

# Sugar City Planning & Zoning Meeting

## August 19, 2021

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

Others in Attendance: Quinton Owens (P&Z Administrator), Chase Hendricks (City Attorney), Bruce King, Zack Cleverley, Natalie Cleverley, Jerry Miller, Elaine Preslar

Meeting was called to order at 7:28 pm

**Discussion on Public Hearing on SCC 9-3-2:** Hearing cancelled for posting error.

**Public Comment:** Comments were expressed on the need for balanced growth to retain predominance of single family homes. There was concern about the schools' ability to handle rapid growth and the impact on water usage. Another citizen thought that trying to change the whole code at once is unrealistic but suggested that P&Z move more quickly to accomplish goals to avoid losing credibility.

**Proposed public use of Madison Sheriff's Communication Tower:** Fybercom would like permission to use their equipment provided to Madison County Sheriff for public use as well on the tower allowed by a Special Use Permit. Part of the reason for allowing the height of the Sheriff's Communication tower was that it was for emergency services only.

**Impact area discussion:** The Chairman informed the commission of recent updates regarding the impact area which included a meeting between Sugar City and Rexburg, discussions had with citizens in the proposed impact area, and implications for the various choices to be made.

**Code change suggestions:** Frustration has been expressed with gaps and inconsistencies in city code. Even if the whole city code is not amended together it is critical that the whole code is observed so that everything lines up together. A task force has been created to facilitate the process of updating city code. The following are points for focus that have been or need to be discussed:

- Buffering, landscaping, open space, dark sky, & streetscapes
- Zoning definitions, Land Use table, Parcel requirements (setbacks, min. area, etc)
- Parking, accessory buildings, types of homes/buildings

In considering revising or introducing new code the city needs to be sure they have the administrative capacity to enforce it. Well written codes help protect the city's interests.

**Following up on building permits** - Through code or policy, a standard method of following up and enforcing P&Z requirements on buildings finalized for occupancy needs discussion and agreement. The Sugar City Storage buildings have been found in violation of the front setback requirement. The owner was informed that an option of a Variance Permit would be required or the buildings be set back per city code before occupancy is permitted.

**Motion made by** Commissioner Lines that P&Z direct the Building Official red tag (stop work order) the Sugar City Storage project if the owner does not immediately begin a request for a Variance Permit. **Seconded by** Commissioner Jeppson. **Motion passed unanimously.**

**Reports from Chairman:** The chairman has been in discussions with a developer about the west side of highway 20. There have been discussions about potential rezoning in that area.

**Administrator:** Nothing reported

**Design Review:** Inquiry was made whether further progress has been made on 370 Business Loop being brought into compliance. A noise complaint was made on the same property. Both issues will be looked into. Plans have been received for Design Review on the Muir's building in the Business Park and they still do not meet requirements.

**Public Comment:** Concern was brought up about P&Z reports to City Council not including public comments. Response was, comments are reported to the City Council when legal and applicable, while some comments are given to staff to resolve. It was also asked if Design Review can be made a requirement for R2 Zone? Response was, it would not be legal to tell homeowners how to design the look of their home. In asking about why the hearing was not held, the response was that not all the requirements were properly completed for the hearing to take place. The commission was asked when is the proper time for citizens to give their input on upcoming decisions. The correct time is at a public hearing or before a public hearing is scheduled. Such input must be evaluated against the code as the code, not feelings, is legally binding.

**Motion made** by Commissioner Jeppson to table remaining agenda items.

**Seconded by** Commissioner Lines. **Motion passed.**

**Motion made** by Commissioner Lines to adjourn the meeting.

**Seconded by** Commissioner Jeppson

**Meeting adjourned 11:19**