

Planning and Zoning Commission Work Session Minutes
June 20, 2013
Conference Room 1-B - 1st Floor City Hall

ATTENDANCE:

Commission Members Present: Anthony, Peters, Puri, Reichlin, Vander Tuig, Wheeler
Commission Members Absent: Strodman, Tillotson
Staff: Lepke, McIntyre, Zenner

ADJUSTMENTS TO AGENDA:

None

TOPICS DISCUSSED – New Business:

- Planning Commission By-Laws Amendment

Chairman Wheeler introduced the topic and gave an overview of the proposed changes that were distributed. There was general discussion regarding the changes.

The proposal would reduce the total number of allowed absences (excused/unexcused) from 6 (25%) to 3 (12.5%). Chairman Wheeler explained that any absence that was reported after 5 pm on Tuesday the week of the meeting would be considered "unexcused" regardless of the circumstances. There were some concerns expressed that this policy would be problematic.

Commissioner Anthony indicated that a standard number of absences needed to be created. He recommended a total of 6, consistent with the current policy. He further suggested that once this number of absences was reached the commissioner would need to resign. Commissioner Puri indicated that this number of absences could allow abuse. He suggested that the proposal presented by the Chairman was acceptable and that control over determining excused or unexcused needed to be left with the Chairman.

There was additional discussion regarding the need to accommodate unforeseen issues that may come up at the last moment or in advanced that could cause a Commissioner to become close on total absences. It was suggested that if a Commissioner had reached their maximum allowed absences, prior to dismissal, the full Commission could meet and discuss the circumstances surrounding absences. Commissioner Peters indicated that having continuity among the PZC was extremely important. Unnecessarily releasing Commissioners could result in the loss of institutional knowledge.

Commissioners Reichlin questioned the process by which PZC vacancies were filled. He indicated that if the process moved faster the issue of a lack of a quorum would not have been an issue. Mr. Zenner explained that the process of filling vacancies was managed by the City Clerk and then by City Council. He was unsure if the process could be sped up any faster than it currently is. Commissioner Reichlin asked if the issue of making appointments should be included in anything that was sent forward with the proposed amendments. Mr. Zenner indicated that while the issue is something that should be addressed with the

Council it is likely not appropriate at this time - as the issue at hand really should focus on the lack of quorum. The Commissioners agreed and indicated the issue will be dealt with separately.

Mr. Zenner indicated that there were two components to the proposed change. The first dealt with the Commission's By-laws which did not require Council approval and the second deals with general City Code provisions that would require Council action to pass. Mr. Zenner indicated he was unsure if the general code requirements would be reviewed and recommended by the PZC, but that past practice has been that the PZC holds a public meeting about changes to its rules. Mr. Zenner stated that based on the changes proposed he was not too sure if the Commission really needed a public hearing since the changes don't have significant impact on the development community.

Chairman Wheeler indicated that there appeared to be some additional work to be done on the proposal prior to its finalization. Mr. Zenner indicated that he would prepare a memo for Council consideration of the proposed amendment. He noted that he would prepare the amendment with a max of 6 absences and that once reached the Commission would consider further action. Mr. Zenner would have the memo ready for second Council meeting in July. He would share the memo with the Chairman prior to its submission.

The Commission agreed that the course of action proposed was appropriate. Additional discussion will be scheduled at the Commission's July 18 PZC meeting.

- Accessory Dwelling Units (AD's)

Mr. MacIntyre gave an overview of the proposed language for the creation of a ADU overlay. This option was requested to be prepared by the Commissioners at the last work session as a way of addressing ADU's in the R-1 zoning district. Mr. MacIntyre indicated that staff was not fully supportive of the overlay process since it was believed that it would make allowing ADU's in neighborhoods more difficult. If a public process was what was truly desired a conditional use would suffice.

There was general Commission discussion regarding the overlay option. Chairman Wheeler expressed concern regarding the percentage of persons needed to support the establishment of the overlay. He believed that it should be higher than the 50% currently required for Urban Conversation Overlays. There was also discussion regarding the process in which the overlay could be established and if it were to be the only available option in the R-1 zoning district.

Commissioner Vander Tuig, who supported developing the overlay, clarified that if the standards were created they should co-exist with an option to seek a conditional use in the R-1 district. In so doing, neighborhoods that wanted ADU's on a broader scale could have that option. Leaving the option for a conditional use would allow for parcel by parcel requests for ADU's and would still require a public hearing.

Mr. MacIntyre indicated that he would distribute the materials from the prior work session so the Commissioners could review all the potential option for establishing ADU's. He also indicated that he would continue to refine the code provisions for further discussion at an upcoming work session.

ACTION(S) TAKEN: Minutes from June 6 work session approved. No other votes or other motions made. Meeting adjourned approximately 6:50 p.m.