

**JACKSON COUNTY PLANNING COMMISSION  
PUBLIC MEETING**

MAY 14, 2009

MINUTES

MEMBERS PRESENT: Chair Reeve Hennion, Vice Chair Don Greene, and Commissioners Tani Wouters and Joel Ockunzzi.

MEMBERS EXCUSED: Commissioner Richard Thierolf, Jr.

GUESTS PRESENT: Matthew Fawcett, agent  
Nadine Brood, citizen  
3 other guests

STAFF PRESENT: Director Kelly Madding, Planners Craig Anderson and Mike Mattson and Office Assistant Lisa Canon.

The meeting was called to order by Chair Reeve Hennion at 9:02 a.m. The roll was called.

**APPROVAL OF MINUTES:**

**The April 9, 2009 meeting minutes will be presented at the next meeting.**

**POTENTIAL BUSINESS FROM THE AUDIENCE:** None

**NEW BUSINESS:**

**PUBLIC HEARING** - Consideration of an application for a Comprehensive Plan, exception to Statewide Planning Goal 14, Urbanization, and Zoning Map Amendment to change the zoning district from Rural Residential (RR-00, 1 dwelling per lot) to Rural Residential (RR-5, 1 dwelling per 5 acres) on 12.65 acres on property described as Township 38 South, Range 1 West, Section 19, tax lot 304, located at 6457 Dark Hollow Road, approximately 0.87 miles west of the intersection of Pioneer Road and Dark Hollow Road. Paul and Pamela Sherman Trustees, Valley Oaks Trust, Owner. File No. LRP2008-00002.

Reeve read the application summary.

Craig Anderson gave the staff report, showing maps describing the location of the property. He reviewed comments received from agencies and surrounding property owners regarding the application. He summarized the applicable criteria, staff and applicant findings. Question and answer took place between commissioners and staff.

Mike Mattson, planner: Explained conditions of the application, including road access requirements.

The public hearing was declared open at 9:26 a.m. Speakers were:

Matthew Fawcett, agent: Spoke on behalf of the applicants, regarding public benefit. He noted the various ways the it would benefit the immediate area, roads and the county by taxes. He commented on the questions regarding driveway access and safety, stating that he believes that there is enough distance from the corner for access to be safe. He reviewed the applicant's criteria, and explained them with further detail.

Nadine Brood, citizen: Appreciates the opportunity to speak on the matter. Has farm across Crystal Heights from property in question. Concerned with further effects from more residences in area on their farm, wildlife, pedestrians and bicyclists. Worried about access from Crystal Heights to Dark Hollow where numerous accidents have already occurred. Any improvements done to Crystal Heights would put the road very close to her home. Expressed confusion of the public benefits other than to those who would be able to purchase the new homes.

Question and answer took place between Nadine and the commissioners regarding soils, water and effect on agriculture.

Matthew Fawcett, agent - rebuttal: Clarifying the roads and safety concerns the were addressed. The issues regarding specific distances would be addressed at the time of approval. Property is not in a wildlife protection area, therefore it is not a concern. Believes there is good separation between properties so the farms shouldn't be effected.

Question and answer discussion took place between Matthew and commissioners regarding the swale on the property, topography. Concerns regarding wells and septic. Paul Sherman spoke on the well and the swale. Don Greene clarified that Crystal Heights would be brought to county standards if used for access.

Nadine Brood : Wants to acknowledge that the wells in the area are very erratic. Questions regarding the septic location. The prior requirements were very specific for the single system, does not know if those requirements have changed.

**A motion was made by Commissioner Joel Ockunzzi and seconded by Commissioner Tani Wouters to admit exhibits 1-23 into the record. The motion was approved by unanimous "Aye" vote.**

The public hearing was declared closed at 10:04 a.m. Deliberation among commissions took place including:

- Community benefit
- Road access and standards
- Private vs public roads requirements and maintenance

**A motion was made by Commissioner Don Greene and seconded by Commissioner Joel Ockunzzi to approve the planning action LRP2008-00002 with the condition that the county Roads recommendation be a condition and with the language they crafted for**

**community benefit. The vote was as follows:**

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
<b>Don Greene</b>		
<b>Tani Wouters</b>		
<b>Joel Ockunzzi</b>		
<b>Reeve Hennion</b>		

Recess at 10:19 a.m.

Meeting resumed at 10:27 a.m.

**BUSINESS FROM THE BOARD OF COMMISSIONERS:**

Kelly Madding spoke about the Board's discussions of having a Request for Proposals (RFP) to find where our Land Development Ordinance (LDO) is more restrictive than state law. The RFP went out of Tuesday, she had a copy for the commissioners to review. Would like to look at how comprehensive plan compares to the LDO and how it is interpreted. Don Greene questioned the budget for the RFP. Kelly stated that it would be taken from the general fund and we wouldn't know the price until we received the proposals back.

Kelly clarified the Premium Service program that is currently in a House Bill to be heard by the Senate. This could be instated for current planning files. Concerns included how it should not effect other files, options for the process contracting out the Premium Service files.

Discussion took place regarding Regional Problem Solving (RPS).

**BUSINESS FROM COMMISSION MEMBERS:**

Tani attended her first Committee for Citizen Involvement (CCI) meeting as the new liaison. Brought up the possibility of having a CCI member addressing JCPC with questions regarding the Energy Working Group. Discussion ensued whether there was a need for JCPC to approve CCI recommendations. Determined that they are a separate group and they don't need JCPC to oversee their decisions.

Opinion-editorial to be put out to the community to inform them of what CCI is and what they do. Mail Tribune had run an article the portrayed the group incorrectly and was not accurate. CCI is going through BOC to have an op-ed piece in the Mail Tribune.

**BUSINESS FROM THE PLANNING DIVISION:**

Kelly Madding presented information on the Area-wide Goal 11 Exception Process. She gave a status report on where the process is at the moment and a general overview of Goal 11 Exception and how it will effect citizens and the county. They have been working with RVSS and DLCD on the process.

Joel Ockunzzi questioned the status of the current planning department, case load. Kelly spoke about the number of applications that have been submitted as well as building projects.