

Planning & Zoning Minutes

November 17, 2016



CITY OF
REXBURG
America's Family Community

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Commissioners Attending:

Jedd Walker – Chairman
Mark Rudd
Steve Oakey
Richard Smith
John Bowen

Greg Blacker
Gil Shirley
Melanie Davenport
Rory Kunz

City Staff and Others:

Brad Wolfe- City Council Liaison
Val Christensen – Community Development Director
Colton Murdock - Community Development Intern
Elaine McFerrin – P&Z Coordinator

Chairman Jedd Walker opened the meeting at 7:00 pm.

Roll Call of Planning and Zoning Commissioners:

Attending: Steve Oakey, Rory Kunz, Richard Smith, Gil Shirley, Mark Rudd, Jedd Walker, Melanie Davenport, John Bowen, and Greg Blacker

Heidi Christensen and Bruce Sutherland were excused.

Minutes:

1. From Planning and Zoning meeting – November 3, 2016

Gil Shirley motioned to approve the Planning & Zoning minutes of November 3, 2016. **Greg Blacker** seconded the motion.

Melanie Davenport, Mark Rudd, and Richard Smith abstained for having not being present.

None opposed. **Motion carried.**

Public Hearings:

1. 7:05 pm - Conditional Use Permit – Approximately 267 West 4th South - to allow a lowered number of parking spaces – to 62% per applicant request - through the use of the Pedestrian Emphasis Overlay (PEO), Ordinance No. 1021, in the High Density Residential One (HDR1) zone – JRW & Associates

Chairman Walker explained the procedure that is followed for a public hearing. The applicant will come forward to explain the proposal. The Commissioners may ask clarifying questions. The public may be given the opportunity to ask clarifying questions in order for them to better understand the proposal. This would not be the time to express opinions or feelings, which can be done during the testimony portion of the hearing. Staff may then also clarify the proposal. The public testimony part of the hearing then will open; those in favor, neutral, or opposed to the request may give testimony, stating their name and address for the record. There cannot be back and forth dialogue between the Commission and the public at this time. Written input will also be put into the record at this time. If there is opposition to the proposal, the applicant has the right of rebuttal. Public input will then be closed. The staff report will be given, followed by discussion and deliberation of the issue by the Commission. The Commissioners would declare any direct or perceived conflicts of interest.

There will then be deliberation by the Commission on this matter in order to come to a decision; this would be a recommendation to the City Council.

Johnny Watson, 1152 Bond Ave., presented the proposal. It is to allow a lowered number of parking spaces – to 62% - through the use of the Pedestrian Emphasis Overlay (PEO), Ordinance No. 1021, in the High Density Residential One (HDR1) zone.

A PowerPoint was shown on the overhead screen The Gorilla Performance business and some older homes/apartments are the subject properties. The Nelsons will be developing the Sugarmill Apartments here. There would be about 37 or 38 units of dormitory housing. Based on the size of the lot and market research, and based on feedback from the neighborhood apartments, the owners felt they were not able to get the 75 percent parking ratio. They went back to the drawing board. They plan to have two buildings - one 14 unit building on the north and one 16 unit building to the south - with about 180 students. Based on market study, they would be able to have near one hundred percent occupancy with 62 percent parking spaces - 112 parking spaces, managers' parking for each building, visitor, and handicapped parking. There would be 14 visitor parking spaces.

That leaves them at 54-55 percent without the visitor parking area. This request is testing new ground – some revisions have been very recently made to the HDR1 zone and HDR2 zone requirements in the Development Code, allowing a narrower front yard. They are the guinea pigs – they would have a reduced front yard of 5 feet. The applicants are working with staff on building elevations. There would be 18 bike stalls, which meets the requirements. Some tandem parking may be used. The owners feel they have a good parking management plan to present to the City Attorney, who would have to review the plan.

Both buildings are planned to be 4-story. One building would be for females and the other would be for males. There will be a clubhouse area.

Street trees will be required.

Mr. Watson stated that this development would be a very nice looking facility. They have done a lot of work on it and have worked a lot with staff.

It was clarified that after curfew, visitor parking could be used by residents.

