

Planning & Zoning Minutes

July 18, 2013



CITY OF
REXBURG
America's Family Community

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Commissioners Attending:

Winston Dyer – Chairman
Dan Hanna Thaine Robinson
Cory Sorensen W.C. Porter
Mark Rudd Melanie Davenport

City Staff and Others:

Bruce Sutherland – City Council Liaison - Excused
Val Christensen- Community Development Director
Elaine McFerrin – P&Z Coordinator
Darrik Farmer – Community Development Intern

Chairman Winston Dyer opened the meeting at 7:04 pm.

Roll Call of Planning and Zoning Commissioners:

Melanie Davenport, Chuck Porter, Cory Sorensen, Winston Dyer, Thaine Robinson, Dan Hanna, Mark Rudd

Richie Webb, Gil Shirley, Mary Ann Mounts, and Jedd Walker were excused.

Minutes:

1. Planning and Zoning meeting - June 6, 2013

Dan Hanna motioned to approve the Planning & Zoning minutes of June 6, 2013. **Cory Sorensen** seconded the motion.

Thaine Robinson abstained for not having been present.
None opposed. **Motion carried.**

Public Hearings: None

Unfinished/Old Business:

1. Development Code Changes discussion

Chairman Dyer stated that part of the P&Z Commission's charge is to clarify, review, add to, and subtract from, etc. the City's Development Code. Mr. Christensen has been working faithfully to that purpose and has some information to present for discussion.

Val Christensen said this matter is an ongoing project. This Development Code document originated some years ago. The document was moved forward but was not ready to do so. Because much of the information had been cut and pasted from three other cities' codes, one chapter would sometimes contradict another chapter.

When the planner who put the document together left the City, Mr. Christensen went through the document and found a number of pages that had contradictions or needed other changes. This information was given to the next planner. For about 3 years, the Code did not have anything done to it. When the planner left, Mr. Christensen implemented changes that at least got rid of the major contradictions. Other changes have been made to the document as issues were found. Besides the major changes that were additions to the document such as the Mixed Use Zones and the Infill/Redevelopment Standards, the Development Code has not really been closely examined. He is currently scrutinizing the document from beginning to end.

Some of the changes are just grammar or typos. Others may be wording changes or a question of why a rule or section is needed.

The Development Code document with some suggested revisions was viewed on the overhead screen.

Chairman Dyer clarified that Val Christensen is asking for input from the Commissioners.

From Section 1.3 - Purpose of the Development Code:

Proposed change:

v. to ~~avoid undue~~ encourage concentration of population in urban areas ~~and overcrowding of land~~²

Dan Hanna asked if input from Envision Madison may have impact on the City's Development Code.

Val Christensen thought it could.

Chairman Dyer felt what would come out of Envision Madison would be an implementation or plan for how and where things are done.

Dan Hanna said the vision of the current Comprehensive Plan may be reinforced.

The **Chair** stated that everything the Commission has done in the last 4 or 5 years has been in accordance with the way Mr. Christensen has changed the wording in regard to encouraging concentration of population in urban areas.

Val Christensen felt the City has not done anything to discourage anyone from building. They have encouraged people. The focus has been to put the students near the campus.

High density residential apartments have been discouraged on the outskirts of town.

Chuck Porter said by concentrating development around the college, the ability to be able to spread out in other parts of the City is being protected.

Melanie Davenport stated she had some questions on other chapters in the Development Code.

Will they be going through every chapter?

Val Christensen said the Development Code and any changes would be worked through with the Commission over time.

Thaine Robinson thought clarification of the Development Code's purpose is very important. It is the guideline.

Cory Sorensen said they are trying to densify more than just students. The hope is that a lot more students will stay and live here in this community.

Mark Rudd commented that the proposed change completely turns around this 'purpose' statement. Someone may wonder who gave permission for it to be changed after so many years.

Val Christensen clarified that any proposed changes would come before the P&Z Commission first and then would go before the City Council for final approval before any changes are made to the Development Code.

Chairman Dyer said that the statement they are discussing was written before the announcement was made by the University about expansion. Thinking changed substantially and rapidly after the announcement as a matter of necessity.

Cory Sorensen stated that any college community in the nation would dream of being where Rexburg is at right now. They have caught it at the front end, with 95 % of the students within a 3-block radius of campus. That is incredible. Rexburg was able to stop some of the sprawl before it could happen.

