

County Ditch and Tile Setbacks

- Current rule:
 - o 100' setback for all structures
 - o 75' setback for all trees and shrubs
- Proposed Rule:
 - o Reduce setback for fences from open ditch from 100' to 16.5' and to 0' from tile lines.
 - o Exempt JD 37 (Redwood River) from the tree and shrub setback requirement. JD 37 will remain subject to vegetation management by the drainage authority under MN Statutes Chapter 103E.

Feedlot Ordinance

- Conditional Use Permit threshold:
 - o Current rule: Conditional Use Permit required for feedlot with 100 or more animal units
 - o Proposed rule: Conditional Use Permit required for feedlot with 300 or more animal units
- Feedlot setbacks:
 - o Current rule is one size fits all.
 - o Proposed rule allows lesser setback for smaller feedlots and greater setback for larger feedlots (see separate feedlot setback comparison sheet)
- Manure stockpile and field application setbacks:
 - o Setback from road right-of-way for temporary stockpile reduced from 300' to 150'
 - o Setback from residence for temporary stockpile increased from 300' to 660'
 - o Setback from residence for permanent stockpile increased from 300' to ¼ mile
 - o Setback from public road right-of-way for manure application reduced from 10' to 5'
- All new feedlots must meet University of Minnesota odor OFFSET rating of 94 or higher
- Required setbacks for feedlots can be reduced if meeting an odor OFFSET rating of 97 or higher
- Applicants seeking a feedlot Conditional Use Permit must prepare an Odor Reduction Plan
- Eliminate ability of neighboring landowners to petition to require a feedlot to obtain a Conditional Use Permit.
- Require dead animals to be screened from public view (previously this requirement was placed in individual permit conditions, but was not in the ordinance)
- Conditional Use Permit review process must account for wind direction and the presence of existing feedlots already in the area

Mining/gravel pits

- Permit type:
 - o Current permit required: Conditional Use Permit
 - o Proposed permit required: Interim Use Permit
- Reason for the change in permit type: Interim Use Permit statute has specific provisions for placing time limits on permits – mining permits are issued for no longer than 10 years
- Liability Insurance requirement:
 - o Current minimum amount of insurance required to be carried by the owner or operator: \$1 million
 - o Proposed minimum amount of insurance required to be carried by the owner of operator: \$1.5 million
- Reason for change in insurance amount: state law increased potential county liability from \$1 million to \$1.5 million

Zoning Districts:

- Types of Zoning Districts:
 - o Agricultural
 - o Rural Residential
 - o Highway Service Business
 - o Industrial
 - o Urban Expansion
 - o Scenic River
 - o Floodplain
 - o Shoreland
- Land Uses – Permitted and Conditional land use lists in all districts were updated and expanded based on a review of neighboring counties' land use lists and review of activities going on around Redwood County.
- Removed catch-all Conditional Use Permit requirement for prohibited uses.
- Agricultural District:
 - o Eliminated distinction between farm and non-farm dwellings
 - o Increased allowed number of dwellings per quarter-quarter from 3 to 6
 - o Added specific setback requirements for construction of fences that are less restrictive than the general structure setbacks
 - o Eliminated the requirement that farm site parcels must abut the public road right-of-way for a distance of at least 66 feet
- Rural Residential District:
 - o Added specific setback requirements for construction of fences that are less restrictive than the general structure setbacks
 - o Created density limit of no more than 8 residential lots per quarter-quarter
 - o Added requirement that all residential lots abut the public road right-of-way for at least 66 feet
- Highway Service Business District:
 - o Exempted conditionally permitted commercial and industrial buildings from the 35' maximum height limit, if designed by an engineer
- Industrial District:
 - o Exempted conditionally permitted commercial and industrial buildings from the 35' maximum height limit, if designed by an engineer
- Urban Expansion District:
 - o Added requirement that all residential lots abut the public road right-of-way for at least 66 feet
 - o Reduced the road right-of-way setback from minor streets for buildings in the Highway Service Business District and Industry District from 67' to 25'
 - o Exempted conditionally permitted commercial and industrial buildings from the 35' maximum height limit, if designed by an engineer
 - o Added specific setback requirements for construction of fences that are less restrictive than the general structure setbacks
 - o Eliminated the 3-dwelling per quarter-quarter limit

Solar Ordinance:

- Maximum height of solar power facilities in non-residential districts increased from 15 feet to 20 feet.

