

SUGAR CITY PLANNING & ZONING MEETING MINUTES
WORK MEETING FEBRUARY 7, 2018

Commissioners in attendance: Dave Thompson, Dan Mecham, Sean Bartholick, Quinton Owens
Others in attendance: Cliff Morris, Shelley Jones, Paul Jeppson, Addison Hill

6:10 P.M.

The meeting was called to order by Dave Thompson
Pledge of Allegiance

6:15 P.M. Discussion on Land Use Schedule, Map & Definitions, Cottage Home Setbacks & Lot Sizes for MU1 & MU2 and Possible Setting of Public Hearing Date

The committee went over the Comprehensive Plan to review which points may be beneficial in discussing patio, cottage & tiny homes (see attachment A), and reviewed Idaho Statutes for Land Use Planning (see attachment B). There may be a need to create a CHUD (Cluster Home Unit Development) code concerning cottage/patio homes and clustered homes and a separate code for individuals wanting to build cottage/patio homes, also designating different criteria for multiple clusters in a cluster home development.

- Points and questions discussed:
 - What do we want to accomplish in creating code for cottage/patio homes and cluster home unit developments.
 - Developing separate criteria in an umbrella C.H.U.D. (Cluster Home Unit Development).
 - Floor Area Ratio (F.A.R.) may be important in determining lot sizes.
 - Should there be minimum required lot sizes?
 - Cottage/Patio homes should be aesthetically pleasing on all sides.
 - Cottage/Patio homes could benefit the community.
 - Should we add carriage homes to cottage and patio home category?
 - Need for housing as BYU-I students and young married couples can't find housing. Apartment waiting lists are 6 months out.
 - Cottage/Patio homes could be same sizes as apartments or slightly larger.
 - Should tiny homes and cottage/patio homes be in a C.H.U.D. (Cluster Home Unit Development)?
 - Should Cottage/Patio home sizes have a minimum and maximum square footage?
 - What zones would they work in?
 - Should there be a transition between cluster homes and other homes, such as green space and how many feet should that be?
 - Should there be a minimum floor area ratio compared to lot sizes.
 - Could small lots fix tiny home concerns?
 - Should we let the Floor Area Ratio (F.A.R.) be the limiting factor on all small homes no matter where they are?
 - Should we allow carriage homes as a unit in a cluster project?
 - Could we implement a limit and allow tiny homes as well?
 - If tiny homes are allowed change the 10 unit limit to 12 units per cluster.
 - Have a review process part of the application.
 - Should there be a minimum distance between clusters?
 - Common space in the middle of clusters helps make developments successful.
 - Have a 20 foot rear area for parking that can be used as transition areas with some added landscaping such as trees along the driveways.
 - Three (3) wall carports. Check parking requirements. Smaller homes may require less parking. City code currently has 2 spaces per unit.

- Have a designated parking area for visitors. Have a parking management plan. A suggestion of a 10 unit cluster having 5 visitor spaces was made.
- Determine percentage of green space per housing e.g., 60% green space – 40% housing.
- Where will snow be stored?
- Required landscaping plan?
- Maximum 3 foot fencing height was discussed as an example and is yet to be determined – want to have uniformity with all homes.
- Define recreation or landscaped uses e.g., playgrounds/basketball courts/gathering area – BBQ pit.
- Community building or clubhouse encouraged.
- Discussion of garage or carport with storage area being required. 12-15' wide carport suggested.
- Required attached covered porches with similar design and materials with a ratio to floor area. As home grows in size, porch size grows in cluster home developments.
- Tiny/Cottage/Patio homes required to have a porch with a minimum porch size in a cluster development.
- No accessory buildings or sheds or mother-in-law buildings in a cluster development.
- Development options:
 - Require a pre-application meeting with the developer
 - Developer buys and then rents - need HOA
 - Condo – different criteria - need HOA
 - Rental – different criteria - need HOA
 - Subdivision – own separately – no HOA
 - No time-share allowed
- Design Review required for all cluster development and standards will be:
 - If a single lot is left in a cluster development, it should be required to conform to the C.H.U.D.
 - Homes should abut a common space (discuss this further at next meeting).
 - Landscape into common space for ease.
 - Have homes similarly themed as well as buildings in open space.
 - Have a good pedestrian flow through buildings.
 - Keep the same review process – do a balanced review – offer trade-offs which will improve the project.

10:00 P.M.

