



## **MEETING #10 MINUTES**

TUESDAY, SEPTEMBER 16, 2008

1300 FRANKLIN STREET, PUBLIC SERVICE CENTER

ROOM 313, 6:00-9:00PM

<b>Members Present:</b>	Neil Chambers, Sam Kim, Dennis Lagler, Eric Temple, Dan Weaver
<b>Public:</b>	Dave Hurt
<b>Ex-Officio: absent</b>	Marty Snell, Mike Cooke
<b>Staff:</b>	Fred Abraham, Gordy Euler, Mary Beth O'Donnell, Oliver Orjiako

### **Agenda Item**

**Meeting called to order at 6:07PM**

#### **New Business:**

- The minutes from 09/02/08 were approved as distributed.

#### **Old Business:**

- Oliver addressed the question raised at the last meeting with regards to the legality of the County requiring a business to use the railroad if they site themselves along the line. The County cannot prohibit non-rail users from building on the site, but if a business type that is restricted by the code wants to build, i.e. a restaurant, they cannot.
- At this point, it is uncertain what will happen with the appeal filed on this parcel of land. If the task force recommends uses for the RR Industrial District, the Board of Commissioners can accept or reject the recommendations and the property could revert back to its original zoning. If approved, a Master Plan could be done for future development. When a developer comes along they can choose to use the plan or deviate some with the County's approval as long as it is in agreement with the concept design. The Master Plan is only partially binding to the extent the developer can move things around within the plan but keep to the concept design. If the appeal is lost, the property remains zoned AG. Other options then would be to look for another site, similar in size, along the rail line or seek consent of the property owner to a conceptual Master Plan for the property. A Site Plan is not binding but can be used as an example of how the County wants to see the property developed once a developer is in place. When the sub-area plan is developed, given some features of the site, the entries will be fixed. The consultant, who has knowledge of County codes and design standards, will develop a Master Plan for the area according to those codes and standards. Oliver said County attorneys are working with local judges to decide on a hearing date in Clark County Superior Court. It is in the County's best interest to have a local judge rule in this case.
- Eric mentioned that according to his conversations with BNSF, the typical lot size for industrial development is 20 acres. We could create language in the RR Industrial code that would allow exception to a 20 acre lot size if the business is rail served and wanted a smaller lot size.
- Begin review of pages 59-63 of Title 40, 40.230 Industrial Districts code. On page 60, review of table including lot setbacks, lot coverage, building height requirements, landscape requirements, etc. Filled in the table as follows:
  - Minimum lot area: 20 acres
  - Minimum lot width: 0
  - Minimum lot depth: 0
  - Maximum building height: 100 feet (step down to 60 feet at perimeter)

### **Agenda Item**

- Minimum building setback:
  - Front/street side: 30 feet
  - Side (interior): 30 feet
  - Rear: 30 feet
- Maximum lot coverage: 75 percent
- Minimum site landscaped area: 0 percent (<sup>5</sup>Except on parcels on the perimeter of the district or on parcels adjacent to residential districts. See Section 40.230.080(E).
- Pages 61-63: When setting the standards, the restrictions are set for the industrial park businesses, around the perimeter and inside the property, and do not apply to outside the park.
- Development guideline suggestions: by line item
  1. Minimum parcel size: 20 acres
  2. Fence to be on inside of the berm, not seen from the outside. Landscape berm to be L5 at its height. Landscape standards defined by L5 (type of trees, etc). Berms to extend into entrances and exits. L5 standard for outside the property.
  3. and 4. Combine these to say, "no tracks in public roadways except at crossings"
  5. Building setback 30 feet. Nothing shall impede site distance at grade crossings.
  6. Delete item entirely.
  7. Nuisances (noise, vibration, light, sound, odor) shall not be detectable *at park boundary*.
  8. Requirement for a rail use plan? Yes
  9. Requirement to build a spur, or connection to main line (siding)? Yes

### **Good of the Order**

- Neil was asked if the N.A.C.C.C. can write a letter of support for the railroad. He said he could not speak for them but he would talk to them about it. Fred stated that throughout the process he has tried to keep the best interest of the community in mind.
- A staff report will be created by Fred and Oliver, to come from the RRWG, on the work done by the committee. It will be presented to the Planning Commission first, then on to the Board of Commissioners. Fred will advise the RRWG when the work session is scheduled with the Planning Commission. Members of the RRWG may be asked to represent the group at the work session. All members present were willing to do so if asked.
- Gordy will create a master document of the section code and standards for review based on the work done by the RRWG.
- Fred thanked the group for their hard work and their time over the past several months. Sam commended County staff and the whole public process. All present expressed their enjoyment of working together on this committee and the learning experience.
- This is the last meeting until a possible open house.

### **Adjournment**

- The meeting was adjourned at 8:15 PM.