

Cold Spring Planning & Zoning February 11, 2015

The regular meeting of the Cold Spring Planning and Zoning Commission was called to order by Chairman Peter Glenn. Pledge to the flag was led by the city clerk. Roll call showed the following present – Peter Glenn, Robin Hahn, Grant Mitchell, Donna Schmidt, Vince Sticklen, and Dave Thiem – excused was Tony Ponting. Also present were Attorney Cameron Blau, City Clerk Rita Seger and Campbell County Staff Director Cindy Minter.

Chairman Glenn pointed out the exits from the building, per Fire Department regulations.

The January 14, 2015 regular meeting minutes were reviewed by all. Dave Thiem made a motion to approve these minutes and Grant Mitchell seconded motion. All were in favor. Motion carried.

There were no subdivision items, public facilities, public hearings, unfinished business, correspondence, or planning and staff items.

Chairman Glenn stated that under commission items, the City intends to sponsor the map amendment / zone change for Paulena Drive. Cindy Minter explained the process. This will be a zone map change from an R-RE zone to likely being an R-1DD zone. This is based on Ordinance 88-527 when this property was annexed into the City of Cold Spring in 1988. After doing an evaluation and review with mayor / council, they concluded that it is in the best interest of the city to be a sponsor for this zoning map change. This case will go through the traditional steps for this Planning & Zoning Commission to review at the March P&Z meeting and if the zoning change is accepted, it will be forwarded to city council for review and acceptance. It will take several months to go through this process. Cameron Blau stated that since there is no specific line item in the budget for these expenses and since it is \$80 per hour, from a legal prospective it has to take city council to pass a resolution to enter into a contract with Staff to pay for those expenses. He doesn't anticipate that this will hold anything up.

Vince Sticklen questioned what this does in regards to other annexed areas where the zoning was never looked at. Other residents may feel their zoning was never appropriately looked at during the annexation process and want theirs changed also. He questioned if we are not going to have to assume the cost of looking at the zoning of all of the property that was annexed. Cindy Minter stated that this won't be the case with all of the property that was annexed, but we would need to evaluate them on a case by case basis. There are situations where this may be the appropriate thing to do, but there will be other times when a property owner comes forward and their zone is perfectly compatible with where they are now, and they would just like to make a zone or text change for a different use on their property. We have to look at how the property is being utilized, when the annexation occurred, and some of the details to see if it was assigned to the appropriate zone when the annexation occurred.

Vince Sticklen stated that we are going to be looking at our Comprehensive Plan and questioned if it would make more sense to look at all of the zoning in annexed areas at that time and perhaps it would be less expensive. Cindy Minter stated that during the review of the Comprehensive Plan it would be the ideal time to do this. You will be looking at the zoning in your entire community and you may say at that point that there are locations that need to be adjusted. Then you can take action and make adjustments as a result of the Comprehensive Plan. In most cases she would recommend that we wait on the Comprehensive Plan, but this case is different because the citizens brought it forward because they had some immediate needs that had to be adjusted.

In summary, Peter Glenn said that this body will be doing the Comprehensive Plan, looking at all of the zoning in the general sense, and if any resident has a specific want or need for a zoning change, it would need to follow a different procedure of making that happen. Cindy Minter stated that this would be for individual parcels but if there is an entire section of the city that needs some adjustments the Comprehensive Plan review is a good time to flag it to see if some zoning changes need to be made in those areas, and if it is appropriate for the city to make that zone change for the city's best interest. Dave Thiem stated that there are times when an individual would like to make improvements and it doesn't fall into the zoning requirements. The City has a Board of Adjustment where they can apply for a variance. That may be the best option for them at this time.

