

August 7, 2008
Public Hearing - General Plan

Present: Bill Muse, Mayor; Randy Ripplinger, Wendell Roundy, Dennis Bertucci, Councilmembers; Judi Davis, Clerk; Tim Mutcher, Sergio Femenias and Peg Smith.

The public hearing was opened at 7:37 p.m.

Judi reported on questions she had and responses from Marvin Bagley and Bruce Parker. The Planning Commission had suggested land use zoning categories and patterns, some of which aren't the same as those we have now. Marvin wondered why we would want to change the zones when we have just finished revising our Zoning Ordinance. He suggested we have the public hearing, then wait at least a month before adopting it. Bruce agreed. Both agreed that the General Plan doesn't carry the force of law—it is just an advisory, guiding document. Because of that, Bruce felt that the different zoning categories really don't pose a problem, as long as the intent of the actual ordinance doesn't go against the intent of the General Plan. However, he is concerned that, by outlining zones, the Planning Commission is trying to turn the General Plan into a zoning document instead of just a vision statement for the future. Bruce emphasized that the vision of the future doesn't need to be the same as the present or the past and that this document should have enough vision to guide us through future decisions. The General Plan should not offer implementation and is not law.

Bill emphasized that, although there was a hurry to finish the Zoning Ordinance, we can take as long as needed on the General Plan to make sure we don't have something in it that will obligate us to do something we didn't intend.

Randy has concerns about the High Density Residential provisions. It allows one-acre lots in certain areas. They are currently only allowed as a zone in two places in town, although there are other small lots that pre-existed the Zoning Ordinance. In our new ZO, we have allowed small lots as part of a clustering section. He is concerned that this General Plan recommends considering still more one-acre lots than those allowed by clustering pursuant to a Conditional Use Application. This would allow more than one dwelling per acre under limited circumstances. He is concerned that this opens the whole town up to small lots and also that there are no guidelines as to what the limited circumstances would be, thereby allowing for subjective decisions. The few guidelines for this suggested area are only "should be's." He would like to see this entire section rewritten.

Bill clarified that there will be time to study the concerns, as we will not be adopting the General Plan tonight.

Judi reported that Marvin, Bruce, and the law state that a map is not required. Bruce suggested, however, that we send it back to the PC and ask them to geographically represent these ideas a map showing where they envision a particular zone being located. Dennis feels it opens too many doors.

There was no further public comment. We will post an notice inviting written comment.

The public hearing was closed at 7:53 p.m.