

THE OFFICIAL PROCEEDINGS OF THE GERING CITY PLANNING COMMISSION
MEETING OCTOBER 15, 2019

The Gering City Planning Commission of Gering, Nebraska was held in open session at 6:00 p.m. in the Gering City Council Chambers. Present were Commissioners Allen, Bowman, Hauck, Kaufman, Marietta, Rajewich and Rechsteiner. Absent: Shimic. Alternate Commissioner Erdman was not present. Also, present were Dave Kaopick from dPlanit, City Engineer Annie Folck, and Secretary Bruntz - Secretary to the Planning Commission.

Notice of the meeting was given in advance by publication in the Star Herald, the designated method of giving notice. Availability of the agenda was communicated in advance to the Media and Commissioners. All proceedings hereafter were taken while the meeting was open to the attendance of the public.

Chairman Rechsteiner called the meeting to order at 6:00 p.m., roll call was taken and the Pledge of Allegiance was recited; also reviewed were the Nebraska Revised Statutes Chapter 84, Article 14, which requires at least one copy of the Open Meetings Act be posted in the meeting room and the time limit for public comment.

Chairman Rechsteiner asked for a motion to approve or disapprove the minutes from the September 17, 2019 meeting. Commissioner Bowman made the motion to approve the minutes and Commissioner Kaufman seconded. On roll call vote, the following voted "AYE": Allen, Bowman, Hauck, Kaufman, Marietta, Rajewich and Rechsteiner. "NAY": None. Absent: Shimic.

Current Business is to discussion/review of draft zoning code.

Dave Kaopick from d'Planet is here to give a quick overview and answer questions. He and Annie have been deconstructing and reconstructing the current zoning regulations. There are goals to be reached and reorganizing the articles from 17 down to 5 and they are grouped together using titles (like things are grouped together). There is now a land use table that has helped reduce the bulk of the document. Updating definitions and terminology is being worked on as well as clarifying confusion in the language regarding two zoning designations on properties. This is mostly caused b/c of confusion in language of the code.

Streamlined the districts and defined base districts and special districts. They are trying to avoid remapping (to avoid affecting property rights) and retaining those as much as possible. Many of the districts will be renamed.

Dave went over briefly the different sections regarding - legal, definitions, non-conformance, uses, structures, conditions, lots and signs. He talked about grandfathering rights (legal non-conforming). The intent or balance is to recognize the existing things and bring them into conformance. At some time, the grandfather rights will have to go away such as if they are out of use for one year.

Article 2 is general administration and how the code is administered. The three levels are: General Administration by staff, Administration by PC and BZA (Board of Zoning Adjustment or Appeals that is governed by state law). Their function is interpretation and variances. These levels have been given better clarification on their roles. This also gives site plan review more flexibility for Administrative staff and this will add more discretion (5%) by staff. The applicant should propose equal or better standard. Annie said citizens have voiced their opinion that the City should use more common sense and have flexibility for solutions. Dave said this provides for some staff discretion with reasonable limitations.

If someone proposes something that deviates from code by more than that, site plan review escalates to the next step. There will be a staff review & then it will go to planning commission, it will not go to City Council. Here there will be greater discretion and equal or better standards apply.

If a proposed varies greatly from what is allowed in code, the next level would go to staff, planning commission and City Council for example a development plan review which will meet the intent of the zoning regulations and equal or higher quality. For example, a development like Heritage Estates would go through this process. What is the difference for variances? They have specific criteria to meet.

Zoning districts are reduced to: 1-agricultural, 4-residential, 3-commercial & 2-industrial and will keep GCE (Golf Course Estates). The subsection titles are being standardized for each district. Next it will have lot requirements, setback, coverage requirements and heights. Everything will be in the same order with each district. These districts were combined: RM & RML, some commercial districts were not used and now is C3. Performance standards for industrial districts have been moved under those industrial districts.

Land use table: there is not a list in each district it will be on one consolidated table. The uses are labeled: C-conditional use, P-permitted use. The table will be very easy to use.

Special districts (are still being worked on) which are: airport, flood plain, Scotts Bluff historic site and wellhead encroachment.

Supplementary regulations - parking, signs, landscaping/screening, fences, wind energy, buildings and structures, mobile homes, etc. They are streamlining content of the code, getting rid of repetition and have reduced it by approximately 30-40 pages.

Commissioner Bowman asked about Hydroponic farming and she feels it is on the horizon. Can this be added to the code now? It was suggested by Dave to get lists of these things to Annie so that the intent can be reviewed. The key is to be consistent and with documentation. Copies of existing ordinances will be kept.

City Engineer report:

Annie - talked about upcoming meeting on November 5, 2019 and the need for a quorum. There are things coming up that are on a time line (TIF application & blight study). Annie gave a brief explanation of TIF and added the new policy & procedures had just been

adopted by the City Council. She will mail out new policy and procedure on TIF. The Plaza dedication was mentioned.

Motion to adjourn was made by Commissioner Rajewich and seconded by Commissioner Bowman. On roll call vote, the following voted "AYE": Allen, Bowman, Hauck, Kaufman, Marietta, Rajewich and Rechsteiner. "NAY": None. Absent: Shimic.

Note: If a member needs to abstain from voting, the member should communicate this prior to a motion being made.

Note: There was dialogue that was not audible for the minutes due to microphones being off, sitting back from the microphones, static in the microphones or individuals not standing at the podium to speak.

Adjourn 6:54 p.m.



Jeremy Rechsteiner, Chairman



Brenda Bruntz, Secretary