

Draft: 3/1/2016
Updated: 3/11/2016
Final: 3/23/2016

NELSON COUNTY PLANNING COMMISSION
WORK SESSION
February 24, 2016

Present: Chair Philippa Proulx, Commissioners Mike Harman, Linda Russell, Robert Goad and Tommy Bruguiere (Board of Supervisors Liaison)

Absent: Commissioner Mary Kathryn Allen

Staff Present: Tim Padalino, Director of Planning & Zoning and Stormy Hopkins, Secretary

Chair Proulx called the Work Session to order at 6:00 P. M. in the General District Courtroom, County Courthouse, Lovington.

Chair Proulx began the work session on proposed Temporary Events amendments by asking Mr. Padalino about correspondence from Mr. Stu Mills, Executive Director of the Rockfish Valley Community (RVCC), which Mr. Padalino provided via email on the day of the meeting. Mr. Padalino noted that he received the original correspondence that day; forwarded it to Chair Proulx for her direction on how to incorporate Mr. Mills' comments into the meeting; and proceeded to briefly explain the details contained in the letter. (See attached – dated February 23, 2016) Mr. Padalino also noted that he provided a brief reply to Mr. Mills' correspondence, and indicated that the RVCC still has twenty-three (23) days to appeal the zoning determination regarding the RVCC which precipitated Mr. Mills' letter.

Mr. Padalino then identified four (4) unresolved issues with the current version of the proposed amendments, as stated in the Staff Report (see attached – dated February 16, 2016). He noted that these issues stemmed from public comment, including comments given by the Planning Commission (PC) as well as members that spoke during the last public hearing. Issues/concerns that were discussed by the PC and Mr. Padalino are as follows:

1. The concept of limiting the hours of conduct (found in some of the Definitions; Out-of-Doors Accessory Uses; limitations set for Category 1, Category 2, and Category 3 Events). The questions of compliance, and consequences for non-compliance, were discussed and Commissioners noted that it could be dealt with during the renewal process and prior compliance would be considered per proposed Section 24-3.
2. The concept of creating correlation between the maximum number of people allowed to attend certain events and the size of the property.
3. Recommendation to consider decreasing the number of acres associated with different categories of a Farm Winery or Bona Fide Agricultural Operation, because there are not many farms in the County that are over 250 acres.
4. Under 4-1 Uses – Permitted by right: Social Temporary Event “discernable noise” (page 6) needs to be changed to include reference to the County’s Noise Ordinance.
5. Recommendations to modify the chart which establishes the “maximum number of properly-permitted non-exempt Temporary Events which may be conducted in a calendar year on the same subject property,” as follows:
 - a. Add a row in the chart to include properties between 100-250 acres, which would not include any Category 3 event permits (per the proposed definitions in Section 24-1).
 - b. Add a row in the chart that would allow for an eligible property that is not a Farm Winery or Bona Fide Agricultural Operation that is less than 250 acres.
 - c. Add a row in the chart that would include any eligible property(s) zoned A-1 with an aggregate acreage equal to or greater than 250 acres.

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- d. Category 3 should not be included (in the chart) for anything less than 250 acres (per the proposed definitions in Section 24-1); change number from two (2) to zero (0).
- e. Add language that provides applicants the opportunity to formally request for additional Temporary Event Permits from the Board of Supervisors (BOS), above and beyond the number established in the chart in proposed Section 24-3-C.

The Commissioners and Mr. Padalino then worked to draft changes to the proposed amendments as follows:

4-1 Uses – Permitted by right:

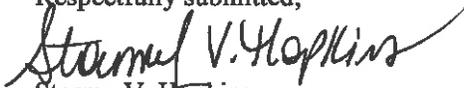
Social Temporary Event, provided that there are no more than fifty such events in a calendar year and that the event complies with the County Noise Ordinance

24-3-C The maximum number of properly-permitted non-exempt Temporary Events which may be conducted in a calendar year on the same subject property, or on properties contiguous to or adjacent to the subject property if under the same ownership or control as the subject property, is limited as specified in the following chart. Event promoters and/or property owners may formally request approval to conduct additional Temporary Events, beyond the limits specified in the following chart, at a public hearing conducted by the Board of Supervisors.

Type of Property	Category 1	Category 2	Category 3
Eligible property(s) zoned A-1, B-1, B-2, or SE-1 with an aggregate acreage of less than 250 acres*	8	4	0
Farm Winery or Bona Fide Agricultural Operation, the aggregate acreage of which is less than 100 acres*	12	6	0
Farm Winery or Bona Fide Agricultural Operation, the aggregate acreage of which is equal to or greater than 100 acres but less than 250 acres*	16	8	0
Any eligible property(s) zoned A-1 with an aggregate acreage equal to or greater than 250 acres*	16	8	4
<i>*Contiguous parcels under the same or different ownership or control may be aggregated to attain the minimum acreage.</i>			

Adjournment: Chair Proulx closed the Work Session meeting at 7:10 P.M.

Respectfully submitted,


 Stormy V. Hopkins
 Secretary