

City of Rigby
Planning and Zoning Meeting
January 11, 2013
7:00 p.m.

Chairman Orme called the meeting to order at 7:06 pm.

Chairman Orme turned the time over to the two new planning and zoning commissioners to introduce themselves. Commissioner Sites states that he lives in the 4th West area and has the violin store downtown. Commissioner Sites also indicated that he does not have any previous political experience. Commissioner Carpenter states that has lived here 2 years and works at BYU in Rexburg. Commissioner Carpenter also indicated that he does not have any previous political experience

Melodie Halstead conducted roll call. Those present were: Commissioner Carpenter, Chairman Orme, Commissioner Richardson, Commissioner Sites and Commissioner Warner. Also present were: Melodie Halstead, Planning and Zoning Administrator; Dave Swagger; City Clerk, and Robin Dunn, City Attorney. Absent were: Commissioner Bennett and Commissioner Brown.

Old Business

Airport Ordinance -

John Anderson representing the Airport Board presented the progress that has occurred up to this point. This process was started about 18 months ago when Jefferson County was considering an update to their Comprehensive Plan. In 2007, Jefferson County absolved themselves from the Airport and the City of Rigby took over ownership. The airport is currently located outside of the City of Rigby city limits and outside of the Area of Impact. This proposed ordinance will help protect both the City and the County. The Master Plan was completed in 2010. The only revenues for the airport are \$6,000 from the City and \$3,500 from the County and the hangar leases which are \$100 for the pad and \$0.10 per square foot which total approximately \$10,000 per year. The airport has been granted several grants from the state which has been used for the improvements around the airport. The latest project was used to enlarge the taxi ways, this grant was originally a 75/25 match, unfortunately the state has modified the match to a 50/50 match, so the airport will have to come up with a little more match for this project.

Mr. Anderson suggested that we stall the ordinance process a little so that both the City and the County's comprehensive plans could be addressed at the same time. The public hearings could be held during the same time frame. The County is looking for all the help that they can on this topic.

Questions: Commissioner Warner asked what role is expected of the Planning and Zoning Commission? What are we being asked to do? Approve ordinance?

Chairman Orme responded that the Planning and Zoning Commission needs to forward our intentions to the City Council on this type of a partnership with the County and the Airport Board. If agreeable with everyone, then an ordinance would have to come back before this board and a public hearing(s) would be conducted.

Commissioner Richardson reminded Mr. Dunn of some previous discussions concerning the fact that the airport is outside of the City limits and outside of the area of impact. Commissioner Richardson questioned the planning and zoning commission's role in this situation.

Robin Dunn responded that the best method would be to update the comprehensive plan. Mr. Dunn explained that the comprehensive plan is like a skeleton, and the zoning ordinance is the flesh and muscle that all work together. Mr. Dunn also stated that the city ordinances and the county ordinance should mirror each other. Mr. Dunn stated that the county prefers that the city take the lead in this ordinance. The airport is currently owned by the city.

Commissioner Richardson stated that the airport ordinance isn't just about the property that is owned by the city because it addresses the flyover zones as well which is outside of the city's jurisdiction. Commissioner Richardson wonders how that would be handled.

Robin Dunn responded that the Comprehensive Plan would address this situation.

Mr. John Anderson added that the wording in the county ordinance already addresses the flyover zones in the County.

Mr. John Anderson added that last year there was a statewide movement to address all airports throughout the State of Idaho Legislature. There are several airports in Northern Idaho that have been encroached upon with subdivisions that extend right up to the end of the runway. The Real Estate Interests opposed the bill and this piece of legislation did not pass.

Questions: Commissioner Warner stated that he is trying to recognize what foundational role the Planning & Zoning Commission's has in this area. Is it purely from a planning and zoning perspective? Do we need to have an ordinance that will address this entity? Commissioner Warner assumes the City Council will consider all aspects of this ordinance including any financial burdens this ordinance will include.

Mr. Dunn responded that the City Council wants is to get the comprehensive plan in shape. The Idaho Constitution created the land use planning act which states the components that must be included in the comprehensive plan and that this plan should be updated every 5-10 yrs. Once the comprehensive plan is adopted then the suggested regulations will be addressed concerning sound and noise for the airport. The first order of business is to get started on the comprehensive plan then do ordinance, which will be easier to accomplish.

Commissioner Warner stated that hypothetically we want to get to that point and support the City Council and the Airport Board and move forward with comp plan.

