

Jefferson County Planning & Zoning Oskaloosa, Kansas

OFFICIAL

OFFICIAL MINUTES OF THE JEFFERSON COUNTY PLANNING COMMISSION

Minutes of Planning Commission Meeting of March 23, 2015

Item 1. Call to Order.

Item 2. Approval of the Agenda

COMMISSIONER BAILEY MAKES A MOTION TO MOVE OFFICER ELECTIONS TO THE END OF THE MEETING AND APPROVE THE REST OF THE AGENDA AS PRESENTED. VICE CHAIR JOHNSON SECONDED THE MOTION.

Votes were taken by Ayes and Nays and recorded as follows:

Matt Scherer	Paul Johnson	Tim Bailey	Bret Frakes	Kelli Curry	Jerry White	Vacant
DNV	Aye	Aye	---	---	Aye	---

The motion carried unanimously, 3-0.

Item 3. Roll Call

Matt Scherer	Paul Johnson	Tim Bailey	Bret Frakes	Kelli Curry	Jerry White	Alex Noll
Present	Present	Present	Absent	Absent	Present	Present

Staff Members Sam Henderson, Zoning Administrator; Erin George, Planner I, were also present. Erin George swore in Alex Noll to begin his new term.

Item 4. Approval of the February 23, 2015 minutes.

Chair Scherer asked if there were any corrections or additions to the minutes. No corrections were discussed.

Action: *COMMISSIONER WHITE MAKES A MOTION TO APPROVE THE FEBRUARY 23, 2015 MINUTES AS SUBMITTED, VICE CHAIR JOHNSON SECONDED THE MOTION.* Votes were taken by Ayes and Nays as follows:

Matt Scherer	Paul Johnson	Tim Bailey	Bret Frakes	Kelli Curry	Jerry White	Alex Noll
DNV	Aye	Aye	---	---	Aye	Aye

The motion carried unanimously, 4-0.

Item 5. CHAIRMAN SCHERER OPENED THE PUBLIC HEARING

PR2015-02: A request to consider a plat of the Country Creek Subdivision a two (2) lot subdivision, approximately 11873 174th Street, at the request of Jeanette Byers Anderson.

Z2015-02: A request to rezone Lot 1 of the Country Creek Subdivision from Agricultural to Suburban Residential and Lot 2 of same from Agricultural to Rural Residential, at the request of Jeanette Byers Anderson.

Mr. Henderson presented the staff report for PR2015-02 and Z2015-02.

Chairman Scherer: Are there any questions for Staff at this time? Seeing none, would the applicant like to speak to this application?

Applicant: I'd just like it approved. If you have any questions I'd be glad to answer them.

Chairman Scherer: Do we have any questions at this time for the applicant? Seeing none, we'll go on to the portion of the public hearing where we'll hear from anyone aside from the applicant who would like to speak in favor of the application.

OPEN OF PUBLIC COMMENT

Chairman Scherer asked if there was anyone who would like to speak in favor of the application.

Chairman Scherer asked if there was anyone who would like to speak in opposition of the application.

Chairman Scherer asked once more if there was anyone who would like to speak either for or against the application and seeing none closed the public comment portion of the hearing.

END OF PUBLIC COMMENT

Vice Chair Johnson: Could I ask the applicant do you have plans for sale of any of this property?

Applicant: Yes, I wasn't able to sell the house and 30 some acres of property because the banks won't loan to young people with that much land but with a smaller lot I won't have a problem selling it and I have interest both in the large lot and the small lot at this point.

Vice Chair Johnson: And when you say interest in the large lot you plan to build on that?

Applicant: No, no. I have a couple neighbors that are interested in expanding their current acreage and their both into farming.

Vice Chair Johnson: And is it pasture?

Applicant: It's pasture.

Vice Chair Johnson: Is it put up for hay?

Applicant: Not at this time.

Chairman Scherer: Other questions or comments?

ACTION: COMMISSIONER BAILEY MAKES A MOTION TO APPROVE PR2015-02 AND Z2015-02 AS RECOMMENDED BY STAFF. SECRETARY NOLL SECONDS THE MOTION.

