

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, June 27, 2012, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman Loyal Green, Russell Glenn, Paul Egbert, John Spence, and M. Kent Larsen. Also present were City Manager/Recorder Don Hartle, Councilman Carl Leatham, and Councilwoman Glenna Petersen. A copy of the Notice and Agenda was posted, faxed and emailed to the Herald Journal, and mailed to the Planning Commission on June 21, 2012. The meeting was called to order at 6:00 p.m.

Others Present: Jennifer Leishman Nancy Motter Charee Vellinga
Robert Bolton Cody Schenk Kevin Tingey
Andrew Stokes Jonathan Cook Jakkie Robison

Opening Ceremony: Russell Glenn

Loyal Green reviewed the agenda with the Commission. After discussion, Russell Glenn made a motion, seconded by John Spence, that the agenda be approved as presented.

YEA 5 NAY 0
Russell Glenn
Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

Nancy Motter met with the Planning Commission for approval of a lot line adjustment at 217 South 200 West. Ms. Motter stated that her home sits on 1/3 acre of property, and they own 2/3 acre behind the home. Their home is up for sale and they would like to subdivide the full acre into two 1/2 acres. Ms. Motter has met with the title company and has provided a preliminary legal description. Ms. Motter is asking permission for a lot line adjustment. John Spence asked if Ms. Motter owns the 2/3 acre or if the bank does. Ms. Motter stated that she owns the 2/3 acre. She does have a mortgage on her home along with the 1/3 acre. Russell Glenn asked why the plat map shows different names than Ms. Motter. Don Hartle stated that it could be an old version of the plat map. Mr. Glenn asked if this property is located in the R-1-12 zone. Mr. Hartle stated yes. After discussion, Paul Egbert made a motion, seconded by M. Kent Larsen, to approve a lot line adjustment for Nancy Motter at 217 South 200 West.

YEA 5 NAY 0
Russell Glenn
Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

The Planning Commission held a workshop on a request that some type of multi-family dwellings be allowed in the RA-1 zone. Loyal Green asked if there was any input on this issue. Don Hartle stated that time has been spent on this issue years ago discussing the feelings of the community regarding multi-family dwellings. At that time, multi-family dwellings were not allowed in the more rural areas. The individual that has requested this has been renting his home out for several years. This is an administrative problem. Mr. Hartle stated that he drives around the community late at nights looking for lights on in different homes. Mr. Hartle stated that he is always told that it is family members that are living there. Mr. Green asked if Mr. Horlacher is renting his home out now to family members. Mr. Hartle stated that he found out because Mr. Horlacher tried to have his home appraised as a multi-family dwelling. Mr. Green asked if this request is selfish on Mr. Horlacher's part. Mr. Hartle stated yes. Mr. Hartle stated that the individual making the request needs to be taken out of the picture because if this is allowed, it will be allowed in the entire RA-1 zone. Mr. Hartle stated that he has received a phone call about the cheese plant. The property has been tied up wanting to develop a PUD. Mr. Hartle stated that the Planning Commission needs to review the zoning map. Russell Glenn stated that a PUD is different than what is being requested. Mr. Glenn feels that there is a need for that kind of housing. Mr. Glenn stated that his opinion opening the

