

**MINUTES OF THE PROCEEDINGS
OF THE PLANNING COMMISSION OF THE CITY OF JORDAN
IN THE COUNTY OF SCOTT
December 13, 2022**

1.0 CALL TO ORDER

Present: Jane Bohlman, Brenda Lieske, Scott Penney, Ray Sandey, and Jeff Will

Absent: Bill Heimkes

Meeting called to order at 6:29 pm by Vice Chair Will.

2.0 ADOPT AGENDA

Motion by Lieske to adopt the agenda as presented. Seconded Penney. All commissioners present voted ayes. And the motion was declared carried.

3.0 APPROVAL OF MINUTES

A. Planning Commission Meeting Minutes – November 15th, 2022

Motion by Lieske to approve of the November 15, 2022 Minutes. Seconded by Penney. All commissioners present voted ayes. And the motion was declared carried.

4.0 NEW BUSINESS

A. Zoning Ordinance Amendment – Tobacco Sales

Planner and Economic Development Specialist Voigt presented the staff report for a zoning ordinance amendment to regulate tobacco sales and to make minor edits to improve the code language. Voigt stated that all approval criteria have been met and staff is recommending approval.

Interim Chair Will inquired if THC land use will be included in the tobacco sales land use proposal in the future. Mr. Voigt stated that THC is currently under a 1-year moratorium and that if staff is directed to propose an ordinance amendment for THC land use in the future that it would likely not be combined with tobacco sales and would most likely be a stand along land use category.

Commissioner Sandey stated that the proposed edits are numerous and that he would like to take more time to study the proposal.

Commissioner Sandey requested that the item be tabled until the next Planning Commission meeting so that he could review the proposed

edits further. Commissioner Sandey inquired about solar panel language in the proposed edits. Mr. Voigt stated that it was not a new proposed land use, but rather the item was being moved on the list so all of the uses were in alphabetical order and more legible. Interim Chair Will stated that the zoning ordinance already regulates solar panels.

Council Member Penney requested further clarification on legally non-conforming uses. Mr. Voigt stated that all tobacco sales uses in effect would remain legally non-conforming if proposed ordinance amendment were adopted and would be subject to legal non-conforming use requirements.

Commissioner Lieske requested clarification on what ordinance language was being proposed. Mr. Voigt provided clarification that tobacco sales use was proposed to be added as a land use category and at the same time, minor edits are proposed to have code language correlate between sections by using consistent language as well as provide clarity by organizing language in a systematic chronological manner and that there was no proposal to change the intent of the existing language.

Motion by Sandey to table the application until the January 10, 2023 Planning Commission Meeting. Seconded by Bohlman. Commissioners Sandey, Bohlman, and Penney voted aye. Commissioners Will and Lieske voted nay. The motion was declared carried by a vote of 3-2.

B. Bill Heimkes Planning Commission Application

Planner and Economic Development Specialist Voigt presented the staff report for the Bill Heimkes Planning Commission Application.

The commission discussed the merits of having applicants present for interview and when it was not necessary to have an applicant present for questions.

Motion by Lieske to recommend the Bill Heimkes Planning Commissioner application for approval. Seconded by Penney. All commissioners present voted aye and the motion was declared carried 5-0.

C. 2023 Planning Commission Meeting Schedule

Planner and Economic Development Specialist Voigt presented the proposed 2023 Planning Commission Meeting schedule and requested feedback on potential schedule conflicts.

Interim Chair Will proposed a to change the Planning Commission meeting time to 6:00p.m., instead of 6:30p.m. Commissioners Penney, Sandey, and Bohlman stated that there would be schedule conflicts.

Motion by Penney to approve of the 2023 Planning Commission Meeting Schedule. Seconded by Sandey. All commissioners present voted aye and the motion was declared carried 5-0.

5.0 OLD BUSINESS

6.0 PLANNERS REPORT

A. General Updates

Mr. Voigt stated that he would propose that staff submit a zoning ordinance amendment application annually to correct grammar mistakes identified and clarify language. He stated that this is a common practice in other cities that he has been employed at and provided several examples of where code could be improved and the potential benefits. Commissioner Will stated that he agreed and inquired how the ordinance amendment applications would be carried out in the future. Mr. Voigt stated that simple edits would only require an annual application submitted by staff once a year for review, however if staff are directed to adopt new uses or if modifications were requested to change the underlying format of the chapter, that he would suggest a white paper prior to staff submitting an application to evaluate and review the scope of the ordinance amendment.

B. Next Meeting – Tuesday, January 10, 2023

Mr. Voigt stated that the Planning Commission should anticipate the election of officers, a year-end report, and well as review of public comments regarding the city Strategic Plan. Interim Chair Will stated that the election of officers should delay for a month because several of the Commissioners will not be available at the next meeting. Commissioners Lieske, Bohlman, and Penney stated that they agreed.

7.0 CITY COUNCIL MEMBER UPDATE

Council Member Penney provided an update on the City of Jordan Addition CUP application for 231 Broadway Street South. Penney informed the Commission that the application was approved, the CUP required a certificate of occupancy by December 31st 2023 and that the parking plan was still under negotiation.

8.0 COMMISSION MEMBER UPDATE

Interim Chair Will stated that he looked forward to the work plan for the year 2023 and would like to see proposals for ordinance amendments to improve the zoning ordinance.

9.0 ADJOURNMENT

Motion by Bohlman to adjourn, Seconded by Penney. The meeting was adjourned at 7:49 p.m.