Votes were taken by Ayes and Nays and recorded as follows:

Matt Scherer	Paul Johnson	Tim Bailey	Bret Frakes	Kelli Curry	Jerry White	Alex Noll
DNV	Aye	Aye	---	---	Aye	Aye

The motion carried unanimously, 4-0.

Staff informed the applicant when the case would be submitted to the County Commission for a final decision and let them know they would receive notice prior to the meeting.

PR2015-03: A request to consider a plat of the Timber Hills Subdivision a two (2) lot subdivision, at the request of Tim and Kristin Allen.

Z2015-03: A request to rezone Lot 2 of the Timber Hills Subdivision from Rural Residential to Suburban Residential, at the request of Tim and Kristin Allen.

Mr. Henderson presented the staff report for PR2015-03 and Z2015-03.

Chairman Scherer: Do we have questions for Staff?

Vice Chair Johnson: There's a building on Lot 2?

Mr. Henderson: No.

Vice Chair Johnson: So there's a building on Lot 1?

Mr. Henderson: No, it's totally vacant. There's an RV parked there. It's one lot right now and it's vacant of development. So splitting it, their stated purpose would be to allow their son to build a home on Lot 1, the one that fronts on to 134th Street. Right now it's completely vacant.

Commissioner Bailey: Sam, what is the property in behind that? Is that Corps ground?

Applicant: It's Corps ground.

Mr. Henderson: This property right here? It might be miss-zoned because it does look like it fronts on the lake, but it says AG in our zoning layer.

Applicant: That is all Corps ground.

Commissioner Bailey: That's all Corps ground. Is there access into that Corps ground?

Applicant: There's two accesses into there. One runs right through my son's property but the other one comes around the back side.

Chairman Scherer: Other questions? I had one? I may not be reading the regulations correctly but it looks like Lot 2 doesn't meet the minimum size requirements, its depth is too narrow.

Mr. Henderson: The depth to width?

Chairman Scherer: No, just the depth. It meets the depth to width it just doesn't have enough depth. It's 165 feet but the minimum is 200 something for a Suburban Residential lot.

Mr. Henderson: That's something that could be addressed but the only other option they'd have is to drag it out to 134th Street and Blue Mound Rd and then it wouldn't really meet the depth to width that way either. That's a decision for the Planning Commission to make there, Staff found that it met the requirements for the plat just based on that it could be decided by the Planning Commission to address that.

Chairman Scherer: Yeah, I don't see any solution to it except to ask the County Commission to waive the requirement.

Mr. Henderson: It shouldn't provide any developmental issues. There's room enough to put a home on there. They don't have a lot of play there in 165 feet but it wouldn't prevent them from putting a home on there. As far as setbacks they would have a building envelope on there that would be sufficient.

Chairman Scherer: I just wanted to make sure we covered all the bases and had a recommendation for a waiver if that's the appropriate thing to do.

Mr. Henderson: That would be appropriate in this case.

Chairman Scherer: Other questions for Staff? Seeing none, would the applicant like to address the application?

APPLICANT PRESENTATION

Applicant declined to make a presentation.

END APPLICANT PRESENTATION

OPEN OF PUBIC COMMENT

Chairman Scherer asked if there was anyone who would like to speak in favor of the application.

Chairman Scherer asked if there was anyone who would like to speak in opposition of the application.

Chairman Scherer asked once more if there was anyone who would like to speak either for or against the application and seeing none closed the public comment portion of the hearing.

END OF PUBLIC COMMENT

Secretary Noll: Is this depth issue something that we need to address?

Chairman Scherer: Apparently we need to address it and the Governing Body can waive it.

Mr. Henderson: The Governing Body can waive the subdivision requirements. Sometimes applicants will go directly to the Governing Body and get them to waive that beforehand but in Staff's opinion it wasn't necessary to do that before the Planning Commission because it wasn't a very big stretch like some requests are.

Chairman Scherer: In this case I don't know what you'd do practically speaking. You can't enlarge the lot in the north-south direction. Are we ready to take action?

Secretary Noll: Can we do it without Tim present?

Chairman Scherer: We do have a quorum at this time, so yes we can.

