

Jefferson County Planning Commission
May 6, 2014

The Jefferson County Planning Commission met on May 6, 2014, with the following Commission members present: Stephen Stolipher, President; Wade Louthan, Vice President; Gene Taylor, Secretary; Dale Manuel, Gary Phalen, Dick Childs, Donnie Fisher, and Mike Chapman. Staff members present included Jennie Brockman, Director of Planning and Zoning; Stephanie Grove, Assistant County Prosecuting Attorney; and Alexandra Beaulieu, Project Manager.

Mr. Stolipher called the meeting to order at 7:04 PM.

1. Approval of the minutes from April 8, 2014 Planning Commission Meetings.

Mr. Fisher motioned to amend the minutes to reflect the following correction:

At the bottom of page two, under item number five, change Mr. Louthan to Mr. Fisher as the third member in favor of Mr. Manuel's subsidiary motion. The revised minutes should read: *The motion failed with three for (Mr. Manuel, Mr. Taylor, and Mr. Fisher) and six opposed.*

Mr. Louthan seconded the motion to amend the minutes, which carried unanimously.

2. Citizen Communications. None.
3. Request for postponement. None.
4. Joint workshop between Planning Commission and local stakeholders to discuss creating a draft amendment to the Zoning Ordinance regarding Mass Events at the request of the County Commission. Public Hearing to be held at a later date.

Stakeholders present:

- Kathy Fadeley and Barbara Scott, Summit Point Raceway/Hyperfest
- Heather McIntyre, Jefferson County Chamber of Commerce
- Karen Bailey, Hollywood Casino
- Billy McDonald, Independent Fire Company
- Jennifer Myers, Jefferson County Parks and Recreation

Ms. Brockman clarified that the amendment would not affect existing events such as the County Fair, Hyperfest, Arts and Crafts Festival, etc. She noted that the creation of an amendment to the Zoning Ordinance regarding Mass Events would apply to properties that are not currently zoned to allow Mass Events such as the Rural zoning district.

The stakeholders provided input based on their experience with existing events and addressed topics related to traffic control, parking area size and distance from adjoining property lines, trash collection, noise control, and safety. It was recommended by Ms. Scott that the County require interested parties to apply for a Mass Event permit at least six months to a year in advance to ensure appropriate entities are informed, such as the Sheriff's Department and EMS (emergency medical services).

Mr. Stolipher thanked the stakeholders for their time and input and called a recess at 8:00 PM.

Mr. Stolipher called the meeting to order at 8:08 PM.

The Planning Commission discussed the County Commission's request to draft an amendment to the Zoning Ordinance regarding Mass Events at great length. The following recommendations were made to Legal Staff for consideration in drafting the amendment.

The following recommendations were made to the section under “Applicability” on Pages One and Two of the Memo provided in the 06-10-14, PC Agenda Packet:

- Remove items one through six on page two from the qualifiers of a Mass Event and simply state that a Mass Event is any outdoor gathering of more than 1,000 people on a parcel in the Rural Zoning District.

The following recommendations were made to the section under “Proposed Process” on Page Two of the Memo:

- Item 3: Strike “but no sooner than one year”.
- Include a clause to allow a successful event to become a recurring event without having to go through the same approval process each year. Approval process should be to assist event planner in organizing a successful event. Should event become a recurring event, recommend applying for a CUP or rezoning to allow the use.
- Item 3: Change the application fee to reflect sliding scale based on size of event. E.G.: 1,000 – 5,000 attendees = \$100; 5,000 – 10,000 attendees = \$300; 10,000+ = \$500. The topic of application fees was discussed at length. The PC requested that staff research sliding scales and application fees for Mass Events to determine a reasonable fee.
- Item 4: Reduce the \$2 per attendee per day fee for application, management, and public safety impact. The PC requested that Legal Staff research bonding as proposed in item number four.
- Remove items five and six.
- Item 7: Change the requirement for an applicant to submit a site plan to require the submission of a concept plan for administrative review and approval.
- Remove item eight.
- Item 9: Determine a flat fee, as opposed to a fee per attendee, related to fines. Requested that Legal Staff research restrictions related to issuing fines.

