

PLANNING AND ZONING COMMITTEE

JULY 19, 2017

The meeting was called to order at 5:30 p.m. by Chairman Tim McCarthy. Committee members present were Tim McCarthy, Jonathan Smith and Becky Williams. Also present were Bridgette Kabat, City Administrator, Karlene Henderson, Law Director, and Brody Walters, Planning and Zoning Administrator.

SR25 CORRIDOR STUDY

Ms. Kabat stated that the SR25 Corridor Study covers SR25 between Findlay Street and St. John XXIII Church. She said the study allows us to be proactive with traffic management in the most efficient, effective and safe way. The study was last updated and approved by City Council in 2011. Tom Yurysta, Project Manager of Proudfoot Associates, said there has been a great deal of development in this area since 2011 and there is more in the planning stages. He said that the focus of the study is access management, namely where drives and intersections should be located. Mr. Yurysta gave a presentation showing where they see future drives and intersections. Mr. Smith asked if it eliminates any current egress. Ms. Kabat said that they are recommending eliminating the left turn out on SR25 at Wilson and make it right in, right out only.

Lane Williamson, Eastman & Smith, said that he represents the owner of the property at the northwest corner of SR25 and Roachton Road. He said that he has had dialogue with the Administration about alternative access, and he asked the Committee to delay its decision for a month so he can have further discussion with the Administration. Mr. Williamson said that driving traffic away from that corner reduces the value of the property and hinders development. He said that there had been interest from a retailer but they wanted a right in, right out onto SR25. Mr. Walters said that he provided Mr. Yurysta with the plan from Mr. Williamson's client, but they are looking at it from two different angles. The Corridor Study is meant to move traffic and Mr. Williamson's client's plan is more of an end destination level plan. This item was tabled to allow Mr. Williamson time for further discussion with the Administration.

CHICKEN DISCUSSION

Mr. McCarthy said that there are three versions of ordinances dealing with chickens. There is the pro-chicken version that would allow no more than six hens in R2 and R3 zoning districts as a special approval use. The no chicken version permits chickens in agriculturally zoned districts and is a special approval use in R1 districts. The third version would create a process where current owners can keep their chickens, but no more would be allowed.

Krista Kiessling thanked the committee for their consideration. She said it has been an education in how the system works. Ms. Williams said that the Mayor made a statement at the last City Council meeting regarding grandfathering existing chickens. She asked if the Administration has had a change in philosophy or if there is a change in the recommendation from Planning and Zoning. Ms. Kabat said there has been no change, the Mayor offered adding the clause to try and bring about closure. She said that people have chickens and they consider them as pets. She distributed rules and regulations as

to how she would envision the program if grandfathering were permitted. She said that there would be a window of time to turn in the application, and Planning and Zoning would do a site inspection to verify setbacks and run requirements. She said that she is working with an outside party on how to identify the hens, which could include photos, banding or microchipping. The Animal Control Officer would do periodic visits to check for compliance and enforcement just like any other animal control issue. Ms. Kabat said that some issues still need to be addressed including properties in the Historic District, but these rules are very similar, although not identical to what is in Ms. Kiessling's ordinance.

Mr. Smith said that if Ms. Kiessling's ordinance goes through, it would allow all types of Specialized Animal Raising as a special approval use in R2 and R3 districts and he didn't think that was the intent. Ms. Kabat said that the ordinance is expanding something that is already permitted in Agricultural districts and is a special approval use in R1 districts to include R2 and R3 districts. Mr. McCarthy said that a new category and definition for Hen Raising would have to be created so it is not included in Specialized Animal Raising. Mr. Smith asked who is ultimately going to enforce the rules and regulations if chickens are permitted. Ms. Kabat said that it will be the Planning and Zoning Division and the Animal Control Officer.

The Committee voted 1-2 on Ms. Kiessling's ordinance that would permit the raising of hens. Mr. McCarthy said that he supports it, and Mr. Smith and Ms. Williams were opposed. Mr. Smith said that he understands property rights but at some point it interferes with neighbors' rights. He said that he is worried about those that aren't going to do it right and the burden on the City to enforce. He said that he feels for those who have chickens, but it would be hard to say yes with households so close together and it is hard enough to enforce the rules with dogs and cats.

The Committee voted 2-1 on the ordinance that would not permit chickens but would allow those who currently own chickens to keep them until they cease to exist. Mr. McCarthy said that it sounds like there is a mechanism or means to track the hens. Mr. Smith said that he is also in favor of it. Ms. Williams said that she does not think it is a good planning and zoning practice and she would need a specific cutoff date to recommend approval.

The third piece of legislation, the Administration's original proposal with no grandfather clause, will be brought forward with no recommendation.

PARKING EXPANSION – HOOD PARK CONCEPT

Mr. Walters asked for approval of a contract with Tetra Tech in the amount of \$49,900 for final engineering for Hood Park parking. He said that Tetra Tech provided the preliminary engineering and the preliminary estimate for construction is \$437,750 which includes a 40% contingency. Mr. Walters said that there is \$435,000 in the 2017 budget. Mr. McCarthy asked if the approval is just for the contract with Tetra Tech and not of the design. Mr. Walters said that the final engineering is of the design provided, but it does not lock the City into construction.

Ms. Williams asked if this project will be going to the Planning Commission or Recreation Committee. Mr. Walters said that it will be going to the Historic Landmarks Commission, but right of way improvements do not normally go to the Planning Commission. Ms. Kabat added that the Second Street parking followed the same process. Ms. Williams asked if landscape islands are required. Mr. Walters said that landscape islands are required for private parking lots, while this is public parking, but they will do what they can to follow the spirit of the Code. Ms. Williams asked if it is over budget where the extra funds would come from. Ms. Kabat said that it will come either from the General Fund Reserve or the Capital Improvements Fund (403) dollars that weren't expended. Mr. Walters said that he also has funds available in the Planning and Zoning contracts line item. The Committee agreed 3-0 to recommend approval of the contract with Tetra Tech for \$49,900 for final engineering of Hood Park parking.

MEDICAL MARIJUANA

Mr. McCarthy deferred this agenda item to next month's meeting. He said that he has received conflicting information that recommends against the Administration's position. He said that he would forward that information to the other Committee members and the Administration. Ms. Kabat distributed a packet of information from the Prosecutor.

There being no further business, the meeting adjourned at 7:59 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Timothy G. McCarthy". The signature is written in a cursive, flowing style.

Tim McCarthy, Chairman
Planning and Zoning Committee

Next meeting: Wednesday, August 16, 2017 at 5:30 p.m.