MINUTES
TWIN FALLS CITY PLANNING & ZONING WORK SESSION
Wednesday, February 5, 2014 12:00PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:
Nikki Boyd Jason Derricott Tom Frank **Chairman** Kevin Grey Gerardo "Tato" Munoz Chuck Sharp Jolinda Tatum

AREA OF IMPACT:
Lee DeVore Steve Woods **Vice-Chairman**

CITY COUNCIL LIAISON
Rebecca Mills Sojka

ATTENDANCE

CITY LIMIT MEMBERS		AREA OF IMPACT MEMBERS	
Present	Absent	Present	Absent
Boyd	Munoz	Woods	DeVore
Derricott	Sharp		
Frank			
Grey			
Tatum			

CITY COUNCIL LIAISON(S): Mill Sojka
CITY STAFF: Humble, Spendlove, Strickland, Vitek, Weeks, Wonderlich

I. CALL MEETING TO ORDER:

Chairman Frank called the meeting to order at 12:07 pm and confirmed a quorum

II. DISCUSSION ITEMS FROM THE COMMUNITY DEVELOPMENT STAFF AND/OR THE PLANNING & ZONING COMMISSION:

1. Review proposed code amendment items update.

   Discussion Followed:

   Community Development Director Humble: stated he wanted to do something different today and the idea came from a conversation that the members of this Commission would like to have input into the code amendment discussions. The thought was that at the Planning & Zoning Work Session there could be some discussion about proposed code amendments prior to the moving forward through the public hearing process. Today there are 3 proposed amendment drafts in the packet:

   1. PUD Agreement section
   2. Parking
   3. Building Height

   He stated he would like to discuss each item individually and have some feedback from the Commission on the proposed amendments.

Building Height:

- Community Development Director Humble stated there was a draft amendment to the Building Height that was taking through the public hearing process that was not approved. The City Council made recommendations on the changes and asked staff to come back with the changes. The first thought was to change the maximum height from 35' to 50' there would be fewer height exceptions if just this small change was made to the current code. The second thought was that the C-1 zone has a zero side & rear yard setback requirement, and maybe the side and rear yard setback should be considered depending on what type of development is surrounding the building. If there is a commercial building proposed to go next to a residential development maybe there should be a rear and side yard setback next to the homes to reduce impacts to the neighbors.
- Commissioner Frank explained there are a lot of areas where this transition is taking place and commercial buildings are being built next to residential development.
- Community Development Director Humble stated 10-7-3 is the next section that the Council asked staff to review for amendment. The proposal was to eliminate the exceptions all together if criteria have been met. The council didn't want to go that far and the discussion came up that there should be some kind of process for additional building height. Currently City Council can waive the height restrictions and in the seven years he has been here there have not been any denials. There are still going to be other businesses that will come through that are above the 50' limit. The feedback that staff is looking for is should it be the Commission that makes the decision.
- Commissioner Woods stated he likes the idea of it going through the Planning & Zoning Commission first and with an appeal process they would be able to take it to the City Council if they disagree with the decision.
- Community Development Director Humble state the other option would be to have a recommendation come from the Planning & Zoning Commission to the City Council.
- Commissioner Frank made the point that having it come through Planning & Zoning give people an opportunity to speak on the issue, if it is made into a public hearing item.
- Community Development Director Humble stated that is a good point if it were to come through as a Special Use Permit for additional height , it would require public notice allowing the adjacent property owners an opportunity to speak.
- City Council Liaison Mills Sojka stated she likes the idea of a recommendation because there is a greater degree of responsibility with the City Council.

- Community Development Director Humble stated this would add time to the permitting process however they applicant would have ample time to either go through the process or make alterations to change the building height.
- Commissioner Derricott would recommend the item be a Special Use Permit procedure with an appeal process.
- Community Development Director stated he would have staff draft the proposal with that recommendation and get the item prepared to move forward through the public hearing procedure.

PUD Agreement Process:

- Community Development Director Humble stated the reason for this proposed change is because after review of the state statutes for Planned Unit Development Agreements it was noted that there are some discrepancies between the state statute and the process the City has been using for processing Planned Unit Development Agreements. This change would essentially replace Title 10-6 with a code section that refers to a process called a Zoning Development Agreement that would be an overlay for an underlying zone. This would make it so that the land use would need to be consistent with the underlying zone. Development standards can be written for all of the criteria listed and if something is not addressed in the Zoning Development Agreement the criteria reverts back to being compliant with City Code. For example if signage is not addressed in the agreement, then City Code would be used to address sign compliance. The other change is in-fill development has been added as a means for property owners that don't own 2 acres to come through the process if they have unique development issues related to the property. For example a property that not 2 acres in size but is surrounded by development and making it difficult to develop. He stated another issues is that plans in the past have been inadequate and not in the documents and when the final development is built it doesn't look like what was planned. The property owner wants to be able to market the property and be as flexible as possible and in this change there are things listed that would allow for flexibility but there would have to still be some kind of conceptual plan. For example if in the presentation the change listed a 50 unit apartment complex and the plans submitted showed 60 units that would require an amendment to the original plan. Some things would be flexible and other things would require more discussion.
- City Attorney Wonderlich stated traditionally things have been handled through a PUD agreement to address concerns that staff may have with a project.
- Fritz stated the Commission should think about why people want a PUD or a ZDA, in the past a PUD was forced because there was a need to see what the plans are for the

property. The reality is that maybe there needs to be some changes made to the code so that staff feels like the code will address the concerns.

