

City of Driggs
PLANNING AND ZONING COMMISSION MEETING
MINUTES
MEETING HELD AT CITY HALL
January 9, 2013
6:30pm

MEMBERS PRESENT: Delwyn Jensen (Chair), Chris Valiante, Rick Baldwin, Jen Calder, and Rene Lusser

STAFF PRESENT: Ashley Koehler, Planning and Zoning Administrator; Doug Self, Community Development Director

PUBLIC PRESENT: Sharon Woolstenhulme, AW Engineering

1) Approval of Minutes. The Commission reviewed the minutes from December 12, 2012. Rene Lusser asked for a correction to the spelling of his name.

Commissioner Chris Valiante moved to approve the minutes of December 12, 2012 with the correction. Commissioner Rene Lusser seconded the motion. The motion passed with all in favor.

2) General Public Input. No public input

3) Ringel Boundary Adjustment

Ashley Koehler summarized the staff report and the conformance of the request to the Zoning Ordinance. Staff recommended that the boundary line adjustment be approved with the recommendations mentioned in the Report:

- 1) amend the Legend and Notes to correct the side setback from 5 FT to 10 FT
- 2) amend the access easement from 20 FT to 30 FT at the point it intersects Wallace Ave
- 3) add the note "Lot 3/4 is only subject to side and rear setbacks. The rear setback side is to be determined at time of building permit submittal"
- 4) amend all signature dates to 2013.

Sharon Woolstenhulme, representing the landowner, displayed a map of the property showing the original lot boundary and the reasons for the boundary line adjustment. The property is for sale and the potential buyer would like the lot boundaries changed in order to be conforming lots. All the parcels will result in lots that are at least 7000sqft.

Jen Calder made a motion to approve with the conditions recommended by Staff for the revised drawing. Rick 2nd the motion to approve. The motion passed with all in favor.

4) Discussion- Review impact fees

Doug Self addressed the P&Z Commission and summarized the Staff Report. Annually the P&Z Commission meets to review the impact fees and the land use assumptions that support the impact fees. Staff has been waiting for a comprehensive plan update and the 2010 census data to be available to do these updates. Therefore, Staff's recommendation is the same as last year; wait until the comprehensive plan and census data is analyzed before we update the fees. Self also recommend that infill development be exempt from the impact fees for roads.

Commissioner Lusser questioned the exception because infill can cause more transportation and may merit sidewalk construction, etc.

Self responded that impact fees are only for maintenance. If we did get higher density, then 3rd St may be eligible for impact fees. New sidewalks are not impact fee eligible. We hope that encouraging more density we will get more walking traffic and get more retail sales, and the additional retail sales tax is used for sidewalk construction. For infill development we would still collect for fire and parks.

Commissioner Jensen: Have other cities in the County have adopted impact fees?

Self: Maybe Victor and the County.

Commissioner Valiante: Are impact fees charged for new construction?

Self: Yes, new residential, new non-residential, and the 1st 1000sqft of non-residential expansion.

Commissioner Jensen: Has the city collected any impact fees in 2012? Did the Pet Supply store?

Self: Probably not, but will check. No new residential construction occurred in 2012.

Commissioners discussed the definition of infill for the City. Self stated that infill is defined as in the area of the Driggs 1920 city plat. The City is trying to encourage more density in downtown because we have a very low density. Exemptions must define the alternate source of funding, which is resort tax fees.

Rene Lusser made a motion to recommend to the City Council that they adopt the street impact fee exemption and direct Staff to pursue the update to the CIP and impact fee study to be completed by Jan 2014. Rick Baldwin 2nd the motion. The motion passed with all in favor.

5) Discussion- Airport Zone and updates from 12/19/12 Airport Board meeting.

Self told the Commission that there are three issues and an amendment that the City needs to address as soon as possible.

1. Update to the Airport Overlay District – this is necessary to ensure the regulations conform with the adopted Airport Layout Plan and with established FAA rules. It is out of date and reads that a structure cannot be built higher than 45'. Instead, it needs to refer to and match the FAA regulations.
2. Adoption of an Airport Land Use Zone – this was recommended by the Comprehensive Plan to identify where airport related development should or can occur.
3. Amendment of zoning districts and regulations within the Airport's Runway Protection Zones, Lateral Safety Zones, Inner Critical Zone and Outer Critical Zone – as recommended by the [draft] Airport Master Plan – to ensure land use compatibility.

Commissioner Jensen stated that the FAA and airport board are still reviewing the airport layout plan. They are waiting for FAA approval. When that is completed, Staff will be able to bring the zoning amendments and will need to do some public engagement. Some residential land may need to change to something else, including office, commercial, agriculture. This will need to be done as part of the airport master plan so they are interconnected. Self stated that the recommendation in the Report is to make sure that Staff is in agreement with what the P&Z Commission wants. Commissioner Jensen stated that he would love to have the work done. There was unanimous discussion on support for Staff to do the work.

Doug Self announced that he was leaving the meeting and asked for any other questions.

Commissioners asked about the status of the law Enforcement Center. Ashley Koehler provided

an update and that a building permit had not been submitted for, but that the County may reconsider some design elements or alternatives to building the center to save costs.

Commissioner Lusser asked about the process for Grand Teton Vodka to expand. 5000sqft is the limit before they needed to amend the CUP. They are proposing a new building that would go over the 5000SF. What is the order of permits? Self answered that they need to apply for Design Review and an amendment to the CUP from the County for a project in the Area of Impact. General discussion on the original CUP and reason for imposing the 5000sqft.

6) Discussion- Zoning Ordinance Amendment- Land Use Table.

Ashley Koehler presented the updates to the proposed Use Chart for the sections titled Entertainment/ Recreation Uses, Industrial uses, Agricultural uses, and Wireless Telecommunication Facilities. Koehler went through the use categories and their associated definitions. Commissioners discussed that “Passive Recreation” should be prohibited in the Agricultural Zones and a CUP in the M-1 zone, so that those facilities are in town. Comments were in favor of the definition of “school” to include support recreational facilities.

Koehler presented the idea of a Special Event Permit to help manage unique events instead of regulating them in the Use Chart. She reported on examples from Jackson, Rexburg, Teton County, and Park City, UT. Commissioner Valiante recommended that the permit be kept to larger events, and exclude smaller ones such as bake sales.

Discussion held on the definition and regulations for microbreweries, wineries, and other small scale food industries and those with a retail component. Commission directed Staff to further research how those can be best regulated and permitted in the CBD zone.

Discussion on definitions for various industrial uses, including the request to refine the “Mini Warehouse” definition to incorporate the existing definition of a “contractor’s shop”. Also to amend the definition of agriculture to include hydroponic means to grow crops. Commissioners would like to make sure agriculture is an allowed use in more zones.

7) Staff/Commissioner Items- term expirations

Ashley Koehler described the current appointments and terms for the Commissioners, stating that two commissioners’ terms are expiring. She asked that the Commissioners to consider if they would like to be re-considered for an additional. Commissioners recommended that the appointments be staggered to avoid turn over at the same time.

Chris Valiante motioned to adjourn the meeting. Jen Calder 2nd the motion. Motion passed unanimously.

Meeting adjourned at 8:30pm.