

OFFICIAL MINUTES

City Chairperson Eric Rasmussen called the meeting of the City & County Planning Commission to order on Monday, December 2, 2019, at 7:00 PM in the Chambers Room #310 on the third floor of the City & County Government Center. City members present were Tanner Aiken, James Drew, Alan Johnson, Gregg Jorgenson, Jason Meusbarger, Lee Ann Pierce, Greg Fargen and Rasmussen. City member absent was Ashley Biggar. County members present were Kimberly Elenkiwich-Chairperson, Mike Bartley, Michael McHugh, Tom Davis, Darrell Nelson, Darrel Kleinjan, Chad Ford, Terrell Spence, Randy Jensen and non-voting alternate Roger Erickson. Also present were City Planner Staci Bungard, Community Development Director Mike Struck, County Development Deputy Director Richard Haugen, Caleb Svartoien, Luke Muller, and others.

Item #1 – Roll Call

Item #2 – (Jorgenson/Pierce) Motion by the City Planning Commission to approve the agenda. All present voted aye. MOTION CARRIED

(Davis/McHugh) Motion by the County Planning Commission to approve the agenda. All present voted aye. **MOTION CARRIED.**

Item #3a – Caleb Svartoien of EC Properties LLC has submitted a petition to rezone the South 150' East 165' of Lot 1, Krogman First Addition, SE1/4 SE1/4 Section 16-T110N-R50W, also known as 1806 US Hwy 14 from Joint Jurisdiction Residence R-1B Single-Family District to a Joint Jurisdiction Business B-3 Heavy District.

(Johnson/Aiken) Motion for the City Planning Commission to approve the rezone request. All present voted aye. **MOTION CARRIED.**

(Bartley/McHugh) Motion for the County Planning Commission to approve the rezone request. All present voted aye. **MOTION CARRIED.**

The meeting was adjourned at 8:57 p.m.

Staci Bungard
City Planner

Eric Rasmussen, Chairperson

OFFICIAL SUMMARY

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Item #3a – The applicant is seeking a rezone request from a JJR1-B District to JJB-3 Heavy Commercial District. This property is located just north of Hwy 14. In 1995 a portion of this land was rezoned from a JJB-3 to a JJR-1B to allow for a residence to be constructed. The current owner is planning to relocate the residence and use the whole parcel for commercial purposes.

The 2040 City of Brookings Comprehensive Plan shows this area as commercial or low density residential and supports the JJB-3 rezone.

Caleb Svartoien explained that they would like to move the house off of this property and then use it for commercial purposes. They own a landscaping business and will use this property for the business.

Pierce requested a list of the permitted uses if this rezoning request is allowed. Bungard provided a list of the permitted uses and special exception uses allowed by the Board of Adjustment.

Item #4a – Luke Muller from First District Association of Local Governments presented to the Commissions what had been worked on and discussed with the Joint Jurisdiction Sub-committee for the last 20 months. Muller explained the Codified Law regarding Joint Jurisdictions and that both Commissions must agree to adopt the same Ordinance. The Subcommittee consisted of members from both Planning Commissions, but they also welcomed BMU and others in to give suggestions and thoughts.

Muller explained that the subcommittee talked about “how” the administrations handle the requests. Currently if zoned Ag they discuss with the County staff and if the land is zoned something other than Ag they discuss with the City staff. It was agreed that the ordinance currently doesn’t read this way, but it should. A new Joint Jurisdiction Board of Adjustment will need to be created to handle Conditional Uses and Variances in any Ag zoned property in the JJA. This board would consist of 1 County Commissioner, 2 County Planning Commission Members, 2 City Planning Commission Members, 1 City Council Member and the City and County would each appoint alternates for their 3 members. Struck indicated that he thought the board was going to consist of only 1 Planning Commission member. Bartley stated that he thought a 5 member board was agreed upon to prevent a tie. Additionally a process needs to be discussed and agreed upon on how to handle amendments to the ordinance.

Muller also explained that they reviewed a list of Land Uses in the JJA. And discussed if certain uses needed to remain available. A drive around was conducted to determine different uses in areas, and the drive around also showed that there were uses being used that were not in the current ordinance.

Small Lot Residential zoning was a discussion item that took up a significant amount of time for the sub-committee along with feed lot operations.

The Aquifer Protection District was discussed at length with redundancies being removed. A portion of the well head protection area to the north and east of town is no longer in use. Muller explained that there would be additional restrictions on permitted uses along with additional Conditional Uses in this district.

Muller would like to come up with a plan for a meeting schedule, as both committee's will need to be involved. He suggested meeting on the first Tuesday night, when both committees are already meeting, but meet for an hour in between the two meetings. Both commissions agreed that 6:30 would be a good time to meet jointly.

The meeting was adjourned at 7:57 p.m.

Staci Bungard
City Planner

Eric Rasmussen, Chairperson