As the next item on the agenda, Peter Glenn stated that **Grant Mitchell obtained four hours of continuing education** credits, per House Bill 55. Vince Sticklen made a motion for approval, and Dave Thiem seconded the motion. All were in favor. **Motion carried.**

Peter Glenn stated that Campbell County Planning and Zoning is working on a number of issues coming up in the City of Cold Spring in the upcoming weeks and they want to prepare this Board for that. Cindy Minter stated that there will be some text change amendments coming before this Board in the zoning ordinance. She provided a list of items to the Board

Members and stated that she wanted to flag these ahead of time to give Board Members the opportunity to do some research and get familiar with these sections of the zoning ordinance. They anticipate adding permitted uses in the Highway Commercial Zone, conditional uses in the Neighborhood Shopping Center and Neighborhood Commercial Zones, Section 11.2 Parking Ratios, and some revisions on the Mixed Use Planned Development Zone. Staff will come to this Board with the specific text changes for their consideration over the next few months.

Cindy Minter, stated that with your permission Campbell County Staff will bring before this Board the Vision and Goals and Objectives of the Comprehensive Plan. They will take a look at these, make some adjustments and formatting issues and bring these back to this Board in a working session. She questioned if P&Z members have an idea of when they would like to have this review. There will be full agendas over the next several months with normal planning and zoning work and she would like to select a time that would work for all. The Comprehensive Plan will be going on simultaneously with other P&Z issues. Staff would need about one month to prepare and bring it before this Board and to have a working session and making any adjustments that are needed, and then take it out for public comment.

Peter Glenn questioned if we were to wait until June to address the Comprehensive Plan, would that delay affect the process. Cindy Minter said it would not affect it and they can stay on course. Staff needs to be doing a little work on this ahead of time but we could delay the Comprehensive Plan work session until June. It would be a public meeting and have to be advertised since we would have a quorum but it would be strictly limited to the discussion of the goals and objectives. Ms. Minter stated that we can do it in pieces and parts, maybe an hour either before or after the regular P&Z meetings. Peter Glenn questioned a segmented approach and if this would affect how this Board would comprehend the whole process. Ms. Minter stated that she can break it up fairly well. The Board and Cindy Minter agreed that she can come prepared to do it after the regular P&Z meetings, but if the meeting does run long, then it can be postponed until the next month's meeting. They will just have regular work sessions for a period of time following the regular P&Z meetings. The Board agreed to this scenario.

Cameron Blau stated from a legal perspective that money for the Comprehensive Plan has been set aside (\$25,000) in the line item budget to pay for it, but it was discovered that in Appendix A of the City of Cold Spring and Campbell County Planning and Zoning and building and inspection services agreement, it doesn't specifically enumerate what they can authorize or what the executive authority can authorize. There will have to be an ordinance to amend and add text to Appendix A with the necessary wording. It will take two months and a publication before it is ready for authorization to actually pay for the Comprehensive Plan review. It shouldn't slow you down because the money is there, but there just needs to be that text amendment, since the city strictly interprets all of our local ordinances and planning and zoning ordinances.

Peter Glenn questioned if Staff can proceed at all until that is passed. Cameron Blau stated that the money is budgeted, it is just that Staff is going to have to know whether or not that is going to be approved, but since it has already technically been approved as a budget item he can't imagine council not going forward with this. Staff can proceed forward with the understanding that ultimately they will get paid. It is risk versus reward, but this is literally just an oversight. Peter Glenn verified that any billing hours dated prior to this approval will not be a problem. Cameron Blau stated that once it is approved there is no problem. The money is set aside and they will just have to keep the line item to consider for the next fiscal year budget, because obviously this is going to roll over into the next fiscal year.

The Board discussed continuing education credits and Ms. Minter stated that she can provide some educational material and opportunities. There are a number of sessions coming up this summer. She is doing one on March 16th, at the Campbell County Extension Office and they are going to be looking at the agricultural land as in the R-RE zones in particular.

Grant Mitchell made a motion to adjourn the February 11, 2015 Planning & Zoning meeting at 7:50 pm, and Dave Thiem seconded the motion. All were in favor. Motion carried.

Respectfully submitted,

Rita Seger, City Clerk