



**Benton County Planning Board
Special Public Meeting**

October 24, 2012

5:00 PM

Benton County Administration Building
215 East Central Avenue

Meeting Minutes

SPECIAL PUBLIC MEETING

Call to Order: The meeting was convened at 5:15 PM by Planning Board Chair Mark Curtis.

Roll Call: Jim Cole, Chair Mark Curtis, Starr Leyva, Vice-Chair Ashley Tucker, and Ken Knight were present. John Pate and Lane Gurel were absent.

Persons present in addition to the Board: Benton County Administrator of General Services Elizabeth Bowen, Director of Planning and Environmental Services Christopher Ryan, Planning Division Manager Rinkey Singh, Planning Coordinator M.J. McGetrick, and Planning Assistant Brenda Kilby. There was no one in the audience.

Disposition of Minutes: As this was a special meeting, no minutes were considered.

General Public Comment: None

Old Business: None

New Business: Mr. Ryan led the Board through a discussion of the proposed planning regulations, Chapters 6-11. Mr. Curtis provided pizza to the Board and guests during a short break.

Discussion: Mr. Ryan began with Chapter 6, "Subdivision Regulations." He said this portion of the document had been redesigned to simplify it and make it more readable and accessible to readers. He said that he and Ms. Singh took all the goals and objectives from Chapter I, the purposes previously listed in earlier versions of the subdivision chapter, and goals from the land use guide and placed them at the beginning of Chapter I.

Mr. Ryan then described the Guidelines for Subdivision Design which include Natural Site Characteristics, Water and Wastewater Regulations, Technical Development Criteria, Open Space, Landscaping and Buffers, Topography, and Grading and Drainage. The following section Plat Details and Attachments refers to the Table 1.2 in Chapter I. Next, Subdivision Layout and Design discuss how a subdivision plan should be prepared while the section on Subdivision Platting Procedures speaks to how an application is processed.

Following these sections are descriptions of each type of subdivision: Lot Split or Recombination, Lot Line Adjustment, Replatting, Vacation of Plats, and Tract Splits. Following this are two special development types including the Development Master Plan which is essentially a larger development type with phasing, and the Planned Unit Development or PUD which offers development flexibility from the rigid requirements of subdivisions or commercial site plan review. Mr. Ryan stated that he considered adding a Conservation Subdivision option, but unless Benton County changes the minimum lot size from 10,000 sq. ft. to one (1) acre, it would not be a marketable tool in Benton County. The following items were discussed regarding Chapter 6:

1. Referring to Section 6.4 (D), "Water and Wastewater," Mr. Curtis stated that the one (1) acre minimum for septic systems had been approved earlier by the Quorum Court and was in the land use guide now.

2. Referring to Section 6.4 (D [2] [a]), Ms. Leyva said that all septic systems must receive approval from the State Health Department, not solely shared systems as stated. Further, Ms. Leyva stated that under Section 6.4 (D [2] [c]), which refers to either innovative or alternative systems, no such systems exist. Mr. Ryan asked if Section 6.4 (D [2] [c]) should be removed. Ms. Leyva agreed that it should be removed.
3. Referring to Section 6.4 (F [1] [b]), "Technical Development Criteria," subhead "General Provisions for Development," Mr. Knight stated that covenants should be required of subdivisions, and Mr. Ryan agreed.
4. Referring to Section 6.6 (B [2] under "Subdivision Layout and Design," subsection "Streets," subparagraph "Grades," Mr. Ryan led a discussion regarding the fifteen (15) percent grade maximum. Mr. Knight and Mr. Curtis suggested that a survey of fire chiefs should be completed to obtain their opinions on whether a steeper grade should ever be allowed. Mr. Ryan agreed and stated that he would also inquire as to fire chiefs' opinions of the 600' maximum and the 30' minimum radius for cul-de-sacs, under Section 6.6 (B) [7]).
5. The Board discussed eliminating the minimum lot size applicable to a subdivision, which now stands at five (5) acres.
6. Mr. Curtis suggested that Table 5.2, "Minimum Design Requirements for Subdivision Streets," be simplified and changed to work better with Benton County Planning regulations. Mr. Ryan stated that the table appeared to have been borrowed from a city planning regulation, as it had more categories of streets than the County would need and was categorized by density. Further, the table does not provide information on private streets. Mr. Tucker said the lot sizes seemed to be more designed more for urban than rural design. Ms. Leyva asked if density were referred to elsewhere in the document, and if low, medium and high density were defined. Mr. Ryan said it was not, and he would work on the text and proper placement of those definitions.
7. Mr. Ryan discussed having a Development Review Committee to examine a subdivision application, and any major or standard Large Scale Development site plan, in order to resolve conflicts with regulations or various departments early in the Staff review process before going before the Planning Board. Mr. Knight said he thought the Development Review Committee would be a good idea, if it could be done logistically. Ms. Bowen said she believes the administration would be open to such a committee, in order to consider waivers and variances and to ferret out regulation violations as they occur in plans. Mr. Tucker asked if this process would create an administrative burden to the departments. Mr. Ryan said currently the regulations have two points when those departments are contacted as a matter of course – an interdepartmental review request, and when the applicant provides letters from the Road Department, the Fire Chief and other departments and outside organizations. The Development Review Committee would enable all agencies to meet at one time and make decisions, saving time and increasing efficiency.
8. Mr. Ryan discussed Section 6.7, "Surety to Warrant Performance," Subsection "D," "Maintenance Guarantee," an added provision. Mr. Knight asked for clarification on this item, and Mr. Ryan said it was to ensure upkeep on common areas. Mr. Tucker suggested the amount, now 1.25 times the cost of common area infrastructure, be increased to 2.25 times the cost of common area infrastructure. Ms. Bowen suggested that County Attorney George Spence examine this provision for the County's legal authority to require it.

9. Under Section 6.8, "Informal Plat Subdivision," Mr. Ryan asked the Board if members were in favor of deleting the acreage limitations for tract splits. Mr. Knight said he was in favor of eliminating the limits. Mr. Ryan said he felt each tract in a subdivision should have road frontage for access, regardless of size. He asked the Board members their opinions regarding road frontage. Ms. Bowen questioned the roads that would be required if all tract splits required road frontage. Mr. Ryan said the roads would not necessarily be built, but so long as they were on paper, it would prevent legal problems. Ms. Bowen said she is worried that more problems would surface unless the Board placed acreage restrictions on this provision. Mr. Ryan said he would put a note on this provision to make it either 10-40, "to be determined."

Regarding Chapter 7, "Commercial Site Plan Review," the following discussion ensued:

1. Mr. Curtis stated that he didn't see reference to environmental impact in the site plan review. Mr. Tucker suggested that environmental impact could be added to Section 7.3 (D) "Level III – Major Regional Impact Commercial/Industrial Site Plan Review." Mr. Ryan agreed.
2. Mr. Ryan stated that Section 7.4 (B) [2] requires electronic copies to be submitted in addition to two hard copies of the plan at 24" X 36" size. It was suggested by Ms. Bowen that the applicant also be required to give the Planning Department drawings in electronic format, i.e. PDF or a DWG copy so it can be put in GIS.

The Board also considered Chapters 8, 9, 10 and 11, but without substantive comments.

The meeting adjourned at 9:47 PM