

POLICY COMMITTEE MEETING

May 31, 2013

3:00 p.m.

County Government Center, Building A

1.) Roll Call

Present

Ms. Robin Bledsoe

Mr. Tim O'Connor

Mr. Al Woods (via telephone)

Staff Present

Mr. Paul Holt

Mr. Chris Johnson

Mr. Jason Purse

Mr. Russell Seymour

Ms. Savannah Pietrowski

Others Present

Mr. Tim Harris

Absent

Mr. Rich Krapf

2.) Minutes

Mr. Tim O'Connor moved to approve the April 11, 2013 minutes.

In a unanimous voice vote, the minutes were approved (3-0).

3.) Old Business

There was no old business to discuss.

4.) New Business

a. Zoning and Subdivision Ordinance Amendments

Mr. Jason Purse stated that staff had recently completed the Zoning Ordinance Update process. Now that the process is complete, staff has noticed several items that should be amended for clarity and consistency. Mr. Purse noted that cross references now reference the entire article and division. Mr. Purse also noted that changes were made to reflect changes in the titles of several Divisions under Development Management. Mr. Purse further noted that a definition has been added for "Places of Public Assembly," and now uses now incorporated in this definition have been removed from the Use Lists. Mr. Purse also stated that although setbacks are not required in R-4, if setback lines exist they should be shown on the final subdivision plans.

Mr. Chris Johnson stated that similar revisions are being made to the four commercial districts: LB, B-1, M-1, and M-2, for clarity and consistency. Mr. Johnson also stated that following a joint effort with the Office of Economic Development, it was determined that the amount of land available in M-2 is relatively small. Approximately 40% of the M-2 district is represented by the BASF property. Of the remaining M-2 properties, only a few have adequate road frontage or are not limited by other constraints. In reviewing the M-2 Use List it was noted that a large number of retail uses are present in industrial districts. It was determined that having uses which are permitted in

other districts also permitted in M-2 is not the highest and best use of the County's industrial land, and the ordinance amends the Use Lists to remove these uses.

Ms. Bledsoe inquired if the reason the number of retail opportunities was reduced in the M-2 district was because those uses were not being utilized.

Mr. Johnson responded that it is because the uses that are proposed to be removed from the M-2 districts are more appropriate in other commercial districts, and they do not represent the highest and best use of the available M-2 properties.

Ms. Bledsoe asked to clarify if pawnshops were included in the M-1 district.

Mr. Johnson confirmed.

Mr. O'Connor noted that there had been earlier discussion about fast food restaurants in M-2.

Mr. Johnson responded that fast food had been removed from the list of other restaurants in January 2012. Mr. Johnson further noted that restaurants are proposed to only be used as an accessory use to another permitted use, and fast food restaurants are not a part of that.

Mr. Purse clarified that fast food was never permitted in M-2.

Mr. O'Connor inquired if there are situations, such as smaller industrial uses that might not have a cafeteria, where it would be beneficial to have a fast food restaurant close by.

Mr. Johnson stated that due to the nature of industrial work most workers eat on-site.

Ms. Bledsoe inquired if the uses such as health clubs and day care were also allowed as an accessory to another use.

Mr. Johnson confirmed.

Mr. Russell Seymour stated that more requests are being submitted for M-2 land, and the land should be reserved for those uses that are most beneficial to the County. Mr. Seymour stated that he is in support of the amendments.

Mr. O'Connor inquired if it would be possible to find more M-2 land during the next Comprehensive Plan Update.

Mr. Paul Holt stated that the Comprehensive Plan Update process will include the opportunity for land owners to request changes to their land use designation.

Ms. Bledsoe asked if removing retail land uses from M-2 would limit business interests.

Mr. Johnson stated that all uses proposed for deletion in M-2 still exist in other commercial districts.

Ms. Bledsoe thanked staff and the Economic Development Authority for their efforts in reviewing the M-2 uses.

Mr. O'Connor asked whether the language regarding easements in the R-4 district was being driven by developments such as New Town and Whitehall.

Mr. Purse stated that these easements are designed for instances where buildings are in close proximity and with no side setbacks. Easements may be necessary to allow emergency personnel or other workers any required access.

Mr. O'Connor inquired if the County Attorney's Office would ensure that the language is included on all recorded documents and the homeowners are aware of any easements.

Mr. Holt noted that this language would be required on the final Subdivision Plat. The language has always been there but was inadvertently omitted during the recent update.

Mr. O'Connor noted that his concern was related to the education of the homeowners regarding the existence of easements on their property.

Mr. Purse noted that such situations are the exception, not the norm.

Ms. Bledsoe inquired if Mr. Woods had any questions before a vote is taken.

Mr. Al Woods stated that he was comfortable with the amendments.

Mr. O'Connor moved for approval of the Zoning and Subdivision Ordinance Amendments.

Mr. Woods seconded the motion.

The motion passed unanimously.

5.) Adjournment

The meeting was adjourned at 3:32 p.m.


Robin Bledsoe, Chair of the Policy Committee