

JACKSON COUNTY PLANNING COMMISSION

PUBLIC MEETING

January 28, 2010

MINUTES

MEMBERS PRESENT: Don Greene
Joel Ockunzzi
Tani Wouters

MEMBERS EXCUSED: Richard Thierolf Jr.

GUESTS PRESENT: Megan LaNier
Larry Martin
Buck Eichler
Dennis Drouin
Greg Holmes
Bruce Fjarli
Henry Vaninetti
Susan Hanscom
John Renz
Christian Nelson
Laz Ayala
Dean Saxon
Gary Hall
Tom Humphrey
Bunny Lincoln
38 others

STAFF PRESENT: Kelly Madding, Director
Craig Anderson, Planner
Josh LeBombard, Planner
Tracie Nickel, Planner
Lisa Canon, Office Assistant

The meeting was called to order by Chair Don Greene at 9:06 a.m. The roll was called.

APPROVAL OF MINUTES:

A motion was made by Commissioner Joel Ockunzzi and seconded by Commissioner Tani Wouters to approve the January 14, 2010 meeting minutes. The motion was approved by a unanimous "Aye" vote.

POTENTIAL BUSINESS FROM THE AUDIENCE: None

RECOMMENDATION:

Recommendation for Approval of a proposal to amend the Jackson County Comprehensive Plan. File No. LRP2008-00003.

Craig Anderson presented the recommendation and the commissioners signed the document.

CONTINUED PUBLIC HEARING:

Continued public hearing to consider amendments to the Jackson County Land Development Ordinance (LDO), including substantive changes to Section 3.10, Section 8.7 (Wildfire Safety), Section 9.5.1, Section 9.5.3 (Private Roads), Section 9.5.4 (Emergency Vehicle Access), Section 10.2, Section 10.4, Section 13.3, and the User's Guide to provide more consistent and comprehensive fire safety and development regulations intended to protect the safety and welfare of the Citizens of Jackson County. File No. LRP2004-00014B.

Don read the file summary. Josh reviewed the changes that were made to the proposed text amendments as recommended at the last public hearing. Some of the changes were made in the following areas:

- 9.5.3(A)(2) Location of private roads
- Design requirement table
- 10.4.3 (C) Construction of road improvements

Joel: 10.4.3 (C) Why would we not include RU zoning as well? Josh: We would need to do more research; generally speaking the reason people change zoning to RU is not to subdivide their properties for resource purposes, which he believes is a small percentage.

The public hearing was declared open; speakers were as follows:

Megan LaNier, land use consultant:

- Can restrictive covenants be terminated? Tracie: We do have it written in the code that they can be terminated but it is the director's decision. Tani: can we reference the section of the code where that is listed? Staff stated that this could be done.
- Currently when an easement is created the private road standards apply. If one has already been recorded but not created which requirements apply? Josh As long as they are lawfully established pieces of land the private roads standards do not apply.

Joel: Discussed his concerns about RU and resource zoning, paving roads, the number of lots served by a private road.

Josh: Spoke about the proposed requirements, lawful existing lots, lot divisions, when paving is required. They spoke to other counties in the state regarding the number of lots allowed off a private road and when paving on a private road is required. He reviewed the findings from that research. He also discussed that the dead end requirement is being changed to allow a private road to loop.

- Megan: 10.2 (F)(1) Creation of a street or road, asking for clarification that providing access to 2 or more parcels a private road? Josh: The way it was written was to cover private roads and other roads; but the last sentence that it does not apply to private access easements is what applies.

A motion was made by Commissioner Tani Wouters and seconded by Commissioner Joel Ockunzzi to admit exhibits 45-46 into the record. The motion was approved by a unanimous "Aye" vote.

The public hearing was declared closed at 9:45.

Deliberations were as follows:

Don: discussed the process that staff has gone through with this file.

Joel: regarding the slides with the info from other counties. Economic purposes and other reasons the number allowed should be larger. Regarding paving and safety issues does not think that they should be required to be paved. He thinks that a maintenance agreement among property owners should be enough.

Tani: What would you like to see for the number of lots [Joel]?

Joel: He thinks double, 24. Outside the Air Quality Management Area (AQMA) He doesn't see a problem with it being 24. He is concerned with approved destination resorts exceeding the number lots allowed.

Josh: There is currently the ability in our LDO for circumstances such as destination resorts to do a variance.

Joel: He is also concerned about a private driveway coming off of a private road that might not meet the standards.

Don: The standards apply to driveways as well, driveways have to be approved when residences are built or added to.

Tani: She is leaning towards agreeing for not having paving required outside the AQMA but it would be such a small amount. She thinks that the next thing to be tackled is working to make the variance process easier.

A motion was made by Commissioner Tani Wouters and seconded by Commissioner Joel Ockunzzi to approve planning action LRP2004-00014B with