Septic (SSTS) Ordinance:

- Added new definitions of “permanent dwelling” and “seasonal dwelling.”
- Added requirement that the septic serving a commercial or industrial use must be expanded or replaced in the event that the commercial or industrial use expands its building(s) or adds employees beyond what the existing septic was designed for.
- Removed requirement that all buildings with running water be connected to a septic system. Replaced this requirement with a requirement that all buildings that produce sewage be connected to a septic system.
- Increased the required soil borings to design a new septic system from 2 to 3.
- Eliminated the requirement that all dwellings be considered “Class I” dwellings under the state septic code.

Tree and Shrub setbacks from the road right-of-way

- Replaced the existing vegetative windbreak (tree and shrub) setbacks (ranging from 25 feet up to 150 feet from the edge of the road right-of-way) with a requirement to use the University of Minnesota Blowing Snow Design Tool to calculate the proper setback, and a minimum standard of at least a 20 foot setback.
- Added performance standards prohibiting the creation of snow drifts or other dangerous conditions on the roadway.

Essential services:

- Exempted potable water pipelines 4 inches and smaller in diameter.
- Exempted utilities for which state or federal permitting preempts local authority.
- Added depth and clearance guidelines.
- Allow utilities to restore trees, shrubs, fences, and other vegetation removed or damaged during construction to a state different from pre-construction condition, by agreement with the landowner.

Communications Tower Ordinance

- Prohibit communications towers in the Rural Residential, Floodplain, Scenic River, and Shoreland District.
- Allow Communications equipment to be installed in the public right-of-way to the extent allowable by state law.
- Allow temporary towers for public events.

Rules and Definitions:

- Consolidated many definitions formerly contained in different Sections of the Ordinance.

Violations and Penalties:

- Increased the maximum monetary penalty for violation of the Zoning Ordinance from \$500 to \$1000, to match the maximum penalty for misdemeanors under state law.

Board of Adjustment

- Allow County Board to appoint an alternate Board of Adjustment member, to fill in for any absent member.
- Allow the Board of Adjustment authority to place conditions on variances.
- Bring variance factors in line with current state law.
- Require Environmental Office to notify applicants for variances in the floodplain of the effect on flood insurance premium rates.

Home Occupations

- Increase maximum building footprint of home occupation from 1000 square feet to 5000 square feet.
- Created one additional classification of home occupation, along with a streamlined administrative "home occupation permit."
- Allow outside storage of materials for the home occupation as long as such storage is permitted in the underlying zoning district.
- Require home occupations producing greater-than domestic strength sewage to modify the existing septic system or install a septic system capable of handling said sewage.
- Require adequate parking for employees and customers, if any.

Land Application of Organic Waste and Contaminated Soil

- Added provisions and rules for the application of organic waste to land as an agricultural soil input, including setbacks as follows:
 - o Residences, businesses, and public buildings: 300 feet
 - o Private drinking water supply wells: 200 feet
 - o Irrigation wells: 200 feet
 - o Shoreland District: 300 feet
 - o Community drinking water supply wells: 1000 feet
- Land application of organic waste must follow performance standards, including, but not limited to, the following:
 - o No mixed municipal solid waste or hazardous materials.
 - o Must be applied at accepted agronomic rates.
 - o Must be applied only to land currently cropped or used for grazing.
 - o No application on slopes greater than 6%.
 - o Must incorporate within 24 hours.
- Application of contaminated soil expanded to include soil contaminated with herbicide and fertilizer

Permits

- Section expanded to list all permits issued by Redwood County related to zoning.
- Buildings under 100 square feet in area are exempted from building permit requirements.
- Added a requirement that a determination be made, prior to the issuance of a zoning permit, that the existing septic system on a property is not an imminent public health threat.

