

Sidney, Nebraska, March 21, 2016

A meeting of the Planning Commission of the City of Sidney, Nebraska, was convened in open and public session at 5:30 P.M. on March 21, 2016 in the City Council Chambers, located at 1115 13th Avenue. Present were: Chairman Spiker and Commissioners: Cortney, Egging, England, Phillips, Sherlock, and Volkmer. Absent: McCarville and Smith. Others present: Zoning Administrator Dayton and Deputy Clerk Heilbrun. Notice of the meeting was given in advance thereof by publication in The Sidney Sun Telegraph, the designated method for giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the Chairman and all members of the Commission, and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Planning Commission of this meeting. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

Chairman Spiker announced to all in attendance, that a current copy of the Nebraska Open Meetings Act was available for review at the rear of the room.

England moved, Cortney seconded, "That the minutes of the January 18, 2016 meeting be approved as printed." Roll call vote: Yeas: All commissioners present. Absent: McCarville and Smith.

Chairman Spiker announced that the Planning Commission would now hold a public hearing to consider the Rezoning request of Cheyenne County to rezone a 38.543 acre tract of land located within the North Half and Southeast Quarter of Section 36, Township 14N, Range 50W of the 6th P.M., more particularly described as the Cheyenne County Fairgrounds, from R-1 (Single Family Residential) to A (Agricultural) Zone; that the Board of Education of School District No. 1, Cheyenne County, Nebraska, and the Board of Education of Western Nebraska Community College have been properly notified in the time and manner prescribed by law and have not filed objections to the proposed request.

The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: Zoning Administrator Ben Dayton.

Zoning Administrator Dayton stated that the City was requiring this rezoning to bring the fairground property into compliance. He explained that the property is currently zoned Single Family Residential, which does not allow for livestock or the number and/or type of buildings currently located on the property. Because of the current use, it appears that Agricultural would be the most appropriate zoning category.

Questions/suggestions regarding the rezoning included:

- 1) Currently there is a residence on the property which is occupied by a person who may or may not be employed by Cheyenne County as a caretaker of the property. If he is not an employee of the County, can he still live on the property? He will visit with the County Clerk to establish if this person is an employee of the County and consult with the City Attorney as to whether City Code allows a person to reside in the house if not an employee.
- 2) Is the RV park site still operational, and if so can use continue in Agricultural Zone?
- 3) Septic system/sewage dump-how is use of this controlled?

It was suggested that Commercial Zone may be a better fit for the property. Dayton stated that this type of zoning would allow too broad of a scope of business operation. He emphasized that the ownership and current use is not going to change, it is strictly a compliance issue by the current owner that is being rectified.

Chairman Spiker closed the public hearing at 5:45 p.m.

The item was tabled until Zoning Administrator Dayton can obtain the answers to the Commission's questions from County officials. He will report his findings at the next meeting of the Planning Commission, at which time the item will be reconsidered.

Discussion was held regarding LB 295 and LB864 which requires first class cities to provide a 30-day notification to the county board in which the city's extraterritorial zoning jurisdiction is located, of proposed changes to zoning ordinances within the ETJ. The effective date for these laws is July 21, 2016.

The meeting adjourned at 5:50 P.M.

CHAIRMAN

DEPUTY CLERK