Val Christensen said the subject statement says what is being encouraged and not what we are going to allow. The PEZ zone overlay encouraged developers.

There was discussion regarding community protection. An existing ‘purpose’ statement says “to protect property rights and enhance property values.”

Protection of neighborhoods was discussed.

Melanie Davenport said a word may need to be added to describe the neighborhood that is being protected.

Val Christensen said that neighborhoods are actually defined in the Infill/Redevelopment section of the Development Code.

Chuck Porter stated it is a subjective case by case situation.

Winston Dyer said the statement is really good for what has been the area of focus lately, but do we need to say more to cover the rest of the community?

Thaine Robinson stated that one of the major focuses the Commission has is the safety of the people. He wondered if safety should be addressed more fully.

Dan Hanna was excused from the meeting.

There was discussion and then consensus for a proposed change of the wording of one of the Development Code ‘purpose’ statements as follows :

“To encourage concentration of population in urban areas with the goal of enhancing the quality of life for the community.” (changed from “to avoid undue concentration of population and overcrowding of land”)

Addition to Development Code ‘purpose’ section:

To maximize use of existing infrastructure including roads, utilities, sewers, and water.

Discussion of Procedures regarding development:

Standard City staff review, Development Review Committee, Design Review Committee.

Discussion of Ready Team.

It was suggested to list what would require a formal application. The application procedure does not need to become more formal. We do not want to increase the red tape for an applicant.

Definition section of Development Code:

Boarding House definition - ...3 or more persons (take out less than 20 persons).

Daycare Centers definition – change to Daycare Centers/Nursery Schools. Add: For up to 5 children, see Home-based Business/ Home Occupation Chapter.

Drainage Plan definition - added by staff stating that a Drainage Plan is required for all new construction, etc.

Grade definition - Add: for purposes of defining sign height, grade shall be defined as the average *elevation* of the parcel on which the sign is located.

Short plat definition - this definition will be added. The Subdivision Ordinance is currently being worked on by the Public Works Director.

Substantial Commercial Cluster definition: a group of commercial businesses that includes a grocery store, restaurant and bank as a minimum, along with other various retail and services. The cluster is required to be within three city blocks of each other.

Chuck Porter was excused from the meeting.

Zoning Section of Development Code:

Low Density Residential 1 (LDR1)

Lot Depth – minimum of 50 feet

Low Density Residential 2 (LDR2)

Add Permitted Projections with Conditions (under Setbacks and Right of Way Exceptions). This will also be in other residential zones but not in LDR1.

Medium Density Residential 1(MDR1)

A CUP is currently required to have a building with more than 4 units - is this CUP process necessary? There was consensus of the Commission to take this out of the Code.

Building heights were briefly discussed. In order for a project to have more density, taller buildings are needed.

Melanie Davenport said we always want to protect property values. Would it be easier for someone to sell their home if there was a lower, smaller development rather than a tall development next to it?

If a property is not next to any LDR zoning, it was suggested that the building height could go to 40 feet.

In MDR1 there would not be a CUP for height increase.

In MDR2 there could be a CUP for height increase to 40 feet if the property is not adjacent to LDR zoning.

It was discussed that the “Conditional Uses” should be listed in their own sections throughout the Development Code under each zone section, because currently the “Conditional Uses” appear mistakenly under Permitted Uses in each zoning section. Change wording to “*may* be permitted”.

Substantial commercial cluster -

Discussion on sidewalk responsibility and sidewalk connectivity.

Discussion on who pays for connectivity beyond the boundaries of a project.

It is not the intent for the citizenry to pay for the infrastructure of new development to connect.

There was consensus that there needs to be discussion with potential developers regarding responsibility for connectivity and pedestrian safety (which could include lighting, crosswalks, signage, etc.).

Housing projects of 12 or more units would be required to demonstrate sidewalk access to the BYU-I campus and to the nearest Substantial Commercial Cluster.

The Chairman said this discussion has opened the Commission's eyes to some of the issues. There was consensus that the Development Code changes discussion would continue at the next P&Z meeting on August 1st; the Commissioners will have the opportunity to give more input.

New Business: None

Compliance: None

Non controversial Items Added to the Agenda: None

Report on Projects: None

Tabled Requests: None

Building Permit Application Report: None

Heads Up:

August 1st – Development Code Changes discussion continues.

Chairman Dyer adjourned the meeting at 9:45 pm.