Summary of changes made after the open house held on March 28, 2018

Feedlots

1. Setbacks for which a reduction is available for OFFSET ratings of 97% or above were expanded and placed in a separate setback chart.
2. Provision added to calculate the odor OFFSET rating of open-stall swine gestation barns based on a pit size of 14 square feet per pig. This is to ensure that open-stall barns have the same or similar rating as crate-based gestation barns with the same number of animal units.
3. Provision added to calculate the odor OFFSET rating of deep-pit cattle barns based on the size said barns would be if constructed as loose-housing style barns (using 60 square feet per head).
4. Changed well and ditch setback to provide for a single setback distance for all feedlots, with guideline that extra care should be taken when siting a category 4 or 5 feedlot within 2000 feet of a municipal well. The setbacks for wells and ditches will remain the same as they are under the current ordinance.
5. Added provision allowing feedlots operating subject to a variance, to increase animal units up to 200 over the number permitted by the variance.

Extraction and Mining

1. Defined an extraction "site" as all excavation occurring on the same legally described property or parcel, and/or all contiguous excavation on two or more different properties.
2. Clarified that a Conditional use permit is required if more than 10,000 yards of material is to be excavated from a site over the lifetime of the site.

Application of contaminated soil and organic waste

1. Changed focus of the ordinance from organic waste, to agricultural by-products used as soil amendments.
2. Added language allowing the land application of septage and sewage, pursuant to state laws.

Conditional Use Permits (CUP)

1. Increased the timeframe after issuance of a CUP in which an applicant must begin construction or begin the proposed conditional use from 1 year, to 18 months.
2. Decreased the amount of time a conditional use can be abandoned before its permit is considered null and void from 1 year, to 6 months.

Tree and shrub setbacks

1. Added language allowing the replacement of dead or dying trees within legally existing tree lines and groves that do not meet the new setback requirements.

Current Feedlot setbacks compared to proposed feedlot setbacks in Redwood County

USE: current rule-proposed rule	0-5 A.U. (Cat. 1)	6-100 A.U. (Cat. 2)	101-2000 A.U. (Cat. 3) (336-6,670 hogs)	2001-4000 A.U. (Cat. 4) (6,670 - 13,333 hogs)	4000+ A.U. (Cat. 5)
Rural use	1/4 mile-None*	1/4 mile-1/8 mile	1/4 mile-1/4 mile	1/4 mile-1/2 mile	1/4 mile-1 mile
Seasonal dwelling	1/4 mile-None*	1/4 mile-1/8 mile	1/4 mile-1/8 mile	1/4 mile-1/4 mile	1/4 mile-1/2 mile
Population center	1/2 mile-1/8 mile	1/2 mile-1/4 mile	3/4 mile (over 400 AU)-3/4 mile	3/4 mile-1 mile	3/4 mile-2 miles
Casino	1/2 mile-1/8 mile	1/2 mile-1/4 mile	1/2 mile-1/2 mile	1/2 mile - 3/4 mile	1/2 mile-1 mile
Church	1/2 mile-1/8 mile	1/2 mile-1/4 mile	3/4 mile (over 400 AU)-1/2 mile	3/4 mile-3/4 mile	3/4 mile-1 mile
Private well	100ft-100ft	100ft-100ft	100ft-100ft	100ft-200ft	100ft-300ft
Municipal well	1000ft-1000ft	1000ft-1000ft	1000ft-1000ft	1000ft-2000ft	1000ft-2500ft
Drainage ditch	300ft-300ft	300ft-300ft	300ft-300ft	300ft-400ft	300ft-500ft
Golf course	1/2 mile-1/8 mile	1/2 mile-1/4 mile	3/4 mile (over 400 AU)-1/2 mile	3/4 mile-3/4 mile	3/4 mile-1 mile
Public park	1/2 mile-1/4 mile	1/2 mile-1/2 mile	3/4 mile (over 400 AU)-3/4 mile	3/4 mile-3/4 mile	3/4 mile-1 mile

Neighboring County setback setbacks compared to proposed Redwood County feedlot setbacks