ACTION: SECRETARY NOLL MAKES A MOTION TO RECOMMEND WAIVING THE DEPTH REQUIREMENT FOR LOT 2 AND APPROVE PR2015-03 AND Z2015-03 AS RECOMMENDED BY STAFF AS LONG AS THE DEPTH ISSUE IS WAIVED BY THE GOVERNING BODY. VICE CHAIR JOHNSON SECONDS THE MOTION.

Votes were taken by Ayes and Nays and recorded as follows:

Matt Scherer	Paul Johnson	Tim Bailey	Bret Frakes	Kelli Curry	Jerry White	Alex Noll
DNV	Aye	---	---	---	Aye	Aye

The motion carried unanimously, 3-0.

Staff informed the applicant when the case would be submitted to the County Commission for a final decision and let them know they would receive notice prior to the meeting.

The Planning Commission recessed for 8 minutes to 7:40pm.

TA2015-01: A request to amend the front yard setbacks in "IP-1" and "IP-2" Districts to twenty feet (20') at the request of the Jefferson County Board of County Commissioners.

Mr. Henderson presented the staff report for TA2015-01.

Vice Chair Johnson: Why did the request fail before the Board of Zoning Appeals?

Mr. Henderson: Again, now it's not just specific to one property, but all industrial properties. But the case in question, the Board of Zoning Appeals is required to find that a variance request meets all of 5 requirements. If it doesn't meet even one of those requirements they're basically bound by State Statute to not approve that request. In their case they found that the request did not meet any of the 5, basically and I'll bring those up here for you.

Mr. Henderson reviewed the findings required for a variance listed in Section 27-103.2 of the Jefferson County Zoning Regulations.

Chairman Scherer: Other questions for Staff?

Commissioner Bailey: By changing this do we open ourselves up for past denials for liability issues, because I can remember the Boy Scouts in particular built the basement and got it over like 5 feet too far and we approved the appeal on it and then the County Commissioners overruled it and made them tear the basement out and redo it. Either you want to follow the guidelines or you change it for everybody.

Mr. Henderson: And that's really what this amendment would be doing it would be changing the requirements for everyone in the industrial districts to be the same. So there's no special exception for a single individual or applicant however you want to think about that. The requirements would be the same for everyone in the industrial districts. I did mention that a possible ramification of this amendment would be to have requests for other districts to have their setbacks reduced but that could be considered if those requests do eventually come before the Planning Commission and the County Commission for final approval. Again this is a recommending board and the County Commission does bear final responsibility for approvals of these amendments and so they do take your recommendations into consideration as well.

Chairman Scherer: I always say before I give a legal opinion that I am not a lawyer but I think changing the rule probably would give the Boy Scouts to come back and say well you should have done this for us.

Commissioner Bailey: Well, it just irritated me.

Chairman Scherer: I don't even remember what district that was.

Mr. Henderson: That front piece of their property is Suburban Residential and the back part and the south part is Ag. I didn't count the number of industrial lots, but there are only a handful of industrial zoned properties in the county. You can see actually in the map that is provided for the continued discussion of the comprehensive plan that there's actually a specific acreage of industrial properties in the County.

Vice Chair Johnson: And you may have just answered this, when you talk about future variances you were talking about the fact that if we approve this for industrial properties that it lends itself to further debate about our other commercial properties?

Mr. Henderson: That could be a ramification. If a commercial property owner wants to request an amendment to their district to put their buildings closer but again it wouldn't just be an individual property owner requesting on a piecemeal, case-by-case basis it would be changing it for every property in the CP-1, CP-2, CP-3, or all three of those districts. There are also very few of those properties in the unincorporated area of the County, though there are more commercial properties than there are industrial properties. The properties are mostly along the highways as well approaching the towns, like along K-4 Highway most of the commercial properties in the County are located there.

Vice Chair Johnson: If we recommend this change and the Commissioners adopted it then it's set in stone?

Mr. Henderson: Well, as far as Zoning Regulations can be. It's an adopted regulation which can be changed by the same process that it's being brought through now. Nothing in the regulations is really set in stone unless it's required by State Statute and that's more set in stone than the County regulations for example the BZA requirement to meet all 5 of those criteria, that's required by State Statute, and that will only change if State Statute changes, which is a possibility, but they have a little bit harder time to get all the representative to act together than the County does.

