

CITY OF LAFAYETTE
PLANNING COMMISSION MEETING MINUTES FOR
JANUARY 15, 2009

Call to Order: Ronald Kerr called the meeting to order at 7:01 p.m.

Roll Call: Lori Labb called the roll.

Present: David Gilbey, Ronald Kerr, Dwayne Brittell, Beth Cooke, Chad Gooch

Absent: Todd Holt (excused)

Staff Present: Jim Jacks and Lori Labb

Others: Chris Heisler, James Davidson

Dwayne Brittell introduced himself to the Commissioners and gave a brief note about his background in Planning.

Approval of Minutes:

David Gilbey made a motion to approve the November 20, 2008 meeting minutes. Beth Cooke seconded the motion. Motion passed unanimously.

Election of Chairperson:

David Gilbey made a motion to appoint Beth Cooke as Chairperson. Ronald Kerr seconded the motion. Motion passed unanimously.

Election of Vice Chairperson:

Beth Cooke made a motion to appoint Chad Gooch as Vice Chairperson. David Gilbey seconded the motion. Motion passes unanimously.

Discussion:

David Gilbey questioned if the Planning Commission could add goal setting to the agenda's. Beth Cooke noted that the Planning Commission could possibly meet twice a month. The Planning Commissioners noted that they would like to see a section at the end of the agenda for old business and new business.

- Scheduled Type I-IV System –Section 3.100 (3.101-3.111), Application Requirements and review Criteria.

Jim Jacks went over the memo with the Planning Commission.

Dwayne Brittell questioned if it was normal for Home Occupation's to be done on a staff level (Type I) rather than an application decided by the Planning Commission at a hearing (Type II). Jim Jacks noted that in larger cities, with a full time planner, it is probably normal to have the Home Occupations go before the Planning Commission. Smaller cities generally handle Home Occupations on a staff level.

Chris Heisler questioned what type of notice would be sent out. Jim Jacks noted that the state law calls for a first class mailed notice to owners of the property within 100 feet of the subject property. David Gilbey noted that 100 feet seemed a limited. Are there local codes that call for a more extensive notice? Jim Jacks noted that there were several types of notice that include posting notice on the property, published notice, mailed notice and posted notice.

Discussion Ensued.

David Gilbey suggested continuing the discussion on the notice requirements to the end of the meeting.

Jim Jacks continued going over the memo.

Dwayne Brittell, noted in regards to section 3.103.03 removal of Item E, it puts the burden of proof on the applicant to prove that they have identified and satisfied the applicable goals and policies of the Comprehensive Plan. Jim Jacks noted that if you have an approval criterion that requires the applicant to show compliance with all the goals and policies, then that is what they need to do. David Gilbey noted that if this Item E is left out with the Conditional Use applications, then the applicant may not be forced to look at Comprehensive Plan to make sure that they are meeting the goals and policies.

Discussion ensued.

David Gilbey made a motion to not remove section 3.103.03 item **E**. Dwayne Brittell second the motion. Motion passed unanimously.

Jim Jacks continued going over the memo.

Dwayne Brittell noted on page 37 of the staff report, the last sentence in Item C, would make more sense if it read. " The City Council's decision shall be written and state the rationale used in justifying the decision, and how the applicant's evidence and written justification show **that** the factors in Section 3.111.02, B, were addressed and how the proposed annexation is, or is not, consistent with them". All Commissioners agreed.

- Type I-IV System –Section 3.200 (3.201-3.208), Administrative Procedures.

Jim Jacks went over the memo with the Planning Commission.

There was a discussion regarding the 120 day rule and the completion of an application.

Beth Cooke suggested that the last sentence of section 3.201.03 3a read "The City Council shall, in accordance with its own procedures, set a time for a meeting within the 120 day period."

Jim Jacks continued going over the memo.

David Gilbey suggested, for notices of public hearings, that different options are explored for the posting of notices (i.e. website, list serve).

The Planning Commission wanted to make a recommendation to the City Council that the City offers the resources of a website and/or list serve for public notice and land use applications. Jim suggested including the recommendation in the overall package that will be presented to the City Council.

Jim Jacks continued going over the memo.

The Planning Commission discussed section 3.202 Item C, on whether the City shall be responsible for posting the notices of land use applications or should the applicant be responsible.

Discussion ensued.

David Gilbey made a motion to leave section 3.202 Item C as stated. Ronald Kerr seconded the motion. Motion passed unanimously.

Jim Jacks continued going over the memo.

The Planning Commission discussed the notice requirements for adjoining property owners. The Planning Commission decided to expand the notice to adjoining property from 100 feet to 200 feet for Type II, III and IV applications.

- Suggested Ordinance Changes- Commissioner Kerr to present

Discussion for Commissioner Kerr's memo and Darrell Floods memo was tabled to the next meeting.

Adjourn: Dwayne Brittell made a motion to adjourn. David Gilbey seconded the motion. Motion passed unanimously. 10:01 pm.