

Sugar City Planning and Zoning Commission  
Regular Meeting November 20, 2008  
Minutes

Commission attending: Steve Hawkes, Ray Barney, Ninette Galbraith, Bruce Bills, Vaun Waddell, Brian Hawkes, Stephanie Blackham, Bruce King, city council liaison

Public attending: Kirby Forbush, Dwayne Seiter, Patti Seiter, Wesley Seiter, Terry Mortensen, Richard Johnson, Randall Miller, Mark Stewart, Randy Johnson, Kevin Harris

Chairman Hawkes called the meeting to order. Ninette moved to accept the minutes of November 6, 2008 as corrected. Bruce seconded the motion and it passed unanimously.

Kirby Forbush presented a fence permit application and stated that city clerk, Sharon Bell has referred him to the commission for a building permit for three homes along 3<sup>rd</sup> South. Brian will check with Sharon on this matter as the commission was unsure of the direction to go.

Richard Johnson came to the commission to discuss a business license that his tax man advised him to get. He buys and sells a variety of merchandise from his home and the commission determined that he has a home occupation and directed him to Sharon for a business license application. Mr. Johnson also asked the commission about the ordinances concerning sheds in backyards. He was advised of the ordinance requirements.

Wesley Seiter presented another draft of the Toscano development agreement that contains a few changes regarding reimbursement and recapture items. The changes were addressed and discussed and the commission agreed with them. Ray moved to recommend the 11/20/2008 special conditions version of Toscano's development agreement to city council. Vaun seconded the motion and it passed unanimously.

Randy Johnson and Kevin Harris presented the transportation map with the changes discussed at the last meeting. After looking the map over, the commission determined that in the Old Farm Estates development, only the major and minor collectors and existing streets will be shown. Vaun moved that on December 18, 2008 at 7:00 pm, the P&Z hold a public hearing on the transportation map, appendix B of the comprehensive plan with the corrections made tonight. Ninette seconded the motion and it passed unanimously.

The land use map was also presented. After some discussion on open space, it was decided that a notation will appear on the map legend saying, "Open space will be included in new developments." Bruce moved to take the land use map, appendix A of the comprehensive plan to public hearing on December 18, 2008 at 7:20 pm. Vaun seconded the motion and it passed unanimously.

Bruce King from the city council reported on his findings regarding the city's impact area ordinances in the county. The city has jurisdiction only within the city limits and the county must adopt city impact area ordinance by ordinance for them to be binding on the county. He also invited the commission to consider options for the east parkway corridor from Rexburg. After some discussions of the different routes, the commission felt the Teton Avenue option would be best as it would be more centrally located and widen Teton Avenue making it safer for pedestrians.

Brian brought a few items to the commission's attention. He felt Brian Turnquist's situation should be monitored closely. It was reported that the property was still listed in the paper as having an apartment. Jess Brown has picked up a special use permit application. Brian reiterated the fact that our impact area ordinances need to mirror the city ordinances. Vaun suggested we visit with the county P&Z and get their input on the matter before undertaking revisions of Title 9, Chapter 9. Brian will visit with their chairman, Von Clark. Brian felt it would be good to visit with the county on widening all pedestrian-used roads in the county.

In other commission business, it was determined that priority A items in Title 10 were ready for public hearing. Vaun moved the commission take to public hearing priority A items of July 17, 2008 pertaining to Title 10 and also the definition Multi-family Dwelling (2); Twin home contained in Title 10, Chapter 2 at 7:40 on December 18, 2008. Ray seconded the motion and it passed unanimously.

After a discussion of apartments in R1 districts, it was felt this could be handled by the definitions of multi-family dwellings in 9-2 and 10-2. A discussion on distances for adult businesses from residential, churches, schools, etc. as well as a review of the state code, yielded a decision of 1000 feet from any residential areas on the comprehensive land use map; 2,500 feet from public libraries, public playgrounds and parks, public or private schools and grounds, and state-licensed family day care homes, group day care homes or day care centers; and 1000 feet from another adult business. Stephanie moved to take priority A items from Title 9 as well as Title 9, Chapter 15 to public hearing December 18, 2008 at 8:00 pm. Vaun seconded the motion and it passed unanimously.

Bruce reported the picture for Leah Lusk is framed and ready.

Chairman Hawkes adjourned the meeting.

*Brian D. Hawkes*  
4 Dec. 2008