

## PLANNING AND ZONING COMMISSION MONTHLY MEETING

Council Chambers

10/22/19 6:00 P.M.

Present: Joel Amandus, Ron Welder, Larry Wright, Corey Fraise, Ed Delaney, Council Liaison  
Kevin Rink

Absent: Lyle Brown, Mary Whitcomb

Staff: Doug Krogmeier, Emily Britton

Visitors: Councilman Mark Lair

**Ron Welder called the meeting to order at 6:00 P.M. with six members present.**

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### **ACTION ON MINUTES**

The minutes from September 24, 2019 were approved, with correction, on a motion by Amandus, seconded by Fraise.

### **NON-AGENDA ITEMS**

None

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**Continued discussion of possible code change to consider modifying zoning code related to schools in the ground floor of the B-1 Business District, Limited Retail, specifically in the Downtown (6<sup>th</sup>-10<sup>th</sup> Streets and Alley between F/G and Ave H).**

Staff reviewed previous work done by the Commission over the last 6 months on regrouping uses and creating a matrix to move forward with condensing/simplifying what's in the zoning code. He also pointed out that with the request from Southeastern Community College for a code change to allow schools as a use in the B-1 Business District, City Council questioned the code and uses downtown so it's important to keep moving with this project to get it completed.

Welder mentioned that he spoke with 3 business owners downtown and none of them were opposed to schools being allowed. Their only concern was parking, but believed with enforcement of the 2-hour parking it would alleviate issues there. Krogmeier informed the Commission that new Police Chief was already working on better enforcement of the 2-hour parking. Welder also pointed out the Commission's goal is to completely update and simplify the code before submitting to City Council and would like to get it done within the next year.

Wright explained he has been looking into the International Zoning code as a reference and noticed they don't address Schools specifically as a use anywhere. He wondered if it is treated the same as a government agency and is exempt from being limited in location this way and Krogmeier said yes. Wright suggested the International Zoning Code may already be where our code should be and he suggested dissecting it to see if there are any holes there then possibly copying it.

Delaney suggested allowing more uses downtown since it may increase the draw for people to go downtown so unless something is totally crazy why not allow as much as possible.

Councilman Mark Lair stated he was glad the Commission is working on these updates. He explained that he had been concerned about changing boundaries (as part of the SCC school request) instead of following what the code already stated. He suggested requiring a Special Use Permit for things downtown. Welder explained the point is to eliminate Special Use Permits as much as possible. He further explained the Commission has been working on this major code update for quite a while and it

makes more sense to do one major overhaul than to try addressing all the smaller issues individually. Lair asked how it would be handled if someone wants to open another dance studio downtown in the meantime. Welder reiterated the Commission is working on a complete zoning code update and although it is a major project, they are trying to get it done as soon as possible. Krogmeier suggested, since the code change will specifically affect downtown, the public should have a say and a public forum would be a good start to see where everyone wants to be with this code update.

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**Discussion on potential change to fence code for reversed corner lots to restrict privacy fences beyond neighbors' front yard.**

Staff reviewed report. Krogmeier asked the Commission how they would interpret the existing code. They agreed he has been interpreting it correctly, but could use some clarification to eliminate any confusion in the future. Krogmeier suggested changing the distance from an intersection portion of the code from 50-75ft to eliminate a potential issue, or adjust the fence code itself. Welder suggested continuing with a potential update to the fence code to clarify what is allowed on a revers corner lot, so Krogmeier will work on that possible code change.

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**Amandus moved, seconded by Fraise, to adjourn.  
Motion was passed unanimously. The meeting adjourned at 6:31 P.M.**

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Ron Welder, Chairman of Planning and Zoning Commission