

**CITY OF SUGAR CITY, ID**  
**PLANNING & ZONING MEETING MINUTES**  
**Thursday, October 17, 2024, 7:30 P.M.**  
**PUBLIC HEARINGS**

**Commissioners in attendance:** Chairman Derik Taylor, Commissioners Suzanne Williams, Rick Robertson, Spencer Haacke, Brian Hawkes

**Others in attendance:** P&Z Administrator Kurt Hibbert, City Building Official Quinton Owens, Deputy Clerk Shelley Jones, Dawson Klingler on behalf of Teton Island Estates Subdivision, Paul Jeppson, Kevin & Kristin Galbraith, Cory Roberts

**7:30 p.m.** The meeting was called to order by Chairman Derik Taylor

**Prayer by:** Suzanne Williams

**Pledge of Allegiance led by:** Spencer Haacke

**Public Hearing on the implementation of Tiny Home Subdivisions to City Code:**

Chairman Taylor opened the public hearing and stated that he received an affidavit from city staff stating that the public hearings have been noticed properly. The time was turned over to Administrator Hibbert to give an overview of the hearing.

Mr. Hibbert stated that this will be a new addition to the existing subdivision ordinance. The benefits will give people another option for more affordable housing, more housing stock, facilitate intergenerational living, support vulnerable populations and give residents more lifestyle freedom.

A review was received by City Engineer Dick Dyer

**Written Testimonies:** None

**Verbal Testimonies:**

**For:** None

**Neutral:** None

**Against:** None

Points brought up from the commissioner's included the possibility that tiny homes could be rentals. They want provisions for green space in a tiny house subdivision. An HOA would maintain the subdivision. They questioned the flexibility for type of tiny homes and it was stated that cargo homes and homes on wheels would not be allowed. Homes would have to be built according to building code standards. The homes will be stand-alone homes. Up to 14 homes can be put on one acre of ground. There can be grants for equal opportunity housing, income-based housing, etc.

The commission questioned if there was paperwork in place if a contractor wanted this information. The city does not have paperwork to hand out, but the information should be available online.

The city will need to pay attention to Engineer Dyer's comments and suggestions which will be an attachment to the minutes.

**8:00 p.m. The public hearing was closed by Chairman Derik Taylor**

**Public Hearing on the Implementation of Accessory Dwelling Units in Residential Zones:**

Chairman Taylor opened the public hearing. Administrator Hibbert gave an overview of the hearing.

Mr. Hibbert stated the benefits of ADU's (Accessory Dwelling Units), which were the same as having a tiny home development which included giving people another option for more affordable housing, more housing stock, facilitating intergenerational living, support vulnerable populations and give residents more lifestyle freedom. He also mentioned that Engineer Dyer had questions about possible separate metering, but it was felt that it should be left up to the property owner whether they would want separate meters for an extra unit. With this ordinance the property must be owner occupied and have strict parking regulations. Chairman Taylor mentioned that there is currently no ordinance addressing this issue and it is needed since there are already situations like this going on in our community.

A review was received by City Engineer Dick Dyer.

**Written Testimonies:** None

**Verbal Testimonies:**

**For:** None

**Neutral:**

1. Citizen Paul Jeppson felt the ordinance is needed but had some concerns:
  - a) What would happen if an owner was gone for an extended period over several months and might not be able to find a family member to stay in one unit for them while they are gone while the other unit is being rented out. (The example was given of a couple going on a mission for their church for an extended period of time.)
    - Mr. Hibbert addressed this and stated that they did not have to have their unit occupied and the other unit could still be rented. They just cannot rent out both units, only the one.
  - b) The ordinance stated that there should be a parking space for every bedroom.
    - Mr. Hibbert stated that that was only the case is the unit if more than 1000 square feet.

Mr. Jeppsen's final comment was that the commission may want more discussion on the live-in and rental situations.

