



MINUTES
Twin Falls City Planning & Zoning
Commission
February 12, 2013-6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Wayne Bohrn Jason Derricott Tom Frank Kevin Grey Terry Ihler V. Lane Jacobson Chuck Sharp
Chairman Vice-Chairman

AREA OF IMPACT:

Lee DeVore Steve Woods

CITY COUNCIL LIAISON

Rebecca Mills Sojka Suzanne Hawkins

ATTENDANCE

PLANNING & ZONING MEMBERS

PRESENT:

Bohrn
Derricott
Frank
Grey
Jacobson
Sharp

ABSENT:

Ihler

AREA OF IMPACT MEMBERS

PRESENT:

DeVore
Woods

ABSENT:

CITY COUNCIL MEMBERS PRESENT: Hawkins, Mills-Sojka

CITY STAFF PRESENT: Carraway, Spendlove, Strickland, Vitek

AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING

III. ITEMS OF CONSIDERATION:

1. Request for a front yard setback adjustment for property located at 161 3rd Avenue West c/o Greg Wills on behalf of Wills Toyota (app. 2553)

IV. PUBLIC HEARING ITEMS:

1. Request for a Zoning Title Amendment to repeal City Code 10-7-3 and enact a new 10-7-3 providing for additional building height, and amend City Code 10-4-13.3(c), regarding additional building height in Old Town Zone (app. 2542)

I. CALL MEETING TO ORDER:

Chairman Bohrn called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff present.

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s):
 - January 3, 2013-WS Minutes
 - January 8, 2013-PZ Minutes
 - January 23, 2013-PZ Minutes
 - October 3, 2012-WS Minutes
 - November 7, 2012-WS Minutes
 - December 5, 2013-WS Minutes
2. Approval of Findings of Fact and Conclusions of Law:
 - Adair & Karen Johnson SUP 01-23-13
 - Blue Lakes Auto-Powers SUP 01-23-13
 - United Metal Recycling SUP 01-23-13

MOTION:

Commissioner Frank made a motion to approve the consent calendar, as presented. Commissioner DeVore seconded the motion.

UNANIMOUSLY APPROVED

III. ITEMS OF CONSIDERATION:

1. Request for a front yard setback adjustment for property located at 161 3rd Avenue West c/o Greg Wills on behalf of Wills Toyota (app. 2542)

APPLICANT PRESENTATION:

Greg Wills, the applicant state the reason for the request is to modernize the facility and they would like to enclose an asphalted area and attach it to an existing building. The enclosure would continue along the same building line as the existing structure.

STAFF PRESENTATION:

Planner I Spendlove reviewed the exhibits on the overhead and the history of the property. The most recent history is a remodel that took place in 2005. At the time of that permit the sidewalk was moved closer to the building. The building is in the M-2 that does allow for a front-yard setback adjustment. The code allows for a review of the front-yard setback if there are existing building lines already set. In this case there are buildings along this area that are built next to the sidewalk. The expansion will follow the existing building line. The City Engineer was concerned that access would change if someone else purchased the building, to address this a sidewalk extension needs to occur so that pedestrians still have sidewalk to walk on for safety.

Planner I Spendlove stated upon conclusion staff recommends that the Commission allow for the front-yard setback adjustment, which allow for the expansion to occur in line with the current building located at 161 3rd Avenue West.

PUBLIC HEARING: OPENED & CLOSED WITHOUT CONCERNS

DELIBERATIONS FOLLOWED: WITHOUT CONCERNS

MOTION:

Commissioner Frank made a motion to approve the request, as presented. Commissioner Derricott seconded the motion. All members present voted in favor of the motion.

APPROVED, AS PRESENTED

IV. PUBLIC HEARING ITEMS

1. Request for a Zoning Title Amendment to repeal City Code 10-7-3 and enact a new 10-7-3 providing for additional building height, and amend City Code 10-4-13.3(c), regarding additional building height in Old Town Zone (app. 2542)

STAFF PRESENTATION:

Planner I Spendlove reviewed the exhibits on the overhead and the history of the ordinance. On July 6th 1981 Ordinance 2012 was approved which replaced the previous Title 10 of Twin Falls City Code in its entirety. Community Development staff are in the process of addressing some code changes requested by the City Council for the Commission to consider. This amendment was requested in order to address building heights greater than the maximum heights allowed by Zoning District Codes without having to go before the City Council.

