

**Planning Commission
December 12, 2017
Linn County Annex**

Members Present: Ed Andersen, Dave Berglund, Fred Kautt, Andy Mayhugh, Charlene Sims, George Teagarden

Staff Present: Melissa Fund, Meghan Swanson

Charlene Sims called the meeting to order at 7:00 pm

Dave Berglund led the Pledge of Allegiance

George Teagarden motioned to approve the minutes of the previous meeting, Dave Berglund seconded, 6-0 vote

New Business

Rezoning Z17-02: Linn County

Meghan Swanson reported the county is requesting to rezone 6.11 acres from Agriculture to Agriculture Residential. Property is located at 11739 KS Highway 7, S25, T21S, R23E, and will be the site for a communications tower that the county is constructing.

Dave Berglund asked why the property had to be rezoned to Agriculture Residential and not Commercial, etc. Meghan advised it was because the property was less than 10 acres. Andy Mayhugh asked if there was a Commercial district, Meghan advised no, just Highway Retail. Discussion about rezoning requirements.

George Teagarden moved to approve the rezoning from Agriculture to Agriculture Residential

Meghan Swanson read out her findings:

1. The proposed use does conform to the character of the neighborhood as well as the acceptable land uses of the County Land Use Map and the Future Land Use Map.
2. The zoning of nearby properties includes Agriculture.
3. Dwelling density is low and will not burden existing infrastructure. Site is located off a major road artery.
4. Detrimental Change to the nearby properties will be none.
5. The property is unoccupied.
6. Gain to public safety due to allowing better radio communications for the county.

Ed Andersen asked how many residents in the area are involved in farming, discussion about the homes in the area.

Andy Mayhugh seconded the motion to approve the rezoning and found that the character of the neighborhood will not be affected by the rezoning. Read out the staff findings again. 6-0 vote.

CUP 17-005: Linn County Communications Tower

Charlene Sims introduced the motion, Linn County is requesting to install a 250' Guyed tower for communications purposes at, 11739 KS Highway 7, S25, T21S, R23E. Discussion about the need for tower to provide better communication for emergency responders in the county.

Ed Andersen advised he will speak on behalf of the Fire Department as no other representatives from county present, he believes the tower will benefit the entire county as it will provide better communication and safety for all residents and county departments.

Fred Kautt asked if there were any provisions that Verizon or any other providers would be allowed to use the tower, Meghan advised no other requests from outside companies to utilize the tower.

George Teagarden asked if the tower would be located on Self's property. Harold and Patsy West advised that no, the tower was located on land they sold to the county with the understanding that it would be strictly used for county business and it would not be sold to outside parties, etc. Harold asked if the rezoning would affect their surrounding land, Board advised there would be no change to the zoning of their surrounding property.

Andy Mayhugh asked if the tower met the one to one setback minimum- Meghan Swanson advised that yes, the tower would be 300' from the property lines and is 250' in height.

Charlene Sims asked where the access would be- Meghan advised the county has already installed a gravel drive off of K7 highway.

George Teagarden asked the West's for clarification on the tower site, Harold pointed out to the Board on map where tower site will be located

The West's advised they have no problem with the tower, that they feel the county has been very cooperative with them on the project.

Charlene Sims asked why this tower was necessary since we have required all other towers to reserve spots for Linn County, discussion about where high point of county was, etc.

Ed Andersen again that he felt this tower would be beneficial for emergency responder communications.

Meghan Swanson reviewed her findings:

1. That the proposed use for the parcel will be for a 250' guyed tower. Fits with acceptable land uses of the County Land Use Map in Comprehensive plan. There is a water tower directly to the south.
2. There are other Agricultural/Residential properties nearby.
3. The property is suitable for a guyed tower.
4. Removing the Agricultural restriction is not believed to detrimentally affect nearby properties. Many of them are being used as agricultural pasture land, with a few agricultural residential residences.

- 5. The property will be unoccupied.
- 6. There would be no detrimental effect on surrounding property owners.
- 7. Staff recommends approval of the application.
- 8. The requested change conforms to the comp plan for Linn County in that it would fit the existing character of the neighborhood in low density development.

Dave Berglund motioned to approve CUP# 17-005 with the above findings, and stated that he feels the tower is necessary for public safety and better communication.

The Board proposed the following Conditions:

- 1. All FCC permits kept updated and on file
- 2. Follow all state and federal regulations
- 3. There will be a nameplate on the tower or shelter with emergency contact information
- 4. That the County would consider allowing co-location of other entities on the tower if it won't interfere with county communications
- 5. Tower will be removed within 365 days once it is no longer being used as a communications tower

Dave Berglund again motioned to approve CUP#17-005 with the above findings and conditions, George Teagarden seconded, 6-0 vote.

*****start here!*****

Old business:

Minium occupancy standards

MS advised majority fo surrounding areas have adopted 2006 version of ibc/irc (check w/ Ms what this is), went over specific requirements of other communities.

Charlene asked if those communities have a building inspector- ms advised that most have codes officer go out- they receive a minimum training, but don't keep an engineer, etc. on staff

Ms expaned how some counties have adopted/enforced code

MS advised all counties she's looked into do require a certificate of occupancy- can require things like fire alarms, stairways be a certain width, etc.

Dave Berglund is concerned that the inspection could open up county to liability. Dave doesn't feel we should be doing actual inspections until we have true building codes and a certified building inspector.

Charlene Sims advised that she thought Gary Thompson supported the county doing a minimum occupancy standard

Ed Anderson advised that manufactured home regulations require a minimum of 320 square feet, footings are inspected, and sanitation etc.

Dave Berglund supports requiring a larger minimum square footage

Andy Mayhugh asks how Franklin County addresses storage containers- Ms. advised that those being used for homes have to be submitted for engineer's stamp.

Discussion about Pleasanton's minimum occupancy code,

Board wants to send official memo to county commissioners asking if this is an issue they want us to investigate/develop a minimum housing code, before we look into further.

Discussion about instead of doing a minimum housing requirement, instead require people use licensed contractors instead- similar to sanitation installers list

Dave Berglund feels it is important to make sure that if we are doing inspections it is only for certain, specific things- checking square footage, foundations, sanitary code, all connections are grounded, etc.

Andy Mayhugh thinks we should speak to a certified building inspector as well

Discussion about state of housing in county, need to maintain investments, etc

Andy asked if minimum square footage in the code- Ms. advised states has to have 70 square foot per occupiable room.

Discussion about how to enforce codes, how

Fred asked if any of lake community representatives would come to meeting to discuss issues- ms advised that she thinks representatives would come if asked

George teagarden advises that he thinks we should drop the issue for now. Board agrees.

Dave Berglund motions to adjourn, fred kautt seconds, 6-0 vote, adjourned 815pm.