

**PLANNING AND ZONING COMMISSION
MINUTES
February 15, 2011**

ATTENDEES:

Members
Pam Buckley
John Staley
Peck Miller
Joel Brous
Lauren Taylor
Chris Shanahan

Staff
Blaine Smith
Jesse Houston
Bob Nelson
Will Esham
Kay Stroud

I. CALL TO ORDER – 6:05 PM

II. APPROVAL OF MINUTES:

Minutes of January 19, 2011.

MOTION/Taylor **SECONDED/Miller** Vote was unanimous (6-0).
Record shows that Tom Singman was absent this evening.

III. DISCUSSION:

1. Definition of “completely unenclosed” outdoor dining area – Blaine explained the issue to the Commissioners and asked what was the Commission’s intent concerning the parking regulations that had been adopted in 2007 with regards to unenclosed outdoor dining areas and parking.

Mr. Miller stated the Commission wanted to encourage outdoor dining and doesn’t want to penalize the existing restaurants. Ms. Buckley supposed that in the really busy season most people are out walking and taking the bus. Ms. Taylor added umbrellas are fine, but they should be able to be removed by one person. The exact dimensions of umbrellas will be determined by research.

Ms. Buckley also stated that the knee walls should stay (50% or 42”) for safety circumstance. Mr. Miller was in hearty agreement.

All these points address areas without having parking charged to them. When parking is available, outdoor dining may be covered and/or enclosed.

Schedule this issue for public hearing as early as April, 2011. Only new applications will be affected by any new regulation. The staff will research existing properties to see if any will be affected prior to the public hearing.

2. Addition of underlying zoning under OCDC authority for site plan review in the Upper Downtown Design District – these zoning districts have never been identified in the Code, but the Commission desires OCDC to be a formal part of the site plan review process.

3. Outdoor Lighting Regulations – Jesse Houston reviewed the proposed amendments for the Commissioners. The purpose is to maintain health, safety, and welfare, improve night sky, etc. Following the more stringent standard would solve discrepancies between the Life Safety Code and our local laws. Current regulation only intends to minimize glare on neighboring properties. Conditions that would require existing lighting to be changed to the new regulations once adopted – change of use, replacement of non-conforming lights. The new proposal is to limit the footcandles (unit of measurement) to 0.2 footcandles at ground level at the property line. This regulation will not pertain to the Downtown and Upper Downtown Design Overlay because they have their own standard.

Ms. Taylor stressed that lighting regulations on the waterfront should be more flexible. The staff will look into DNR regulations for lighting on the waterfront. The staff will also find examples of certain lighting units of measure to compare what exists.

This issue will be advanced to public hearing as early as March 15, 2011.

IV. ADJOURNMENT – 6:55 PM

John Staley, Secretary 3/1/2011
John Staley, Secretary Date