

Jasper County Board of Commissioners
October 28, 2022
Called Meeting Minutes
9:00 A.M.

Chairman Henry called the meeting to order at 9:00 a.m.

Commissioners Present: Bruce Henry, Chairman, Gerald Stunkel, Vice-Chairman, Don Jernigan, Sheila Jones and Steven Ledford

Staff Present: Mike Benton, County Manager

Pledge of Allegiance:

Invocation: Commissioner Sheila Jones, District 1

Agenda Approval:

Commissioner Jernigan motioned to approve the agenda as presented. Commissioner Jones seconded the motion, passed unanimously.

Consent Agenda: None

Public Hearing: None

Presentations/Delegations- None

Citizens Comments:

County Commissioner's Items:

Commissioner Ledford- None

Commissioner Stunkel- None

Commissioner Jernigan- None

Commissioner Jones- None

Chairman Henry- None

Regular Agenda:

Item 1: Subdivision Ordinances Amendments:

Planning & Zoning Director Judy Johnson presented highlights from the Planning and Zoning meeting along with suggested changes and/or limitations on certain items. The suggestions are attached to the official minutes.

Commissioner Henry stated that he agrees with the new sizes.

Commissioner Stunkel stated that he does not agree with either option. Now we only have one subdivision by removing R2 & R3. We are pricing our own residents out of being able to afford a home in our county. The only people who will be able to afford to live in our county are people moving from other counties. With the 2 acre minimum and 1800 sq. ft. home you are looking at about and \$200K to \$300K home. Our average citizen in our county cannot afford that home. We have to have a R2 & R3 to allow for denser residential subdivisions and one for smaller footprint of houses so that people in the county can actually afford homes in the county. He explained that if someone is 18 and about to graduate or move out on their own they have been priced out.

Item 2: Recreation Park Improvements: Mike Benton presented the photograph aerial which was initially provided by Paul Hoover with Precision Planning. The project was stalled out some since Mr. Hoover quit. Mr. Benton stated that football fields is what Michal Fleming feels is the immediate need. He is requesting direction of whether we want to move forward with the football field, soccer fields, or table it for a while.

Commissioner Stunkel motioned to table this item along with item #3 until after the lost discussion. Commissioner Ledford seconded the motion, passed unanimously.

Commissioner Stunkel made a motion to reconsider Recreation Park Improvements. Commissioner Ledford seconded the motion, passed unanimously.

Commissioner Stunkel stated that we should find out what a phase one would cost. We have to speak to Liz about a different entrance.

Commissioner Jernigan stated that the Phase I of the Recreation Project will include 2 football fields, soccer field, one parking lot, and restroom facilities.

Item 3: Public Works Full Time Patching Crew: Commissioner Henry stated that we are looking at creating a crew for patching all year round.

Public Works Director Michael Walsh describe the make-up of the crew. The crew will be a three man crew; one cdl driver, two operators (one for traffic control and the other for the patching machine).

Total Salary & Benefits for 3 new employees \$145,347

15 loads of Gravel 5,000

Emulsion (CRS-2H) 9,000

Grand Total Estimated Cost \$159,347

Cold mix to run those months will be about \$5200.

As of right now we are six men short.

Item 4: Local Option Sales Tax: Chairman Henry stated that LOST negotiations have stalled and in some cases took a step back. The City of Monticello wants to keep the same split that was set up 10 years ago. Many things have changed since then. The City police was disbanded 2 years after negotiations. The County then incurred all of that cost.

Other options to LOST includes, HOST (only affects homestead recipients); this would have to go through legislation and then placed on a referendum. The downside is the current LOST has to end and it takes time for the process.

Chairman Henry stated that if the LOST is not settled by the end of the year it just goes away.

Commissioner Stunkel stated that he found out recently that the City is in the process of filing suit against the BOC over the LOST negotiations

Attorney Ozburn described how he felt the negotiations went. All data show that the City of Monticello should get less. Their population percentages have decreased. The service delivery strategy was sign off in 2018. In his

mind they are trying to reopen the Service Delivery Strategy although it's been settled. The City of Monticello had a draft suit ready after recent negotiations. The county provides some services inside the City of Monticello. The mediator suggested that we have an IGA with payment for services in place to provide those services.

Commissioner Stunkel made a motion that we enter into negotiations with cities for services of Fire and Animal control where provided to the City of Monticello and the City of Shady Dale. Commissioner Jernigan seconded the motion, passed unanimously.

The board instructed the county attorney to notify the City of Monticello that we are considering HOST as an option.

Commissioner Jones motioned to go back to the items that were previously skipped. Commissioner Ledford seconded the motion, passed unanimously.

Item 5: Schedule Work Sessions and Called Meetings: No meetings are needed at this time.

