

**SUGAR CITY PLANNING AND ZONING MEETING MINUTES**  
**SPECIAL MEETING - TUESDAY, JUNE 25, 2019,**

**Commissioners in attendance:** Dave Thompson, Dan Mecham, Christine Lines, Quinton Owens, Paul Jeppson

**Others in attendance:** City Deputy-Clerk Shelley Jones, City Building Inspector Cliff Morris, City Attorney Dylan Anderson, Developers Ryan and Jeff Lerwill and Ray McDougal, Draftsman Blake Walker of South Fork Design

**Citizens:** Kimber Jones

**9:58 p.m.**

The meeting was called to order by Dave Thompson.

**10:00 p.m.**

**DISCUSSION ON OLD FARM TOWNHOMES:**

Commissioner Mecham felt all questions were answered. The developers have worked a long time on this and addressed all issues brought up tonight. Commissioners Jeppson and Lines felt good about the issues addressed.

Commissioner Owens discussed parking setbacks in the front yard and stated his issues with the code not allowing backing into a road for mutli-family dwellings. See Attachment #1 for further explanation from Commissioner Quinton Owens. He also expressed concern about the relaxation of code concerning:

- a) the development having more than the maximum 40% hardscape allowed,
- b) having more than a 12' wide driveway per covered parking stall which increases the hardscape percentage, and
- c) cars backing into the road which is not allowed for single family residential homes.

He would prefer eliminating the third parking stall to make the landscaping adequate and felt it would help with visual safety for pedestrians. He questioned what the justification would be for the relaxing of city code.

Mr. McDougal had concern with trying to sell a townhome with only 2 parking spaces, one of which is in the garage and one in front of the garage, leaving no visitor parking. He also stated when young mothers were polled about what they would prefer in a home, the majority stated they would rather have a private fenced yard instead of a large common open space. Mr. McDougal stated he was open to the idea to use Lot 4 for more open space as a justification for relaxation of the code concerns. Lot 4 would also create a good buffer between developments. In the 60/40 hardscape percentages, the developer is between 52 and 54 percent for hardscape instead of the allowed 40%. In city code, townhomes are not specifically addressed and have not been addressed thus far in our city.

Commissioner Mecham stated allowing a third parking space would ease the public concerns that were brought up in the public hearing and agreed we do not have specific code for townhomes.

Commissioner Christine Lines stated the following justifications for council to possibly relax code on the 3 concerns stated by Commissioner Owens:

- a) They are providing a generous amount of open space.
- b) They are coming in under the maximum allowable density.
- c) The development meets the intent of the comprehensive plan which states we should encourage a variety of housing.
- d) The commission found inconsistencies in city code and townhomes are not addressed adequately.

- e) Townhomes provide an opportunity for single family homes and ownership versus apartments which do not offer this.
- f) The extra parking space eases public concerns expressed for visitor parking.

**10:53 p.m.**

**DISCUSSION ON TARGHEE TOWNHOMES:**

Commissioner Jeppson had a question about the access to 5<sup>th</sup> South. There can be a private drive, just not individual driveways. There would need to be sufficient access to Phase 2 of the development. The commission would recommend approval based on the following conditions for access and a utility easement including following city code requirements. The following justifications would be:

- a) They are providing a generous amount of open space.
- b) They are coming in under the maximum allowable density.
- c) The development meets the intent of the comprehensive plan which states we should encourage a variety of housing.
- d) The commission found inconsistencies in city code and townhomes are not addressed adequately.
- e) Townhomes provide an opportunity for single family homes and ownership versus apartments which do not offer this.
- f) The extra parking space eases public concerns expressed for visitor parking.

**11:25 p.m. Motion made by:** Dan Mecham to table decision on townhomes to discuss design review.

**Motion seconded by:** Paul Jeppson

**All were in favor, motion carried**

**DESIGN REVIEW DISCUSSION ON OLD FARM & TARGHEE TOWNHOMES**

**Commissioners in attendance:** Dave Thompson, Dan Mecham, Christine Lines, Quinton Owens, Paul Jeppson

**Others in attendance:** City Deputy-Clerk Shelley Jones, City Attorney Dylan Anderson, Developers Ryan and Jeff Lerwill and Ray McDougal, Draftsman Blake Walker of South Fork Design

**11:30 p.m. Meeting called to order by Design Review Chairman Paul Jeppson**

Aesthetics were discussed along with the roof line. The side and back siding has variety with even more variety on the front of the buildings. The siding will be corrugated metal and vinyl with the required 70/30 split. Every two units have a bumped out dormer. The entries are gabled. The second floor is stepped in and the buildings have different colors but complimentary to each other. The commission would like to see more shrubs. There is a diversity of appearance especially with different colors and will meet the requirements.

