

**PLANNING COMMISSION WORK SESSION
DECEMBER 21, 2005**

THE GREENE COUNTY PLANNING COMMISSION HELD A WORK SESSION TO DISCUSS TIME BASED DIVISIONS ON WEDNESDAY, DECEMBER 21, 2005, AT 6:30 PM IN THE COUNTY MEETING ROOM.

Those present were: Gary Lowe, Chairman
Jim, Davis, Member
Davis Lamb, Member
Mickey Cox, Ex-officio Member
Bart Svoboda, Zoning Administrator
Kelly Clay, Secretary

Mr. Lowe said the work session will be between staff and appointed personnel who having been working on this report. He said this will be an opportunity for the commissioners to see what staff has done to raise questions and look at different scenarios. Mr. Lowe said that this session is technically not open to the public but if time permits, he will welcome public comments. He did remind everyone that the regular Planning Commission meeting will follow the work session at 7:30.

Mr. Lowe then asked Mr. Svoboda for his report.

Mr. Svoboda said that this is a work session to discuss Time Based Divisions. He said that this is a starting point and will be worked from this point on.

Mr. Lowe went over the process on a topic such as this. He said it depends on how in depth the topic needs to be discussed as to how many work sessions could be held. He said that there has to be at least one public hearing with the Planning Commission and one Public Hearing with the Board of Supervisors (BOS) before moving on or passed. He said there will be plenty of time for the public to voice their concerns. He then asked Mr. Svoboda to continue with his presentation.

Mr. Svoboda said that he and Mr. Carl Schmitt worked on this project. He said that he took examples locally and tried to work those into what may work for Greene County. He said through discussion with the Planning Commission and the public they will try to determine how close they came. He said that he anticipates one work session with the BOS once it progresses through the process. He said that are trying to come up with a means to provide the County a way to channel growth into the growth area as opposed to occurring in the rural area. He said that there are rural area subdivision issues. He said they want to keep family divisions safe where the division rule does not effect family divisions and incorporate all this into the process. Mr. Svoboda said that the only objective is to contain that growth in the growth areas and not the Agriculture and Conservation areas.

Mr. Svoboda then went over the handout in an overhead presentation.

Mr. Carl Schmitt then reviewed the diagrams in the overhead presentation to the Planning Commission.

Mr. Svoboda said this will conclude the presentation and at this time welcome any questions or comments.

Mr. Lamb inquired about the 100 maximum development at 20 years and 1 day, asked if you could use all 21 division rights.

Mr. Svoboda said that under the current regulations the diagrams are all current time based division examples. He again went over the handout diagrams.

There was discussion regarding the handout/diagrams pointing out several areas.

Mr. Lowe asked if there was any way to word this and avoid the compound effect.

Mr. Schmitt said that the way the original parcel is, no matter how many times you divide, you can only exercise three the next round in the ten year period. He then reviewed the diagram again.

Mr. Svoboda then went over the diagram/handout.

Mr. Lowe said that we need to make this as simple as possible. He then asked if you don't do anything in the first 10 years what happens.

Mr. Svoboda said that it is like a clock and it starts when you begin to divide. He gave an example of having 100 acres and didn't do anything until 2006, then there is no 10 year clock. He said the clock doesn't start until you use a right/do a division.

Mr. Lowe then gave an example saying that he develops one subdivision, that starts the clock and he still has 2 left in his 10 year period and he doesn't use those 2 and then he gets into his second 10 year period, he asked Mr. Svoboda what would be the status of this scenario.

Mr. Svoboda said that we could write language with the ability to get those carried over, but then again he said that would become a traffic issue on how to keep track of this. He said that if it is written that if you don't use them, then you lose them then he said what you are doing is promoting three divisions all the time. He said this would be a gray area.

There was discussion about the divisions/dividing the parcels, referring to the language written. Mr. Svoboda reviewed information on the handout discussing residue issues.

Mr. Lowe asked if each time a plat is recorded for a subdivision, where does the owner get the most flexibility. He said if the owner assigns the rights, what issues will we need to address. Mr. Lowe then pointed out examples on the overhead presentation.

Mr. Svoboda said we presently track division rights. He said that you have to match your development rights with the amount of land. He said the assignment of division rights is left up to the property owner verses the number of acres created in each lot.

Mr. Davis asked Mr. Svoboda to illustrate his concerns about the language.

Mr. Svoboda reviewed the handout.

There was discussion with the Planning Commission and Staff regarding checking around with surrounding counties. Mr. Svoboda said calls had been made but he hasn't received any returns. Mr. Lowe said that our goal is that we need to be flexible but simple. Mr. Svoboda went over the handout and said that we need to add the language as to when the clock is to begin and for which piece. Mr. Svoboda said that the next debate would be 3/10, 4/10 5/10 etc and what would be reasonable. He suggested we come back for another work session.

Mr. Lowe asked if the Planning Commission had questions and if not he would like to open it up to the public for questions, concerns.

Mr. Mickey Cox said that this is a very sensitive topic and it is very dear to his heart. He said that he has farmed in this County for 25 years and feels that this is very unfair and unjust. He said that the BOS asked for Staff to look into this. He said there should be a limit. He said that it takes many acres to farm. He said that he understands the hardships that people get into.

Ms. Andrea Wilkerson commented that she sees what Mr. Cox is saying but feels it can be dealt with. She said she doesn't know how but she feels it could be dealt with.

Mr. Lowe said this is needs to be out on the table and look at the scenarios and manage the growth without causing any hardships.

Mr. Cox said that the time division takes care of the children.

Mr. Lowe said that there is also an option of re-zoning. He said that R-1 is in place and PUD also that may apply to these.

Mr. Davis asked if the rights would transfer.

Mr. Svoboda said that you could transfer the rights with the transfer property. He said that any division rights that you would have would have to go to an adjacent parcel because it is done strictly by the transfer property.

Mr. Lowe said that one of the reasons we are present tonight discussing this issue, is that when we adopted our Comprehensive Plan, one of the recommendations was to look at the time based subdivisions. He said that the Planning Commission got direction from the BOS as a priority to look at this issue.

There was discussion about other counties who have this process in place. It was suggested to do more research to better understand the language and see what other surrounding counties have this in place. Mr. Davis asked if hardship instructions could be written in and Mr. Svoboda said that no hardship guidelines had been written in. Mr. Svoboda said that if guidelines were to be written in then there would be the same issues as it is for Special Use Permits. Mr. Schmitt said that one of the purposes is to balance all of the issues maybe some that were brought up tonight. Mr. Svoboda said that is what they are trying to do is to determine how many divisions are or will be right. Mr. Davis said that he would be interested in what is done by the counties who have been doing this for years. Mr. Svoboda said that other counties have put that in as a blanket and it applied to all districts and they ran into problems with things such as roads.

Mr. Svoboda said that he will do research and get language from some other counties.

Mr. Schmitt said that some counties do not even have division rights and division right formulas like we do in Greene.

Mr. Ken Lawson voiced his opinion which was difficult to translate due to the fact he was in the back of meeting room. He did say that this is serious money being dealt with.

Mr. Lowe said that again another option would be to re-zone.

Mr. Cox said that people should be able to put homes on their land if they meet set backs.

Mr. Lowe asked Mr. Svoboda to further research this issue and schedule another work session. He said that he would like to see another work session at the next Planning Commission Meeting in January 2006.

There being no further discussion, the work session was adjourned.

Respectfully submitted,

Kelly Clay
Secretary