It was clarified that the 62 percent parking figure would include the tandem parking and the visitor parking.

Mr. Christensen spoke of an earlier apartment project that had 30 percent parking , which brought problems.

The City Attorney has worked with management to see that there will not be overselling of parking. A student would pay more to have a parking space.

Val Christensen stated that in regard to tandem parking, Rachel Whoolery's Windsor Manor Apartments was the first tandem parking for dormitory housing. The request tonight would be the second one.

Steve Oakey clarified that Mrs. Whoolery is managing her own parking, using price initiatives and incentives.

Val Christensen said personally, he thinks parking should be a premium. It costs to bring cars. The city would like to see the plans work, making parking a premium and discouraging students from bringing cars.

The PEO map in Chapter 9 of the Development Code was viewed. There is an Area 1 and an Area 2 around the University campus.

The PEO ordinance requires 75 per cent parking. Since the location of the subject property is in the PEO, the owners can ask for less percentage of parking through a Conditional Use Permit.

Johnny Watson stated the developers are in discussions to possibly purchase more adjacent land. **John Bowen** asked if the owners obtain the skating building parcel, if the land would be used for parking. Mr. Watson said yes, and the developers would like to eventually add another building. They would like to be at 70 percent parking in the future if this land is obtained.

John Bowen asked if each project would be debated and no two projects would be alike regarding parking percentage.

The Chairman explained that the answer is yes, only if the applicant is asking for a Conditional Use Permit for reduce parking in the PEO. It is the nature of a Conditional Use Permit. They have the right to ask.

Director Christensen said it important to look at the locations of the future development when evaluating such a request. This one is near the University and is also close to lots of businesses. Staff felt the location was a fairly good one for reduced parking.

Johnny Watson stated the facility will be less than a block from campus. Many places are within walking distance. If someone brings a car, they would pay for the parking.

Steve Oakey said this is placing responsibility on the city for the owner to manage what the city wants. This subject project would be a true pedestrian building.

Richard Smith expressed that here in Rexburg we do not have the mindset of on-street parking that some larger cities do have.

There was not additional clarifying information from staff on this request.

Chairman Walker opened the public input portion of the hearing.

In Favor: None

Neutral: None

Opposed: None

Written Input: None

Chairman Walker closed the public input portion of the hearing and asked for the staff report.

Community Development Director Christensen said many points have been covered. In the Pedestrian Emphasis Overlay, the Development Code does allow a reduction in parking. Staff feels they can support the numbers being requested due to the proximity to the University, and commercial and recreational opportunities.

The Public Works Director is asking that the sewer service to the old R-Skating building should be protected. Mr. Christensen suggested that this be a condition.

Rental contracts would be required to be reviewed by the City Attorney. Mr. Christensen clarified why this is done. The City Attorney has been involved with the booting and towing issues and has worked very hard to get management agreements so there are not those problems.

Steve Oakey wondered if that could be legally contested – the City Attorney being allowed to review private contracts.

Director Christensen clarified that the Development Code states that the rental contracts in regard to reduced parking would be reviewed by the City Attorney. The issue would have to be taken up with him.

Mr. Oakey wondered if there was a State statute that allows this to be done.

Richard Smith said as this happened years ago, there is not a state statute which prohibits it. The city has the right to review management of their parking.

Director Christensen added that bicycle parking will also be reviewed.

He wanted to be sure that that the applicant was aware that the PEO section in the Development Code states that “... *By utilizing this parking reduction provision, the property owner, and future property owners agree to participate in a joint sidewalk maintenance agreement with other property located in the PEO that may be established in the future... sidewalk maintenance shall include repairs as needed ...and snow removal and de-icing, as needed...*”

“... Qualifying developments shall be subject to future proportional share of pedestrian and vehicle enhancements implemented to facilitate movement to and from campus or businesses...”

The Chairman asked for Commission discussion.

Melanie Davenport said her opinion as an apartment owner in the PEO is that unless some concessions are made in parking, development is not going to be seen in the PEO because it would financially make no sense. Property values are only going up. Those who own property are not in a big hurry to sell.