**Motion made by:** Dan Mecham to accept design review on both Targhee and Old Farm townhomes with the conditions of:

- a) increased landscaping and
- b) having a variety of building colors

**Motion seconded by:** Dave Thompson

**All were in favor, motion carried**

Chairman Jeppson recommended approval to the Planning & Zoning Commission.

**CONT'D PLANNING & ZONING DISCUSSION ON OLD FARM & TARGHEE TOWNHOMES:**

**Motion made by:** Dan Mecham to accept Old Farm Townhomes with the recorded recommendations to the city council along with the Findings of Facts.

**Conditions:**

- a) The townhomes will have a diversity of appearance, especially different colors in the buildings.
- b) There will be an increase of decorative landscaping.
- c) The space between parking spaces shall be softscape.

Also noting that:

- a) They are providing a generous amount of open space.
- b) They are coming in under the maximum allowable density.
- c) The development meets the intent of the comprehensive plan which states we should encourage a variety of housing.
- d) The commission found inconsistencies in city code and townhomes are not addressed adequately.
- e) Townhomes provide an opportunity for single family homes and ownership versus apartments which do not offer this.
- f) The extra parking space eases public concerns expressed for visitor parking.

**Motion seconded by: Paul Jeppson**

**All were in favor, motion carried**

**Motion made by: Christine Lines** to recommend to the city council to accept Targhee townhomes with the conditions discussed:

- a) There will be an access and utility easement meeting all legal and city code requirements including proper width and ADA requirements, including recommendations made by the city engineer Dick Dyer, located directly west of the requested plat.
- b) The townhomes will have a diversity of appearance, especially different colors in the buildings.
- c) There will be an increase of decorative landscaping.
- d) The space between parking spaces shall be softscape.

Also noting that:

- a) They are providing a generous amount of open space.
- b) They are coming in under the maximum allowable density.
- c) The development meets the intent of the comprehensive plan which states we should encourage a variety of housing
- d) The commission found inconsistencies in city code and townhomes are not addressed adequately.
- e) Townhomes provide an opportunity for single family homes and ownership versus apartments which do not offer this.
- f) The extra parking space eases public concerns expressed for visitor parking.

Along with the Findings of Facts and to include the following 3 concerns addressed:

- a) SCC 8-6-2 O regarding parking in a front yard setback. This states that no vehicles may back into a public right-of-way and the townhomes have driveways backing into a road.
- b) SCC 8-6-2 M regarding maximum 40 percent hardscape in a front yard. With a townhome design the percentages of hardscape exceed this by approximately 12 to 14 percent.
- c) SCC 8-6-2 M states a 12 foot wide driveway is allowed per covered parking area. The townhome design has a third parking space for visitor parking for each unit which does increase the hardscape percentage.

**Motion seconded by: Dan Mecham**

**All were in favor, motion carried**

**DESIGN REVIEW DISCUSSION ON RIDGE & SUGAR MEADOWS COTTAGE HOME PLANNED UNIT DEVELOPMENTS**

**11:52 p.m.**

**SUGAR RIDGE**

Colors and designs will be similar. Not all units will be same color across all phases.

**Motion made by:** Dan Mecham to accept design review for Sugar Ridge with the condition all house plans will be in similar fashion.

**Motion seconded by:** Quinton Owens

**All were in favor, motion carried**

**SUGAR MEADOWS**

**Motion made by:** Christine Lines to accept design review for Sugar Meadows with the condition all house plans will be in similar fashion.

**Motion seconded by:** Dan Mecham

**All were in favor, motion carried**

Chairman Jeppson recommended approval to the Planning & Zoning Commission.

