

MCPC - Minutes February 13, 2024 Board Minutes

The Madison County Plan Commission met on the above date at 9:00 A.M. with President Olivia Pratt, presiding.

Members Present: Mark Gary, John Simmermon, Olivia Pratt, Tom Shepherd, Denise Spooner, Lindsay Brown and Jerry Alexander.

Members Absent: Wes Likens and Rob Steele

Also Present: Larry Strange - Director, Jeff Graham – County Attorney, and Nikki Wood – Board Secretary

Current Business

1. Prayer – John Simmermon
2. Pledge of Allegiance
3. Roll call: 7 Present and 2 Absent – Wes Likens and Rob Steele
4. Larry read a resignation letter from Wes Likens. Member Brown made a motion to accept Wes Liken's resignation, seconded by Member Simmermon. Voice call was unanimous.
Motion Approved
5. Elections: Member Simmermon nominated Member Pratt as President, seconded by Member Brown. Voice call was unanimous. Olivia Pratt serves as President. President Pratt nominated Member Gary for Vice President, voice call was unanimous. Mark Gary serves as Vice President. Member Simmermon nominated Nikki Wood as Board Secretary, seconded by Member Gary. Voice call was unanimous. Nikki Wood serves as Board Secretary. Member Brown nominated Jeff Graham as Madison County Attorney, seconded by Member Alexander. Voice call was unanimous. Jeff Graham serves as Madison County Attorney.
6. Approval of the November 14, 2023 Board Minutes – Member Spooner made a motion to approve the November 14, 2023 Board Minutes as written, seconded by Member Shephard. Voice call was unanimous. **Motion approved**

Old Business

None

New Business

1. Petition: 2023-Z-013
Address: 56 N 500 W
Location: Stony Creek Township
Petitioner: Joaquin Morales

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Landowners: Joaquin Morales
Zoning: CR – Conservation Residential
Request: A Rezone from CR to AG to bring property into compliance with current use

Director Strange presented the first petition 2023-Z-013. The request is for a rezone from CR to AG to allow a small contractor operation while living at the residence on the property. Staff's recommendation is a favorable recommendation to the board of commissioners for a rezone with a special use which would allow conditions to be put on the operation as it goes forward. Director Strange answered some zoning questions from the board and gave confirmation that the petitioner is scheduled at the next BZA meeting. The petitioner's attorney was present and spoke along with the petitioner to explain the traffic that would be coming and going from the property. The petitioner explained the company was for outdoor work, landscaping, etc. and the barn is for equipment storage. A neighbor shared the concern of rezoning to LI which is no longer the case and is in support of the current plan. Member Brown made the motion to approve petition 2023-Z-013, seconded by Member Simmermon. Roll call unanimous. **Motion approved**

FINDINGS

The Madison County Comprehensive Plan and any other applicable, adopted planning studies or reports

The recommendation on the Future Land Use Map in the Comprehensive Plan is to be a Conservation Residential area, which is not inconsistent with the proposed use and zoning recommendation.

The current conditions and the character of current structures and uses in each district

The property is generally consistent (and will continue to be) with the conditions in the area.

The most desirable use of which the land in each district is adapted

This is a good use for the parcel.

The conservation of property values throughout Madison County

There should be no negative impact to property values given the history of care the petitioner has provided while renting, and now owning.

Responsible growth and development

This petition is requesting a rezoning that matches the ongoing trend to people operating small contracting and tree trimming operations out of their property.

2. Petition: 2024-TA-001
Petitioner: Planning Department
Request: Text Amendment to the Windfarm Ordinance

Director Strange proposed a plan for upcoming windfarms. It was brought to Director Strange's attention the windfarms should go through the same scrutiny as the solar farms. The proposed plan is that petitioners will need 1) a site development plan processed through article eight of the ordinance including review and approval from the Madison County Planning Commission, 2) a special use from the Madison County Board of Zoning appeals and 3) a building permit from the Planning Department. Staff recommendation is favorable recommendation to the Board of Commissioners. Member Spooner agrees to have this process and mentioned she would like to

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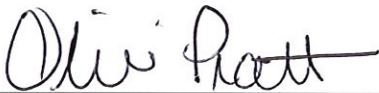
see a zero shadow flicker added to the ordinance. She would like to add a moratorium on windfarms until the ordinance is looked at for this. There was discussion between the members and Director Strange about working on the ordinance. Member Spooner made a motion to approve petition 2024 –TA-OO1, seconded by Member Simmermon. Roll call was unanimous. **Motion approved.** A second motion was made by Member Spooner for Director Strange to work on preparing a moratorium for next meeting, seconded by Member Brown. Roll call was unanimous. **Motion approved.** Member Spooner mentioned a seminar coming up on decommissioning wind turbines.

Miscellaneous:

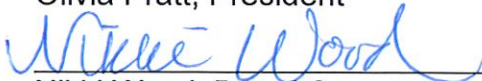
1. Information item - The distance from the edge of solar panel farm to active waterways. This distance is currently a 3 mile buffer. After further analysis, Director Strange is recommending a 1 mile buffer and will bring this back as a text amendment next month.
2. Information item – Shipping containers. The Planning Department is trying to figure out which way to go moving forward. Director Strange gave some ideas to the board. The members discussed their thoughts on how to move forward. Tom Whitesell, code enforcer, spoke about his findings and thoughts. Remonstrators spoke. Member Alexander brought up the clarity of shipping containers in the ordinance. Director Strange wants to strengthen the language of the ordinance. There was further discussion among the board members about their preferences. Director Strange will create two options and hold a public hearing on potential changes. Director Strange said he will not fine anyone with a shipping container until after this is straightened out.

Adjournment

Member Simmermon made a motion to adjourn, seconded by Member Brown. **Meeting Adjourned 10:33:16.**



Olivia Pratt, President



Nikki Wood, Board Secretary