Mr. Dunn responded that both the comp plan and zoning ordinance would have to come back before the Planning and Zoning Board for public hearings.

Chairman Orme has a concern with the legality of the city enforcement of height restrictions in the county.

Commissioner Warner wants to know who utilizes the airport and what percentage of those users are city residences or county residences.

Mr. John Anderson stated that this airport is utilized by city and county residences as well as Bonneville & Fremont county residences.

Robin Dunn informed that Planning & Zoning Commission that the airport is insured through ICRMP through the City.

Motion:

Commissioner Warner moved to recommend to the City Council to work on the Comprehensive Plan and/or Zoning Ordinance to facilitate the cooperation with the City Council and the County concerning the protection of the airport. Commissioner Richardson seconds the motion. The motion passed unanimously.

New Business

Proposed R-2 Zoning – 37:00 disk 1 of 2

Melodie Halstead, P & Z Administrator, presented the proposed R-2 zoning ordinance. Ms. Halstead explained the different font colors and the struck through and underlined text in the proposed draft. Then she briefly explained the difference of the proposed draft and the existing ordinance. The proposed draft allows for a variety of lot sizes depending on the type of structure that would be constructed and additional setback requirements when proposed development is adjacent to an existing R-1 zone. The proposed draft also increases the number of parking spaces required for each dwelling unit.

Questions: Commissioner Warner asked if the minimal requirements would still fit on the minimal lot sizes. Ms Halstead responded that the requirements would fit but the fit would be tight.

Ryan Day, City Councilman, verified with Robin Dunn, City Attorney, that he could be present at this meeting. Mr. Dunn stated that he could since all the items on the agenda were legislative. Councilman Day explained what happened when the first proposed R-2 zoning draft was presented to City Council and some of the discussions that took place at that time. Councilman Day then discussed the differences between this new draft and Idaho Falls R-2 zoning. Councilman Day stated that he is not speaking for council, but he had some concerns that he wanted to voice for consideration. A few of the points that Councilman Day brought up were: the size of the open space/children's park, adequate parking, parking location, and if minimum lot size is adequate to accommodate the proposed number of dwellings.

Questions: Chairman Orme stated that he realized halfway through the proposed draft that this was a new version of the proposed R-2 but he has not completely read through the entire document yet. Several other commissioners also admitted that they had not read the entire document either.

Melodie Halstead discussed the differences between the proposed R-2 zoning and Idaho Falls R-2 zoning.

Councilman Day stated that most R-1 owner occupied homes try to maximize the space and create usable outdoor living areas whereas some developers try to maximize the dollar and setbacks and will place buildings closer together than the home owner will.

Questions: Chairman Orme reiterated that these requirements are only minimums and the developer could increase the homes size they would also have to increase the lot size. There are also additional buffer requirements and visual breaks between Commercial and Residential we may want to consider a increasing the setbacks for the properties that are between R-1 and R-2. Ms. Halstead informed the Planning and Zoning Commission that that provision is included in the proposed draft. There is an additional 5 foot setback per story when adjacent to an existing R-1 residence.

Chairman Orme mentioned that Idaho Falls limits the R-2 zone structures to 2 stories. He asked if we wanted to have a similar requirement. Ms. Halstead mentioned that Idaho Falls also has several multi-family residential zones and Rigby only has one multi-family residential zone.

Commissioner Richardson mentioned that there is a university 12 miles from here that is expanding. Residences could live here and travel to Rexburg for school.

Councilman Day suggested that one way to address this situation could be to require all buildings along the exterior perimeter of the project to be constructed as single stories only then the next tier of structures could be two stories and three stories structures could be adjacent to commercial districts. Commissioner Warner suggested that we may want to add a distance allowance to address an area that has a natural buffer.

Commissioner Carpenter asked how big the lots in Caribou are. Ms. Halstead stated that we didn't have those numbers but we could look them up for the next meeting. Commissioner Richardson asked if the parking is required to be behind the residential structure. Ms. Halstead answered that the proposed draft has the parking located either behind or to the side of the residential structure. Ms. Halstead also indicated that at least one parking space per dwelling must be covered by a private carport or garage and the concrete pad area in front of the carport or garage could not be counted towards the minimum parking area requirements.

Commissioner Warner stated that the Stockham Apartments does not have any play area for the children. They addressed the parking needs, but did not address any of the open space needs.