**PLANNING & ZONING DISCUSSION SUGAR RIDGE & SUGAR MEADOWS COTTAGE HOME PLANNED UNIT DEVELOPMENTS:**

**SUGAR RIDGE**

Commissioner Lines asked if ADA compliance had been addressed which they had. All developments are required to be ADA compliant.

City Engineer Dick Dyer had suggestions for materials in the construction of their private roads, which the developer would take into consideration. The utilities were designed for the maximum amount allowed for the density in the zone and everything that is planned is under the allowable density.

The 16 foot one way road in Sugar Meadows will be changed to 20 feet to make sure fire safety specifications are met. Any consequent concerns will be addressed. The commission felt that:

- a) They are providing a generous amount of open space. There is approximately nearly 36 percent open space and only 20 percent is required.
- b) They are coming in under half of the maximum allowable density with less than 10 units where 16 are allowed in the zone and with the PUD 20 units would be allowed. A PUD also allows for smaller lot and home sizes.
- c) The development also brings diverse housing to the community.

These three points would be justifiable reasons to allow smaller lots and home sizes.

**Motion made by:** Dan Mecham to accept the PUD application for Sugar Ridge with the findings of facts and the outlined conditions:

- a) Materials and designs for additional home plans shall be similar in fashion to previously submitted home plans as forwarded from Deputy-Clerk Shelley Jones to commission members for review and approval. Homes will have a variation of colors.
- b) The development needs to be ADA compliant.
- c) If they wish to make any changes to the existing plans or design of homes, a new application will be required.

**Motion seconded by:** Paul Jeppson

**All were in favor, motion carried**

## **SUGAR MEADOWS**

The same points were discussed for Sugar Meadows as Sugar Ridge. The commission also felt that:

- a) They are providing a generous amount of open space. There is approximately nearly 36 percent green space and only 20 percent is required.
- b) They are coming in under half of the maximum allowable density with less than 10 units where 16 are allowed in the zone and with the PUD 20 units would be allowed. A PUD also allows for smaller lot and home sizes.
- c) The development also brings diverse housing to the community.

These three points would be justifiable reasons to allow smaller lots and home sizes.

**Motion made by:** Christine Lines to recommend to council the PUD application for Sugar Meadows with the specifications listed and findings of facts and with the fire department requirements being met:

- a) Materials and designs for additional home plans shall be similar in fashion to previously submitted home plans as forwarded from Deputy Clerk Shelley Jones to commission members for review and approval. Homes will have a variation of colors.
- b) The concerns of the fire department will be met in changing the 16 foot road to 20 feet, and then approval by the fire marshal shall be obtained. Deputy Clerk Jones will send an updated drawing showing the changes to the commission and any consequent concerns will be addressed if needed.
- c) Approval of the building designs will be requested and then obtained from the Design Review Board.
- d) The development needs to be ADA compliant.
- e) If they wish to make any changes to the existing plans or design of homes, a new application will be required.

**Motion seconded by:** Dan Mecham

**All were in favor, motion carried**

**12:40 a.m. Motion to adjourn the meeting:** Paul Jeppson

**Motion seconded by:** Dan Mecham

**All were in favor, motion carried**

Meeting adjourned

Next regular P&Z meeting will be on July 18, 2019.

Notes:

1. See Attachments # 2 and # 3 from Sugar Salem School District and Madison County Fire Department whose emails were received after closing of city hall on the date of public hearing.
2. See minutes of Design Review on July 18, 2019 for ratification of design review motions due to legal counsel. Another design review meeting was held because of citizen complaint that the design review discussion held after the public hearing was not posted with its own agenda but combined with the planning & zoning agenda. Planning & Zoning committee members are currently also acting as the design review committee due to a revision to design review code August 2018.

## Attachment # 1

Issues on Targhee Townhomes & Old Farm Townhomes

by Commissioner Quinton Owens

I am addressing the idea that some think townhomes are not clearly covered in SCC 8-6-2 regarding parking in the front yard setback. – Quinton Owens

“Backing onto public right of way” (SCC 8-6-2-O)

*No parking area, except those designated R1 or R2, shall be designed or constructed to create a situation in which vehicles back into the public right of way.”*

This plat is clearly in violation of this section since this area is still zoned R3. It is only a guess whether it was meant to address apartment buildings and overlooked townhomes – only a guess. Even if it was, the principle behind it is still the same - that higher density means more vehicles, which relates to more safety hazards for both street and pedestrian traffic. Picture having a sidewalk between angled parking in a downtown setting and the street.