Lyon County**	1/4 mile-None	1/4 mile-1/8 mile	1/4 mile-1/4 mile	1/4 mile (up to 3000AU***)-1/2 mile	not allowed-1 mile
Yellow Medicine County	1/2 mile-None	1/2 mile-1/8 mile	1/2 mile-1/4 mile	not allowed-1/2 mile	not allowed-1 mile
Renville County	1/4 mile-None	1/4 mile-1/8 mile	1/4 mile-1/2 mile-1/4 mile	not allowed-1/2 mile	not allowed-1 mile
Murray County	none-none	1/4 mile-1/8 mile	1/4 mile-1/2 mile-3/4 mile-1/4 mile	3/4 mile-1/2 mile	3/4 mile-1 mile
Cottonwood County	1/2 mile-None	1/2 mile-1/8 mile	3/4 mile (over 1200 AU)-1/4 mile	3/4 mile-1/2 mile	3/4 mile-1 mile
Brown County	1/4 mile-None	1/4 mile-1/8 mile	1/4 mile-1/4 mile	1/4 mile-1/2 mile	1/4 mile-1 mile

*maximum of 30 animals

**all county setbacks list the dwelling setback only

***but only 2000AU can be hogs

LESS RESTRICTIVE

MORE RESTRICTIVE

SAME (NO HIGHLIGHTING)

ORDINANCE NO. _____

AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE COUNTY OF REDWOOD, MINNESOTA, AMENDING, RESTATING, REVISING, UPDATING, CODIFYING, AND COMPILING CERTAIN ORDINANCES OF THE COUNTY DEALING WITH THE SUBJECTS EMBRACED IN THE CODE OF ORDINANCES, AND PROVIDING PENALTIES FOR THE VIOLATION OF THE CODE OF ORDINANCES.

WHEREAS Minnesota Statutes §§ 375.51 and 375.52 authorize the county to cause its ordinances to be codified and printed in a book, now therefore:

The Board of Commissioners of Redwood County, Minnesota ordains:

Section 1. The general ordinances of the county as amended, restated, revised, updated, codified, and compiled in book form, including penalties for the violations of various provisions thereof, are adopted and shall constitute the Code of Ordinances of the County of Redwood. This Code of Ordinances also adopts, by reference, certain statutes and administrative rules of the State of Minnesota as named in the Code of Ordinances.

Section 2. The Code of Ordinances as adopted in Section 1 shall consist of the following titles: General Provisions, Administration, Public Works, Traffic Code, General Regulations, Business Regulations, General Offenses, and Land Usage.

Section 3. All prior ordinances pertaining to subjects treated in the Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance, except as they are included and re-ordained in whole or in part in the Code of Ordinances; provided this repeal shall not affect any offense committed or penalty incurred, or any right established prior to the effective date of this ordinance, nor shall this repeal affect the provisions of ordinances levying taxes; appropriating money; annexing or detaching territory; establishing franchises; granting special rights to certain persons; authorizing public improvements; authorizing the issuance of bonds or borrowing of money; authorizing the purchase or sale of real or personal property; granting or accepting easements, plat or dedication of land to public use; or vacating or setting the boundaries of streets or other public places; nor shall this repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code of Ordinances. All fees established in prior ordinances shall remain in effect unless amended in this Code of Ordinances, or until an ordinance adopting a fee schedule is adopted or amended.

Section 4. This ordinance adopting the Code of Ordinances shall be a sufficient publication of any ordinance included in it and not previously published in the county's official newspaper. The county administrator shall cause a substantial quantity of the Code of Ordinances to be printed for general distribution to the public at actual cost, and shall furnish a copy of the Code of Ordinances to the County Law Library or its designated depository. The official copy of this Code of Ordinances shall be marked and be kept in the office of the county auditor-treasurer.

Section 5. The Code of Ordinances is declared to be prima facie evidence of the law of the county and shall be received in evidence as provided by Minnesota Statutes by the courts of the State of Minnesota.

Section 6. This ordinance adopting the Code of Ordinances, and the Code of Ordinances itself, shall take effect upon publication of this ordinance in the county's official newspaper.

Passed by the Board of Commissioners of Redwood County, Minnesota this 19th day of February, 2019.

