

Sugar City Planning and Zoning
November 15, 2007

Present: Kerry Moser, Vaun Waddell, Ninette Galbraith, KaraLee Ricks, Stephanie Blackham, Ray Barney, Brian Hawkes, Bruce Bills

Ninette Galbraith acting for Chair Blackham opened the meeting. Commission members Brian Hawkes, Stephanie Blackham and *Ray Barney* were excused for an on-site look at the Center Street condos proposed playground sites.

Citizens were asked for input regarding the Home Occupation/Home Business ordinance:

Angelika Gutenburger, 109 West Center, is for small government. She felt it should be okay to sell wares on the premises and while she didn't mind the hourly restrictions she felt she should be able to hire more employees.

Jeff Nelsen, 25 North Front Street, said he runs three businesses from his home. Two of them have no one coming to the home, but the third one occasionally has people coming to his home. He has talked to his neighbors and neither of them knew he was running businesses from his home. He hopes the Commission can be open-minded about what home businesses are allowed.

Jan Gallup said she felt the R-1 district was called residential for a reason. It is not Commercial, and not Neighborhood Commercial. She said the Comprehensive Plan states as a main value preservation of the tranquility of neighborhoods and she wants the R-1 nature preserved. If new ordinances can address both Commercial and Residential then great, if not, then Residential should be protected according to the Comprehensive Plan. Home Occupations and Residential pay the same taxes. If she has to put up with extra traffic, etc. because of their business, then they receive a monetary benefit she does not.

Sharee Palmer believes Sugar City needs an ordinance in place so that a neighbor does not need to complain to the City.

Some members of the Commission felt that there was a clause whereby a neighbor could bring a complaint to the City. KaraLee Ricks stated that it is extremely difficult to use or enforce such a clause. Neighbors don't like to complain and would like the ordinances to protect them so they don't have to.

Jason Kimber asked about the differences between Home Occupation and Home Business. He was quite impressed with Rexburg's ordinance. He said people often need two incomes but still want a parent at home and we should be able to allow that.

Sharee Palmer stated the definition of a good Home Occupation is one where neighbors don't even know it's there.

Ninette Galbraith moved to accept the corrected November 1, 2007 minutes. Ray Barney seconded and the motion passed.

The Commission recessed for a short time until excused Commission members returned.

The Center Street Condos playground was discussed. Brian Hawkes led the discussion. He said they looked at two options: 1. Place the playground between and behind the buildings or, 2. Replace some parking and locate it on the northeast corner. He felt it would be safer for children with option 1. It was noted that the intersection in question has been designated as dangerous. After further discussion Brian Hawkes moved that the Commission recommend the playground be placed in between and behind the buildings bordering the Adamson property. Vaun Waddell seconded and the motion passed six to two.

The Calaway impact request was discussed. Terry Mortensen submitted a letter from property owner Blair Calaway requesting inclusion into Sugar City's impact area. Mr. Calaway would like the property to be developed. Mr. Mortensen asked that Sugar City request from Madison County that the Calaway Ranch be put into the impact area.

KaraLee Ricks asked if more area should be included in the request. Vaun felt in theory that seemed good but didn't think City Council would go for it. Bruce Bills felt it would be easier to do just the Calaway property, then wait for new County guidelines before impacting any more property. It was also noted that part of the Tuscano property needed to be included.

Brian Hawkes noted there would be more information about procedure after the combined November 29, 2007 meeting with the County. Stephanie tabled the discussion until the December 6, 2007 Commission meeting.

There was some discussion on whether the Calaway impact request was following correct procedure. Jan Gallup asked the Commission if they were following correct procedures and regulations and paying appropriate fees or if they were being given special privilege. Bruce Bills moved to table the discussion until more research could be done and set it as an agenda item for the November 6, 2007 meeting. Stephanie Blackham seconded and the motion passed.

It was noted that Title 9, Chapter Two, Definitions is ready for Public Hearing. Thanks go to Vaun for all his work.

Chair Blackham noted that the Tuscano subdivision was ready to go and the Commission would probably be seeing them in January.

Bruce Bills wanted to make a comment for the minutes. He felt the anonymous letter sent during the November 2007 campaign for City Council was cowardly and

abominable. He said it was uncalled for and appalling and wanted to go on record as opposing such action.

A discussion on Title 10, Subdivision was tabled until the December 6, 2007 Commission meeting.

Chair Blackham told the Commission the City's applications needed to be updated and made sure the applications reflected the ordinances. Jan Gallup was asked if she had done the updates on applications and she said she had 20 application forms ready but that negotiations with City Council had been unproductive regarding them. She offered to give them to a member of the Commission and they could report back to the Commission. Vaun felt that if they were available electronically they could be sent

Special Use Permit process. Kerry Moser liked the permit process and asked how the ordinance would affect the impact area. Brian Hawkes suggested the impact area could be excluded by saying "within City limits".

The meeting was adjourned.

Stephen Blackham