Commissioner White: Sam, doesn't the same State Statute say that once the Planning and Zoning Appeal Board makes a decision it's done at the local level?

Mr. Henderson: For that particular request. So he wouldn't be able to come back within 18 months or a year requirement before he can request that again. But again, it's not specific to his property it's a request to change the setbacks in all the industrial properties.

Commissioner White: You mentioned a while ago that it could open up a can of worms, it's already opened up for me because I was denied a permit for 3 foot from my driveway. I'm residential, but if we're going to change it for industrial what are we going to do when residential starts screaming and hollering why don't they change ours?

Mr. Henderson: Again, that was considered in the discussion with the County Commission as to what is the proper course of action that it's a matter of is it better to do case-by-case waivers or is it better to do it in a more orderly fashion that allows everyone the same opportunity to use their property under the regulations.

Chairman Scherer: I think our discussion has gotten into what we should do after the public hearing portion rather than before, so at this time I'm going to ask since there's actually no applicant, if there's anyone who wishes to speak in favor of the proposed change to the regulations.

OPEN OF PUBIC COMMENT

Chairman Scherer asked if there was anyone who would like to speak in favor of the application.

Commissioner Ledbetter: The main thing that I want to do here is make sure there's no misunderstandings on some things. Before I forget, one of the things that's come up, the difference in my mind, speaking for myself, in terms of industrial versus residential or commercial is industrial most of the time you're going to have people showing up to work as opposed to people coming and going customers, children in residential areas those kinds of things in terms of setbacks makes some difference. I completely agree with you on the Boy Scout thing, I've had that conversation, I wasn't on the Board at that time, had that conversation with *inaudible*, and I understand completely and I agree with you. One of the things that I want to make sure is real clear here is that I think that there's a perception that this whole conversation was initiated by the property owner of the property in question of the BZA case and that was not the case. The conversation was initiated by the Meriden-Ozawkie Area Chamber of Commerce I attend, I try to attend, chamber of commerce meetings in my area on a regular basis and 2 of the 3 chambers happen to be in District 2 and so we've developed some rapport and some of those members came and said look we have this situation we're very concerned about losing a very prominent business in the County and the City of Meriden and we'd like you to look into it. So, at that time I initiated conversation with the business owner in question and we had some conversation there. One of the things of further consideration in terms of my

involvement and my interest in this proposal is my involvement with economic development since I've been on the Board and as we've worked through there and worked with people from across the County all of our communities what was real clear and I think appropriately so was what they wanted was the focus to be on local existing business and developing existing business and we're not interested in drawing the big here we want to grow our own. One of the challenges that that creates is when you're a small business getting into business for the first time you're often times going to have limited resources you're going to buy what you can afford to you have no idea how your business is going to grow and develop over time, it's going to be incremental and so I think that creates some challenges when you have a business occasionally like a couple larger ones we have sometimes that creates some problems. The other thing I want to say, given what Sam shared about those requirements, the Board of Zoning Appeals acted appropriately. They did what they needed to do. So, I'm not here with any concern about the decision they made. I might disagree to whether all 5 of those factors came into play, but certainly all 5 were not met. So, what do you do? We did look at all the options in terms of trying to accommodate what we would hope would be, as Sam pointed out, an appropriate development of Jefferson County in some relatively small areas. I mean we're looking primarily at the K-4 corridor parts of 24 and those major highways is primarily where those industrial areas are for the most part. Again, the more we looked at it we certainly didn't want to undermine the BZA with individual waivers. This seemed a more appropriate way to go to be able to accommodate some of these business concerns as was already shared also there is certainly some precedent in surrounding areas for having some smaller zones. So, I think that's basically what I want to say if you have any questions I'd be happy to answer those.

Chairman Scherer: Are there any questions for the witness at this time? I actually have one. I do not know why you would do a particular setback and we lack a County Engineer, but did you talk to KDOT or Bill or somebody?

Commissioner Ledbetter: Sam took care of all that, but yes we did check on that and make sure what the requirements and so forth were there.