Someone is here tonight with a proposal. Parking is a key factor. Her parking is in the 65 percent range. Once they started treating their parking as a premium, not all their parking gets used.

It is great to have all the parking, but it has to be weighed against whether you want development too in that area.

Chairman Walker asked the Commissioners if anyone had a perceived or direct conflict of interest with this CUP request. There were none.

Greg Blacker said he is against this request for reduced parking because his work takes him to various student living facilities, and the majority of the complexes do have a parking problem. He explained the parking issues that affected his daughter when she lived in one of the apartment complexes. He went with her the first day; she would have been #30 on the list to get parking. She was not aware that parking was a premium. Her option was to buy a space up on the hill in a large parking lot, which was not feasible because of her night job. A lot of kids come to school thinking they will have a parking space and they do not have one.. Visitor parking is also an issue. He feels 75 percent parking would be adequate.

Steve Oakey felt that a parking minimum should not be required of any business. The market would determine the value of a parking space. He will not vote against this or stand in the way of it, but a solution will be found if you allow it to be found. The city has caused a lot of its own problems. He is not in favor of parking minimums.

Rory Kunz asked Mr. Blacker's opinion of what complexes are the main problem. Is the one his daughter was at comparable to the subject future project?

Mr. Blacker said his daughter was in the Nauvoo complex. The further away from campus, the better his parking ability is when he visits the complexes for his work.

Richard Smith said he is in favor of lesser parking, as he sees that it is a positive thing. He has seen that all the asphalt is not needed in some of the complexes. He sympathizes with Mr. Blacker regarding his daughter's experience. He suggested that it be part of the Conditional Use Permit that there should be a clear disclosure in the contract regarding that there is not enough parking for everyone to have a space, and the disclosure of the kinds of parking available including tandem parking.

Melanie Davenport said students are inundated with a lot of information in their freshman year. The complexes generally are clear about the parking situation. It only takes that first semester for acclimation to University life. It comes down to, is economic growth from the University needed, do we want them to continue to grow, and do we want growth in the Pedestrian Emphasis Overlay.

John Bowen agreed with Mr. Smith about disclosure to the students ahead of time in regard to parking contracts.

Steve Oakey said David Thueson came before the Commission recently in regard to his health facility. Mr. Thueson saw a need and demand for more parking, so he purchased additional land. The customer makes a demand and you find a solution. Johnny Watson mentioned earlier that the owners are looking into acquiring more land.

Gil Shirley expressed he would be in favor of this CUP request.

Chairman Walker clarified that the Commission has the right to put conditions on the Conditional Use Permit.

Richard Smith expressed that staff recommendations should be part of the conditions.

Director Christensen said most of the conditions mentioned in the staff reports are requirements anyway and would be reviewed by staff. He wanted to just state the PEO requirements for the benefit of the Commission. The Public Works/ Engineering review comment regarding protecting the sewer service to the old R-Skating building should be a condition.

Chairman Walker clarified that in the past when a property is in the in the PEO, the Commission has placed conditions on a request concerning width of sidewalk, screening, setbacks, etc., but it appears that these issues have been addressed by the applicant in their proposal. The site plan shows nice wide sidewalks for pedestrians.

Melanie Davenport commented that she does not see an area for snow storage on the site plan, so any type of snow would have to be removed. She asked for clarification.

Val Christensen stated the Public Works Director has worked on a case by case basis with some developments, requiring them to remove the snow and take it off-site. The issue would be part the building permit process plan review. It could definitely be a condition for this CUP.

Richard Smith said that years ago, Code enforcement would oversee the issue, doing random checks to see if parking spaces were covered with snow.

Mark Rudd said if the parking spaces are paid-for parking spaces, the snow would have to be removed from parking spaces quickly.

Val Christensen stated it is removed quickly and then hauled off.

It was clarified that the 62 percent parking request includes the visitor parking – the parking percentage would be 54 or 55 percent without it.