“Parking on residential property” (SCC 8-6-2-M) – Note title reference

(blue text is applied to single-family homes and twin homes/red text applies to all residential properties as title of section says)

No person shall park or allow parking of a motor vehicle, including an automobile, truck, motorcycle, trailer, camper, motor home, boat or other large vehicle in the front yard of a detached, single-family dwelling and/or twin home in any zone except on a hardened driveway of concrete, asphalt, brick, rock, or similar material. This parking regulation shall be suspended during any officially declared snow alert or emergency measure. The front yard of a detached, single-family dwelling and/or twin home in any zone may have a hardened driveway up to twenty-four feet (24') wide per dwelling unit. *When covered parking (garage or carport) for more than two (2) cars is provided, twelve feet (12') in width of hardened driveway is permitted for each covered parking space. Or, regardless of covered parking, up to forty percent (40%) of the front yard may be hardened. The city council is empowered to suspend or relax requirements of hardened width in individual cases by issuance of a special use permit.*

Only two sentences in this section specifically refer to single-family dwellings or twin homes. This allows the remainder of it to cover all “residential property” which would only allow 12-foot driveway width for a single car garage regardless of unit type, not 24 feet as claimed in the June 16<sup>th</sup> meeting, AND it would require not more than 40% of the front yard to be hardened surface. One cannot claim the benefits applied for single family homes then avoid the restrictions by saying townhomes are not covered.

3 variances are requested based on wants

So by asking to relax the 40% maximum hardscape requirement just because "townhome" is not specifically mentioned then we will be asking to relax not one, but 3 requirements of city code. 1) 40% max hardscape, 2) 12-foot-wide driveway per covered parking (depending how that sentence is applied), and 3) No backing onto public right of way. So what is the justification for all three?

The difficulty meeting the 40% limit on hardscape is a result of design and wants. The third parking space is an extra feature because only two parking spaces are required, and even if for more convenience (visitor parking), should not be an exception to the code if it goes against the intent of safety and aesthetics. Consider requirements for granting variances – was it self-inflicted (by design) or out of their control.

My suggestion remains as before: to eliminate the 3<sup>rd</sup> parking space of each driveway. By having the increased landscape area, pedestrian safety is increased due to better visibility and in consideration of that would suggest allowing cars to back out onto public right of way (thereby relaxing only one requirement and meeting the intent of the code).



Shelley Jones <sjones@blackknightnetworks.com>

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## Public Hearing Notice & Map

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**Chester Bradshaw** <cbradshaw@sugarsalem.com>

Tue, Jun 25, 2019 at 4:40 PM

To: Shelley Jones <sjones@sugarcityidaho.gov>

I have reviewed this document, and cannot see any reasonable reason that we would oppose this sort of managed growth from a school district perspective.

thank you!

**Chester Bradshaw**



Sugar-Salem School District

208-356-8802

[cbradshaw@sugarsalem.com](mailto:cbradshaw@sugarsalem.com)

*"Luck favors the Prepared"*

[Quoted text hidden]



Shelley Jones <sjones@blackknightnetworks.com>

Old Farm, Sugar Meadows, Sugar Ridge, Targee Townhome

1 message

Dale Pickering <dale.pickering@rexburg.org>  
To: Shelley Jones <sjones@sugarcityidaho.gov>

Tue, Jun 25, 2019 at 5:11 PM

Sugar City Planning and Zoning,

Upon reviewing the preliminary drawings for Old Farm, Sugar Meadows, Sugar Ridge and Targee Townhomes, I found a single length of fire Apparatus Access Road that is 16' in width. The International Fire Code specifies that such road are required to be 20' in width. Therefore, I spoke with architect Blake Walker and have come to an agreement that he would redraw that single length of road to satisfy the requirements in the International Fire Code.

Thank you,



**Dale Pickering**

Inspector

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Rexburg, Idaho 83440  
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Fax: 208-359-3003  
dale.pickering@rexburg.org

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To Maintain a State of Readiness in:

Our People, Our Equipment, In Operational Accuracy, and In Administration

**OUR CORE VALUES**

Integrity, Honor, Pride, and Courage