Mr. Henderson: KDOT basically said that they don't get involved in local zoning matters. They have preferences but also the future plans for that road, the plan that they had for Highway 4 if they do anything with it is to move it to bypass Meriden and return that road to County control at some point. That's the only plan they have there. The Engineer Scott Cushing, didn't really have any issues with the request at that time for that specific BZA case he just said these are the guidelines and he used the term loosely, that they preferred to have x number of feet from the centerline of the road, which would be approximately where the building is currently located give or take 5 or so feet but that it is not a binding requirement and that they don't get involved in local zoning matters.

Chairman Scherer: I guess what I was more trying to get to was, we must have had some reason that we established these in the first place.

Commissioner Ledbetter: If that road does get relocated it's going to probably reduce some of the traffic there but has some potential for impacting commercial and industrial impact there with that road improvement.

Chairman Scherer: And again, I'm with you that we're not talking about a specific individual case that we're talking about everything across the County.

Commissioner Ledbetter: We're going to have limited growth in that area anyway. Industrial is not going to be that big and to be able to accommodate what we have but to keep it here and to keep it growing I think is an important consideration from the County Commissioner's point of view, from economic development's point of view those are important considerations for us to make.

Chairman Scherer: I don't have any concern about that either. It's just somewhere those numbers were brought in and there should be some reason for having done it.

Mr. Henderson: With setbacks there's aesthetics and safety to a lesser extent. With safety it's not really if a car is going to come around the corner and crash into the building if it's 40 feet back or 20 feet back it's more of like parking, that type of access area. There's no real open access along the corridors where we have industrial potential. It's limited access for the most part and so you don't really run the risk of having wide, like for example the hardware store on 59 where they might have a wide entrance the highways are limited access and the parking areas aren't to where someone is going to be backing out onto the street to go. They have to go and drive down to an entry and exit point. So that is another consideration for amending the setbacks there. If they decide to build more closely to the front line they'd have to park on the side because the typical size of a parking stall is about 10 feet by 20 feet so there wouldn't be enough room to have parking on that side of the building which is not a bad thing either because as far as aesthetics go it's usually considered better to have the cars parking behind the buildings than in front of the buildings so that is also a consideration.

Commissioner Bailey: The highway property line, is this actually 40 feet from the property line, is that what we're discussing?

Mr. Henderson: Yes, it's not 40 foot from the driving surface, it's not 40 foot from the shoulder, it's 40 foot from where the right-of-way ends and the property begins.

Commissioner Ledbetter: It's significantly further back from the road.

Commissioner Bailey: I just remember that when I managed the Co-op that we got into a legal hassle out there that the Co-op was built before the highway was put through and there was only like 3 feet from the building and we ended up having to move the sewers and everything else because of that.

Chairman Scherer: Other questions?

Chairman Scherer asked if there was anyone else who would like to speak in favor of the application.

Chairman Scherer asked if there was anyone who would like to speak in opposition of the application.

Dale Heston, BZA Chairman: I'm up here in opposition of the way that this was presented to you. It was because of one individual entity that set it forth to you. Do I oppose changing the setbacks? No. Because what I would really like you to do is look at all setback as you all might know I sit on the Planning and Appeals Board we have had numerous setbacks come to us and they all wanted to be approved and Jerry could tell you we've approved a couple but we've disapproved many because they couldn't reach the setbacks and meet the 5 criteria that we have. So, I really wish that they would've presented it to you to consider all setbacks in the County and review that if any of them could be changed that we look at changing those that may need to be changed. Tim's right, the Boy Scout camp, when I come up to them Wayne may not have been on it, but they should've said hey wait a minute, let's go to you guys and see if we could change some setbacks. And it's a non-profit organization that had to dig it out and I feel bad about it to this day because I'm the one that turned them in. I do feel bad that they had to spend that money. That is not what the intention was when I let Planning and Zoning know. So, you gentlemen are going to have to do what you do and it goes to the Commissioners and they can override what you do, that's the sad thing about it I'm sorry, but I wish they would look at it and done everything because I'm here to tell you, and Jerry can attest to it, that we get a lot of people that want to change setbacks and we've denied several and some of them could have been approved if they'd have been less and none of them went to anybody. Do you have any questions of me?