Melanie Davenport motioned to recommend approval to City Council of a Conditional Use Permit for the property at approximately 267 West 4th South, to allow a lowered number of parking spaces, to **62 percent**, through use of the Pedestrian Emphasis Overlay (PEO), with the following three conditions: 1) Protect the sewer service to the old R-Skating building just to the east of the subject property; 2) Snow removal shall be taken offsite; 3) A parking management plan which incorporates clear disclosures through the contracting process- parking availability and configuration, shall be reviewed and approved by City staff, as per the ordinance.

John Bowen seconded the motion.

Those in Favor:

Melanie Davenport
John Bowen
Jedd Walker
Mark Rudd
Gil Shirley
Richard Smith
Rory Kunz
Steve Oakey

Those Opposed:

Greg Blacker

The “Standards Applicable to Conditional Use Permits,” Section 6.12B of the Rexburg Development Code No. 1115, apply to all Conditional Use Permits.

Motion carried.

Unfinished/Old Business: None

New Business: None

Compliance: None

Report on Projects: None

Tabled Requests:

1. Conditional Use Permit – 322 West Main- to allow per the Rexburg Development Code Section 3.7.025, a “Bed and Breakfast Inn” (a structure containing guest room(s) where lodging, with or without meals, is provided on a daily rate basis, and a manager maintains a residential presence on site or on an adjacent lot.) - Danny Hebdon

At the September 15th, 2016 P&Z meeting this request was tabled.

“City Attorney Stephen Zollinger stated his recommendation would be to table this request due to error in code interpretation. There is not the legal ability for this request to move forward at this time.”

The request can now move forward because the new definition of “Bed and Breakfast Inn” was added to the Development Code by the City Council’s approval at their November 2, 2016 meeting, along with definitions for Short Term Rental and Boarding House).

Rory Kunz motioned to pick the Danny Hebdon Conditional Use Permit (CUP) request for a “Bed and Breakfast Inn” at approximately 322 West Main up off the table. **Mark Rudd** seconded the motion.

None opposed. **Motion carried.**

Val Christensen clarified that this request was tabled realizing that changes were needed to definitions in the Development Code. The “Bed and Breakfast Inn” fits the request and is allowed in the MDR1 zone with a Conditional Use Permit.

The request had been tabled after the applicant presentation but before public testimony was taken.

Chairman Walker asked the applicant to come forward and familiarize the Commission with the request again.

Danny Hebdon, 322 West Main. The property is a one bedroom home. It is currently used as a rental. He also owns the property to the west of this one. Then there is empty lot. Most of the homes on this block are long term rentals. He does not feel short term rentals of his house would affect traffic. He has worked with staff on the parking.

Chairman Walker asked for clarification – will the manager live on site or on the adjacent property?

Danny Hebdon would have a manager in residence on the adjacent property that he owns, 328 West Main. This would meet the “Bed and Breakfast Inn” definition requirement. He sees the need for the defined “Bed and Breakfast Inn” in his real estate profession. Lots of people come to town who would like a place to stay, while visiting or for job interview, etc., and they would like a short stay rental with a kitchen. He understands the concerns of the neighbors. He would maintain the rental situation and the property well.

Melanie Davenport asked if Mr. Hebdon had gone through a formal hiring process with the neighbor regarding managing the subject rental property so it is defined that she is an actual employee.

Mr. Hebson has not done that at this point but he has spoken with the woman.

Greg Blacker asked if Danny Hebdon will have to register with the state for this rental business.

Danny Hebdon said he has not looked into that fully.

Val Christensen said that prior to Mr. Hebdon’s obtaining a certificate of occupancy for this rental, Mr. Hebdon will have to get a building permit because there would be an occupancy change for the property. The building permit process would include review of the site plan, life safety issues such as egress windows, etc.

Rory Kunz declared a perceived conflict of interest. He is a personal friend of and works for Danny Hebdon.

It was felt by the Commission that this may be a conflict.

Mr. Kunz recused himself and stepped down from the dais.

Chairman Walker opened the public input portion of the hearing.

In Favor:

Rory Kunz, 38 South 2nd East. He is speaking as a member of the community. There has been a lot of deliberation about the nightly rental issue. Certain zones it would be prohibited in . Other zones would allow it by Conditional Use Permit. Other zones would allow it by right. This request is in the Medium Density Residential 1 zone and may be allowed with a Conditional Use Permit. He feels it fits the zoning and the area. It is a one bedroom home and would not affect traffic, nor would it be a nuisance to a neighborhood. Only possible 3 people could stay at a time in the home. He supports this request.

