

City of Driggs
PLANNING AND ZONING COMMISSION MEETING
MINUTES
MEETING HELD IN COUNCIL CHAMBERS
July 13, 2016
6:30PM

MEMBERS PRESENT: Lindsey Love, Chris Valiante, Grant Wilson, and Larry Young
STAFF PRESENT: Ashley Koehler, Planning and Zoning Administrator and Annie Dell’Isola, Planning and Grants Technician
PUBLIC PRESENT: Steve and Jessie Kerbs

Chris Valiante called the meeting to order at 6:31

1. Approval of Meeting Minutes from June 8, 2016

Commissioner Young motioned to approve the minutes from 6-8-16. Commissioner Wilson 2nd the motion. Motion passed with all in favor.

2.Possible Decision: Lot Split of property located on E Howard Ave – Applicant – Steve Kerbs

Koehler presented the staff report and introduced the applicant who was available at the meeting for any questions. Koehler explained that this is a relatively straight-forward lot split request which complies with all zoning requirements and explained staff’s recommended motion.

Commissioner Young inquired if the Fire District reviewed the survey and approved the proposed flag lot access as adequate. Koehler confirmed that the Fire District reviewed the proposed lot split survey for access and deemed it adequate.

Commissioner Young motioned to approve the Kerbs Lot Split based on the finding that the resulting lots comply with the zoning ordinance and the finding that the 30’ minimum width along the right-of-way does not apply to flag lots. This approval is based on the following condition:

**1. The correction from the County Surveyor shall be included on the final survey
Commissioner Love 2nd the motion. Motion passed with all in favor.**

3.Public Hearing/Possible Recommendation: Driggs Land Use Code Article 14-Administration

Koehler explained that City Council requested P&Z review Article 14 once more before Council would consider the Article at a Public Hearing. City Council felt that significant changes had been made to Article 14 since it was recommended to City Council for adoption by P&Z and wanted P&Z to have the opportunity to review the changes and collect public comment one last time. Koehler explained that Division 1&2 had remained mostly unchanged from the existing Victor version as well as previous Driggs drafts and then outlined the specific Divisions and standards that P&Z should review and consider at this public hearing.

The commission first reviewed changes to Division 14.3.2 (Completeness Determination). Koehler explained that previous drafts made it the applicant’s responsibility to ensure all application materials as

outlined in Division 14 be submitted for an application to be considered complete. Koehler explained that staff's current practice is to ensure before an applicant leaves the office that all materials have been submitted. For larger projects (such as a subdivision project) staff has prepared a flow chart for applicants that clearly shows what the review timeline will be. Staff received a public comment from VARD requesting that staff be required to send a formal completeness determination to an applicant within 14 days of receiving an application. Koehler explained that staff practice has been a much shorter turn-around time than 14 days but left it to the commission to discuss how to move forward with this comment. Commissioner Young agreed that staff's initial completeness review is adequate but acknowledged that it would not hurt to have a timeline. Koehler confirmed that staff will incorporate the 14 days completeness determination provisions but will continue the practice of making that determination as soon as possible.

The commission reviewed Division 14.4.11(B) (Concept Plan process) and discussed when it would be appropriate to have P&Z review these projects and when staff can review them administratively. Commissioner Young explained that for most projects an administrative review is adequate but for larger projects it might be beneficial to staff to have the option to present the concept to the commission. The Commission then considered the staff recommendation that Division 11.4.8 (Lot Splits) include the provisions found in the current Zoning Ordinance. The Commission questioned where the 1992 deadline came from for lot split eligibility and staff explained it is a result of a subdivision ordinance adopted during that year.

The commission considered 14.4.10 (Final Plat process for subdivisions) and considered the staff recommendation to update the final plat submittal to 2 years after the approval of a preliminary plat by City Council. The Commission asked what Victor had changed their timeline to and staff confirmed that they extended the timeline to 3 years. Commissioner Young explained that he would be comfortable with the 2 year deadline but thought that 3 was too long. The Commission also considered an appropriate improvement installation timeline. Staff confirmed that this text will be added to Article 12.

Koehler asked the Commission if they would like to see the full requirements for subdivision applications and reviews (as found in State Statute) outlined in the Land Use Code or if applicants should just be directed to State Statute. Commissioner Young explained that it would be most helpful to a developer to find all requirements in one place, even if it meant more text and a longer code. Koehler explained that this is a specific reason that Council wanted P&Z to consider this Article again as Council shared the same recommendation (to include all text relevant to applicant submittal and review criteria).

The Commission then considered Division 14.12 (Modifications to Previous Approval) and considered when it would be appropriate for staff to approve slight modifications to approvals. Staff explained that Code Studio had originally included clear criteria and process for these types of modifications but staff had deleted them from earlier drafts. After discussing with Victor and considering the application of some of the newer design oriented standards staff recommends that P&Z consider these standards once again. The Commission expressed concern over the modification of setback and ground floor area provisions but otherwise explained that this was a sensible addition to this new code.

Commissioner Valiante opened the Public Hearing at 7:35PM

For: *None* Neutral: *None* Against: *None*

Commissioner Valiante closed the Public Hearing at 7:35PM

Commissioner Young motioned to recommend to City Council to adopt an Ordinance to replace Title 9 Zoning Regulations and Title 10 Subdivision Regulations of the Driggs City Code with the proposed Land Use Code including Articles 14 with the following changes:

- 1. Include the standard that staff issue an application completeness determination within 14 days of receiving an application (Division 14.3.2.C.1)**
- 2. Accept the changes as proposed by staff for Division 14.4.8, Lot Splits**
- 3. Include all language for final plat submittal requirements as found in State Statute (Division 14.4.10-H)**
- 4. Include an option in Division 14.4.11-B, Concept Plan, for the P&Z Administrator to have the option to present concept plans to the P&Z Commission at the Administrator's discretion**
- 5. Move the highlighted text regarding improvement plans and financial assurances to Article 12**
- 6. Reformat and include "Modification to Previous Approval" standards, except these modification standards to not apply to projects in the Design Review Overlay or to any Setback or Ground Floor Elevation requirements.**

The recommendation is based on the finding that the proposed Article complies with the Comprehensive Plan as summarized in the Article Analysis. The Ordinance should be evaluated within six (6) months post-adoption.

Commissioner Wilson 2nd the motion. Commissioner Love abstained from voting, all others in favor.

4. Staff Items

Staff had no new updates for the Commission at this time.

Commissioner Young motioned to adjourn. Commissioner Wilson 2nd. All in favor. Meeting adjourned at 7:40PM

Chris Valiante, Chair