The following recommendations pertain to the section titled “Site Plan Requirements” on page three of the memo.

- Change the heading from “Site Plan Requirements” to “Concept Plan Requirements”.
- Item 1: Change “Site Plan” to “Concept Plan”. Strike the requirement for a public hearing because the Minor Site Plan Process does not require it.
- Item 4:
 - a. Clarify that setback applies to any *amplified* performance area;
 - b. Split requirements for camping areas and parking areas. Staff research standards for parking area setbacks.
- Add provisions regarding adequate water supply and proper sanitation.

The following recommendations pertain to the section titled “Additional Standards” on page four of the memo.

- Item 1: Change to read: “No outdoor amplified ~~sound~~ *performance* after ~~11:00 p.m.~~ 12:00 a.m. or before 10:00 a.m.”
- Item 2: Change 11 pm to 12:00 a.m.
- Item 3: Change 11 pm to 12:00 a.m.
- Item 4: Clarify to reflect such that an event may occur over five days, with the main event/amplified performances occurring over three consecutive days – Friday, Saturday, and Sunday; and permitting attendees to arrive the evening before with less obtrusive activities occurring and permitting attendees to depart the day after, Monday morning.
- Add a sixth item to require trash removal on a daily basis.

The following recommendations pertain to the section titled “Site Preparedness Provisions” on page four of the memo.

- Item 1: change “written agreement” to “contract”. Add the requirement of written verification from each agency stating that they met with the applicant and list any requirements discussed.
- Item 2: Add the requirement of written verification from the Health Department regarding the number of portable bathrooms required.
- Item 3: Legal Staff research sliding scale for liability insurance based on the event type (i.e. music festival vs. obstacle course).

The Planning Commission recommended removing Section 9.8 regarding Seasonal Uses from the Zoning Ordinance.

The Planning Commission determined that Legal Staff should research standard procedures related to Liability Insurance, Bonding, Application Fees, etc. It was requested that Planning Staff research application fees related to mass events and consider a per person fee or a flat rate on a sliding scale based on attendees.

Ms. Brockman stated that she would meet with Mr. Groh, Assistant County Prosecuting Attorney to discuss drafting an amendment to the Zoning Ordinance regarding Mass Events. She stated that once an amendment was drafted, staff would request to schedule Public Hearing with the Planning Commission.

Mr. Stolipher called a recess at 9:38 PM. Mr. Stolipher called the meeting to order at 9:43 PM.

5. Reports from Legal Counsel and legal advice to the Planning Commission. None.
6. Director’s Report.
 - Update on 2014 Comprehensive Plan.
Reminder for June 10, 2014 meeting that staff will present an overview of Comprehensive Plan to the Planning Commission as well as distribute draft copies of the Plan to each of the members. Ms. Brockman also noted that during the June 10, 2014 meeting staff would request a Special Workshop Meeting on June 24, 2014 to review the Comprehensive Plan with the

Steering Committee. Staff would also request a Special Called meeting for July 22, 2014 to hold a Public Hearing related to the Comprehensive Plan.

- Overview of the History of Planning and Zoning in Jefferson County.
Postponed until further notice.

7. Planning Commission Exchange and Liaison Reports: None.
8. President's Report.

Mr. Stolipher requested that staff draft a letter to the County Commission on behalf of the Planning Commission requesting automatic extensions for subdivisions under Senate Bill 595.

9. Non-Actionable Correspondence. None.
10. Signing of approved Motions from previous Planning Commission meetings.
 - PCW14-01, River Riders Waiver

Mr. Manuel motioned to adjourn the meeting at 10:25 PM. Mr. Chapman seconded the motion, which carried unanimously.