

Plattsmouth Planning Commission Meeting
April 18, 2024

A meeting of the Planning Commission of the City of Plattsmouth, Nebraska was convened in open and public session at 7:30 o'clock p.m. on April 18, 2024 at Plattsmouth City Hall in Plattsmouth Nebraska.

Stephen Q. Preston, City Attorney, administered the OATH OF OFFICE to the newly appointed Planning Commission member: Craig Shrimpton.

Present were Commission Members: Heather Herlick, Chris Kerns, Angie Minahan, DeWayne Prince, Michael Vaughn, Joe Woracek, Bernard Boyle and Craig Shrimpton. Commission Members Absent: Rich McKinley and Alternate Franklin Fisher. Also present: City Inspector Adam Denio City Attorney Stephen Q. Preston & Deputy City Clerk Ryan Vulgamott.

This is a regular meeting of the Planning Commission of Plattsmouth. Notice of meeting was published on April 5, 2024 in the Omaha World Herald. Proof of publication along with the Commission's Acknowledgment of Receipt of Notice are on file. The Open Meetings Act is posted on the bulletin board in the Council Chambers. A copy of the agenda and all documents to be discussed is available to the public. All proceedings hereafter shown were taken while the convened meeting was open to the public. We will follow the agenda that was made available to the public.

ITEM 4

Motion by Prince seconded by Shrimpton to amend the date in the first paragraph to February 15, 2024 and approve the February 15, 2024 Planning Commission meeting minutes. ROLL CALL: Yes-Herlick, Shrimpton, Vaughn, Kerns, Prince and Woracek. No-None. Absent-McKinley and Fisher. Abstain- Boyle. MOTION CARRIED.

Chairman Vaughn stated he would be rearranging the order of items on the agenda so the consideration of topics follow directly after their respective public hearing. The new order of business will be: Item 5, Item 8, Item 6, Item 9, Item 11, Item 7, Item 10 and Item 12.

ITEM 5

Pursuant to publication, Chairman Vaughn opened a public hearing at 7:32 p.m. to hear and consider public comment, oral or written, regarding the enactment of article 6-11 and amendment of article 02-22 in Sections of the Land Development Ordinance; governing shipping containers and the definition thereof; within the City of Plattsmouth, Cass County Nebraska.

Chairman Vaughn again stated the reason for the public hearing and with no one coming forward to speak closed the public hearing at 7:32 p.m.

ITEM 8

Adam Denio, City Inspector, discussed the need to regulate shipping containers in residential districts since they are becoming a popular means of storage. Current zoning ordinance regulates wooden accessory structures but not steel shipping containers.

At 7:42 p.m. Commission Member Angie Minahan arrived.

Stephen Q. Preston, City Attorney, stated it is important to include shipping containers in the Zoning Ordinance, so they don't get used to circumvent accessory structure regulations. Following extensive discussion, Motion by Vaughn seconded by Kerns to postpone consideration of the enactment of article 6-11 and amendment of article 02-22 in Sections of the Land Development Ordinance; governing shipping containers and the definition thereof; within the City of Plattsmouth, Cass County Nebraska until the May 16, 2024 meeting so corrections can be made to section 6-11 D8 and the 2-22 definition adjusted to include the phrase intermodal container. ROLL CALL: Yes-Prince, Woracek, Kerns, Vaughn, Shrimpton, Herlick, Minahan and Boyle. No-None. Absent-McKinley and Fisher. Abstain-None. MOTION CARRIED.

ITEM 6

Pursuant to publication, Chairman Vaughn opened a public hearing at 7:58 p.m. to hear and consider public comment, oral or written, regarding a proposed text amendment to the Land Development Ordinance; Section 12-5 the initiation of an amendment to the Land Development Ordinance for the City of Plattsmouth, Cass County Nebraska.

Shauna Snyder, 1512 Thayer St., Plattsmouth, NE, feels the process for proposing a zoning change is confusing and lacks certainty on how to contact the Planning Commission about proposed changes to the Zoning Ordinance.

Stephen Q. Preston, City Attorney, reviewed current wording of amendment procedures in section 12-5 of the zoning ordinance and how the amendment process has worked in the past.

