinance.

Dick Stangler requested Ordinance amendment and was present for application.

Discussion was held regarding: Buildable Lot Area Definition proposed: **BUILDABLE LOT AREA** - The portion of a lot or parcel remaining after the deletion of floodplain, wetlands, bluffs ~~or steep slopes~~ and/or below ordinary high water level. Need 40,000 square feet of buildable area, however can still build in a steep slope. Part of future recommended ordinance amendments from staff. Section 23 allows for someone to request to amend the ordinance. Definition of steep slope-Land where agricultural activity or development is either not recommended or described as poorly suited due to slope steepness and the site's soil characteristics, as mapped and described in available county soil surveys or other technical reports, unless appropriate design and construction techniques and farming practices are used in accordance with the provisions of this section. Where specific information is not available, steep slopes are lands having average slopes between twelve (12) and eighteen (18) percent, as measured over horizontal distances of fifty (50) feet or more. Definition from DNR, Le Sueur County has had since at least 1996. Not requesting to change steep slope definition. Steep slope not recommended not buildable, use current mapping information. 40,000 square feet of buildable area. Steep slope is not specific to a zone- is county wide. Bluff vs. steep slope. Building eligibility first, then performance standards such as lot size, setbacks, buildable lot area, etc. Need to show that can meet buildable lot area, but can still build in steep slope. New bluff definition is more restrictive than was before. Cannot count steep slope for buildable area, but can still build in steep slope. Still need to show that 2 SSTs on new sites. Current definition of steep slope is 12-18 percent slope. DNR definition is same as Le Sueur County Definitions. Did not update definition Section in 2013 ordinance. Buildable area is a new definition with 2013 ordinance update. Other definitions of buildable lot area. Other entities address it differently. 40,000 square feet consistent square footage. Shoreland vs. agriculture areas, buildable area is defined for all districts. Other entity definitions, different ways to define. More information or time may be necessary. Future ordinance revisions. Difference between lakeshore and agriculture. Take steep slope out of definition if they can build in a steep slope anyway. Can count steep slope as buildable area. Performance standards, setbacks, building eligibility, etc. Exclude the areas from buildable area that you shouldn't build in anyway such as bluff, can add impact zone to definition if want to. Rice County definition same as Le Sueur County slopes of 12-18 % engineered design plan. Engineered plans not common, some CUP applications require certification from engineer. Staff would not recommend requiring engineered plans in steep slope. Proposed definition would strike out steep slope from buildable area definition. 40,000 consistent and gives enough room for dwelling, sheds, septic, driveway, etc.

PUBLIC COMMENT: None

Discussion regarding other public hearings. Public hearing at the County Board as well to make ordinance revision. Timeframe. Fees. Additional requests for ordinance revisions. County Board will address this request only. Future Ordinance revisions. 60-day rule. If table application

will need to send letter to applicant the County will need an additional 60 days. Can only go more than 120 days if applicant waives the 60 days. County can extend an additional 60 days if need more time. County Board needs to make a decision before 60 day deadline. Applicant stated he does not intend to waive the 60 days. When there is an issue with the Ordinance, change, update the Ordinance don't address it with Variances.

Motion was made by Don Reak to approve the amendment as proposed. If you can build in a steep slope should be able to count it toward buildable area.

Seconded by Doug Krenik. Motion approved. Motion carried.

Public Hearing at the County Board will be February 6, 2018 at 9:25 am held in the Commissioners Board Room, Le Sueur County Courthouse.

Another request for the next meeting to amend the ordinance. Will need work sessions prior to public hearing. 'Vacation Renter By Owner' (VRBO). A lot of illegal VRBOs in the County, becoming a problem. Other counties dealing with same issue, different departments.

Work session scheduled for January 22nd and 23rd at 3pm to address proposed ordinance amendments. Worksessions open to public, no public input. Notice of worksession. Official paper is Le Center. Ordinance revisions all newspapers in the County. Ordinance revisions process.

Motion to correct December 14, 2017 meeting with the correction of Secretary from Shirley Katzenmeyer to Pam Tietz. Seconded by Don Rynda. Motion approved. Motion carried.

Motion to adjourn meeting by Shirley Katzenmeyer. Seconded by Al Gehrke. Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,
Michelle R. Mettler

Approved 02-08-18
Joshua Mankowski

***Tape of meeting is on file in the
Le Sueur County Environmental Services Office***