Motion to adjourn the meeting: Dan Mecham

Motion 2nd by: Sean Bartholick

Discussion on the motion: none

Motion carried

Meeting adjourned.

Regular P&Z meeting will be held Feb. 15st, 2018 @ 7:00 p.m.

ATTACHMENT "A"

Points in the comprehensive plan to consider for cluster home developments:

- Page 1 - Principles
 - 1. Economics: diversity, stability, opportunity and growth
 - 2. Education: emphasis on children and continuing education
 - 3. Fairness: each one matters; all are equal before the law
 - 4. Initiative: hard work, integrity, independence, self-reliance
 - 5. Recreation: open space and outdoors; spectrum of opportunities
 - 6. Security: responsibility for choices; freedom from fear; safe environment
 - 7. Sociality: feeling of belonging; attachment to the community
 - 8. Morality: wholesome environment
- Page 3/4 – Goals
 - 2. Balance public interests with interests of property owners (see chapter 3);
 - 4. Promote appropriate economic expansion and prosperity (see chapter 5);
 - 5. Provide for judicious use of land and management of growth (see chapter 6);
 - 10. Promote housing that provides opportunity for every resident (see chapter 11);
 - 13. Establish an area of city impact that provides for expansion and prevents incompatible land use (see chapter 14).
- Page 8 – Property Right Objectives
 - 2. To uphold the rights of landowners.
 - 3. To maintain a regulatory framework ensuring that land use policies, restrictions, and fees do not excessively impact property values.
- Page 8 – Manner of Implementation A.
 - 3. Does the regulation deprive the owner of all economically viable uses of the property?
 - 4. Does the regulation have a significant impact on the landowner's economic interest?
 - 5. Does the regulation deny a fundamental attribute of ownership?
- Page 9 – Manner of Implementation B.
 - 4. Take steps to prevent the subdivision of land in a way that may create economically unusable, substandard, or unbuildable parcels.
 - 5. Require development to pay its fair share, with shares established by rational, equitable calculations, including specific needs created by proposed development, actual present and future governmental costs attributable to a project, and actual impacts of a project in its circumstances.
- Page 11 – School Objectives
 - 12. To provide for safe and efficient traffic flows, street crossings, walkways, and non-motorized transport.
- Page 12/13 – Economic Development Objectives
 - 2. To zone so as to provide optimal settings for each sector of use.
 - 3. To encourage cohesive and complete residential neighborhoods and vibrant commercial and business districts.
 - 5. To balance the ratio of residential, basic sector commerce, and supporting commerce, particularly with regard to the tax base.
 - 7. To require design review for all development except single-family and twin homes.
- Page 15/16 – Land Use Map Objectives
 - 2. To establish zoning districts to organize the community, promote varied land uses, ensure compatibility of adjacent uses, and appropriateness of uses relative to infrastructure requirements and physical environments.
 - 4. To enact a subdivision ordinance and require developers to work in partnership with the city.
 - 6. To preserve open space and protect natural environments.
 - 9. To acquire and develop land for public uses and to promote economic development.
- Page 18 – Natural Resources

- 8. To identify and protect sensitive lands.
- Page 26/27 – Housing Objectives
 - 1. To zone in such a way as to protect residential neighborhoods.
 - 2. To ensure integration of new development with existing development.
 - 4. To zone to retain predominance of single-family housing.
 - 5. To allow a range of lot sizes within developments targeted for families of varied-age family members.
 - 6. To allow a modest range of densities and encourage appropriate cluster development. (Cluster development is grouping residential properties in a proposed subdivision closer together than in a traditional subdivision in order to utilize the rest of the land for open space, recreation, or agriculture.)
 - 7. To ensure smooth transitions between housing types.
 - 8. To require transitional lots and/or buildings—or buffers—as appropriate at zone boundaries and between land uses.
 - 9. To discourage development of large independent residential areas outside the city or its impact area.
 - 10. To apply design standards to subdivisions as a whole, though not to single-family dwellings or twin homes within them.
 - 11. To require outdoor maintenance and cleanliness.
- Page 29/30 – Community Design
 - 2. To apply design review consistent with community objectives and conditions of each development.
 - 3. To promote development of the city into a set of neighborhoods in order to preserve its small-town family-focused character.
 - 4. To consider cluster development, which is a site-planning approach that groups residential properties in a proposed subdivision closer together than in a traditional subdivision in order to utilize the rest of the land for open space, recreation, or agriculture.
 - 8. To promote landscaping, especially the planting of trees.

