

Sugar City Planning & Zoning

Public Hearings at City Hall

December 3, 2020

Commissioners in Attendance: Dave Thompson, Christine Lines, Paul Jeppson, Dan Mecham

Others in Attendance: Quinton Owens (P&Z Administrator), Chase Hendricks (City Attorney), Elaine King, Johnny Watson, Cullin Sherman, Cameron Stanford, Moroni Burton.

Meeting was called to order at 7:07

Prayer by Commissioner Mecham

Pledge of Allegiance led by Commissioner Jeppson

The postings and publications were confirmed with the Deputy Clerk by the P&Z Administrator. Upon request, no ex parte communication or conflicts of interest were disclosed.

Public Hearing for Madison County Special Use Permit:

Application Introduction: Deputy Cameron Stanford representing Madison County Sheriff's office requested a special use permit for a telecommunications tower to be used for the sheriff's department and other emergency services. The tower will be 148 ft tall with a 2 ft antenna for a total height of 150 feet. Deputy Stanford stated FAA rules and regulations were checked, and it was found the height will not require a light on top or registering the tower.

Staff Review: The P&Z Administrator noted most of the regulations in city code 8-3 for communication towers, was applied to "Personal Wireless Service Facilities" (PSWF) whether this includes government specific towers is not clear. City code 8-3-3 does not require permits for government antennas except for height, location, and construction. Maximum height limit is 45 feet which may be increased by a special use permit, and the only purpose of this hearing.

Responses and testimonies: The City Engineer responded with concerns for visual impact on the community which may be permissible being in an "industrial area", and he also stated the tower needed to be designed by an Idaho registered design professional. Only one response came in from an adjacent property owner, Radiation Solutions at 229 Sugar Ave. that indicated support of permitting the tower. No other testimonies were given in support, neutral, or against the special use permit.

Questions from P&Z: The minimum height requiring a light for FAA regulations is 200 ft as stated in an advisory circular reclassifying the height, lighting, and registering requirements of towers. The height of the tower is needed to help support other emergency service agencies and obtain more complete coverage. FCC standards for government use have all been preapproved and are being observed by Teton Communication. The fall radius was observed and no significant risk to the public was found outside the properties. The tower will be fenced in for security. A TOWAIR determination report was submitted to the commission.

Public Hearing Closed at 7:58

(8:00) Public Hearing for Sun Glo of Idaho Special Use Permit:

The postings and publications were confirmed with the Deputy Clerk by the P&Z Administrator. Upon request, no ex parte communication or conflicts of interest were disclosed.

The City Attorney noted that the parking issue at Sun Glo was previously submitted for Design Review. For ex parte purposes anyone involved in previous discussions should note those discussions were focused more on if the parking was part of Design Review or P&Z and whether those discussions created a bias opinion. Commissioners Jeppson and Lines stated they were involved with discussions for Design Review, but decisions on parking would be deferred to P&Z, and there was no biased opinion formed from those discussions. Chairman Thompson shared in on said discussions in P&Z meetings and had no biased influence.

No other ex parte communication occurred over the special use application. No conflicts of interest were expressed other than some do live in close proximity to Sun Glo but that would not conflict with the topic of the special use permit request.

Application Introduction: At the request of the applicant's representative, Johnny Watson, the P&Z Administrator introduced the application. With Sun Glo's addition to their building the day-to-day operations for the facility will include 70 employees and they are providing 80 parking spaces. City code requires 1 space for every 700 sf of Warehouse space (the most similar usage) or about 214 total spaces. The applicant is requesting a reduction in required spaces as allowed in SCC 8-6-2-H to match the use of the building rather than area. Johnny did not have any comments to add.

Staff Review: City code does allow for reduction in parking requirements through a special use permit, and there are no other requirements included in the request except for quantity of spaces. SCC 8-6-2-Q does require a parking plan review and approval by the commission when there is an increase of 15% or more in parking, but that also is not part of the special use permit and should be addressed as a separate motion.

Questions from P&Z: Stormwater retention has been worked out by the designer with an infiltration system. The equipment plan was shown to demonstrate the amount of automation and small amount of space for fewer employees than square footage alone would indicate. There is plenty of snow storage available on site.

Responses and testimonies: The City Engineer responded with approval for amount of parking to correspond with the building usage, but should the employee amount increase so should parking. No other testimonies were given in support, neutral, or against the special use permit. No rebuttal from applicant.

Public Hearing Closed at 8:27