Chairman Scherer: Thank you Mr. Heston, any questions for the witness? Is there anyone who wishes to speak in opposition to the amendment?

Chairman Scherer asked once more if there was anyone who would like to speak either for or against the application and seeing none closed the public comment portion of the hearing.

END OF PUBLIC COMMENT

Commissioner Bailey: I would really like to table this for the time being because I think we really need to not just look at the industrial sites but we need to look at all of them. If we're going to look at the industrial I think we open ourselves up to a can of worms about changing other setbacks.

Commissioner White: I agree.

Secretary Noll: I agree if we're going to do one we probably ought to.

ACTION: COMMISSIONER BAILEY MAKES A MOTION TO TABLE CONSIDERATION OF TA2015-01 UNTIL LEGAL COUNSEL AS TO RAMIFICATION OF THE AMENDMENT CAN BE OBTAINED. SECRETARY NOLL SECONDS THE MOTION.

Chairman Scherer: I have a question for Staff, how available is legal counsel?

Mr. Henderson: He's available 5 days a week. I could probably call him now if you want me to, it just depends on what you want to do.

Chairman Scherer: Do we have business at the next meeting?

Mr. Henderson: We do.

Chairman Scherer: So there will be a meeting in April?

Mr. Henderson: Yes.

Vice Chair Johnson: So, we're talking about reviewing all setbacks?

Mr. Henderson: I believe the motion was to get legal counsel for this change.

Chairman Scherer: And also how it relates to all the other classifications.

Commissioner Bailey: Yeah, and how it relates to all the other classifications. I think you open a can of worms up where you're doing the industrial and not anything else.

Mr. Henderson: You can also, as an option, if you want to consider amending the other districts as well you can do that for another meeting if the specific concern is about addressing other districts as well if you're not specifically against the

industrial setback as requested the Planning Commission also may request amendments to the Zoning Regulations for example, if you would like Staff to look into the setbacks for the residential and commercial districts and what possible amendments we could make to those at another meeting we can do that if you want to do them all at the same time or just find out if there's any legal ramifications as to changing the industrial and not changing the other districts I don't believe there is, but like Matt said I'm not a lawyer.

Commissioner Bailey: Well, we've set a precedent already with the concrete plant south of Oskey the office was 33 feet from the road, or from the property line rather than the 40 feet and we went on and approved that.

Mr. Henderson: And was that part of a development plan?

Commissioner White: It was just a new office.

Commissioner Bailey: When they put the office in there they got it 7 feet too far to the west.

Mr. Henderson: If it was part of a development plan than those can be considered in that development plan request. I believe south of town there it is on a CUP. If it came through as part of the initial CUP or as part of an amendment to that plan those can be made at that time on a case-by-case basis as recommended by the Planning Commission and not necessarily a variance just as part of that development plan and development plan amendment. There are avenues in that regard. Where it's zoned industrial they don't have necessarily the requirement to submit or resubmit every change that they want to make to the Planning Commission.

Vice Chair Johnson: I would feel comfortable with an informational session about an overview of the setbacks that we have and the various classifications without bringing something concrete, a proposal already designed, to the Planning Commission.

Mr. Henderson: So, you are just wanting Staff to look up what surrounding residential or commercial kind of like the table that was on the first page of the memo here?

Secretary Noll: And see where we stand in comparison to adjoining counties.

Chairman Scherer: In my opinion we're changing this motion quite a bit.

COMMISSIONER BAILEY MADE MOTION TO AMEND THE ORIGINAL MOTION TO TABLE THE REQUEST UNTIL LEGAL COUNSEL MAY BE OBTAINED AND THE PLANNING COMMISSION MAY HAVE A CHANCE TO REVIEW ALL OTHER SETBACKS. COMMISSIONER WHITE SECONDS MOTION TO AMEND ORIGINAL MOTION.

Votes were taken by Ayes and Nays and recorded as follows:

Matt Scherer	Paul Johnson	Tim Bailey	Bret Frakes	Kelli Curry	Jerry White	Alex Noll
DNV	Aye	Aye	---	---	Aye	Aye

The motion to amend the original motion carried unanimously, 4-0.