Board of Commissioners Chair

Attested:

County Administrator



REDWOOD COUNTY ENVIRONMENTAL OFFICE

*Planning & Zoning • Parks & Trails • GIS
Aquatic Invasive Species • Septic Inspector
Drainage Inspector • Agricultural Inspector*

PO BOX 130
REDWOOD FALLS
MINNESOTA 56283
PH: 507-637-4023

REDWOOD COUNTY PLANNING COMMISSION

MINUTES

Meeting Date: December 17, 2018

A meeting of the Redwood County Planning Commission convened on Monday, the 17th day of December, 2018, at the Redwood County Government Center.

The following members of the Redwood County Planning Commission were present: Mike Kaufenberg, Mike Scheffler, John Rohlik, Jr., Jeff Huseby, and Commissioner Dave Forkrud. Mark Madsen was absent. Also present were the following individuals: Alan Eller, DeVonna Zeug, Land Use & Zoning Supervisor Nick Brozek, and Administrative Assistant Lali Ortega. Stan Brey appeared for part of the meeting via telephone.

At 1:00 p.m. the regularly scheduled December 17th, 2018 Redwood County Planning Commission meeting was called to order by Chair Kaufenberg.

Chair Kaufenberg read aloud the rules and procedures of the meeting.

At 1:05 p.m. Chair Kaufenberg called to order a public hearing on application for Conditional Use Permit #15-18 – filed by Stan Brey.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the matter:

1. Stan Brey is requesting an extension of the term of his gravel pit permit. The site will not be expanded. Brey is in the process of cleaning up and closing down the site, but needs additional time. He may do some additional excavation of material, but only within the existing boundaries of the pit.
2. Brey's pit is located in the Southeast Quarter (SE1/4) of Section 21, Township 113 North, Range 36 West, Delhi Township. The site remaining to be excavated and reclaimed is three acres in size. The site is on agricultural property owned by Brey, on the north side of CSAH 25/360th Street, about 1 and ½ miles southeast of the City of Delhi. The pit is situated behind (north of) an unoccupied building site owned by Norma Schmidt.
3. The site was originally permitted by Richard Eis, Paulanette Rohlik, and Ila Rohlik, in 1998 (CUP #6-98). Brey purchased the property from the permit holders in 1999. In 2002, Brey was found to have excavated outside of the boundaries described in CUP #6-98, and he was required to apply for and obtain an after-the-fact permit for the additional area (CUP #15-02). Both permits have reached the end of their term.
4. Environmental Office staff became aware of new-looking stockpiles on the Brey site in 2017. A letter was sent to Brey in August of 2017 informing him that he needed to close and reclaim the pit, or apply

for and obtain a new permit to keep it open. At first, Brey stated that he would close it up. However, over the course of the year since then, Brey decided to keep the pit open. His plan is to remove the remaining stockpiled material, including the gravel equipment parking area, and possibly the gravel access road. He may also excavate some more material to create a deeper pond area for the reclamation.

5. After the gravel material is removed, Brey plans to reclaim the pit as a wildlife area, including a pond and waterway. The excavation area will be smoothed and graded to no steeper than a 3:1 slope. Stockpiled topsoil will be spread and applied to the pit surface. Some of the older mounds and stockpiles are covered with trees and may be kept in place to serve as wildlife habitat.
6. Brey previously installed a drainage/dewatering structure, including a pump, which may also be left in place.
7. The three nearest dwellings to the proposed restaurant are as follows: (1) a dwelling owned by David & Jodi Bunting, located about 1000 feet northeast of the site; (2) a dwelling owned by Kerry Kramer, located about 3500 feet east of the site; and (3) Betty Galstad, located about 3400 feet northwest of the site.
8. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

After the public hearing was opened, Brozek stated that he had spoken with the applicant and the applicant was in Arizona, and not able to attend the meeting in person. However, Brozek had arranged for the applicant to attend via telephone.

Brozek dialed Brey's phone number on the Conference Room phone. After a first unsuccessful attempt, Brozek was able to get Brey on the phone on a second try.

