

Planning and Zoning Minutes Oct. 1, 2009

Commission attending: Steve Hawkes, Jesse Brown, Vaun Waddell, Brian Hawkes, Renee' Christensen, Ray Barney via speakerphone.

Others in attendance: Craig Cobia

Steve moved that we accept the minutes from the last meeting. Vaun seconded the motion, the motion passed.

Jess moved that we amend the agenda and add Craig Cobia to the agenda, Steve seconded the motion. Voice vote-All yea. The reason for amending the agenda was that Craig had not contacted Sharon earlier to be on the agenda but was at the meeting in person asking for his question to be addressed.

Craig's property has an apartment above the garage, it is not completed. Would eventually like to have renters. His property is moving from old R2 to new R2. Craig wants to make sure that having an apartment is still allowed. He currently has an apartment in the house, once the space above the garage is complete, there will no longer be an apartment in the house. The net result will be the same. Brian will write a letter to Craig Cobia stating that the commission has no problem with this.

Brian called Bill Forsberg concerning the re-zoning map.

I spoke with Bill Forsberg this morning. After discussing the public hearing with him he had the following advice:

Ball Property

It is currently being used for agriculture. It has no heavy industrial use. Agriculture is permitted in Open Space. Zoning it to Open Space preserves its current use. In the future, the Ball family may have it rezoned to whichever it wants (commercial, industrial, or residential) when they decide what it should be. Not rezoning it is not an options since Heavy Industrial zone does not exist. This is a good plan. Go forward with the Open Space at this time. Note that if we go forward with this, I will communicate this information back to the Ball family and help answer their other questions.

Cindy VanWagoner

She came into our meeting after the public hearing. We had contacted her before the hearing to get her permission. We are well within our rights to proceed as proposed.

However, per Bill's advice, we could change the M1 zoning in her area to Mixed Use, preserve all the current uses in this zoning area and allow them to have residences if they would like. This would not be deemed a substantive change because nothing changes from the current use and we could recommend this to City Council.

Conclusion

These considerations would allow us to salvage our public hearing, preserve the current use of all properties in question, and would not preclude future zone changes to meet specific needs of property owners when those needs arise. I feel good about this. The only question I have is "Does Mixed Use cause us any future problems in this zoning area?" If not, then we should probably proceed with this.

If we did this it would make action possible on the zoning map. Everyone can continue doing what they are doing on their property, and it would give the city a zoning map.

Called Ray on the speaker phone and told him Bill's advice on the Ball property and the Van Wagner property.

Jess moved that we accept the map with the non- substantive changes and recommends the map to city council. Steve seconds the motion. Motion carried.

Cindy and Mike Van Wagner stopped by (after the motion to send the map to city council). We discussed with Mike and Cindy what Bill Forsberg said and what we decided to do with the map. Mike and Cindy were both in agreement with changing their property to MU. We discussed with them what this would allow them to do with their property, and we discussed with them the need for special use permits and the costs that are involved. The discussion with the Van Wagoners about the zoning map occurred before the meeting moved to its next agenda item.

The change in the comprehensive plan and Title 9 did not get in the paper, therefore the only item on the agenda for the public hearing on Oct. 15th is the Wind Turbine ordinance. The motion was correct it just did not get in the paper correct.

There are concerns that we are not doing the changes to the comprehensive plan and title 9 at the same time. The Wind Turbine affects these items.

Called Ray on speakerphone.

Vaun moved that, relative to the public hearing on the wind turbine ordinance, we separate the preceding as follows. First hold the hearing on the wind turbine ordinance as scheduled, and second hold a public hearing on items pertaining to chapter 8-3 section 9-6-5; and the comprehensive plan at 7:00 p.m. on November 5th.

Renee' seconded the motion. The motion passed.

Title 9 discussion, and changes. Hopefully we can take the new Title 9 to a public hearing by Nov. 19th

Meeting adjourned at 10:21 p.m.

Brian Hawkes
15 Oct. 2009