

MCPC - Minutes March 12, 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: Olivia Pratt, Mark Gary, Tom Shepherd, Denise Spooner, Lindsay Brown, Rob Steele, Michael Pelsor and Jerry Alexander, and John Simmermon via Teams

Members Absent: none

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

Current Business

1. Prayer – Jerry Alexander
2. Pledge of Allegiance
3. Attorney Graham introduces Michael Pelsor as the Board of Commissioners appointee to the Planning Commission
4. Roll call: All present
5. Approval of the February 13, 2024 Board Minutes – Member Brown made a motion to approve the February 13, 2024 minutes, seconded by Member Spooner. Voice call was unanimous. **Motion approved**

Old Business

None

New Business

1. Petition: 2024-TA-002
Petitioner: Planning Department
Request: Text Amendment - Solar Ordinance water buffer

Director Strange presented the staff report. The staff proposes the Planning Commission forward this petition to the Board of Commissioners with a favorable recommendation for a one-mile buffer to replace the existing three-mile buffer in the ordinance. There was discussion amongst the members about buffer distance and water concerns. Director Strange reviewed other counties and came to the determination that a one-mile buffer is reasonable. Member Spooner made a motion to approve the petition 2024-TA-002, seconded by Member Brown. Roll call was unanimous. **Motion approved**

2. Petition: 2024-TA-003
Petitioner: Planning Department

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Request: Text Amendment - Moratorium on the Windfarm Ordinance


The Planning Commission requested we place a moratorium on the Madison County Windfarm Ordinance. Since the adoption of the Windfarm Ordinance in 2009, the Madison County renewable energy landscape has grown to include solar and potentially battery energy storage. The Planning Department has recently revised the solar ordinance and it was suggested that the wind ordinance be reviewed prior to accepting new applications. Staff recommends forwarding this request to the Board of Commission with a favorable recommendation for approval. Attorney Graham indicated the moratorium would be open ended. Member Brown made a motion to approve petition 2024-TA-003, seconded by Member Spooner. Roll call was unanimous. **Motion approved**

3. Petition: 2024-TA-004
Petitioner: Planning Department
Request: Text Amendment - Shipping container use

Director Strange presented an overview of shipping containers and its prohibited use according to Madison County code. Due to the influx of usage and complaints, the Planning Department requests an ordinance amendment from the Planning Commission. Director Strange presented two options. 1) Continue to prohibit shipping containers as accessory structures in all districts except in situations governed by their use for construction-related temporary use as governed by the Madison County code, or 2) Allow shipping containers, POD, trailer, etc. as permanent structures in all currently restricted districts with conditions. If option 2 is approved, an Improvement Location Permit will be required from the Planning Department. Staff recommends forwarding option 2 to the Board of Commissioners with a favorable recommendation as this option allows flexibility for dealing with the situation now and in the future. There was discussion amongst the board and Director Strange about movability or lifting to add gravel to gain compliance, fence height, and variances. In this discussion grandfathering was mentioned. Attorney Graham explained that there is no grandfathering of shipping containers because according to the current ordinance, shipping containers are an illegal use. They would have to comply to the new ordinance or they would still be in violation. The first remonstrator provided several images of shipping containers and various rusted metals in the county along with his explanation of what shipping containers are used to transport and their durability. Other remonstrators spoke in favor of shipping containers. Member Alexander made a motion to table 2024-TA-004 30 or 60 days to correct some wording. Attorney Graham recommended to continue this petition to the April 9, 2024 meeting. Some members stated items they would like to add or clarify in the ordinance. Member Spooner seconded the motion to continue at the April 9, 2024 meeting. Roll call was unanimous. **Motion approved**

Adjournment

Member Spooner made a motion to adjourn, seconded by Member Shepherd. **Meeting Adjourned 10:00:24.**



Olivia Pratt, President



Nikki Wood, Board Secretary