County Attorney Items:

County Manager Items:

Executive Session: Commissioner Jernigan made a motion to go into Executive Session at 9:44 a.m. for potential litigation and land acquisition. Commissioner Stunkel seconded the motion, passed unanimously.

Commissioner Stunkel motioned to exit Executive Session at 11:35 a.m. Commissioner Jernigan seconded the motion, passed unanimously.

Adjourn:

Commissioner Stunkel motioned to adjourn the meeting 11:35 a.m. Commissioner Ledford seconded the motion, passed unanimously.

Bruce Henry, Chairman

Sharon Robinson, Clerk

Addendum

BOARD OF COMMISSIONERS

Special Called Meeting

10/28/2022

SPECIFIC HIGHLIGHTS OF AMENDMENTS
TO
SUBDIVISION REGULATIONS AND OTHER
AMENDMENTS



INFORMATION INCLUDED BELOW ARE HIGHLIGHTS FROM THE PLANNING AND ZONING MEETING WITH SUGGESTED CHANGES AND/OR LIMITATIONS ON CERTAIN ITEMS. ALTHOUGH THE DRAFT VERSION OF THE AMENDMENTS ARE ALL INCLUSIVE, NOT ALL SECTIONS ARE SHOWN ON THESE SLIDES.

Planning Recommendation of each section of the Ordinance Amendments are as follows:

I. General Definitions: Motion to recommend approval the definitions with the Minor Plat being limited to 3 lots and the Residential Plat being 3 lots or more would come before the P&Z board & the BOC. (Vote 5-0)

II. Identifying different types of subdivisions: Motion to recommend approval. (Vote 5-0)

III. Minor Subdivision language: Motion to recommend approval. (Vote 5-0)

IV. Residential Subdivision language (this is dividing land without any new roads being built): Motion to recommend approval. (Vote 5-0)

V. Conservation Subdivision language: Motion to recommend approval with keeping the 7 years from last timbering and in Section C. keeping the existing lot sizes. (Vote 3-2)

VI. Mixed Use Subdivision reserving section: Motion to recommend approval. (Vote 5-0)

VII. Commercial & Industrial Subdivision language: Motion to recommend approval. (Vote 5-0)

VIII. Suggested changes to Chapter 105 Development Standards and Regulations, Article 1: Motion to recommend approval. (Vote 5-0)

CONTINUED FROM PREVIOUS PAGE:

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Planning

Recommendation of each section of the Ordinance Amendments are as follows:

IX. Suggested changes to Chapter 105 Articles 105-85, 105-87, 105-103, 105-90, and 105-91: Motion to recommend approval with a change in section 105-85 (b)(5) to add "by the Chairman of the Board of Commissioners" for the signature on the plat. (Vote 5-0)

X. Suggested changes to Chapter 105 Development Standards and Regulations, Article V. – General Requirements, Sec. 105-127: Motion to recommend approval with striking "steep lot" language from Section 105-127(3) and changing Section 105-127(6) from 500 feet to 300 feet for a maximum length of a flag lot. (Vote 5-0)

XI. Suggested changes to Chapter 105 Development Standards and Regulations, Article X Standards for Utility Infrastructure, Sec. 105-275 and Sec. 105-128 by setting distance between fire hydrants to 500 feet apart. Motion to recommend approval. (Vote 4-1)


XII. Suggested changes to Chapter 119 Zoning, Article IV. District Regulations, Division 4, Sec. 119-244 – Development standards – Agriculture and residential districts, Sec. 119-148 – Conventional Zoning Districts and Sec. 119-196 & Sec. 119-197. Motion to recommend approval to combine R1 & R2 into a single district and leave the lot sizes as currently shown in the ordinance. (Vote 5-0)

FINAL SECTIONS REQUESTING BOARD INPUT

The following slides are items that staff is requesting to finalize/obtain direction at the meeting in order to have a Final Version of the Amendments for potential adoption on 11/07/2022

I. Definitions

I. To add or amend the following definitions in PART II - CODE OF ORDINANCES Chapter 105 - DEVELOPMENT STANDARDS AND REGULATIONS ARTICLE II. - DEFINITION OF TERMS Sec. 105-28. - General definitions.



Minor Subdivision means divisions of land into no more than 3 new lots, where no new streets are platted, constructed, or opened, no publicly-owned or central sewerage or water facilities are constructed, and no

improvements of existing roads are planned. A Minor Subdivision does not include the further subdividing of a lot within a platted and recorded subdivision. This definition does not include land zoned O-I, C-1, C-2, or M as defined by Sec. 119-48 of Part II of the Code of Ordinances.

Residential Subdivision Design means a subdivision of land into more than 3 new lots, where no new streets are platted, constructed, or opened, no publicly-owned or central sewerage or water facilities are constructed, and no improvements of existing roads are planned. A Residential Subdivision does not include the further subdividing of a lot within a platted and recorded subdivision.