Motion:

Commissioner Richardson moved to place this item on the next agenda as a work item. Commissioner Carpenter seconded the motion. Motion passed unanimously.

Commissioner Richardson moved to hold our next meeting on February 7, 2013, and not on February 14, 2013, due to the unofficial holiday of Valentines' Day. Commissioner Sites seconded the motion. Motion passed unanimously.

Councilman Day excused himself from the meeting.

Proposed Zoning Map – 32:00 disk 2 of 2

Melodie Halstead, P & Z Administrator, presented the proposed zoning map. The map has not been updated since 1998. Ms. Halstead researched all the approved ordinances since that time and discovered that several areas on the map have been treated as if they had a zone change; however the ordinances have never been adopted. Robin Dunn, City Attorney suggested that we modify all the areas on the zoning map to reflect the intended zones then adopt the map and ordinance at the same time. Mr. Dunn stated that we need to set this for a public hearing. Mr. Dunn also suggested that everyone review the map for accuracy.

Questions: Commissioner Carpenter asked if the map is posted on the website. Ms. Halstead responded that it was not and the website hasn't been updated for several months. Mr. Dave Swagger, City Clerk indicated that the website is up and going now. Commissioner Carpenter requested the map be added to the website to allow the residences to review the map.

Motion: Commissioner Warner moved to consider the zoning map on the March 14, 2013 regularly scheduled meeting. Commissioner Richardson seconded the motion. Motion passed unanimously.

Proposed Comprehensive Plan Land Use Map – 43:50 disk 2 of 2

Melodie Halstead, P & Z Administrator, presented the proposed comprehensive plan land use map. After some discussion among the Planning and Zoning Commission the consensus was to recommend to the City Council that we start the Comprehensive Plan Update process. Ms. Halstead will get a copy of the comprehensive plan to the Planning and Zoning Commissioners.

Minutes – March 8, 2012 – 53:50 disk 2 of 2

Commissioner Richardson moved to approve the March 8, 2012 minutes as written. Commissioner Warner seconded the motion. Motion passed unanimously. Commissioners Carpenter and Commissioner Sites abstained since they were not present during the meeting.

Minutes – October 18, 2012 – 54:40 disk 2 of 2

Commissioner Warner moved to approve the October 18, 2012 minutes as written. Commissioner Richardson seconded the motion. Motion passed unanimously. Commissioners Carpenter and Commissioner Sites abstained since they were not present during the meeting.

Chairman & Vice-Chairman Election – 56:10 disk 2 of 2

Melodie Halstead stated that she have not been able to locate a copy of the current bylaws. Therefore, following the standardized procedure of electing the chairman and vice-chairman at the first meeting in January, she placed this item on the agenda. Commissioner Sites asked what the responsibilities of the chairman and vice-chairman. Ms. Halstead briefly explained the responsibilities.

Commissioner Sites moved to nominate Val Orme as chairman. Commissioner Richardson seconded the motion. Commissioner Warner moved to cease the nominations. Commissioner Carpenter seconded the motion. Therefore Commissioner Orme will remain the Chairman for one more year.

Commissioner Richardson moved to nominate Roger Warner as Vice-Chairman. Commissioner Carpenter seconded the motion. Commissioner Sites moved to cease nominations for vice-chairman. Commissioner Carpenter seconded the motion. Therefore Commissioner Warner was elected as Vice-Chairman for 2013.

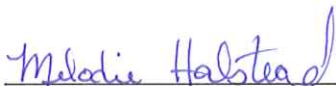
Administrator's Report – 1:01:00 disk 2 of 2

Melodie Halstead, P & Z Administrator, stated that she usually sets a training date when we have new planning and zoning members, she suggested a Saturday afternoon or a spare evening. Dave Swagger also mentioned that AIC website has additional training that anyone can download to watch in their spare time.

The Planning and Zoning Commission Members did not want to take any more time for training and requested that Ms. Halstead just forward the training materials and AIC website address to them to review at their own leisure. Chairman Orme stated that at one point we will still need to hold a meeting to discuss questions with Ms. Halstead and Mr. Dunn. The rest of the commission agreed. Add follow-up in March.

Commissioner Warner moved to adjourn the meeting. Commissioner Sites seconded the motion. Motion passed unanimously. Meeting adjourned at 9:09 pm.

Submitted by:



Melodie Halstead, AICP
P & Z Administrator

2-7-13
Date

Approved by:

Val Orme, Chairman,
Planning & Zoning Commission.

Date