

Unapproved Minutes
Vermillion Planning Commission
Monday, August 26, 2019 Regular Planning and Zoning Commission Meeting

The regular meeting of the Vermillion Planning and Zoning Commission was called to order in the Large Conference Room at City Hall on August 26, 2019 at 5:30 p.m.

1. Roll Call

Present: Fairholm, Forseth, Gestring, Manning, Muenster, Tuve, Iverson.
Absent: Kleeman, Wilson.

Staff present: James Purdy, Assistant City Manager, José Domínguez, City Engineer.

2. Minutes

- a. July 22, 2019 Regular Meeting.

Moved by Commissioner Fairholm to adopt July 22, 2019 regular meeting minutes as printed, seconded by Commissioner Tuve. Motion carried 7-0.

3. Declaration of Conflict of Interest

Commissioner Muenster noted that he owns investment property.
Commissioner Forseth noted that he owns investment property.

4. Adoption of the Agenda

Moved by Commissioner Forseth to adopt the agenda as published, seconded by Commissioner Fairholm. Motion carried 7-0.

5. Visitors to be Heard

None.

6. Public Hearing

None.

7. Old Business

None.

8. New Business

- a. Presentation to the Public of Part Two of the Proposed Amendments to the City's Zoning Ordinance.

Dominguez, City Engineer, started presentation regarding the second part of the proposed amendments to the City's Zoning Ordinance. Dominguez gave a brief history from the adoption of the first zoning ordinance to present. He explained that the purpose of periodically revisiting the ordinance is to keep it current as times change. Additionally, Dominguez discussed the major proposed changes to part two of the current ordinance to include off-street parking and the conditional use permit (CUP) process among various items.

OFF STREET PARKING: The adoption of Ordinance 1367 mistakenly undid the changes adopted with Ordinance 1354. Staff intend to update the Zoning Ordinance to reflect Ordinance 1354.

Shane O'Connor, 418 Cottage Avenue, asked if there would be any opportunity to reduce the number of parking spaces giving the example of the requirement for two parking stalls for a one-bedroom or studio apartment. Chairman Iverson explained that due to the lack of off-street parking, especially south of the University, there would likely be no changes to the requirements. Mr. Dominguez stated that based upon thorough discussions with the Planning Commission, Staff will not be recommending any changes to off-street parking to the City Council. Discussion followed.

CONDITIONAL USE PERMIT: Updating the portion the Planning & Zoning Commission utilizes for review process. Some of the nine criterion utilized are covered elsewhere within the code. Rather than Commissioners placing conditions on these criteria, they will ensure that the proposals comply with existing subdivision or zoning ordinances.

REQUIREMENTS REVIEWED BY STAFF: Removing deed restrictions or covenants from this requirement.

ANNEXATION: Require all annexations to enter the City as Natural Resource Conservation (NRC). The land can be reviewed for possible rezone following the annexation. The intent is to avoid non-conforming uses and/or multiple ordinances to follow.

PLANNED DEVELOPMENT DISTRICT (PDD): Require 5-acre minimum size when created to avoid spot zoning. Staff selected 5 acres based on minimum size for mobile home parks and the smallest PDD to date.

Addressing a question from Caitlin Collier of 917 Eastgate Drive, Mr. Dominguez explained that the language *protect the health, safety, and general welfare* was replaced with *the impact of the conditional use upon the neighboring land and the public for the particular location* in an effort to narrow the scope upon what the Commission could comment, and ensure that the focus is land use. The Commission maintains the ability to add conditions to proposed uses.

Ms. Collier noted that she was representing herself and other likeminded individuals that are concerned about the trend of limiting the content upon which commissions and committees can comment. The City, and by extension, its commissions and committees should act in the best interest of the citizens not in the best interest of the businesses of the city. Further stating that the "health, safety, and general welfare" are important. She requested that Staff and Commissioners think very carefully before removing those words that represent the responsibility of City government.

HOME OCCUPATIONS: Presently, code contradicts itself in two sections. For clarity, Staff propose to require all home occupations to occur within a residential dwelling. Additionally proposed is an update to the definition of Home Occupation.

Commissioner Muenster wishes to ensure that as the trend of working from home increases, that people who manage information, for example, for a living are included in the updated definition of Home Occupation.

Addressing a question from Ms. Collier, Mr. Dominguez explained that presently accessory structures are allowable for Home Occupations. If approved by the City Council, the proposed changes to the zoning ordinance would remove accessory structures as allowable for use as home occupation.

Addressing a question from Commissioner Fairholm, Mr. Dominguez clarified that a detached garage is considered an accessory building. Further clarifying, if the garage is within a certain distance (outlined in the code) from the house, it is considered attached.

MANUFACTURED HOMES: Removing the section from the zoning ordinance as the code contains an entire chapter regarding manufactured homes.

9. Staff Reports

Anderson Street: contractor stated project is set to begin the week of Labor Day. Completion date is at the end of October.

Elm Street: Project has begun. Completion expected approximately within one month.

Miscellaneous Concrete Project is nearing completion.

10. Adjourn

Moved by Commissioner Forseth to adjourn, seconded by Commissioner Muenster. Motion carried 7-0. Chairman Iverson declared the meeting adjourned at 6:10 p.m.