
PLANNING & ZONING COMMISSION
December 14, 2009
Minutes

Members Present: Bruce Bixby
 Fred Famble
 Gary Glenn
 Tim McClarty
 Clint Rosenbaum
 David Todd

Members Absent: Ovelia Campos

Staff Present: Jon James, Director of Planning and Development Services
 Kelley Messer, City Attorney
 Ed McRoy, Assistant Director of Planning and Development Services
 Ben Bryner, Planning Services Manager
 JoAnn Szech, Executive Secretary, Recording

Others Present: Dave Boyll

Item One: Call to Order

Mr. Tim McClarty called the meeting to order at 1:33 p.m. and declared a quorum present.

Item Two: Invocation

Mr. McClarty gave the Invocation.

Item Three: Land Development Code

Public hearing and possible vote to recommend approval or denial to the City Council on a proposal to adopt the Land Development Code.

Mr. Todd moved to remove this item from the table. Mr. Famble seconded the motion and the motion carried unanimously.

Mr. McClarty had questions, concerns regarding the following:

⇒ Page 4-35, Section 4.2.6.1, Paragraph C, Item 3, Regarding Waiver

Mr. McClarty stated that this section mentions a Planning and Zoning Design Review Committee for a waiver and asked who is on this Committee.

Mr. James stated this information is not new and is based on the Urban Design Section that was adopted a couple of years. The Design Review Subcommittee has never been created because no one has ever

appealed a denial of this particular provision. If a waiver is requested, denied, and then appealed, this Committee will be established.

⇒ Item D, Standards for Large Developments

Mr. McClarty questioned the first item in this section – Architectural Style. Mr. McClarty stated that there many options available for architectural style through the first statement in this section and did not feel comfortable in limiting architects in the design of a building (particularly regarding articulation and setback).

Following discussion, the consensus of the Commission was to leave #1 as currently in the LDC; remove #2; reword #3; and leave #4, 5, and 6 as currently written within the code.

⇒ Page 4-36 – Lighting and Exterior Illumination

Mr. McClarty stated that this section requires a lighting plan to be submitted with the Site Plan.

Mr. James stated that staff has been allowing a note on the Site Plan that indicates that the lighting will comply with this section of the Code.

Mr. McClarty stated he would like for this to be stated this way in the LDC.

Mr. James stated that he is fine with making this change.

⇒ Page 4-36, Exempt Lighting

Mr. McClarty stated that of the nine (9) items listed in this section, it is his recommendation that #2. (Lighting in Public Streets) be removed.

⇒ Page 4.-38, 4.2.7.2 – Performance Standards Regulating Glare

Mr. McClarty stated that he is unsure of the definition of glare in this section (this could be different for individuals).

Mr. James stated that this is a compromise worked out by staff, the Review Committee and the Planning and Zoning Commission. The statements contained in the LDC reflect this compromise.

Mr. Bixby stated that there is a definition for “glare” in the LDC on Page 4-37 and asked if this is redundant.

Mr. James stated that this may very well be the case.

Mr. Bixby stated that since there is a definition within the LDC, he sees no reason for not removing Section 4.2.7.2.

Mr. James stated that the first sentence could be removed; however, the second sentence should remain.

The Commissioners were in agreement with the recommendation provided by Mr. James.

Mr. McClarty asked about Section 8 – Sign Regulations.

Mr. James stated that as soon as this LDC is adopted, staff will begin work on the Sign Ordinance. When the new Sign Ordinance has been completed and adopted by Council, it will be included within the LDC.

⇒ Page 4-49, Division 11 – Vacation Travel Trailers (RVs)

Mr. McClarty asked about the maximum site density (4.2.1.1.2) of 12 units per acre. Mr. McClarty stated that he has contacted RV parks and could not determine if this density is calculated correctly.

Mr. James stated that Division 11 is the current Vacation/Travel Trailer Ordinance that was written years ago and did not believe that changes had been made to this document. Staff will review this information.

⇒ Page 4-50, D.1. – Pads for Vacation Travel Trailers

Mr. McClarty stated that the current LDC language requires a 10 foot separation. Mr. McClarty stated that it appears to him that eight (8) feet would be more reasonable than 10 feet.

Mr. James stated that staff will investigate if there are fire code issues involved and determine the rationale for the 10 foot separation.

⇒ Page 4-52 – Sanitary Facilities (RV Park)

Mr. McClarty stated that #3 in this section states the materials to be utilized: “The walls of the bathroom, other than the shower stalls, shall be prepared with canvas and wallpaper and kept clean at all times.” Mr. McClarty stated that he believed this to be in conflict with the building code.

It was the consensus of the Commission to remove #3 since this will be covered under the building code.

Mr. Bixby stated that he has a question regarding a definition for a security residence. Mr. Bixby stated that this is a concern for him. Mr. Bixby stated that although he realizes that there are limitations to enforcement, his preference is still to limit residents to two adults.

Mr. James stated that staff would work with the Legal Department to develop this definition.

Mr. McClarty stated that the next step will be for staff to incorporate all comments received from the Planning and Zoning Commission and present the Commission with a “clean” draft. This draft will be reviewed one final time and then forward a recommendation to the Council. The Commission requested full size printing.

⇒ Definitions: 5-31

Mr. Todd questioned the definition of “all weather surface.”

Mr. James stated that staff will review this definition and present their findings to the Commission. Mr. James stated that a required "parking surface" may need to be tied to specific zoning districts.

Mr. McClarty opened the public hearing. No one came forward and the public hearing was closed.

Mr. Famble moved to table the Land Development Code to the January 4, 2010, Planning and Zoning Commission meeting. Mr. Glenn seconded the motion and the motion carried by a vote of six (6) in favor (Bixby, Famble, Glenn McClarty, Rosenbaum and Todd) to none (0) opposed.

Item Four: Adjourn

There being no further business, the Planning and Zoning Commission meeting was adjourned at 2:40 p.m.

Approved: _____, Chairman