Brey made the following statements to the Planning Commission:

- Most of the existing gravel pit on Brey's property has been filled in a reclaimed already.
- Some area is left to be reclaimed.
- Brey intends to remove the remaining gravel from the un-reclaimed portion of the pit, including from a low-lying area where he intends to create a permanent pond, for wildlife.
- Brey installed field drain tile in the reclaimed part of the pit, which drains into the future pond area. From the pond area, a surface waterway flows to the southwest, into a pump system that Brey installed to dewater the pit. The pump lifts the water into existing country drain tile.
- No material will be processed on the site (no crusher).
- Brey may put the site into CREP after it is reclaimed.
- The pit sides will be re-sloped to make it presentable.

Brey asked whether the Planning Commissioners had any questions. They did not. Brey then ended the phone call.

Chair Kaufenberg inquired whether anyone was present to support the project. No one came forward.

Chair Kaufenberg inquired whether anyone was present to oppose the project. No one came forward.

Chair Kaufenberg closed the public hearing at 1:08 p.m.

The Planning Commissioners discussed the end date of the application. Brozek pointed out that Brey was only asking until September of 2019. However, staff does not want to see Brey having to come back in again after

only one year, if his plans don't work out. Brozek suggested a 3-year timeframe, giving Brey until September of 2021.

Scheffler made a motion to approve CUP application 15-18, with the conditions recommended by staff, and with the condition that the permit term end in September of 2021. Rohlik seconded the motion and it was passed unanimously.

At 1:19 p.m. Chair Kaufenberg re-opened and called to order a previously tabled public hearing on application for Conditional Use Permit #14-18 – filed by Alan Eller.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the matter:

1. Alan Eller is requesting to develop and operate a BBQ restaurant on his property located on the southeast corner of the intersection of US Hwy 19/71 and Noble Avenue, about 1 mile east of the city of Redwood Falls. The property is located in the northwest corner of Section 3, Paxton Township, in the agricultural district. Mr. Eller's dwelling and various outbuildings are located on the property. The property address is 33991 Noble Avenue, Redwood Falls.
2. The restaurant will consist of a 26 foot long by 8 foot wide concession trailer, or "food truck." It will be mobile, but Mr. Eller plans to leave it in place. The site will be accessed via the existing driveway serving Mr. Eller's home. Customer parking (gravel) will be available on the east side of the driveway. Eller hopes to connect the restaurant to the existing electrical service serving the house, as well as the hot and cold water, LP gas, and the existing septic system. The water comes from Mr. Eller's private well located on the site.
3. All food served will be prepared on site in the trailer, which will have a service window for customer orders. All orders will be for take-out or delivery. There will be no dining room or customer seating. Hours of operation will be 11 am through 8 pm, Tuesday through Sunday (see attached business plan for details). Mr. Eller projects that the restaurant will produce gross income of \$1,000 per day.
4. Mr. Eller has years of experience operating a food concession trailer at outdoor events. He also has restaurant management experience, and is ServSafe certified. "ServSafe" is a food and beverage safety training and certificate program administered by the National Restaurant Association and accredited by the American National Standards Institute (ANSI) and the Conference for Food Protection.
5. Advertising for the restaurant will include enlarging and re-facing an existing sign on the property to create an 8' x 8' double-faced advertising sign. This is the largest sign area that is permitted in the agricultural district.
6. The restaurant will be managed and operated by Mr. Eller with one employee.
7. Long term plans for the restaurant are to remodel the existing barn on the property for use as a permanent "brick and mortar" restaurant. Among various state regulations, remodeling that barn as a restaurant would require that Mr. Eller apply for and obtain an additional conditional use permit.
8. The three nearest dwellings to the proposed restaurant are as follows: (1) Tim Hanna, located 300 feet south of the site; (2) Brent & Hope Lang, located 1040 feet east of the site; and (3) Donald Okins, located 1040 feet north of the site. The proposed restaurant site is located adjacent to (just north of) the

Oakleigh Farms North Subdivision, which includes 6 single family homes (including the Hanna and Lang residences) and 4 undeveloped residential lots.

