

SUGAR CITY PLANNING & ZONING PUBLIC HEARING

THURSDAY, MARCH 4, 2010

7:00 p.m. Public Hearing –Einerson Zone Change

Commissioners in attendance: Joy Ball, Brian Hawkes,, Jess Brown, Tom Flemming, Steve Hawkes, Sam Lines, Randall Miller, Ray Barney

Public in attendance: Don & Doralee Rydalch, Harold Harris (City Council), Wayne Sharp, Clayne Bloom, Laurie King, Meagan Hill, Terry Mortensen, Teya Peck, Elaine King, Trevor Einerson, Jonathan McMillin

Instructions: Brian. This is a quasi-judicial public hearing
No written notification
No conflict of interest or exparte communications among commissioners

Trevor: Purchased a home from Jacob Price. Has tried to get a feel from neighbors about their feelings. Multifamily dwellings are not allowed in R1 zone so he would like it to be zoned R2.

Clarifying questions:
Trevor is currently the owner of the home.

Public questions
Don: What is the proposal.
Trevor—R1 to R2 He does not plan on moving into the home.

Harold: Interior stairway?
Trevor: No plans to. Can't find blue prints but Harold thinks there are plans somewhere in the city building.

Parking concerns: Need 4 spaces if there are two apartments.

SPEAKERS

FOR: Jonathan McMillin. Believes that the zone should be changed from R1 to R2

NEUTRAL: None

AGAINST

Don Rydalch: Mistakes in the past don't justify making more mistakes.
Harold Harris: Others in R1 zones want to do the same thing. Don't want to set a precedent.

NOTICE: Meeting is Open to the Public

NOTE: ANY PERSON NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THE ABOVE NOTICED MEETING SHOULD CONTACT THE SUGAR CITY CLERK'S OFFICE (356-7561) 48 HOURS PRIOR TO THE MEETING. IT IS ASSUMED THESE SCHEDULED TIMES ARE CORRECT. THERE ARE TIMES WHEN THE SCHEDULE WILL BE ADJUSTED ACCORDINGLY.

Laurie King: Feels the same.

Elaine King: In a survey regarding the Comprehensive Plan the public overwhelmingly wanted the city to stay with R1

Lawrence Neilsen: City took no action previously.

CLOSING COMMENTS

Trever: Clarification No more homes should be allowed to have apartments in R1 if the zoning isn't changed.

Mistakes of the past are not his fault. Asked for the city to consider justice and mercy. Many homes in this area are out of compliance. This would not be spot zoning because it is contiguous with R2 with just an alley separating. Request that if this isn't approved that other homes out of compliance be compelled to stop renting.

Hearing ended 7:40

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SUGAR CITY, IDAHO
Planning and Zoning Commission Meeting
~~February~~ March 4, 2010

Commissioners in attendance: Brian Hawkes, Joy Ball, Jess Brown, Randall Miller, Sam Lines, Steve Hawkes, Ray Barney, Tom Flemming

Others in attendance: Bruce King (City Council), Terry Mortensen, Megan Hill

7:45 p.m. Brian opened the meeting.

Ray moved that we amend the agenda to include discussion of the public hearing. Randall seconded. Motion passed unanimously.

1. Minutes

Joy read Feb 4 minutes. Randall moved we approve the Feb. 4, 2010 minutes. Joy seconded. Motion passed unanimously.

Tom moved we approve the Feb 18 minutes. Sam seconded. Motion passed unanimously.

2. Calaway project

Presentation from Terry Mortensen and Megan Hill about the status of the Calaway project. They are waiting for better economic conditions to move ahead – Q&A and review on Calaway project. They expressed concern about Ordinance 281 (they must have a bond for 150% of the cost of utilities).

3. City Council Business:

Bruce King report on 2-25-10 City Council meeting

-Dog ordinance passed

-Held off on publishing the ordinance on fees pending clarification of misdemeanor and infraction.

-Presentation from Brandon Harris (Forsgren) re. water right applicaton and transportation study.

-Discussion about transportation

4. Public Hearing Discussion

Issues that were mentioned and discussed:

-What will happen to that property down the line? If someone else buys it will they be as public spirited as Trevor?

-Public is concerned in their own neighborhood. They don't want it to degenerate.

-How do you deny occupancy once it is rented? Will it require police action?

-Are there other places that are out of conformance? It is the city council's responsibility to enforce city ordinances.

-Parking. Will it become a problem in the future?

-Internal stairway. Can it be installed?

-Not consistent with our Comprehensive plan

-The public wants it to stay R1

-If it is approved it could open it up to a lot of other requests. Do we want that to happen

-In the past, compliance has not been policed. From here on out, what would be the best thing to do?

-Will it make the situation better if we rezoned to R2 and then the city doesn't have to police the property.

-Trevor has been right up front with us. He has done the right things to do that. But, he wasn't forced to buy it. If he turns around and sells it, then what will happen?

-Every neighbor was against it.

-If the owner doesn't live in the house; if he isn't on the premises, will he be less likely to really care for it.

Brian summarized our options:

a. Vote to not recommend it.

b. Recommend with conditions: e.g. Fine for violations.

c. Recommend.

Randall moved that we not recommend the zone change to the city council. Tom seconded. No discussion. Passed unanimously.

5. Report on Mason & Herrington training

6. Discuss 2010 projects

Apartments

Impact area ordinances to match city ordinances

Signing and lighting ord. Title 8, ch. 1&2

Title 9. Minor changes.

Update reference section of comp. plan. They do not need to be updated by a public hearing.

GIS map update

Commission training. Occasionally review Mason/Herrington on line material.

7. Discuss wind turbine application. It looks OK except for a couple of clerical changes which Jess will make

8. Discuss title 9 chapter on home business. We will review it at our next meeting.

10:20 Meeting dismissed

Brian Hawkes

18 Mar. 2010