Neutral:

Martha Scott Jensen, 37 North 3rd West. Her property is adjacent to the rear of Mr. Hebdon's property. She has nothing against a bed and breakfast. She has stayed in some and has done some exploration about them. She thinks they are good for the community but would prefer that there be a manager on-site. That gives more security for the neighborhood.

She commends Mr. Hebdon for cleaning up and caring for the property. He has done a really good job. Mrs. Jensen requests that a solid vinyl fence be put up at the back of his property for privacy and security of the rest of the neighborhood Because of the size of her lot and the length of his lot, all of the neighborhood can be seen. Not knowing who is going to rent the B and B, it gives the neighborhood a little bit of unrest. Therefore, she requests that a fence be put up

George Connor Jensen, 37 North 3rd West. The subject home is an older home. He wondered if it would have to come up to current building code as far as handicap accessibility, etc. Director Christensen explained that this is a complicated issue; it would require a building permit and life safety review. The occupancy and not the use requires it. The city would not drive the handicap accessibility but it would be a positive thing for the owner to make the property handicap accessible.

Opposed: see Written Input

Written Input:

The letters are part of the official record of this Public Hearing.

1. Letter from Brent Bingham, opposed to the proposal – read by Commissioner Blacker
2. Letter from Ken Hart, opposed to the proposal – read by Commissioner Shirley

Elaine McFerrin

Subject: Written Input - CUP 322 West Main

From: Brent Bingham [<mailto:btbingham66@gmail.com>]
Sent: Wednesday, August 31, 2016 4:31 PM
To: Blair Kay <Blair.Kay@rexburg.org>
Subject: re: 322 West Main Street proposed zone change

Blair,

I received the notice today in the mail regarding the proposed Zone change for 322 West Main. I own the building on 305 west main, just across the street and on the corner.

As a property owner I would like to see the value of my property increase over time. As Rexburg grows, specifically Main Street, I would like to see more professional businesses develop along this corridor. Speaking specifically from the train tracks west out to the freeway. I am opposed to opening up zoning for a "boarding house". I believe this will hurt our property values and discourage future business development along this corridor. I don't want to see residential properties parceled out into boarding houses, or bed and breakfasts etc. I would like to see professional buildings or larger retail developments along this corridor.

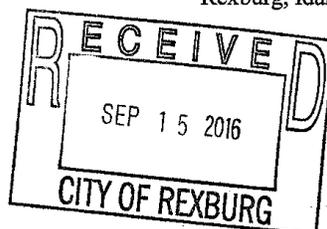
I am strongly opposed to having a boarding house built across the street from my office building.

Thank you for allowing me to express my opinion on the matter.

Brent T. Bingham
801.376.0227
btbingham66@gmail.com

Ken Hart
367 Salem Ave.
Rexburg, Idaho 83440

Planning and Zoning Committee
City of Rexburg
Regarding the conditional use permit for a
boarding house at 322 W. Main Street



Dear sirs,

I am against granting a conditional use permit (C.U.P.). Please consider the following:

(1) For many years the building in question has been a rental. It was quite run down. Then several years ago, it was remodeled - it seemed quite nice. I can't remember how many apartments it had. However it still had problems. I can remember going over there to help the tenants bail out the basement due to problems with the house (not weather related). In addition to that flooding incident it seems that the tenants were having other problems getting the owners to fix things. By the way no one lived in the basement - but the washer and dryer were down there. I believe the city has standards and codes to protect residents who rent. In addition long term renters have contracts, and have the leverage of not paying the rent until repairs are made and codes are met. People that rent for just a day or two won't have such leverage - they will just have to put up with crowded conditions, needed repairs, or any other unfair treatment, etc. Thus, it is especially important that the city inspect and regulate such enterprises to make sure such rentals are safe. Whatever fire regulations, sanitary codes, building codes, health inspections, electrical and gas codes that are required for motels should be required for this type of business. This is especially true being that the renters are not going to be in town long enough or have enough self interest to followup to ensure that safety issues or any issue is corrected.