Votes were taken on the amended motion by Ayes and Nays and recorded as follows:

Matt Scherer	Paul Johnson	Tim Bailey	Bret Frakes	Kelli Curry	Jerry White	Alex Noll
DNV	Aye	Aye	---	---	Aye	Aye

The amended motion carried unanimously, 4-0.

Item 6. Public Comment

No members of the public present desired to comment.

Item 7. Election of Officers

General discussion of tabling election to a later meeting at which all members were present ensued. A decision was made to elect the Secretary.

Chairman Scherer: Are you willing to continue as Secretary?

Secretary Noll: Yes, I am certainly willing to continue.

COMMISSIONER BAILEY MADE A MOTION TO NOMINATE ALEX NOLL TO CONTINUE TO OPERATE AS THE SECRETARY OF THE PLANNING COMMISSION. COMMISSIONER WHITE SECONDED THE MOTION.

Votes were taken on the new motion by Ayes and Nays and recorded as follows:

Matt Scherer	Paul Johnson	Tim Bailey	Bret Frakes	Kelli Curry	Jerry White	Alex Noll
DNV	Aye	Aye	---	---	Aye	Abstain

The motion carried unanimously, 3-0 with Secretary Noll abstaining.

COMMISSIONER BAILEY MADE A MOTION TO CLOSE NOMINATIONS FOR SECRETARY OF THE PLANNING COMMISSION AND ELECT ALEX NOLL SECRETARY. VICE CHAIR JOHNSON SECONDED THE MOTION.

Votes were taken on the new motion by Ayes and Nays and recorded as follows:

Matt Scherer	Paul Johnson	Tim Bailey	Bret Frakes	Kelli Curry	Jerry White	Alex Noll
DNV	Aye	Aye	---	---	Aye	Abstain

The motion carried unanimously, 3-0 with Secretary Noll abstaining.

COMMISSIONER BAILEY MADE A MOTION TO POSTPONE ELECTION OF THE CHAIR AND VICE CHAIR TO THE APRIL MEETING. VICE CHAIR JOHNSON SECONDED THE MOTION.

Votes were taken on the new motion by Ayes and Nays and recorded as follows:

Matt Scherer	Paul Johnson	Tim Bailey	Bret Frakes	Kelli Curry	Jerry White	Alex Noll
DNV	Aye	Aye	---	---	Aye	Aye

The motion carried unanimously, 4-0.

Item 8. Old Business and General Staff Report:

Old Business: Staff reviewed the information provided in response to the information requested by the Planning Commission during the February meeting specifically:

1. Map showing the percentage of County land in the AG District a change of approximately 5,000 acres less than appeared in the map included in the Comprehensive Plan of which about 2000 was reclassified to RR and approximately 2000 was reclassified to SR with the balance to the other districts or annexation by the cities.
2. Map showing the CUPs along the proposed amendments to the Commercial/Industrial Overlay and the proposed Commercial Recreation Overlay.
3. Examples of Commercial Recreation uses in existence in other counties.

Also discussed were the advantages of establishing a Commercial Recreation District over the current CUP system, e.g. streamlined use changes within the by-right use list after the initial re-zoning. Chairman Scherer requested a list of current CUPs that would be permitted by-right in a Commercial Recreation District. The question of extending the Commercial/Industrial Overlay was asked and Staff’s justification for not extending north was lack of demand in that area for commercial/industrial uses as displayed through lack of CUPs in that area currently. Chairman Scherer asked if the members wanted to continue the discussion or table it to the following meeting.

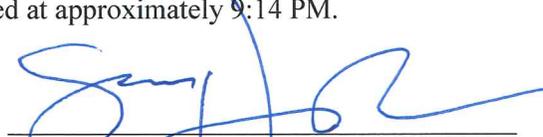
General Staff Report:

Item 9. New Business: None Presented.

Item 10. Adjournment

Action: Commissioner Bailey made a motion to adjourn. Vice Chair Johnson seconded the motion. Motion carried unanimously. The meeting was adjourned at approximately 9:14 PM.

Minutes taken by:



Sam Henderson, Zoning Administrator

Approved:

27 APR 15

Date

Chairman:



Matt Scherer

Secretary:



Alex Noll Secretary