9. The site is across Noble Avenue from the proposed location of the new Veterans Cemetery.
10. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Mr. Eller was present at the meeting to present his project to the Planning Commission. He made the following statements:

- In 1990, Eller noticed that at trade events he attended, it was the food vendors who made all the money.
- After that Eller began cooking at outdoor events, with a custom-built food truck.
- Eller also briefly partnered with a restaurant in northern Minnesota (called the 371 Café) to market his BBQ.
- Eller looked into buying Chumley's restaurant in Redwood Falls, but the price was too high.
- Eller also looked into partnering with Morgan's Deli, and purchasing it. He went as far as installing his smoker in Morgan's, but this deal fell apart.
- Eller decided to construct a food truck using a construction trailer.
- He wants to operate the food truck on his dwelling site east of the City of Redwood Falls.
- Mac's smokehouse in Fairfax is the closest competition for BBQ food.
- Eller sold the pasture that was part of his dwelling property to raise money for this project.
- He intends to do take-out only – no events – no seating, except maybe some picnic tables.
- Eller will serve smoked ribs and pulled pork sandwiches, with accompaniments.
- His property has easy access from Hwy 71/19 (via township road – Noble Ave.). Noble Avenue is soon to be a paved county road.
- Wants to hook the food truck into his existing residential septic system. Water use in the food truck, for takeout service, will be minimal – limited mainly to washing the cookers at the end of the day.
- Will also hook the food truck up to his residential electrical service and gas – buried lines.
- Eventually Eller may want to expand the restaurant into his barn on the site – turn it into a sit-down restaurant.
- Eller already has a business entity formed – Birch Coulee BBQ LLC
- Eller is asking for a Conditional Use Permit for the take-out restaurant – food truck. He needs a permit in place in order to qualify for a business loan from the Lower Sioux Community. They will provide 70% of the project cost.
- The food truck business will include take-out and delivery for lunch and dinner.
- Eller is ServSafe certified.
- Eller has commercial liability insurance in connection with his pilot car business. He anticipates obtaining insurance for the food truck will not be a problem.
- Eller has a dumpster for trash removal.
- Household utilities should be adequate to run the food truck – smoker doesn't use much energy – plugs into regular wall outlet.
- Food truck will use standard kitchen exhaust hood for smoker and a small fryer. Smell will be minimal – the smoker burns very efficiently.

Chair Kaufenberg inquired whether anyone was present to support the project. No one came forward.

Chair Kaufenberg inquired whether anyone was present to oppose the project. No one came forward.

Brozek asked Eller if he had been in contact with the MN Dept. of Health about getting the food truck licensed. Eller replied that he had not yet done so, but he is familiar with the requirements from his previous food truck experience. Eller is working with Ron's Plumbing to complete the food truck and hook it up to utilities/septic.

Brozek explained the proposed septic condition, requiring testing after six months, and annually thereafter, to make sure the septic effluent is residential strength. Also, if Eller expands into a building, a separate septic will need to be installed specifically for the business (separate from the dwelling septic).

Eller stated that his house has a “drain tile” septic system, which can handle a high volume of waste. Brozek explained that this sounds like an older system, and that although the waste “goes away,” the system may not be property treating it. Consequently, the testing is to ensure that the food truck does not contribute to ground water contamination.

Brozek stated that if Eller wants to expand into a sit-down restaurant, the property may need to be rezoned.

Scheffler made a motion to approve CUP application 14-18, with the conditions recommended by staff. Huseby seconded the motion and it was passed unanimously.

The Commissioners reviewed and discussed the minutes from the November 26th Planning Commission meeting. On a motion by Huseby seconded by Scheffler the minutes from the November 26th Planning Commission meeting were unanimously approved as presented.

The Commissioners reviewed and discussed the proposed 2019 Planning Commission regular meeting dates prepared by staff. Huseby made a motion to accept the proposed meeting schedule. Rohlik seconded the motion and it was passed unanimously.

Brozek reported on upcoming permits.

On a motion by Rohlik, seconded by Scheffler, the meeting was adjourned at 1:55 pm.

Nick Brozek
Land Use & Zoning Supervisor
Redwood County Environmental Office

Mike Kaufenberg, Chair
Redwood County Planning Commission

