

URBAN COUNTY COUNCIL
PLANNING COMMITTEE SUMMARY

March 17, 2009

The Planning Committee was convened at 1:00 PM. All committee members were present with the exception of McChord.

I. Electrical Inspector's Fee Schedule Update - McChord

Dewey Crowe, Bldg. Inspection told the committee there would be a comprehensive list of recommendations available for the next Planning Committee meeting.

2. Time Limits on Building Permits - Henson

The discussion was regarding two questions posed earlier by the Planning Committee, can LFUCG place a time limit on the completion of a permitted project and can LFUCG adopt fines/penalties for zoning or building permit violations. Richard Moloney, Director State Building Inspection was on hand to answer questions as was Dave Barberie, LFUCG Law Dept. Barberie told the committee he did not think it was possible to preempt either issue since state law provides comprehensive legislation pertaining to housing, building and construction. However, changes can be suggested to the state office of Housing, Buildings and Construction, which is tasked with amending the applicable building codes.

3. Increase Fines on Zoning/Building Permit Violations - Henson

Motion by CM Blues to establish an ad-hoc committee to review possible changes for both time limits and increased fines on zoning/ building permits, seconded by CM Beard, passed without dissent.

4. Heritage Tree Program—James

CM James told the committee more time was required to get this program up and running and that instead of an ordinance, there may be a resolution or some type of recognition. She talked about other cities that have street tree programs, adding LFUCG does not have a really strong urban forestry program and inadequate funding at this time.

CM Blues expressed concern saying it is not possible to protect something without an ordinance.

CM Gorton added LFUCG does not mandate re-cycling to the public.

Motion by CM James to withdraw this issue from Planning Committee, seconded by CM Ellinger, passed without dissent.

5. Courthouse Area Design Review Recommendations–Lawless

Billy Van Pelt, Design Review Officer and Mike Meuser, Review Board member presented two proposed changes to the ordinance coming from the last public hearing. They are: no demolition allowed until all administrative appeals are complete and requirement of roof inspections by the Division of Code Enforcement and the Division of Fire.

James wanted to know if the changes to the ordinance should also address methods of enforcement regarding allowing entry/access to buildings to be inspected.

Van Pelt and Meuser agreed and had no objection to adding enforcement language to the proposed text amendment.

CM Feigel wanted to clarify if access for interior inspections is being denied.

Van Pelt explained this has not been an issue. However, the overlay does not include all buildings that fall under the zoning ordinance; therefore this is an effort to provide oversight by code enforcement and building inspection.

There was further discussion on what would happen if the ordinance did not address a situation where non-compliance of inspection might occur and any sort of penalties if applicable.

CM Gorton said the committee could recommend a text amendment including enforcement/penalties.

Motion by CM Lawless to initiate a text amendment to include the Courthouse Area Design Review Board recommendations and specific language regarding non-compliance, enforcement and penalties, seconded by CM Blues, passed without dissent.

6. Items Referred to Committee

Motion by CM Blues to remove Private Retention/Detention Basin Maintenance from the items referred to committee list, seconded by CM Beard, passed without dissent.

It was noted Heritage Tree Program was removed from the list by an earlier motion by CM James.

Also noted: an ad-hoc committee created to further review time limits on building permits and increased fines on zoning/building permit violations with CM's Ellinger, Feigel and Henson volunteering to serve.

CM James asked Vice Mayor Gray about 160 recommendations from the Infill Redevelopment Committee. She also asked about including two components, vacant property and blight tax to the Land Bank issue.

VM Gray agreed to put those recommendations for the April Planning Committee meeting.

Paul Schoningher, council staff suggested "blue-sheeting" both components of the Land Bank issue at the same time.

CM James asked if the Parks & Recreation master plan would be reviewed in May, stating she is concerned about doing a budget before hearing the master plan.

CM Gorton suggested looking at Parks & Recreation master plan and Destination 2040 recommendations via a special meeting of the Planning Committee.

CM Beard asked about the Liberty Road Project status and was advised there are still some right way issues to be resolved before the project might be removed from the items referred list.

CM Gorton suggested the following two dates/times: April 9, 2009 at 5:30 pm and April 21, 2009 at 9:00 am for special meetings (both to be held in Council Chambers) of the Planning Committee to review the following issues: Destination 2040, Parks & Recreation Master Plan, Extended Stay Zoning and Big Blue Horse Branding. She said there would be email notifications send.

Motion to adjourn by CM Blues, seconded by CM Beard, meeting adjourned at 2:38 pm.