

Albany County Planning and Zoning Commission
REGULAR MEETING of June 10, 2020
Minutes

I. PLEDGE OF ALLEGIANCE

II. CALL TO ORDER/ROLL CALL (Time: 4:00p)

Chairman: The Regular Meeting of the Planning and Zoning Commission will come to order.

Chairman: Will the secretary call the roll.

Vote: Mr. Cunningham: Present

Mr. Miller: Present

Mr. Kennedy: Present

Mr. Spiegelberg: Present

Chairman Moore: Present

III. Approval of Agenda

Chairman: Are there any additions or deletions to the agenda for June 10, 2020?

Mr. Cunningham proposed changing the agenda so that the WECS regulations were addressed before the aquifer regulations.

Chair will entertain a motion to accept the agenda for June 10, 2020, as presented.

So moved by Commissioner Kennedy

Seconded by Commissioner Cunningham

Motion carried

IV. Approval of Minutes

Chairman: Are there any corrections to the minutes for the May 13, 2020 meeting?

Chairman Moore noted a misspelling that has since been corrected.

Chair will entertain a motion to accept the minutes for the May 13, 2020 meeting as presented/with corrections.

So moved by Commissioner Kennedy

Seconded by Commissioner Miller

Motion carried

V. DISCLOSURES:

Chairman: The Chair calls for any disclosures to be known.

No disclosures

Chairman: The discussion will be conducted in accordance with the State Statutes, the Rules of the Planning and Zoning Commission, and other applicable laws. I would ask the individuals who address the Commission to approach the lectern, identify yourself, and state your address.

VI. PUBLIC APPLICATIONS

A. Vista Grande Estates, 2nd Filing – A Replat of Lot 4 Block 2, Vista Grande Estates Subdivision Application SD-02-2020

The Chair will open the public hearing – anyone wishing to speak for or against the Vista Grande Estates, 2nd Filing – A Replat of Lot 4 Block 2, Vista Grande Estates Subdivision Application SD-02-2020 please state your name and address.

There being no further public comments the Chair will close the public hearing.

David Gertsch presented the staff report and noted that the applicant has followed the recommendations from Bill Gorman, County Engineer.

Ginger Brown confirmed that the applicant is prepared to follow all recommendations outlined by Mr. Gorman.

Motion Options:

1. Recommendation of APPROVAL of the Vista Grande Estates, Second Filing Subdivision Application SD-03-19 to the Board of County Commissioners incorporating the findings of fact and conclusions of law as listed in the staff report.

So moved by Commissioner Cunningham

Seconded by Commissioner Miller

Motion carried

B. Jairell Zoning Change LUC-02-20

The Chair will open the public hearing – anyone wishing to speak for or against the Jairell Zoning Change Application LUC-02-2020 please state your name and address.

Chris Van Aken presented the staff report.

Brent Brock – has a zoning change like this been done anywhere nearby? Would this set a precedent for 2-acre lots in the area?

There being no further public comments the Chair will close the public hearing.

Motion Options:

1. Recommendation of APPROVAL of the Jairell Zoning Change Application LUC-02-2020 to the Board of County Commissioners incorporating the findings of fact and conclusions of law as listed in the staff report.

So moved by Commissioner Miller

Seconded by Commissioner Kennedy

Motion carried

C. Allison Zoning Change LUC-03-2020

The Chair will open the public hearing – anyone wishing to speak for or against the Allison Zoning Change LUC-03-2020 please state your name and address.

Chris Van Aken presented the staff report.

There being no further public comments the Chair will close the public hearing.

Motion Options:

1. Recommendation of APPROVAL of the Allison Zoning Change LUC-03-2020 to the Board of County Commissioners incorporating the findings of fact and conclusions of law as listed in the staff report.

So moved by Commissioner Kennedy

Seconded by Commissioner Spiegelberg

Motion carried

VII. CURRENT PLANNING PROJECTS

B. Amendments to the Wind Energy Conversion Systems (WECS) Regulations

Mr. Moore stated that he wanted to hear from Mitch Edwards, as multiple people had asked him to comment.

Mr. Cunningham said that the commission should hear from anyone with valid information.

Mr. Kennedy wanted a meeting dedicated to wind energy regulations where equal time was given to each side of the issue.

Mr. Spiegelberg expressed that this was becoming a complex issue. Wind energy is a good thing. Negotiate the density of turbines per square mile so that landowners are happy.

Peggy Trent showed examples of Albany County regulations compared to other jurisdictions. She is NOT proposing that we adopt regs seen in California. This should be discussed with DEQ.

Mr. Moore expressed the need for a work session.

Mr. Miller echoed the idea of meeting with DEQ.

Mitch Edwards presented potential changes to the current wind regulations.

Amanda McDonald stated that some of the proposed regulations are arbitrary and that the county should be prudent when changing regs.

Nancy Bath – viewscape isn't guaranteed when you move somewhere.

Dennis Craig – this project would allow ranchers the financial resources to continue ranching in the area.

Deby Forry – learn best practices in the wind industry. Don't be discriminatory toward one company or project.

Motion Options:

3. Continue the discussion until the July 8 meeting

So moved by Commissioner _____

Seconded by Commissioner _____

Chairman: All those in favor say "AYE"; all those opposed say "NO".

For: _____ Opposed: _____

Vote: Mr. Cunningham _____ Mr. Miller _____

Mr. Kennedy _____ Mr. Spiegelberg _____

Chairman Moore _____

Motion Carried _____ or Failed _____

Amendments to the Aquifer Protection Overlay Zone

Ms. Trent presented her edits to the APOZ regulations.

Mr. Moore asked why the county is more restrictive than the city with regard to expansions. Ms. Trent replied that we can look at the regs again if we want to address expansion differently.

Mr. Kennedy suggested edits to make the definition of an expansion more clear.

Mr. Gertsch passed on comments from ACCWA to PZC.

Motion Options:

3. Continue the discussion until the July 8 meeting

So moved by Commissioner Cunningham

Seconded by Commissioner Kennedy

Chairman: All those in favor say "AYE"; all those opposed say "NO".

For: _____ Opposed: _____

Vote: Mr. Cunningham _____ Mr. Miller _____

Mr. Kennedy _____ Mr. Spiegelberg _____

Chairman Moore _____

Motion Carried _____ or Failed _____

C. Extension of the Moratorium on Development in the Aquifer Protection Overlay Zone

Mr. Gertsch outlined the process of extending the moratorium.

Motion Options:

1. Recommendation of APPROVAL of the extension of the Moratorium on Development in the Aquifer Protection Overlay Zone to the Board of County Commissioners.

So moved by Commissioner _____

Seconded by Commissioner _____

IX. OTHER ITEMS/ANNOUNCEMENTS

A. Next Meeting July 8, 2020

XI. CITIZEN COMMENTS – Non-Agenda Related Topics

Sarah Gorin – consistent procedure is important. We should have more steady regulation. Don't create rules based on one parcel.

Paul Montoya – the county commissioners have direct regulatory authority on wind regulations. Take Rail Tie out of the equation.

Terry Cammon – no energy is free. It's a big mistake to oppose this opportunity for revenue.

XII. ADJOURNMENT

Chairman: There being no further business to conduct, the Chair would entertain a motion to adjourn the meeting.

So moved by Commissioner Miller

Seconded by Commissioner Kennedy

Motion carried

Meeting adjourned at 6:45p.