RA-1 zone to multi-family dwellings is not right to do at this time. Mr. Glenn feels that Wellsville City has a good ordinance and not to change it. Mr. Hartle stated that the Planning Commission is an evolving thing. There has been a lot of progress on multi-family dwellings within Wellsville City. Paul Egbert stated that he feels Wellsville City has done a good job with multi-family dwellings. The multi-family dwellings are not in one tight spot, but spread throughout the R-1-12 zone. Mr. Egbert stated that there is an enforcement issue. Mr. Egbert is opened to the idea. More terminology would need to be added to the Wellsville City code for owner-occupied multi-family dwellings. M. Kent Larsen stated that he discussed this issue with an owner in the same situation in Logan. Mr. Larsen stated that he is concerned about safety, health of the renters, and enforcement. Mr. Larsen stated that 99% of the individuals don't need enforcement because they follow the rules. It is the other 1% that takes advantage that needs the enforcement. John Spence stated that as he has been thinking about this issue, all of his thoughts are based on activity within Wellsville City which is probably all illegal. Mr. Spence stated that there is an enforcement issue. Mr. Spence likes the current ordinance. Mr. Spence likes own the current multi-family dwellings are spread out and not all bunched together. Mr. Spence believes the ordinance should be left as it is now. Mr. Hartle stated that enforcement is a big issue. It takes a long time to get things to a point that someone can see there is a change. Mr. Spence stated that there are individuals that are probably doing this all over. Mr. Hartle asked how to stop it. Mr. Spence stated that he doesn't know. Mr. Spence stated that the neighbors don't care unless it gets out of hand. Mr. Hartle asked if it was fair that a family pays their monthly utility bill, and another family that is renting out their basement pays the same amount. Mr. Green stated that it is all about planning. This community is not large enough to add multi-family dwellings and enforce all of the laws. Mr. Green is against this issue because of these reasons. Mr. Green would like to leave the multi-family code as is and not expand it at this time. The time may be right for a PUD to be looked at and evaluated. It may be good for the community. Mr. Egbert stated that the code needs to be enforced with violators now because they can't do it or it has to be enforced if someone follows the rules. Mr. Glenn stated that multi-family dwellings are allowed in the R-1-12 zone and there is an enforcement issue. If multi-family dwellings are expanded and allowed in the RA-1 zone, the problem is made bigger. Mr. Hartle suggested that this issue be put back on the agenda so that the individual who requested this can be in attendance. Mr. Green stated that time does strange things to decisions. After discussion, John Spence made a motion, seconded by Paul Egbert, to add a request that some type of multi-family dwellings be allowed in the RA-1 zone be put on a future agenda.

YEA 5

Russell Glenn
Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

NAY 0

The Planning Commission held a workshop on the proposed road master plan and regulation in the CH highway Commercial zone. Loyal Green asked if the Commercial Development Committee had another presentation or additional comments. Don Hartle stated that he added this item to the agenda for some guidance on how to proceed. Carl Leatham stated that the Commercial Development Committee made their presentation 2 weeks ago and the Planning Commission made suggestions. There are some revisions to the land use map. Mr. Leatham stated that he has received permission from the City Council for a C3 zone as a buffer zone between the highway commercial zone and manufacturing and industrial zone. Mr. Leatham asked if the uses that are permitted be listed or list the uses that are not allowed. Paul Egbert stated that it is up for interpretation of the code and comes down to why Wellsville City has a Planning Commission. Mr. Egbert stated that it can be very challenging. Russell Glenn stated that thinking of the things that would not be allowed is just as hard as listing all of the things that are allowed. M. Kent Larsen stated that it is impossible to list all of the specifics of what is allowed and what is not allowed. Mr. Larsen stated that the Planning Commission was promised a City Planner and they still don't have a City Planner. Mr. Larsen stated that the CH, Highway Commercial zone is by purpose, not by use. Mr. Green stated that discussion this issue with City Attorney Bruce Jorgensen, he says that several cities have been very specific when outlining businesses that will fit in zones. Mr. Green referred to a matrix that City Planner Jay Nielson created concerning businesses. Mr. Leatham stated that is the direction that the Commercial Development Committee will follow. Mr. Leatham asked if the Planning Commission wants the Committee to describe

what the area will look like. Mr. Green asked that they be more specific than in the past. Don Hartle suggested that he make a copy of the matrix that Mr. Green has for everyone. Mr. Green stated that the vision should help Wellsville City move forward, not backward. Mr. Green would like to see a professional developed document and they need professionals to help develop it. Mr. Larsen stated that everyone is frustrated. There has to be a way to make it easier than it is. Mr. Larsen stated that part of the frustration is lack of knowledge. Mr. Hartle stated that in his opinion, the general plan was developed based on citizen input. Mr. Hartle is concerned with hiring a city planner that has no interest in Wellsville City. Mr. Hartle stated that the time frame for writing a proposal, holding interviews, and selecting a city planner is about 3 months. Mr. Hartle asked if this is what the Planning Commission wants to do, or if they want to wait 3 months for City Planner Jay Nielson to return. Mr. Green stated that the document has been created. It needs to be refined and Wellsville City should hire a planner to facilitate the document. Mr. Egbert stated that the caution would be the "what ifs". Mr. Green stated that decisions need to be made in a collaboration effort instead of a contentious effort. Mr. Hartle stated that he would begin to look for another city planner. Mr. Green stated that it would be to facilitate finishing a document that exists. Mr. Hartle stated that he would make a copy of the document and discuss the issue with the City Council.

At 7:29 p.m., M. Kent Larsen made a motion, seconded by Paul Egbert, to adjourn the meeting.

YEA 5

Russell Glenn
Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

NAY 0

Loyal Green
Chairman