

Planning Commission Meeting
April 3, 2013
Verbatim Excerpt

ZONING ORDINANCE AMENDMENT – ZONING APPLICATION FEE SCHEDULE

Decision Only During Commission Matters
(Public Hearing held on March 27, 2013)

Commissioner Hart: Thank you, Mr. Chairman. The Planning Commission held a public hearing on March 27 on a proposed Zoning Ordinance Amendment to lower certain filing fees. First, let me thank all the citizens who came to speak at the public hearing or submitted written comments. Let me also thank staff – Donna Pesto, Michelle O’Hare, Regina Coyle, and Lorrie Kirst – for their fine work on this case. This Amendment is intended to equitably adjust several filing fees, making the process more affordable for cases such as change in permittee, equestrian facilities, and modifications to the keeping of animals. The Amendment will also clarify the amount of the fees in certain combination applications. We also heard from several speakers regarding another issue – allowing chickens by-right in residential districts. Allowing chickens by-right was outside the scope of the advertising authorized by the Board. Although this Amendment will not change the current requirement for Special Permit approval for chickens on lots of less than two acres, the filing fee will be reduced from \$910 to \$435, which approximately covers the cost of the advertising. Applications for chickens on smaller than two-acre lots still may be considered by the Board of Zoning Appeals on a case-by-case basis, which will allow the neighbors an opportunity to comment and participate in a public hearing process. As the Commission is aware, every lot is different. One size does not fit all. And the public hearing process will allow a balancing of the concerns of the applicants and their neighbors. As the Commission also is aware, keeping of chickens is one of the Priority Two items on the Zoning Ordinance Amendment Work Program and this discussion may be resumed in the future. The Amendment has staff’s favorable recommendation, with which I concur. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE PROPOSED FEE SCHEDULE ZONING ORDINANCE AMENDMENT BE ADOPTED IN ACCORDANCE WITH THE STAFF RECOMMENDATION, AS ADVERTISED, TO INCLUDE A FEE OF \$435 FOR A VARIANCE, SPECIAL PERMIT, OR AMENDMENT TO A PREVIOUSLY-APPROVED PROFFER AND/OR DEVELOPMENT PLAN FOR AN INCREASE IN FENCE AND/OR WALL HEIGHT ON A SINGLE-FAMILY LOT OR IN A RESIDENTIAL DISTRICT; AND A FEE OF \$2,500 FOR THOSE APPLICATIONS WHEN APPLICABLE TO ANY OTHER USE OR DISTRICT, AS EXPRESSLY SET FORTH IN STAFF’S MARCH 4, 2013, MEMORANDUM TO THE PLANNING COMMISSION.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it adopt the Zoning Application Fee Schedule zoning – proposed Zoning Ordinance Amendment, as articulated tonight by Commissioner Hart, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

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(The motion carried unanimously with Commissioner Hall absent from the meeting.)

JLC