(2) Investors that buy a building such as this have two things in mind (1) maximize the yearly rentals they will receive and (2) get a larger amount from the property when they finally sell it. In some instances they would ignore the yearly amounts because they know it would just cost too much to fix up the building and yard to where it would bring in responsible renters - what they hope for is a nice sale with large gains maybe ten years from now (it is on Main St and has a business overlay). A manager could be hired by giving him a discount on one of the apartments. Short term tenants and minimal repairs could allow a slum lord strategy for a boarding house investment. This is especially true if the owner isn't actually living in the building.

I would not be as opposed if the owner was living in the building and it was run as an Airbnb.

Thanks for your consideration.

Sincerely, Kenneth W. Hart (Phone # 881-5772 home and 206-9618 cell)

Rebuttal:

Danny Hebdon commented on the letter from Kenneth Hart. Mr. Hebdon is not sure if the writer is talking about the same property, but he understands the concerns. He does not see his request changing and impacting the neighborhood and its values. He knows it can be managed right.

He is local and has a business here in Rexburg in the downtown area. He owns several rentals and feels he has a reputation of keeping up those properties. It is in his interest to make sure the property is kept up well, for the community and for his tenants.

Chairman Walker closed the public input portion of the hearing. He asked for the staff evaluation.

Val Christensen said his report has been covered. This type of rental, a Bed and Breakfast Inn in the Development Code, is allowed with a CUP in the MDR1 zone. No concerns were stated by the city engineer.

From the Community Development Department staff report:

“Staff recommends that this use be granted if the applicant provides adequate parking in the rear of the building and meets all of the requirements of the Development Code and the Building Code. It is a change of occupancy and will require a building permit.”

Greg Blacker said with the property being a one bedroom unit, he feels it would not make a big difference regarding the impact on the neighborhood and the traffic.

Gil Shirley said he is neutral. He would prefer to see the owner living on-site. He is concerned regarding how often an off-site manager living on the adjacent property would be there.

Richard Smith said he is in favor of the request and of moving it forward. He appreciates what the Jensens’ have said, and their concerns, but he is reluctant at this time to put a lot of conditions on this request, as it is the first one of this kind. It would appropriate for the Commission/city to watch how this comes out. If a fence is found to be needed, that issue could be added to the Development Code.

Director Christensen clarified that the issue is already in the Development Code: commercial parking and anything for a one and two-family dwelling would be required to be screened. This request would be in a kind of gray area regarding buffering and screening because it basically would be like a single family home. This is new ground for the city, and this request is very small in scale.

Richard Smith motioned to recommend approval to City Council for a Conditional Use Permit for 322 West Main, to allow per the Rexburg Development Code Section 3.7.025, a “Bed and Breakfast Inn” (a structure containing guest room(s) where lodging, with or without meals, is provided on a daily rate basis, and a manager maintains a residential presence on site or on an adjacent lot.)

John Bowen seconded the motion.

The “Standards Applicable to Conditional Use Permits,” Section 6.12B of the Rexburg Development Code No. 1115, apply to all Conditional Use Permits.

None opposed. **Motion carried.**

Rory Kunz rejoined the Commission on the dais.

2. Development Code Ordinance No. 1115 Amendment – Proposed changes to the Development Code concerning substantive and non-substantive changes

The Commission made the decision to keep this issue tabled to allow more meeting time for it and for further study. Come prepared to address this issue at the December 1st P&Z meeting if it is un-tabled at that point.

Director Christensen stated that many of the changes are clean up of the ordinance. **Chairman Walker** would echo Mr. Christensen in that there is no need to go through the changes line by line. The task force worked on and went through these changes.

Director Christensen said one significant proposed change would be that in the LDR2 and LDR3 zones, duplexes would be allowed by right and would not need to have a CUP. This would make the process smoother.

Non-controversial Items Added to the Agenda:

1. Alternative construction methods – Discussion –

This discussion item was requested by Steve Oakey.

Chairman Walker felt this was more of a building code issue than a planning and zoning issue; he asked that Mr. Oakey frame the discussion.