2. Building Official Quinton Owens also had a concern about how to monitor whether an owner is in the house for more than 6 months per year or not which is specified in in the code (9-3-13-1A.2). He also questioned how this works in a non-residential situation, for example if there is a unit above a garage. He also questioned how we would treat it differently than a duplex.
  - Mr. Hibbert stated that this wouldn't be associated with a duplex as the zoning would be incorrect. The code must be complied with whether above a unit is above a garage or not. The homeowner would not have to be in the home, he just can't rent the one unit out. We can't regulate the homeowner's presence but by requiring owner occupancy, it will help slow the growth of rental properties in single family homes, which the older part of our community needs protection from.

**Against:** None

Commission comments were discussed and addressed. Another question was whether an ADU could be used as an Airbnb. They could, but it would have to comply with the building code and any safety concerns would have to be addressed. The question was also asked if more than one ADU could be in one lot. It is inferred in the code that there could only be one, but it was felt that this should be stated explicitly that only one ADU is allowed per lot to avoid any future issues. An ADU must be smaller than the original home on the lot and have adequate parking. The ADU still must meet easements, setbacks, green space, etc. It does not have to have neighbor approval; it is a land use right. However, there is a nuisance law to use if there are problems. Mr. Hibbert also commented that if there are issues in the future, the ordinance can be rescinded if it doesn't work.

**8:38 p.m. The public hearing was closed by Chairman Derik Taylor**

**CITY OF SUGAR CITY, ID**  
**PLANNING & ZONING MEETING MINUTES**  
**Thursday, October 17, 2024**  
**REGULAR MEETING**

**8:38 p.m. Discussion of Public Hearings on the implementation of Tiny Home Subdivisions to City Code:**

The commission felt all questions were answered satisfactorily.

**Motion made by:** Spencer Haacke moved to submit to city council the tiny home subdivision proposal for consideration with a recommendation for approval.

**Motion seconded by:** Rick Robertson, **All were in favor, Motion passed**

**Discussion of Public Hearings on the code implementation of Accessory Dwelling Units:**

The concern was once again mentioned about an owner having to be in a home for at least 6 months out of the year. It was then pointed out that if the one unit is normally lived in by the owner and he does not rent that unit out, only the ADU, then it is acceptable.

**Motion made by:** Rick Robertson proposed to submit to city council to adopt the ordinance of accessory dwelling units to be adopted into city code.

**Seconded by:** Brian Hawkes, **All were in favor, Motion passed**

**Approval of Minutes:** Postponed until next meeting

**Discussion and Public Hearing Setting for Zone Change & Final Plat for Teton Island Estates from R1 to R2:**

Dawson Klingler addressed the council with his request for a zone change from R1 to R2 in phase 2 of the Teton Island Estates. Twin homes are allowed in R2 but they have been building single family homes in some of the lots because of the request for stand-alone homes. They are not having success selling 1/3 acre lots and would like the R2 zone to meet demands of what is desired. This would just give them a few more lots in the desired area and it is noted that even though twin homes would be allowed they are looking at building single homes, just on smaller lots to make them more affordable and to fill the demand of the public.

**Motion by:** Spencer Haacke to hold a public hearing on November 21<sup>st</sup>

**Motions seconded by:** Suzanne Williams, **All were in favor, Motion passed**

**Trevor Baggett - New Heights Construction-Twin Home Lot Proposal:**

Mr. Hibbert wanted to bring awareness to the commission of this proposal for the future and stated that it was his recommendation to support this. (This concerns building single family homes on lots currently planned for twin homes.)

**Design Review Report by Suzanne Williams:**

There will be a design review for two businesses soon. She strongly suggested that they need to work on a city theme plan. It was also mentioned that we need an industrial standard, not a one size fits all design standard. They would like a downtown blueprint for Center St.

\*\*The commission would like "Downtown Blueprint" on next agenda and "Urban Renewal Committee" on future agendas as an action item.

\*\*Note for committee – Rexburg is holding Urban Renewal Education on November 7<sup>th</sup> at noon.

**Administrative Reports - None**

**9:30 p.m. Motion to Adjourn by:** Brian Hawkes, **Seconded by:** Rick Robertson, **All were in favor, Motion passed**