VI. Conservation Subdivision Design

1. (Current Sec. 105-159. – with changes) Purposes.

The purposes of conservation subdivisions are as follows:

- A. To provide flexibility of design in order to promote environmentally sensitive and efficient uses of the land when developing as a residential subdivision.
- B. To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
- C. To preserve important historic and archaeological sites.
- D. To permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
- E. To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
- F. To promote interconnected greenways and corridors throughout the community.
- G. To promote contiguous green space with adjacent jurisdictions.
- H. To encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood.
- I. To encourage street designs that reduces traffic speed and reliance on main arteries.
- J. To promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles.
- K. To conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of open space.
- L. To protect prime agricultural land and preserve farming as an economic activity.

2. Applicability: This district is to be used to preserve conservation space and to protect natural resources. For properties which are submitted for a Conservation Subdivision, the applicant shall declare the intent to preserve conservation space at the time of application. The application shall be accompanied by an Existing Features Site Analysis Plan, and a map that clearly indicates what is found on site according to the Existing Features Site Analysis Plan. The Conservation district shall not be used on property that has been timber harvested within 7 years prior to adoption filing an application for a Conservation Subdivision.

3. (current Sec. 105-160. – with changes) General regulations.

A. Applicability of regulations. The conservation subdivision option is available as a use by right in all residential zoning districts. An applicant shall comply with all other provisions of this chapter, chapter 119 and all other applicable laws, except those that are incompatible with the provisions contained herein. Where there is any conflict in language, these regulations shall supersede.

B. Ownership of development site. The tract(s) of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.

C. Housing density determination. The housing density determination will be determined by subtracting all the roads and right-of-way, required exterior buffers, and all conservation areas, and meeting the minimum lot size for each new lot as shown in the chart below:

(**NOTE:** There are 2 options below – one with no changes to the Lot Size by Zoning District lot size and 1 with changes to the Agricultural and Residential minimum lot size. **Only one chart will be adopted.**

The P&Z Board voted (3-2) to leave the lot sizes under the current regulations)

(No changes in lot size) Zoning District	Agricultural	RR	RES	RL
Lot	5 acres	3 acres	2 acres	2 acres
Minimum Lot Size Allowed	3 acres	1.8 acres	1.2 acre	1.2 acres

OR

(New sizes for AG & RES) Zoning District	Agricultural	RR	RES	RL
Lot size by Zoning District	8.5	3 acres	2.5 acres	2 acres
Minimum Lot Size Allowed	5.1 acres	1.8 acres	1.5 acre	1.2 acres

XII. Below is suggested changes and clarity to the existing zoning districts.

ARTICLE IV. - DISTRICT REGULATIONS

DIVISION 4. - DEVELOPMENT STANDARDS—ALL DISTRICTS

Sec. 119-244. - Development standards—Agriculture and residential districts.

Item	AG	R-R	R-2	R-1	RL	V-P
Minimum heated floor area per dwelling unit	1,200 sf	1,200 sf	1,800 sf	1,800 sf	1,800 sf	750 sf
Minimum lot area without water or sewer	5 10 or 12 acres	3 acres	2 acres	2 acres	2 acres	NA
Minimum lot area with well and septic		5 ACRES	3.35 ACRES	3.35 ACRES	3.35 ACRES	
Minimum lot area with public/private water and septic	5 10 or 12 acres	3 acres	2 acres	2 acres	2 acres	NA
		5 ACRES	3.35 ACRES	3.35 ACRES	3.35 ACRES	
Minimum lot area with public/private water and sewer	5 10 or 12 acres	3 acres	2 acres	2 acres	2 acres	4,000 sf
		5 ACRES	3.35 ACRES	3.35 ACRES	3.35 ACRES	
Minimum lot width	400 ft	200 ft.	125 ft.	125 ft.	125 ft.	See section 119-295
Minimum road frontage	400 ft	200 ft.	125 ft.	125 ft.	125 ft.	See section 119-295
Minimum front yard arterial road	80 ft.	80 ft.	80 ft.	80 ft.	80 ft.	80 ft.
Minimum front yard major collector	80 ft.	80 ft.	80 ft.	80 ft.	80 ft.	10 ft. store; 30 ft. others
Minimum front yard minor collector	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	0 ft. store; 20 ft. other
Minimum front yard local roads	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	0 ft. store; 20 ft. other
Minimum side yard	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	0 or 10 ft.
Minimum rear yard	50 ft.	50 ft.	30 ft.	30 ft.	30 ft.*	30 ft.
Compliance with architectural standards required?	No	No	No	No	No	No

Combining R-1 with R-2 into a single RES district

QUESTIONS?