ATTACHMENT "B"

TITLE 67 STATE GOVERNMENT AND STATE AFFAIRS CHAPTER 65 LOCAL LAND USE PLANNING

67-6511. ZONING ORDINANCE. (1) Each governing board shall, by ordinance adopted, amended, or repealed in accordance with the notice and hearing procedures provided under section 67-6509, Idaho Code, establish within its jurisdiction one (1) or more zones or zoning districts where appropriate. The zoning districts shall be in accordance with the policies set forth in the adopted comprehensive plan.

(a) Within a zoning district, the governing board shall where appropriate establish standards to regulate and restrict the height, number of stories, size, construction, reconstruction, alteration, repair or use of buildings and structures; percentage of lot occupancy, size of courts, yards, and open spaces; density of population; and the location and use of buildings and structures. All standards shall be uniform for each class or kind of buildings throughout each district, but the standards in one (1) district may differ from those in another district.

(b) Within an overlay zoning district, the governing board shall establish clear and objective standards for the overlay zoning district while ensuring that application of such standards does not constitute a regulatory taking pursuant to Idaho or federal law.

(2) Ordinances establishing zoning districts shall be amended as follows:

(a) Requests for an amendment to the zoning ordinance shall be submitted to the zoning or planning and zoning commission which shall evaluate the request to determine the extent and nature of the amendment requested. Particular consideration shall be given to the effects of any proposed zone change upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction. An amendment of a zoning ordinance applicable to an owner's lands or approval of conditional rezoning or denial of a request for rezoning may be subject to the regulatory taking analysis provided for by section 67-8003, Idaho Code, consistent with the requirements established thereby.

(b) After considering the comprehensive plan and other evidence gathered through the public hearing process, the zoning or planning and zoning commission may recommend and the governing board may adopt or reject an ordinance amendment pursuant to the notice and hearing procedures provided in section 67-6509, Idaho Code, provided that in the case of a zoning district boundary change, and notwithstanding jurisdictional boundaries, additional notice shall be provided by mail to property owners or purchasers of record within the land being considered, and within three hundred (300) feet of the external boundaries of the land being considered, and any additional area that may be impacted by the proposed change as determined by the commission. Notice shall also be posted on the premises not less than one (1) week prior to the hearing. When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of procedures which would provide adequate notice may be provided by local ordinance in lieu of posted or mailed notice. In the absence of a locally adopted alternative notice procedure, sufficient notice shall be deemed to have been provided if the city or county provides notice through a display advertisement at least four (4) inches by two (2) columns in size in the official newspaper of the city or county at least fifteen (15) days prior to the hearing date, in addition to site posting on all external boundaries of the site. Any property owner entitled to specific notice pursuant to the provisions of this subsection shall have a right to participate in public hearings before a planning commission, planning and zoning commission or governing board subject to applicable procedures.

(c) The governing board shall analyze proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction, the governing board may require the request to be submitted to the planning or planning and zoning commission or, in absence of a commission, the governing board may consider an amendment to the comprehensive plan pursuant to the notice and hearing procedures provided in section 67-6509, Idaho Code. After the plan has been amended, the zoning ordinance may then be considered for amendment pursuant to paragraph (b) of this subsection.

(d) If a governing board adopts a zoning classification pursuant to a request by a property owner based upon a valid, existing comprehensive plan and zoning ordinance, the governing board shall not subsequently reverse its action or otherwise change the zoning classification of said property without the consent in writing of the current property owner for a period of four (4) years from the date the governing board adopted said individual property owner's request for a zoning classification change. If the governing body does reverse its action or otherwise change the zoning classification of said property during the above four (4) year period without the current property owner's consent in writing, the current property owner shall have standing in a court of competent jurisdiction to enforce the provisions of this section.

History:

[67-6511, added 1975, ch. 188, sec. 2, p. 515; am. 1983, ch. 121, sec. 1, p. 314; am. 1985, ch. 141, sec. 1, p. 384; am. 1987, ch. 329, sec. 1, p. 688; am. 1992, ch. 269, sec. 4, p. 833; am. 1999, ch. 396, sec. 8, p. 1105; am. 2003, ch. 142, sec. 1, p. 411; am. 2011, ch. 89, sec. 3, p. 194; am. 2013, ch. 216, sec. 1, p. 507.]