

Jefferson County Planning Commission
March 24, 2016

The Jefferson County Planning Commission met on March 24, 2016 with the following Commission members present: Mike Chapman, President; Wade Louthan, Vice President; Donnie Fisher, Secretary; Steve Stolipher, Gary Phalen, Eric Bell, and Peter Fricke. Staff members present included Jennie Brockman, Director of Planning and Zoning; Lydia Lehman, Assistant Prosecuting Attorney; Jonathan Saunders, County Engineer; and Alexandra Beaulieu, Office/Project Manager.

Mr. Gene Taylor and Mr. Dick Childs were absent with prior notification.

Mr. Mike Chapman called the meeting to order at 7:00 PM.

1. Citizen Communications. None.
2. Planning Commission Work Session (continued): Discussion on the Envision Jefferson 2035 Comprehensive Plan recommendations regarding modifications to the LESA/Conditional Use Permit provisions of the Jefferson County Land Development and Zoning Ordinance as well as modifications to the Cluster Subdivision provisions of the Rural zoning district (ZTA16-01).

Ms. Brockman provided an overview of the revisions to the proposed text amendment as recommended by the Planning Commission on March 8, 2016.

Ms. Brockman stated that the Board of Zoning Appeals (BZA) reviewed the edits made to Section 3.4 and were satisfied with the recommended changes. She stated that the only comment the BZA had was that after the Planning Commission is finished revising Appendix C, that they should consider including a list of some conditional uses that have a specific list of conditions that are always required.

Mr. Brockman reviewed the proposed definition of “Green Space”. Mr. Fisher inquired as to whether the term green space would replace the term residue. Ms. Brockman clarified that the term Green Space applied specifically to Cluster Developments and that the green space area would not have any further development rights.

The Planning Commission reviewed the definition of Open Space, which was revised to reflect the same definition as provided in the Subdivision Regulations. Mr. Louthan requested that staff research to determine whether or not both open space and green space would be required in a subdivision over a certain number of lots.

The Planning Commission reviewed the definition of Kennel and recommended removing the term “grooming” from the definition. They also reduced the setback requirement from 500’ to 300’ from any other residential structures and removed the last statement, “Kennels cannot be located within a Planning Commission approved residential subdivision.” (Sections 4.6 & 8.4.)

Staff recommended amending Section 4A.5 pertaining to Cottage Industry home businesses located on a shared driveway or easement or right-of-way so that applicant’s would not be required to go before the Board of Zoning Appeals for a public hearing but rather simplify the process to require a sign posting on the property and notification via certified mail. The only time a public hearing would be required is if a neighboring property appealed the Zoning Administrator’s decision to issue a Zoning Certificate.

Mr. Bell proposed changing building height restrictions to 75’ in all zoning districts. Mr. Fricke requested that the Village district remain at 40’ to maintain the historic nature of the Village districts. The Planning Commission agreed to keep the Residential Growth and the Village zoning districts at 40’ but revised all other districts to reflect a 75’ maximum building height in Appendix A pertaining to residential site development. They amended the building height for non-residential site development to 75’ in all zoning districts except for the Village, Residential Growth, and Neighborhood Commercial zoning categories which would remain at 35’.

Mr. Bell noted that the building height regulations in Section 5.7C would need to be increased to 75' in order to reflect the changes made to Appendices A & B.

Mr. Stolipher made a motion to delete the proposed minimum 50% of property retained in green space from Section 5.7D.2.b(i)(b). Ms. Brockman stated that the Envision Jefferson 2035 Comprehensive Plan recommended for cluster developments that 50% of the land be retained in green space. Ms. Beaulieu stated that the County Commission amended the recommendation in the Comprehensive Plan to reflect a general statement that a mandatory percentage be retained but did not specify how much. Ms. Beaulieu stated that the Implementation Tools stated that 50% should be retained but was uncertain as to whether it was an oversight during the editing. The Planning Commission requested that Ms. Lehman research to determine what impact conflicting goals in the Comprehensive Plan would have on making a final revision to the Zoning Ordinance.

Mr. Chapman called for a five minute break at 8:31 PM.

The meeting reconvened at 8:38 PM.

The Planning Commission discussed amending Section 5.7D.3 to include additional family members such as grandparent-grandchild and sibling to sibling. They amended the section to read family transfers rather than "transfers of land between parent and child" and requested that Staff write a definition for "Immediate Family" or "Family Transfers" to include in the definitions. Mr. Saunders pointed out that the section pertaining to the parent-to-child process does not specify whether to go through the major or minor process. The Planning Commission stated that the section should be revised to specify that all family transfers process through the Minor Subdivision process.

The Planning Commission reduced the setback for a farm market from 50' to 25'.

Mr. Bell recommended revising Section 8.5 to reflect State Code. He stated that distilleries could sell alcohol for onsite consumption if it is licensed as a private club. Ms. Brockman stated that when this section was originally drafted it was taken out of State Code. Mr. Bell stated that there have been amendments to state requirements and requested that staff review current regulations.

The Planning Commission made the following revisions to Appendix C:

- Airport – change from "Not Permitted" to "Conditional Use" in the Rural District
 - Mr. Stolipher requested that staff create a definition for private airfield and include as a Conditional Use in the Rural District.
 - Mr. Bell requested that Helipad be added to Appendix C and listed as a Conditional Use in the Rural district. He noted that the term Helipad is listed in Article 2 Definitions.
- Elementary or Secondary School – change from "Not Permitted" to "Conditional Use" in the Village District.
- Preschool – change from "Not Permitted" to "Conditional Use" in the Village District.
- Shooting Range, Indoor – change from "Not Permitted" to "Conditional Use" in the Rural District.
- Shooting Range, Outdoor – change from "Not Permitted" to "Conditional Use" in the Rural District.
- Slaughterhouses, Stockyards - - change from "Not Permitted" to "Conditional Use" in the Major Industrial and Rural Districts.

- Convenience Store - change from “Not Permitted” to “Conditional Use” in the Rural and Village Districts.
- Gas Station - change from “Not Permitted” to “Conditional Use” in the Rural District.
- Golf Course - change from “Not Permitted” to “Conditional Use” in the Residential Growth District.
- Non-Profit Community Centers – change from “Not Permitted” to “Conditional Use” in the Office Commercial, Residential Growth, and Village districts.

Mr. Mike Chapman motioned to adjourn the meeting at 9:28 PM.