

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE PLANNING COMMISSION
MONDAY APRIL 13, 2015 – 7:30 P.M.

1. CALL TO ORDER

Pursuant to due call and notice thereof, a regular meeting of the Independence Planning Commission was called to order by Chair Phillips at 7:38 p.m.

2. ROLL CALL

PRESENT: Chair Phillips and Commissioners Gardner, Palmquist, Olson and Thompson
STAFF: City Planner Kaltsas, Administrative Assistant Horner
ABSENT: None
VISITORS: Jan Gardner, Mary Bellingham

3. Oath of Office for Phillips and Thompson.

4. Appointment of Officers

Motion by Palmquist, second by Gardner to appoint Phillips as Chair and Olson as Vice Chair for another year's term. Ayes: Gardner, Thompson and Palmquist. Nays: None. Motion approved.

5. APPROVAL OF MINUTES FROM FEBRUARY 12 AND MARCH 9, 2015 PLANNING COMMISSION MEETINGS AS AMENDED.

Motion by Olson, seconded by Thompson to approve the February 12, 2015 Planning Commission Minutes. Ayes: Phillips, Gardner, Palmquist, Olson and Thompson. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Motion by Gardner, seconded by Thompson to approve the March 19, 2015 Planning Commission minutes as amended. Ayes: Phillips, Gardner, Palmquist, and Thompson. Nays: None. Abstain: Olson. MOTION DECLARED CARRIED.

6. SET AGENDA-ANY ITEMS NOT ON AGENDA CAN BE PLACED UNDER OPEN/MISC.

1. Phillips added a discussion around a draft letter to the Mayor and Council wondering how/if Planning's recommendations for CUP's, IUP's and other directives of the Planning Commission that are passed by City Council are being followed up on and documented.
2. Phillips stated he wants to talk to Mark about how recommendations to the staff reports are incorporated and sent to Council.

6. ORDINANCE AMENDMENTS- INITIAL DISCUSSION

A. Review draft ordinance language pertaining to Windmills

- Phillips asked about thoughts on listing windmills as a Conditional Use Permit item. There was discussion around the differentiating factors between windmills and wind turbines. Kaltsas had been looking into how other cities structured their amendments regarding windmills.
- Kaltsas stated that once a windmill is up, it is hard to take down. He said there is a decibel limitation in the current ordinance it is just a matter of enforcing it.
- Commissioners stated they agreed on having a 5-acre minimum for either Ag or Rural Residential in order to have a windmill.
- Kaltsas said he looked at other cities language and most were much as the City's is written with the Ag styles being exempt from limitations. He said we are in a unique situation with our urban/ ag density.
- Kaltsas stated that 35' is our max height for any structure for RR or AG, which is a typical height of a two-story house.
- Kaltsas stated that Planning could determine setbacks or height of the structure, whichever is greater in limiting windmill height.
- Phillips stated that basically, they would be looking at whether the windmill is decorative, aerator or water and anything else would be WECS.
- Kaltsas asked if other structures should be brought in under this ordinance (ex. Corncribs, chimneys, grain silos, etc.) as they are exempt at this point.
- Kaltsas stated he would bring back a draft at the next meeting for the Commissioners to review.

B. Discuss amending accessory structure ordinance to include fence provisions.

- Kaltsas stated he does not want to get into over-regulation but we need to set some limitations on what is allowed. Other cities have determined a CUP is needed for something over 7'.
- Kaltsas stated we could tie conditions to a variance if the Commissioners would like to set it up that way. He said CUP's do get followed up on and the City does inspections bi-annually. Residents are sent a letter if they are not compliant. He also stated that variances are followed up on only when they are built and that is it.
- Phillips suggested putting the 7' limitation in the wording and everyone agreed on that.
- Kaltsas will compose a draft to be reviewed by the Commissioners.

C. Discuss amending accessory structure ordinance to increase side yard setbacks on corner lots.

- Kaltsas stated there are currently no provisions in our setbacks regarding front yards.
- Phillips stated we need separate side yard and corner yard provisions.
- Kaltsas stated the right-of-way line is property line in most cases.
- Phillips stated side yard 2X from property line or minimum of 30' from right of way line whichever is greater.
- Kaltsas stated he would bring a draft with new language back to the Commissioners.

D. Discuss amending zoning ordinance pertaining to Cluster Developments.

- Phillips asked if we want a road that goes all the way through, or if we want all driveways to come to the road they're constructing for access to cluster development
- Thompson asked if the language should reflect that there are no more access points on public roadways than existed pre-cluster development.
- Kaltsas stated the whole point of this is to preserve 50% of the land as open space and it is enticing to anyone who develops in Independence because of the density bonus yielded from this type of development.
- Palmquist asked if the buffer property's or outlots were taxed and Kaltsas stated he would check with Melissa Potter to see how they are assessed as it would be an interesting question of preserving space that is coming off the City's tax roll.

- Kaltsas wants to ensure that those outlets are sustainable and the long term management of the areas is covered in the language as such. He explained that covenants do expire regardless of the homeowner's association.

7. OPEN/MISC.

1. Phillips added a discussion around a draft letter to the Mayor and Council wondering how/if Planning's recommendations for CUP's, IUP's and other directives of the Planning Commission that are passed by City Council are being followed up on and documented.
 - Kaltsas asked for clarification on what they see as issues and there was discussion around some landscaping issues that were believed to be incomplete and or require additional follow up on.
2. Phillips stated he wants to talk to Mark about how recommendations to the staff reports are incorporated and sent to Council.
3. Kaltsas stated he captures the essence of the Planning Commission recommendations and gives a report to the City Council. He said if there are specific conditions added by the Planning Commission, those are presented in the staff report and final resolution.
4. Palmquist asked for a quick update on the Kuka Horse Farm.
 - Kaltsas stated they are trying to figure out how to fire proof the roof.
 - Kaltsas stated they want a CUP for a riding stable to accommodate a higher number of people than our CUP limits currently allow. Building codes restrict the number of people to 49 at any given time. Kuka is proposing to have 150 people.
 - Kaltsas stated that in order for the city to consider that number it would have to meet our the state building code or the applicant would need to submit a solution that utilizes alternative methods for fire proofing the roof.
 - Palmquist stated it is a capacity issue more than anything.

8. ADJOURN.

Motion by Gardner, seconded by Thompson, to adjourn the meeting at 9:06 p.m. Ayes: Phillips, Gardner, Palmquist, Olson and Thompson. Nays: None. MOTION DECLARED CARRIED.

Trish Bemmels, Recording Secretary