

MINUTES OF REGULAR MEETING

January 2, 2024

MONTGOMERY PLANNING AND ZONING COMMISSION

CALL TO ORDER

Vice-Chairman Simpson declared a quorum was present and called the meeting to order at 6:00 p.m.

Present: Bill Simpson, Merriam Walker, Daniel Gazda, Thomas Czulewicz, John Fox

Absent: None

Also Present: Gary Palmer, City Administrator

Dave McCorquodale, Director of Planning & Development

Katherine Vu, PE, city consulting engineer

VISITOR/CITIZENS FORUM

None.

1. Election of Planning & Zoning Commission Officers.

Staff briefly reviewed the recommended nominating process. Bill Simpson opened the floor to nominations for Chairman. Thomas Czulewicz nominated Bill Simpson. No other nominations were made. Bill Simpson called for a vote on the nomination for Chairman, which carried unanimously (5-0). Bill Simpson was named Chairman.

Bill Simpson opened the floor to nominations for Vice-Chairman. Thomas Czulewicz nominated himself. No other nominations were made. Bill Simpson called for a vote on the nomination for Vice-Chairman, which carried unanimously (5-0). Thomas Czulewicz was named Vice-Chairman.

2. Consideration and possible action on the November 7, 2023 Regular Meeting Minutes.

Merriam Walker moved to approve the minutes as submitted. Dan Gazda seconded the motion, which carried unanimously. (5-0)

3. Consideration and possible action on the December 5, 2023 Regular Meeting Minutes.

Merriam Walker moved to approve the minutes as submitted. Tom Czulewicz seconded the motion, which carried unanimously. (5-0)

4. **Consideration and possible action on a wall sign application for Wildly Wicked Cottagecore Shop located at 308 Pond Street Suite C in the Historic Preservation District as submitted by Tindy McPhate.**

Staff reviewed the information and noted that city regulations allow wall signs can be 60% of the total wall area. The proposed sign equals about 5% of the wall area. Merriam Walker commented on an existing light on the wall and whether it would affect the location of the sign. Staff stated that it appears to work based on the images and description submitted by the applicant.

Merriam Walker moved to approve the wall sign as presented. Dan Gazda seconded the motion, which carried unanimously. (5-0)

5. **Consideration and possible action on a backyard privacy fence at 820 Caroline Street located in the Historic Preservation District as submitted by Scott and Angela Love.**

Staff reviewed the information submitted by the applicant. Tom Czulewicz stated he felt the horizontal boards in the proposed fence did not conform to the requirement that fences be installed and maintained in a vertical position. Mr. McCorquodale stated that the referenced section meant that the fence itself has to be vertical, not the orientation of boards in a privacy fence. Mr. Czulewicz disagreed. Merriam Walker said she had the same question and whether grandfathering was applicable. Bill Simpson noted the applicant was not proposing to enclose the entire property, but only the portion of the backyard that abuts a specific home directly behind him. He added he understood why the applicant wanted to install the fence. Merriam Walker asked what the Commission should do when presented with hearsay or other allegations. Bill Simpson said that is a code enforcement issue and staff confirmed it was outside the purview of the P&Z Commission and the Commission should make a decision based on the specific information in the request. Dan Gazda noted the fence was not particularly historic in style and that was reason for some concern. John Fox asked to confirm the application was for a 6-foot fence. Staff said the fence would vary in height from 6-ft to 12-ft. Mr. Czulewicz said the applicant appeared to want a fence that was level at the top and followed the slope of the ground at the bottom, which would result in a total height from 6-ft to 12-ft. John Fox said he saw an issue with a fence as tall as 12-ft tall being able to withstand a strong wind. Merriam Walker noted the proposed fence is not white like the rest of

the existing fence. She added that other privacy fences have more typical standard vertically oriented boards. Members of the Commission discussed the details of where the fence would end at the back of the home. Dan Gazda asked to confirm that a fence over 7-ft in height required a building permit. Staff said that was correct.

Tom Czulewicz moved to approve the privacy fence as submitted. John Fox seconded the motion, which carried unanimously. (5-0)

6. **Discussion of the Planning & Zoning Commission's participation in the Capital Improvements Plan update.**

Katherine Vu, city consulting engineer, presented the item and noted that this update to the CIP is required as part of the city's assessment of Impact Fees for new developments. She added that Impact Fees are determined by a set list of projects that are specifically related to new developments. She said the Capital Improvement Advisory Committee serves as an additional set of eyes and is required by state law to review the projections and analysis. Mrs. Vu said that in discussions with city staff it was determined that the Commission is best positioned to serve as the CIAC given their role in planning and land use decisions along with their regular meeting schedule.

Mrs. Vu said the purpose of tonight is to familiarize the Commission with the concept and role of the CIAC. She briefly touched on the upcoming steps over the next 3-4 months of the process that culminates in adoption of the update by City Council. Mrs. Vu said these Impact Fees only apply to new utility connections, and not existing connections. Bill Simpson asked what the Impact Fees include. Mrs. Vu said new connections are assessed Impact Fees depending on when the property was platted. She also briefly explained how the fees are calculated based on expected new connections over a 10-year period and are based on Equivalent Single-Family Connections. Dan Gazda asked when the city last did this. Mrs. Vu said 2018 was the last update. She explained the growth projections from 2018 are not drastically different than the current projections. John Fox asked if the process considers projected growth in different areas of the city. Mrs. Vu said that is correct—the Impact Fee is the same across all areas of the city while the projections account for growth in different areas of the city based on market conditions.

7. **Update on the city's call for Planning Services Request for Qualifications (RFQ).**

City administrator Gary Palmer reviewed the item and noted the Council’s strategic planning session last summer and the need for a zoning update as a priority from Council. Mr. Palmer noted that staff would interview firms that submitted for the RFQ and that the city budgeted between \$100,000 and \$120,000 for this project. Mr. Palmer said that the Commission would be updated as the process moved forward and that he expected the Council to see a contract for approval in February.

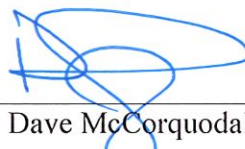
Commission Inquiry

Bill Simpson asked Commissioners Daniel Gazda and Merriam Walker to serve on a working group aimed at bettering regulations for paint selections in the Historic Preservation District.

Bill Simpson asked Commissioners John Fox and Tom Czulewicz to serve on a working group aimed at updating the city’s commercial lighting regulations. Tom Czulewicz mentioned that he had received help from the electric company in the past when dealing with lighting regulations related to lighting installed by the power company.

Adjournment

Tom Czulewicz, moved to adjourn the meeting at 7:01 p.m. Merriam Walker seconded the motion, which carried unanimously. (5-0)

Prepared by:  Date approved: 02-06-2024
Dave McCorquodale

Attest: 
Nici Browe, City Secretary


Bill Simpson, Chairman