

Village of Bellaire

PLANNING COMMISSION

Commissioners: Dan Bennett, Butch Dewey, Bill Drollinger, Fred Harris, and Don Seman

PLANNING COMMISSION MEETING MINUTES

March 8, 2016

5:00 p.m.

- 1. Call to Order:** Chairman Drollinger called the meeting to order at 5:00 p.m.
- 2. Roll Call Attendance:**
 - Present:** Chairman Drollinger, Dan Bennett, Butch Dewey and Fred Harris
 - Absent:** Don Seman
 - Staff Present:** Cathy Odom
 - Also Present:** Mary Campbell, Planner; Julie Budas, Jen Powell, Dale Snook
- 3. Public Comments:** Julie Budas explained that she was going to be renovating The Lunch Box and did not want to wait until the May meeting to present her proposed site plan to the Planning Commission. She provided a drawing identifying the location of a new sink, refrigerators currently located in the back hall, and the increased seating capacity. Chairman Drollinger stated that by expanding the existing use by more than 25% requires Planning Commission approval. An application will be submitted to the Zoning Administrator.

Dale Snook explained to the Planning Commission that he had made an application for a pontoon livery but was told that the Planning Commission could not consider it under the current zoning ordinance without a variance. The application had been returned. Mr. Snook had been advised that the zoning ordinance was undergoing revision. He was attending the meeting to check on the status of the process. Chairman Drollinger suggested that the pertinent sections under the proposed ordinance could be reviewed first. Mary Campbell directed the Planning Commission to the applicable provisions. She identified the definition on page 2-4 and the Land Use table item D.2 on page 4-4 adding that "Boat and/or Canoe Livery" as proposed will be by special permit requiring a public hearing and notification to property owners within 300' of the subject property. The Special Use procedures are under Article 7 and Site Plan Review are under Article 6. She reminded those in attendance that a decision about the specific review requirements has not officially been determined. Commissioner Harris added that requirements include DEQ approval. He expressed his concerns about the navigability of the river. Mr. Snook stated that he had contacted the State and that, according to Mr. Snook, they did not have any concerns. Mr. Snook indicated that 25% of the property is designated wetlands and that he may install a boardwalk. Mr. Snook wishes to pursue this use yet this summer. Chairman Drollinger suggested that The Lunch Box and the pontoon livery could be considered at the same meeting. Ms. Campbell noted that the proposed use of Pontoon/Canoe Livery would be under the revised ordinance, which likely will have a public hearing in May. After a public hearing the Planning Commission has to recommend approval of the zoning ordinance and the Village Council has to adopt it. Ms. Campbell also noted that the

committee had taken a look at the common use a parcel by multiple people and decided not to recommend regulating such use. Mr. Snook was directed to meet with the Zoning Administrator.

4. **Approval of Minutes:** The minutes of the February 2, 2016 meeting were approved.

Motion by Commissioner Harris, seconded by Commissioner Bennett, to approve the minutes of the February 2, 2016 meeting as written. Motion carried by unanimous voice vote.

5. **New Business:** None presented.

6. **Unfinished Business:**

- a) **Continued Review of Zoning Ordinance** – Mary Campbell explained that a full draft of the proposed zoning ordinance was being presented. She noted that there was an error in the digital version emailed previously that had been corrected in the printed version she brought to the meeting. She pointed out that a majority of this draft had been reviewed at the last Planning Commission meeting. This current draft included additional definitions and some graphics. Permission to use the graphic on page 2-13 is pending. Ms. Campbell identified proposed changes allowing prefabricated accessory buildings and car ports without eaves and soffits. She also noted the recommendation to allow two minor accessory buildings. Ms. Campbell noted that there were not many changes to Article 3 from the last meeting. She explained that the “purpose” language in Article 4 under the Central Business District had been modified to recognize a “mixed-use” characteristic of existing structures that would be allowed to continue. Chairman Drollinger asked if this would allow multiple businesses, including those upstairs where apartments are generally located? Ms. Campbell directed the Planning Commission to Note 2 on page 4-6 which states, “(i)n the Central Business District (CBD) and the Village Commons (VC) zoning districts, a combination of the listed uses are allowed subject to zoning approval. The most restrictive or comprehensive approval process for any of the proposed uses shall apply.” She explained, if something is permitted by right and another by special use, when multiple uses are proposed the most restrictive applies. Chairman Drollinger informed the Planning Commission about a proposed use, bottling Bellaire water, recently proposed to the Village Council. Ms. Campbell noted that she had spoken with the Zoning Administrator and that the proposed use was currently only allowed in the Manufacturing District. There was brief discussion about the availability of sites in that district and a reference to home occupations. As to home occupations, Ms. Campbell informed the Planning Commission that the Table of Land Uses now notes that home occupations are “allowed within any dwelling, per Section 3.06”. Drive through businesses were reviewed with Ms. Campbell pointing out that there are supplemental provisions that apply to drive through facilities in Section 8.04. Ms. Campbell explained the proposed changes to the Schedule of Regulations in Section 4.03. The movement towards smaller homes is acknowledged with the removal of minimum square footage and its replacement with minimum dwelling width. She noted that the width may be reduced when part of a Planned Unit Development. Other items referenced in the footnotes, including ornamental architectural features, encroachments into setbacks, and noncommercial towers, were reviewed. Ms. Campbell advised that these were added to fix the discrepancies in the current zoning ordinance. Chairman Drollinger inquired about Section 6.02 and changes of use requiring a site plan. Ms. Campbell explained that the section distinguishes between major

and minor changes and that minor changes may be authorized by the Zoning Administrator. Mobile Food Vending has been added under Section 8 – Supplemental Site Development Standards, and will be allowed as a land use in designated districts. The proposed section specifies that the permit is a temporary land use permit. There was discussion about the permit’s duration; it was increased from 60 to 90 days. The issue of whether to specify on-site parking requirements was discussed. Ms. Campbell pointed out that use variance language was added to Section 9 and that there were no changes to Section 10 - Administration & Enforcement or Section 11- Adoption & Amendments. Ms. Campbell stated that there likely will need to be a bit more refinement of the draft ordinance. The draft ordinance will be reviewed by the Village attorney, hopefully before the public hearing, so that any proposed revisions may be reviewed at that hearing. Depending on the review, there may need to be a second public hearing. Ms. Campbell said that the public hearing should be scheduled for the May meeting with the understanding that the draft document for the public hearing will be the draft ordinance reviewed and updated at this meeting. The next regular meeting is May 3, 2016.

8. Correspondence/Reports: None presented.

9. Adjournment: Meeting adjourned at 5:53 p.m.

Minutes recorded by Cathy Odom, Treasurer/Deputy Clerk and transcribed by Lori Luckett, Zoning Administrator & Recording Secretary

Approved: _____
William Drollinger, Chairman

Date: _____