- Community Development Director Humble stated the PUD process allows staff the flexibility to require improvements and make changes to a plan that make for a better product. If the code was revised and staff felt more comfortable that the code addressed the major concerns there might not be a need for as many PUD agreements.
- City Council Liaison Mill Sojka stated if the state statute is similar to what the Commission wants versus the recommended Zoning Development Agreement idea this should be discussed. She also stated she has a concern with the administrative approval after the original plan has been accepted. The other question she had was how long do these agreements last and if the land doesn't get developed right away how we know that what we approve is appropriate for a development that comes in later. Typically what she has seen is the PUD allows developers to skirt around the underlying zone requirements and thinks that minimum lot sizes and setbacks should be addressed adding more accountability.
- Community Development Director Humble summarized the two things that the state statute calls for that has not been applied through the City process. First, is that the land is to be under single ownership and second, and agreement should be used for mixed use development. In the past this is not always the way things have been handled there have been times a PUD was used for a fully residential development and several were not one owner properties. He also stated the agreements don't expire because it is a rezone, however in this situation the staff could initiate a process to address concerns like this through a public hearing process. He thinks that the number of PUD agreements that have come through is an indication that at times the code has been insufficient to do what the developer wants to do this change would make it easier to ensure quality and help the applicant do things by going through this process.

Parking Changes

- Community Development Director Humble stated the reason for this proposed code change is because as you look around it seems there are places in town that seem inadequately parked, such as medical offices and others that have more than adequate parking. This would be a complete revision or replacement of the existing code. It has been updated and more parking uses are listed, currently interpretation is being used and with this change that won't be the case. More uses are called out separately with more attention paid to specific uses and requirements. Take some time to read through the changes. Some of the bigger changes for example were

medical and dental office had an increase in the required parking. There are more visitors to these types of use compared to other offices like architect and accounting offices. During the open house there were developers that stated they were already building the facility with more parking and agreed with the proposed changes. There can be an option for a developer to provide bike racks in exchange for a parking space, this came as a request from people who want to provide bicycle parking. Restaurant parking was another big one, today parking is calculated based on seating and now it will be based on square footage and include outside seating. A seating layout is not necessary anymore just the square footage. This is potentially a significant change and was discussed at the open house, with the comment that it was a good change. At the last open house meeting there was a question where older homes are being converted to a business and the difficulty in providing spaces on a lot that was built for a home, the question is does the Commission have a recommendation. The concern is the next use that follows where there is a transition from an office to a more dense use.

- Commissioner Frank asked how some of the properties along Addison Avenue meet the current parking requirements.
- City Attorney Wonderlich explained some of the properties along Addison Avenue fall under a judicial zoning through the Stoker Agreement.
- Planner I Spendlove stated there is not a way to manage these types of properties which is a concern for staff.
- Community Development Director Humble stated in some areas a change from home to office is appropriate but the problem is parking.
- Commissioner Grey stated he wouldn't want to eliminate the homes and offices along Addison Avenue but along Washington Street where the road has been widened and ther is not much property left maybe there should be some kind of requirement for using additional lots. He also asked in the event there is not enough land for both parking and landscaping which would overrule the other.
- Community Development Director Humble stated this is only addressed through the gateway arterial, and if there is a redevelopment process going on then landscaping can be reduced to meet parking requirements. He also explained another change to the code would be how stacking is measure with a drive through. Currently the code doesn't specify how it is measured the new code would measure stacking from the first stop as well as require an escape lane.
- Mills Sojka stated this is a rather large section and clarified that the open house that was held was not publicly noticed. He concern is calculating parking based on square footage and asked if that is a good way to measure parking spaces needed. If you look at the use and the employees that will be staffed that could be used to determine

spaces necessary. What is a true indicator for parking space allowances? She also thinks there should be a limit to the amount of bike spaces provided.

- Community Development Director Humble stated that the last thing would be that landscaping be provided in the parking lots which came from a citizen suggestion. He would like the Commission to review the proposed amendments and plan to have more discussion at the next work session.

III. UPCOMING PUBLIC MEETINGS (HELD AT THE CITY COUNCIL CHAMBERS)

1. Public Hearing-Tuesday, February 11, 2014

IV. ADJOURN MEETING:

Chairman Frank adjourned the meeting 1:45 pm.