

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
Monday, May 21, 2018

Pursuant to due call and notice thereof, a meeting of the Hastings Planning Commission was conducted in the City Building, 220 North Hastings Avenue, on May 21, 2018.

The meeting was called to order at 4:00 p.m. in Regular Session by Acting Chair Hamburger with the following members present: Rakesh Srivastava, Marshall Gaines, Mac Rundle, Dale Hamburger, Jodi Graves. Absent: Gavin Raitt, Chuck Rosenberg, Dave Johnson, Lou Kully, Alternate Megan Arrington-Williams.

Acting Chair Hamburger led the group in recital of the Pledge of Allegiance to the United States of America.

Moved by Graves, seconded by Rundle, to adopt the current agenda for the April 16, 2018 Planning Commission meeting. Roll Call: Ayes: Srivastava, Gaines, Rundle, Hamburger, Graves. Nays: None. Absent: Raitt, Rosenberg, Johnson, Kully, Alternate Arrington-Williams. The motion carried.

Acting Chair Hamburger read the Public Notice - Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is located at the back of the Council Chambers. Also, a current copy of the Nebraska Open Meetings Act is posted on the south wall of the Council Chambers which is accessible to members of the public.

Moved by Srivastava, seconded by Gaines, to approve the minutes of the April 16, 2018, Planning Commission meeting. Roll Call: Ayes: Srivastava, Gaines, Rundle, Hamburger, Graves. Nays: None. Absent: Raitt, Rosenberg, Johnson, Kully, Alternate Arrington-Williams. The motion carried.

8. Public Hearings.

a. 2018-018. Public hearing on Resolution 2018-29, a moratorium on solar generation facilities.

The legal was read into the record.

The Acting Chair declared the public hearing open.

Don Threewitt stated the City would like to ensure that renewable energy is a welcome addition to energy generation in the area, whether or not it is sold locally. The City is asking for a moratorium to allow time to draft renewable energy regulations. Consultants are being looked at to write regulations that the Development Services Office would oversee. The City wants to focus on reducing the impacts of solar energy on neighbors and land, rather than regulating how much electricity can be generated, who can use the electricity or where it can be used. We want to look at maximizing control over the land use impacts.

Graves asked if this was coming to the Commission as a proactive measure or is an application before the City.

Don Threewitt stated there is a solar developer that has been looking for property for 6-8 months. Once the scale of the plan was reviewed, staff concluded it is a topic that needs to be

addressed. There have been several inquiries on community scale solar as well as residential rooftop solar. The City needs to be able to regulate the solar fields.

Gaines asked about a timetable.

Don Threewitt stated the Resolution is a recommendation to City Council. Staff is looking at 4-6 months maximum, looking for consultant, deadlines in place, and develop solar regulations that are fair to all developments. Staff supports a recommendation to approve Resolution 2018-29.

The Acting Chair declared the public hearing closed.

Moved by Srivastava, seconded by Gaines, to recommend approval to the City Council of Resolution 2018-29, placing a moratorium on solar generation facilities. Roll Call: Ayes: Gaines, Hamburger, Graves, Srivastava, Rundle. Nays: None. Absent: Raitt, Rosenberg, Johnson, Kully, Alternate Arrington-Williams. The motion carried.

b. 2018-019. Public hearing to consider Ordinance No. 4555, a recommendation to amend Hastings City Code, Section 34-216 "F.D. Flood hazard district regulations."

The legal was read into the record.

The Chair declared the public hearing open.

Don Threewitt stated the proposed regulations are required to implement the new flood insurance rate map and flood insurance study. By adopting language that is similar to model state language, any state-level interventions for future modifications, such as Letters of Map Amendment and Letter of Map Revision, should be more efficient to coordinate. The City would want to retract any restriction on critical facilities within the 500 year flood plain. Staff supports a recommendation to approve Ordinance No. 4555.

Dave Wacker commented the City went into the Flood Insurance Program August 17, 1981. This affects the City of Hastings in that certain portions of the city, the flood elevation has risen and other areas it has receded. Libbs Park area, Webster Avenue, Hewett Avenue, 12th and 14th Street areas will be removed on the new mapping. The area west of the mall and west of Marian Road has risen a foot. Lake Hastings area has not changed. Osborne Drive East, the old WalMart store, Rivals's Bar, Menards and the North Commons Development, the flood plain in that area is shown to be receding. 35th Street and Wendell Drive, the flood plain has risen 1 foot in those areas. The city is required to have the ordinance adopted by July 5, 2018. The loss of a basement exception in a flood prone area is another change.

The Acting Chair closed the public hearing.

Srivastava questioned whether this action is an update or is it a FEMA requirement that the city is to accomplish?

Dave Wacker replied it is a FEMA requirement that the maps be updated to remain in the federal flood insurance program. This action will affect 70-200 properties.

Graves asked about notification.

Dave Wacker replied by letter and/or published in the newspaper.

Moved by Rundle, seconded by Gaines, to recommend approval to the City Council of Ordinance No. 4555 amending Section 34-216 of Hastings City Code. Roll Call: Ayes: Gaines, Hamburger, Graves, Srivastava, Rundle. Nays: None. Absent: Raitt, Rosenberg, Johnson, Kully, Alternate Arrington-Williams. The motion carried.

10. Reports

a. Committee Reports. The ad hoc committee did meet. Discussions were rural events and parking. The solar moratorium was discussed and a copy of the City's proposed resolution was shared with the Committee members.

11. Work session to discuss possible Zoning and Subdivision Code Changes.

Don Threewitt commented on five possible changes.

1. Content neutral sign code. An inspector should not have to read a sign to regulate it.
2. Solar and renewable energy generation. Distributed commercially and residentially. Utility scale would be a solar farm sitting on its own, feeding into the grid. Distributed commercially would be a solar farm that is on the building or on site that would feed straight to the commercial building. Distributed residentially would be rooftop solar panels or wind turbine. The City needs to regulate the impacts on land use and be able to say the City of Hastings is open to renewables.
3. Communication towers. The regulations need to be clarified and easier to understand.
4. Private parking lots and outdoor storage. Staff needs to look at land use, not how the business is conducted. Need to clarify as far as screening, setbacks, and conditions that separate parking lots from impound yards.
5. Subdivision minimum access requirements. Staff needs to look at ingress and egress into neighborhoods.

The goals are a clear articulation of purposes. Adopt minimum regulations necessary to accomplish community interests. Regulate only to the extent that the City has the capacity to enforce and that definitions remain clear and succinct.

The priority is to get the solar moratorium through.

Adjourn


Chairman