

# CITY OF PRESTON PLANNING AND ZONING MEETING

March 22, 2017

**ROLL CALL** Roll Call showed the following Board members present: Chairman Linda Hansen, Commissioner Bruce Hodges, Commissioner Penny Wright, Commissioner Brock Alder

Staff present: Wendy Merrill, Mark Owens, Tyler Olson

Others: Eric Allred, Sandy Allred, Scott Palmer, Berni Winn

Meeting was called to order at 6:00 p.m. by Chairman Linda Hansen

Chairman Linda Hansen excused Commissioners Steve Call and Charles Chesney from the meeting.

**REVIEW AND APPROVAL OF PLANNING & ZONING MINUTES 03/08/17** It was moved by Commissioner Brock Alder and seconded by Commissioner Penny Wright to approve the Planning and Zoning Minutes of March 8, 2017. The motion received unanimous approval.

**PUBLIC HEARING TRANSFER OF WATER RIGHTS 13.72.020** Chairman Linda Hansen called for the Public Hearing to consider a proposed ordinance amending Chapter 13.72.020 of the Preston Municipal Code relating to the transfer of water rights upon annexation, as follows:

## NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on the 22<sup>nd</sup> day of March, 2017, at the hour of 6:00 P.M. or as soon thereafter as this matter may be heard, at the City Hall located at 70 West Oneida St., Preston, Idaho, before the Planning and Zoning Commission to consider a proposed ordinance amending Chapter 13.72.020 of the Preston Municipal Code relating to the Transfer of Water Rights Upon Annexation into City of Preston. A copy of a proposed ordinance is on file with the city clerk at the above address and copies of the same may be obtained from that office from and after February 23, 2017.

All persons present at the public hearing will be given the opportunity to be heard. Written comments and objections may be submitted to the City Clerk at the above address at any time prior to the public hearing, and the same shall be considered by the Commission in its deliberations.

s/Linda Acock, City Clerk

Chairman Linda Hansen gave guidelines for holding a public hearing, and asked if any Board member needed to declare a conflict of interest, or ex-parte contact with the matter. There being none, Chairman Linda Hansen opened the public hearing and asked City Engineer Mark Owens to review the proposed changes to the ordinance.

City Engineer Mark Owens briefly reviewed the proposed changes to the ordinance for the transfer of water rights to the City of Preston as follows: All persons or entities requesting annexation of unincorporated property to the City, and which the City agrees to annex, shall be required to transfer shares of water in the Consolidated Irrigation Company, or pay to the City the sum of three thousand dollars per lot for each lot developed or to be developed within

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the annexed area. He further stated all persons or entities requesting annexation will be governed by the existing Subdivision Ordinances of the City of Preston.

City Attorney Tyler Olson clarified that the Preston Whitney Irrigation Company, and the Preston Riverdale Mink Creek Canal Company are now collectively known as the Consolidated Irrigation Company.

Chairman Linda Hansen asked if there was anyone in attendance to provide testimony in favor of granting the request to amend Ordinance 13.72.020 relating to the transfer of water rights upon annexation.

There being none, Chairman Linda Hansen asked if there was anyone in attendance to provide neutral testimony in regard to the amendment of Ordinance 13.72.020 relating to the transfer of water rights upon annexation.

There being none, Chairman Linda Hansen asked if there was anyone in attendance to provide testimony against the amendment of Ordinance 13.72.020 relating to the transfer of water rights upon annexation.

There being none, Chairman Linda Hansen closed the public hearing and opened the meeting up to the Board for discussion.

After discussion, it was moved by Chairman Linda Hansen and seconded by Commissioner Penny Wright to recommend to Preston City Council the approval of the proposed ordinance amending Chapter 13.72.020 relating to the transfer of water rights upon annexation, to correct the wording of Section 1-4 from five thousand dollars to three thousand dollars, and to have City Clerk Linda Acock set a public hearing before the City Council. The motion received unanimous approval.

**VIABILITY  
DISCUSSION  
RE-ZONE  
304 PARK  
AVE**

Eric and Sandy Allred, 304 Park Avenue, approached the Board to briefly discuss their plan to re-zone 304 Park Avenue to allow for a multi-family dwelling, and wanted to know if Planning and Zoning deemed their application viable.

After discussion, it was moved by Commissioner Bruce Hodges and seconded by Commissioner Brock Alder that their application was viable, and to have City Clerk Linda Acock set a public hearing before the Planning and Zoning Commission on April 26, 2017, at 6:00 P.M. or as soon thereafter as this matter may be heard. The motion received unanimous approval.

**ADJOURN**

Meeting was adjourned at 6:21 P.M. by Chairman Linda Hansen.

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Linda Hansen, Chairman

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Linda Acock, Clerk