

Taylorsville-Spencer County
Joint Planning and Zoning Commission

The regular meeting of the Taylorsville-Spencer County Joint Planning and Zoning Commission was held February 2, 2023, in the Fiscal Court meeting room located at 28 East Main Street, Taylorsville, Kentucky.

Chairman Deapen called the meeting to order.

Present were Valerie Hunt, Jacob Brown, Paula Wheatley, Marsha Mudd, Gordon Deapen, Anthony Travis and Attorney Dale. Diana Faue and Teddy Noel were absent. Also present was Administrator Julie Sweazy and Admin. Assistant Angie Helton.

Chairman Deapen: In your packets you have a copy of the minutes from the last meeting for January 19, 2023. I will entertain a motion to approve those minutes.

Commissioner Brown: Made a motion to approve the minutes for the January 19, 2023, meeting.

Commissioner Mudd: Second.

Chairman Deapen: Discussion, roll call please.

Administrator Sweazy: Roll called, motion carries.

Chairman Deapen: Section 5 on page 43. Explain the meaning to me of section 5bb.

Commissioner Brown: Just not to have any dead ends where you have to back vehicles out or try to turn around. You want through access.

Chairman Deapen: Doesn't the first part of that sentence prohibit that?

Commissioner Hunt: Yes, no alleyways.

Administrator Sweazy: Maybe you need to take the word no out of there.

Commissioner Brown: Probably, you're right.

Commissioner Hunt: Do we have a minimum footage for the alleyway?

Commissioner Brown: Minimum right-of-way of 20'. That's all I could find when looking through other cities. I couldn't find anything that said how wide the alleyway has to be.

Administrator Sweazy: I think it's already dedicated in our sub-regulations. I'll check. I found it it's no less than 15'.

Commissioner Wheatley: Do we want to restate that on here?

Administrator Sweazy: I think so, in case the sub-regulations ever change.

Commissioner Brown: Alleyways shall have a minimum right-of-way of 20' with a minimum pavement width of 15'. Alleyways shall be provided with through access, dead ends are prohibited.

Administrator Sweazy: So, we'll get rid of b and no and let it flow.

Commissioner Brown: I'd keep b. We spoke about the cladding last time and that we want to have a look at what they are proposing for the exterior cladding on the building whether it be 50% vinyl, 50% brick, whatever it may be. So we have that opportunity because there was concern of what's in other counties right now.

Commissioner Wheatley: My question is, if nothing is prohibited and you don't have a structure of how it needs to be, how can we ask them to do anything different? Do we need something that says it has to be brick, stone, etc.?

Administrator Sweazy: That's something we've never gotten into. If you want a hot pink house with green shutters, you can have it. But if you have a subdivision restriction, you have to follow those. To get into that we would need a designer review board and finding volunteers is not easy.

Chairman Deapen: Before we go through all that, I sent out an email to all of you right after the last meeting. What if we put a section called design that required the developer to submit an architect rendering and materials description. If we stated that the purpose was to enable the commission to determine if the project was appropriate to the area we would have our foot in the door to deny but we would have avoided setting down criteria in the regulations.

Administrator Sweazy: Attorney Dale would be the one to have to tell us whether we could legally do that or not.

Commissioner Brown: Is there any vinyl siding only cookie cutter subdivisions in Spencer County as it sets right now?

Administrator Sweazy: No. Attorney Dale can we legally put in our regulations that no less than 50% of the product need be brick?

Commissioner Travis: I don't see how we could.

Attorney Dale: I think you can. It would become architectural standards. The city has two ordinances 382 and 412 dealing with subdivision developments. Including sidewalks, street widths, all you all are talking about. I can email you all a copy or you can look it up on the City of Taylorsville website. I think you could set regulations that there has to be so much this and so much that. I think you could go that route.

Administrator Sweazy: If we did something simple like saying 50% brick or stone, then we're catching them at that extent without getting into what portions have to be what.

Commissioner Hunt: In the pre-application procedure section and the preliminary plat approval, both of those sections refer to resolving problems. Specifically, this one says the purpose of the pre-application procedure is to afford the subdivider the opportunity to avail himself of the advice and assistance of the Planning Commission and to consult early and informally before

preparation of the Preliminary Plat and before formal application for its approval. It also says to help him analyze the problems of the development and plan more adequately for its sound coordination with the community. The same thing in the next section of the preliminary plat approval section 306, number 1 in the middle, it says negotiations with the subdivider on changes deemed advisable and the kind and extent of improvements to be made by him. So, we can still, as long as we're sticking together, what our desire and what our intent is. I think we can still do that within this, but it's going to have to be something we vote on, it can't just be one person out there solo, it's going to go by vote.

Administrator Sweazy: If it's zoned properly, will they come in here for any type of a plat approval? Will it still follow a subdivision and come in for a preliminary plat, final plat? What I'm saying is if it's zoned properly, they just come in, as long as they have a plan, they just pull a permit and are ready to go. Will it come in here for a plat approval?

Commissioner Brown: No townhomes regulations as there is subdivision regulations.

Chairman Deapen: If we're creating an R-1T, there's no R-1T in the county.

Administrator Sweazy: No, but what I'm saying is once they walk in here and get their zoning changed, do they have to go through a subdivision plat?

Commissioner Brown: Why can't we just put in here that preliminary plats for townhomes have to go through Planning and Zoning for approval?

Administrator Sweazy: So, what is the process?

