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DEPARTMENT OF PUBLIC WORKS

May 18th, 2023
PRE-MEETING WORKSHOP
CAMPBELL COUNTY PLANNING COMMISSION

The May 18th, 2023, pre-meeting workshop of the Campbell County Planning Commission (Commission) came to order at 6:05 p.m.

Commission Members in attendance: Chairman Todd Hildebrand, members Harry Averett, Bob Jordan, and Anna Land. Staff present were Sam Proffer, Planner and Zoning Administrator, and Clark Melinkovich, Senior Engineer & Planning Commission Recorder.

Mr. Proffer started the meeting by reviewing the minutes from the March 16th meeting after having received a question via email from Vice-Chairman Siebenaler regarding the accuracy of a date cited in the minutes. After review, it was determined that the minutes were correct.

Mr. Proffer then gave some brief remarks regarding the Spiker Re-zoning request for the regular meeting. Mr. Proffer explained why there was not more information in the packet citing that the applicant had insisted on being placed on the agenda. Staff had made the decision to honor his request and allow him to come before the Commission.

The group then discussed the draft Accessory Dwelling Unit (ADU) ordinance included in the workshop material. Mr. Proffer explained that the document had been drafted because of the many inquiries for ADU's the office receives and from feedback from the Energy Capital Economic Development 'Gillette Vision 2040' report citing a need for housing. Based on this, staff had reached out to other counties and communities for information on how they have been handling this topic. The draft ordinance was based on information gathered from those and other sources.

After discussion, the Commission felt that more information needed to be gathered, especially from existing subdivision covenants to try and determine if there is information either for or against ADU's.

No decisions on any agenda items were made. No official action was taken.

The workshop adjourned at 6:55 P.M.

Sam Proffer
Planner and Zoning Administrator

MEMBERS PRESENT

Todd Hildebrand, Chairman
Harry Averett, Member
Anna Land, Member
Bob Jordan, Member

MEMBERS ABSENT

Kurt Siebenaler, Vice-Chairman

STAFF MEMBERS PRESENT

Sam Proffer, Planner and Zoning Administrator
Clark Melinkovich, Senior Engineer & County Recorder

The meeting was brought to order at approximately 7:00 p.m. by Chairman Hildebrand.

Roll Call:

Chairman Hildebrand asked Mr. Melinkovich to note for the record that Vice-Chairman Siebenaler was absent.

Approval of Minutes:

Chairman Hildebrand asked if the Commissioners had read the March 16th, 2023 meeting minutes and asked if there were any changes or corrections that needed to be made. All affirmed that they had read the minutes and no changes were needed.

Chairman Hildebrand asked for a motion to approve the March 16th, 2023 minutes as submitted. Commissioner Averett moved to approve, and Commissioner Jordan seconded.

All voted aye. Motion carried.

Communication:

None

Public Hearings:

Case No. 23.02.COZ **Spiker Zoning Request**

Chairman Hildebrand asked Planner and Zoning Administrator Proffer to present the case.

Mr. Proffer began by explaining that the applicant wished to start a commercial distillery on his property but had failed to provide necessary for determining zoning compatibility.

Mr. Proffer then advised that the location of the applicant's property is in an area that complies with the County Comprehensive Plan and Long-Range Use Map where a mix of commercial and residential uses would be compatible, but the parcel in question is already in a single-family zoned subdivision. Mr. Proffer went on to explain that approval of the zoning request would be a 'spot-zone' providing a benefit to one individual property owner potentially at the expense of others.

Mr. Proffer also explained to the Commission that the applicant wished to rezone his property to either a C-1 or C-3 Commercial Zoning District. It was noted that staff had previously asked Mr. Spiker for site plans, written comments on the facility, etc., but no information had been provided. Mr. Proffer stated that because of the lack of information, staff could make no suggestions on what zoning classification would be appropriate for his venture.

Mr. Proffer gave the Commission a recommendation not to approve the spot-zoning request based on the conditions stated in the staff report but offered up as an alternative that the Commission could vote to change the request to a Conditional Use Permit (CUP). Changing the request to a CUP would be more appropriate because it would not change the zoning classification but could possibly allow the applicant to move forward with his project if the Commission decided that it is a compatible use of the land.

Chairman Hildebrand invited Mr. Spiker to address the Commission. Mr. Spiker then began to explain his plans for a small-scale spirits distillery that would operate about 10 days per month, 10 hours each day. Mr. Spiker stated that he wanted to use a 'Conex' style portable steel container to house his operations and that the facility would be licensed and monitored by the USDA.

Mr. Spiker gave an overview of the distilling process including materials used, materials and product storage, waste product produced, and construction requirements such as fire sprinklers, etc.

Commissioner Jordan asked about process and wash-water wastes and how that would be addressed. Mr. Spiker stated that both the process and wash-water was all bio-degradable and would not go into a septic system but would be discharged into an existing garden area.

Commissioner Averett asked Mr. Spiker if he planned on expanding the operation once it became successful. Mr. Spiker said 'no' that he would move to a different location if that was necessary. Commissioner Averett also voiced a concern that if the property received a different zoning classification that future owners of the property could operate any commercial business that was compatible with the new zoning classification if it were approved.

After additional discussion it was decided that a CUP was more appropriate as recommended by staff. Commissioner Jordan made a motion to change the request to a CUP. Commissioner Averett seconded the motion.

Chairman Hildebrand asked Senior Engineer Melinkovich to poll the Commissioners.

Voting was as follows:

Commissioner Averett:	Yes
Commissioner Land:	Yes
Chairman Hildebrand:	Yes
Commissioner Jordan:	Yes

Motion passed 4-0.

Chairman Hildebrand noted that there was no New Business and no Old Business on the agenda. Mr. Hildebrand asked Mr. Proffer if there were any other items to discuss.

Mr. Proffer stated that there was none.

With no other comments, Chairman Hildebrand adjourned the meeting.

Adjournment: Meeting was adjourned at 7: 40 pm

Kurt Siebenaler

~~Todd Hildebrand~~, Chairman
Kurt Siebenaler

NOTE: Campbell County Planning Commission meeting minutes contain a summary of discussions and are not intended to be verbatim.