Steve Oakey said there are municipalities in this country that have strong regulatory prohibitions and requirements that place considerable cost on construction of homes, and make it very prohibitive for people to purchase a first home. In doing so, the market has become a little bit innovative in trying to build alternative structures, such as mini houses (100-200 square feet), and shipping container homes, straw bale homes, or other types of structures that we would find unusual.

He would like to have a discussion here and make a recommendation to the City Council to allow for a broader range of construction methods and sizes. When this issue was first brought up about a year ago, Mr. Christensen had indicated that someone had already come in to see him about such alternative construction methods, but there was not a code governing such structures.

These represent entry-level homes for people who cannot afford the traditional type and could allow for a broad range of types, based on a person's needs and ability to pay. Trailer homes are already allowed, and he does not see why the city should not open the doors as long as the structures meet safety and health codes.

Chairman Walker asked 2 questions – 1) Is there anything in the Development Code that says a home has to be bigger than a certain square footage? 2) What are the barriers currently to this sort of development?

Val Christensen said he does not know of anything in the Development Code that would require a certain square footage. Some of the barriers would be that the Development Code requires permanent structures to have foundations. The Development Code has a section on manufactured homes. Were a manufactured home to be called a 'regular' home, it has to have a foundation, it has to be at least 24 feet wide, and it has to have overhanging eaves of at least a foot.

There are Development Code and zoning issues that would have to be addressed, and there are building code questions that have to be addressed.

Right now the city uses two building codes – the 1 and 2 family dwelling code (prescriptive code) and the IBC (International Building Code) for commercial (stamped set of engineering drawings required).

Chairman Walker clarified that alternative construction methods are allowed; someone just cannot use the prescriptive method to do it. There is nothing in the ordinance prohibiting it as long as there is engineering and a foundation.

Director Christensen stated he is not sure how far they want to get into the business of the city taking on the liability of whether or not these types of construction meet the requirements.

There was discussion about the possibility of creating new zoning, or do we allow some new things in existing zones?

Mr. Christensen said in his opinion, a shipping container falls closer to a single wide trailer definition than to a standard home. His suggestion is not to treat a shipping container better than a single wide trailer. The issue needs to be thought through and done the right way.

Steve Oakey said he does not think a new zone is necessary. We do not need to scare ourselves about mini homes, etc. infiltrating our neighborhoods. The market would be a determining factor. He thinks the market will correct for any fear that people may have about this issue.

Richard Smith expressed that much about this issue would be self-regulating. Although it could be done, it may be very expensive.

Chairman Walker said there are two different issues: alternative methods of construction which could currently be done under current building codes; and second, are we talking about small homes, and if so what is the route for that?

Steve Oakey said it is about allowing people to invest at entry level and taking the next step up.

Director Christensen said this discussion has been a good one. He is not ready to move on anything without this issue being brought up with other city staff.

Chairman Walker asked if a task force should be created for this issue.

The Commission and staff thought this was a good idea.

Steve Oakey would ask that anyone who is named to the task force needs to have an open mind.

Director Christensen added that we need to think about affordable housing.

Mr. Oakey said that if you have a means to get into the market, then you have a means of generating more wealth, and moving into a nicer neighborhood, and creating a better situation.

Mr. Christensen stated that there are also grants that are available to cities to apply for if they can show that they have programs available for affordable housing.

Chairman Walker proposed that this discussion be picked up at a later date and in the meantime, everyone could think about who they would want to serve on the task force regarding this issue.

First, the Commission will get through the proposed Development Code changes, and then they could name a task force in regard to “Alternative Construction Methods”.

The Commission and staff felt this was the direction to move on this issue.

Heads Up:

December 1, 2016

Comprehensive Plan Map Amendment – Approximately 801 West 7th South - Commercial to Moderate-High Density Residential – Bron Leatham and Bob Conger

December 15, 2016

Richard Smith motioned to **cancel** the December 15th Planning & Zoning meeting. **Rory Kunz** seconded the motion.

None opposed. **Motion carried.**

There will not be a December 15th P&Z meeting.

The meeting was adjourned at 9:58 pm.