Chairman Vaughn again stated the reason for the public hearing and with no one else coming forward to speak closed the public hearing at 8:05 p.m.

ITEM 9

Stephen Q. Preston, City Attorney, reminded the Commission that initiation of amendments is the process of putting items on a Planning Commission agenda. The current wording of section 12-5 of the zoning ordinance is too ambiguous and doesn't provide a clear process for citizens to approach the Commission, as a whole, to put items on their agenda. The Open Meetings Act also brings into question how such a process would work and the danger of ex parte communication.

At 8:44 p.m. Commission member Bill Boyle left the meeting.

At 8:45 p.m. Commission member Bill Boyle returned to the meeting.

Adam Denio, City Inspector, reminded the Planning Commission their information is private and there is no practical way for citizens to communicate with them, as a whole, since the Commission doesn't meet regularly. The proposed changes would make the Zoning Inspector and City Council the contact points, both of which have their contact information available and meet on a regular basis. Per Commission Bylaws the Chairman may add items to an agenda when necessary. Following intense discussion, Motion by Herlick seconded by Vaughn to recommend to the Plattsmouth City Council the proposed text amendment to the Land Development Ordinance; Section 12-5 the initiation of an amendment to the Land Development Ordinance for the City of Plattsmouth, Cass County Nebraska. ROLL CALL: Yes-Shrimpton, Minahan, Boyle, Vaughn, Woracek, Kerns and Herlick. No-Prince. Absent-McKinley and Fisher. Abstain-None. MOTION CARRIED.

ITEM 11

Shauna Snyder, 1512 Thayer St., Plattsmouth, NE, summarized her efforts to amend the Plattsmouth zoning ordinance to allow controlled impact on AG zones. Stephen Q. Preston, City Attorney, reminded Commission that this was not a public hearing and the action item was to receive the information and determine if a public hearing is required at a future meeting. Motion by Prince seconded by Boyle to receive information regarding a proposed amendment to the Land Development Ordinance table 4.1 zoning use districts for the City of Plattsmouth, Cass County Nebraska. ROLL CALL: Yes-Woracek, Herlick, Prince, Minahan, Kerns, Vaughn, Shrimpton and Boyle. No-None. Absent-McKinley and Fisher. Abstain-None. MOTION CARRIED.

ITEM 7

Pursuant to publication, Chairman Vaughn opened a public hearing at 8:55 p.m. to hear and consider public comment, oral or written, regarding the revision of Section 5-7 and all related provisions relating to the regulations of the floodplain within the Jurisdictional limits of the City of Plattsmouth, Cass County Nebraska.

Chairman Vaughn again stated the reason for the public hearing and with no one coming forward to speak closed the public hearing at 8:56 p.m.

ITEM 10

Stephen Q. Preston, City Attorney, and Adam Denio, City Inspector, have been working with Nebraska Department of Environment and Energy to update current floodplain regulations to conform with the new floodplain overlays that will take effect in August 2024. Mr. Preston explained the required and optional updates for Commission consideration. Mr. Denio told the Commission that this is a time sensitive item to be implemented before the new overlays take effect in August. Following discussion, Motion by Boyle seconded by Woracek to Postpone recommendation to the

Plattsmouth City Council regarding the revision of Section 5-7 and all related provisions relating to the regulations of the floodplain within the Jurisdictional limits of the City of Plattsmouth, Cass County Nebraska for extra time to review changes. ROLL CALL: Yes-Boyle, Vaughn, Minahan, Shrimpton, Prince, Herlick, Kerns and Woracek. No-None. Absent-McKinley and Fisher. Abstain-None. MOTION CARRIED.

ITEM 12

At 9:13 p.m. Motion by Kerns seconded by Prince to adjourn. ROLL CALL: Yes-Vaughn, Herlick, Shrimpton, Kerns, Prince, Minahan, Woracek and Boyle. No-None. Absent-McKinley and Fisher. Abstain-None. MOTION CARRIED.

Heather Herlick, Secretary

ATTEST:

Ryan Vulgamott, Deputy City Clerk