This is a request to repeal existing Twin Falls City Code Title – Title 10; Chapter 7; Section 3; Additional Height in CB, C1, M1 and M2 Zoning Districts and Sub-districts; replace Title 10; Chapter 7; Section 3 with a new; Additional Height in CB, C-1, M-1, M-2 and OT Zoning Districts and Sub-districts. What is being added is a provision to allow for “additional building heights in excess of maximum heights allowed within the CB, C-1, M-1, M-2 and OT Zoning Districts”. This will be allowed by applying for an Alternative Building Setback from the following property lines or designated boundaries:

- a. Existing residential and subsequent property.
- b. Current and future residential zones as designated by current City Code, Zoning Map, Comprehensive Plan, and Future Land Use map.
- c. Canyon Rim boundary as designated by City Engineer.

The Alternative Building Setback will be created by the following equation: building height multiplied by two equals the alternative building setback. This request will also amend Twin Falls City Code Title – Title 10; Chapter 4; Section 13.3(c); Property Development Standards: Building Height. This amendment will

allow buildings in the OT Zoning District the same process for additional building heights in excess of the maximum height of 50'.

This is the first step of the Zoning Title Amendment approval procedure. A request for a Zoning Title Amendment is initially made to the Commission. The Planning and Zoning Commission holds a public hearing to evaluate the request and to determine the extent and nature of the amendment. Upon conclusion of the public hearing the Commission makes a recommendation to the City Council on whether or not to approve the request as presented, deny the request, or approve the request with conditions and/or modifications. If the Commission recommends approval they shall assure the request is compatible with the comprehensive plan.

The City Council shall then hold an additional public hearing where they may approve the application as recommended by the Commission, deny the application, or remand the application back to the Commission for further proceedings. If approved, an ordinance is prepared and at a later public meeting is adopted by the City Council. Once the ordinance is published the City Code is officially amended.

Planner I Spendlove stated upon conclusion staff recommends that the Commission recommend approval of the attached ordinance, as presented, to the City Council.

COMMISSION QUESTIONS/COMMENTS :

- Commissioner Frank explained that he and Commissioner Derricott sit on the board that is reviewing the Zoning Title for amendments. He stated in this case the applicants that have had to come through for exemption requirements has been approved. This change removes the extra step of make a request to City Council but still has protections for the surrounding properties.
- Zoning & Development Manager Carraway commented that hotels come through on a Special Use Permit and height would be reviewed during this process. Most of these kind of buildings that are occupied do require Special Use Permit. This will impact businesses that have taller structures that are required for their business to operate.
- Commissioner Sharp asked if the request for additional height change the setback.
- Planner I Spendlove explained that currently this type of request does not take into account the need for additional setbacks. The additional height is requested and approved.
- Commissioner Woods the new code would require essentially twice the building height, will this produce a maximum height allowed at any time.
- Planner I Spendlove explained that staff believes this will self regulate do to the minimum size lots in some areas of town. If they have enough land there could be some tall structures. The money necessary to accommodate a tall building, because it requires twice the amount of land from the building to the nearest property line of any residential spot current or future. It also does

not overshadow the Canyon Rim Overlay. If it is in the Canyon Rim Overlay those heights are set.

- Commissioner Sharp stated this code change would restrict the size of the structure in areas like the Old Town District. The current setbacks would also apply.
- Commissioner Grey asked if someone has enough money to build the taller building are we saying we don't want them to build because of this regulation.
- Planner I Spendlove explained no that is not the case, staff thinks that this will be self regulating and will reduce the likelihood of really tall buildings.
- Commissioner Bohrn stated the code is primarily to reduce the paperwork needed for someone that wants to build a high-rise type building.
- Commissioner Sharp confirmed that it will just make the steps easier.

PUBLIC HEARING: OPENED & CLOSED WITHOUT CONCERNS

MOTION:

Commissioner Frank made a motion to approve the request, as presented. Commissioner Derricott seconded the motion. All members present voted in favor of the motion.

RECOMMENDED FOR APPROVAL, AS PRESENTED, TO THE CITY COUNCIL
PUBLIC HEARING SCHEDULED MARCH 11, 2013

V. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

Zoning & Development Manager Carraway gave an update on a Code Enforcement complaint about UPS trucks parked along Elm Street North and stated it has been resolved.

VI. UPCOMING PLANNING & ZONING MEETINGS:

- February 26, 2013 Planning & Zoning Commission Meeting
- March 7, 2013 Planning & Zoning Work Session Meeting

VII. ADJOURN MEETING:

Chairman Bohrn adjourned the meeting at 6:25 pm

Lisa A Strickland

Lisa A Strickland
Administrative Assistant
Community Development Department