Chairman Deapen: I was assuming it would be a one step process. They would have to come in to get their zone changed and present a plat. I see your point, it's not necessarily a one step process. They could get it rezoned, wait a year, and come back. We would have to put a clause in here that requires them to come back with the plat prior to starting the development, even though it was zoned properly.

Administrator Sweazy: I was just thinking we have several pieces of property out here that has zoning change, but something happens, and it didn't get built and it is setting there vacant. Then someone else comes along and buys it. They may be going to do the same type of thing so the zoning fits, but the play may be different. So, is it a two-step process?

Chairman Deapen: It wouldn't automatically be a twostep process. I think that's what you're suggesting that we make it a requirement, so both are covered. I think you just need to put a heading in there that says Plat Processing.

Commissioner Brown: Like seven something or eight?

Chairman Deapen: Yes.

Commissioner Hunt: Could you just put that the process would follow the procedures that are set forth in section... Can you pull in what we already have verbiage from the preapplication in the preliminary plat?

Chairman Deapen: I think you could do that. In other words, reference the sections you read to as the next step.

Administrator Sweazy: On page 43, section 5 it does provide for review by the Planning and Zoning Commission with the preliminary plat. So, it is saying it has to be a plat that is given to you all.

Chairman Deapen: Should we reference those two sections you read?

Commissioner Brown: So, would we piggyback a section saying please reference section 301 – 307 and piggyback off the subdivision regulations?

Chairman Deapen: There's a pro and con with that. If that changes then it impacts what we're trying to do here.

Administrator Sweazy: We can try and condense what's in 301-307 and add it to this.

Commissioner Travis: I don't know of anywhere in the state of Kentucky that you can tell them what they have to look like.

Administrator Sweazy: I agree, if someone calls in here and asks, we can't pick what color we want their stuff to be.

Commissioner Brown: What if we keep it simple and say we'll just take a look at it.

Administrator Sweazy: Maybe we can lean with them one way or the other and maybe they will follow what we're saying.

Commissioner Hunt: Can we require them to provide a drawing with an example of coloration, the structure, whatever it's going to look like when they come for the approval?

Commissioner Brown: I don't think that would be out of line to ask.

Commissioner Wheatley: Here's my question. I'm Mr. Builder and I'm going to come in here and build 300 townhomes, got my location and I want them to be green, purple, all different colors and you can tell me I can't take my land, that I purchased, and tell me I can't have these colors. We can guide them of what we prefer but we can't really tell them they can't be purple.

Commissioner Hunt: We can vote a certain way, then it's up to the Fiscal Court to do something different. They won't allow it.

Administrator Sweazy: Still, they can build them blue this year and sell three years from now and they can go hot pink.

Commissioner Hunt: I think that is where the negotiations come in. We can advise them.

Commissioner Travis: I don't care to ask if they're willing to put a binding element on it. Sometimes it works and sometimes it doesn't.

Chairman Deapen: But if there's a step in there that says prior to doing anything, they have to show us what they want to do. I agree we can say you can't but we can say we prefer this.

Administrator Sweazy: I think what's in there now gives you some lead way. Because they're going to provide it to you. I think what we got is accurate. You're asking them to give you what the exterior is going to be, you're not telling them what it has to be.

Commissioner Brown: I think I can break it down and make it simple.

Administrator Sweazy: I don't think you want to reference other sections in another book

Commissioner Brown: No. But I do need to add something about the offset. I also wanted to talk about the minimum lot width and frontage is 20' and I also said the side yard setback does not contribute to lot width or frontage. I might need to redo that a little and take that out. (Section 4, b, ii) Then you got the driveways.

Commissioner Hunt: So, is this an option for them? Parking on the street?

Commissioner Brown: I guess it's a little bit deceiving because that was the general. But if you want a more specific parking configuration then you have got others in the back.

Commissioner Hunt: I just want to make sure nobody thinks that street parking is what we are after.

Commissioner Brown: I guess I can add see parking section for other parking configuration options.

Chairman Deapen: On the next page you say a minimum of three off-street parking spaces shall be provided for each lot.

Commissioner Travis: You get two, one inside, one outside and one down the road somewhere.

Administrator Sweazy: All off street, no street parking at all.

Commissioner Hunt: It's clear of what your options are.

Chairman Deapen: On side yard setbacks.

Commissioner Brown: I'm going to remove that.

Administrator Sweazy: That's number 4, b, ii?

Commissioner Brown: Yes.

Chairman Deapen: We probably need a couple of tweaks and we should be good.

Administrator Sweazy: Next question. We don't have anything else scheduled for our next meeting. Do we want to try and schedule our public meeting for that day?

Chairman Deapen: I think that would be fine.

Chairman Deapen: Other issue is our regulations it says final plat approval has to come to this commission for approval. Most of the classes we have been to, the instructors are against that. They think that should be a function of the office if they can. It's really a final check to make

sure they are doing what they originally said they were going to do. The population comes in here thinking they still have opportunity for input, and they don't.

Administrator Sweazy: Now that we have engineers reviewing plans and they are building the roadways and installing infrastructure before the final goes to record. I feel more comfortable than in the years past. But if they are making a special request for a variance or something of that nature, I would still bring the final plat before the commission. Do we want to put that on the next meetings docket as well?

It was a general consensus of everyone to place both regulation amendments on the next meeting's agenda.

Administrative Sweazy: I will advertise for them to be on the docket for public comment.

Administrator Sweazy: Next meeting will be February 16, 2023.

Commissioner Travis: Motion to adjourn.

Commissioner Hunt: Second.

Chairman Deapen: All in favor say aye, any opposed, meeting adjourned.

Attest:

Secretary

Chairman