

CITY OF PRESTON PLANNING AND ZONING MEETING
June 22, 2022

ATTENDANCE The following Board members were present: Chairman Fred Titensor, Commissioner Steve Call, Commissioner Richard Swainston, Commissioner Dave Cole, Commissioner Justin Carter, Commissioner Adrienne Alvey, Commissioner Berni Winn.

Staff present: Tyrell Simpson, Becky Cox, Shawn Oliverson.

Meeting was called to order at 6:00 P.M. by Chairman Fred Titensor.

REVIEW & APPROVAL P&Z MINUTES 6/8/2022 Commissioner Cole moved to approve the minutes of June 8, 2022 as written. Commissioner Winn seconded the motion.
Vote was unanimous.

PUBLIC HEARING: BRANDON ROBERTS AMEND MAJOR STREET PLAN Chairman Titensor called for a Public Hearing on the application submitted by Brandon Roberts to Amend the major street plan and remove a section of 3rd North.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on June 22, 2022, before the City of Preston Planning and Zoning Commission 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, to give consideration to the application of Brandon Roberts at approximately 3rd North & 4th West, for an amendment to Preston Municipal Code 17.02.080 Major Street Plan, to remove that section of 3rd North between 4th West and 250 West. Specifically, the applicant desires to remove 3rd North Street between 4th West and 250 West from the Major Street Plan, Figure 2.2.2. A copy of the Application for the amendment is on file with the City Clerk at the above stated address, and may be reviewed upon request to the City Clerk.

Legal Description of said property:

A PARCEL OF LAND LOCATED IN SECTION 22, TOWNSHIP 15 SOUTH, RANGE 39 EAST, BOISE MERIDIAN, PRESTON CITY, FRANKLIN COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS:
BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 22, FROM WHICH THE SOUTHEAST CORNER OF SECTION 22 BEARS SOUTH 00° 05' 49" EAST 2657.63 FEET;
THENCE NORTH 89° 26' 46" WEST 1908.91 FEET ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 22 TO THE NORTHWEST CORNER OF THE PARCEL OF LAND OWNED BY FRANKLIN COUNTY, WHICH PARCEL IS DESCRIBED IN INSTRUMENT #258239 IN THE OFFICIAL RECORDS OF FRANKLIN COUNTY;
THENCE SOUTH 00° 10' 48" EAST 366.72 FEET ALONG THE WEST LINE OF THE SAID FRANKLIN COUNTY PARCEL TO A POINT ON THE NORTH RIGHT OF WAY LINE OF 300 NORTH STREET, THE TRUE POINT OF BEGINNING;
THENCE NORTH 89° 46' 55" WEST 705.25 FEET ALONG THE SAID NORTH RIGHT OF WAY LINE OF 300 NORTH STREET TO A POINT ON THE EAST RIGHT OF WAY LINE OF 400 WEST STREET;

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THENCE SOUTH 00° 11' 36" EAST 50.00 FEET ALONG THE SAID EAST RIGHT OF WAY LINE OF 400 WEST STREET;
THENCE SOUTH 89° 46' 55" EAST 705.23 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF 300 NORTH STREET TO A POINT ON THE SAID WEST LINE OF THE FRANKLIN COUNTY PARCEL;
THENCE NORTH 00° 10' 48" WEST 50.00 FEET ALONG THE SAID WEST LINE TO THE TRUE POINT OF BEGINNING.
CONTAINING 0.8 ACRES OF LAND.

All persons present will be given the opportunity to be heard in regard to said Application. Written comments or objections to said amendment may be submitted to the City Clerk at the above stated address, and the same will be considered if received prior to said public hearing.

Dated this 20th day of May, 2022.

Chairman Titensor explained the procedures of the public hearing and invited Brandon Roberts to present his application. Mr. Roberts explained that he owns a large section of ground behind the fairgrounds and he is planning to develop twenty-one lots and will continue to farm the remaining part of the land. He would like to amend the major street plan to remove the section of 3rd North that runs from the fairgrounds to 4th West. He stated that the road would not continue past 4th West as there is a house in the way and the county is unlikely to build a road through the fairgrounds, creating a dead end on both ends of 3rd North. He stated that he will put curb and gutter on 4th West and develop a small road to connect to Gamble Avenue.

Chairman Titensor called for public comment in favor. There were no comments and no written comments.

Chairman Titensor called for neutral comments. There were no comments and no written comments.

Chairman Titensor called for opposing comments.

Bailey Lewis stated that she lives on 4th West and they are currently on a septic tank. She wondered if she will be required to put in curb and gutter and connect to the septic line. She also stated concerns over the narrowness of the road and stated that there is a lot of activity in that area during rodeo and fair times and there should be a plan for building those roads to help with traffic. Commissioner Swainston asked her to clarify if she is opposed to the development or getting rid of the road. She stated that she is opposed to getting rid of the road. City Engineer Tyrell Simpson stated that he was unsure about whether she would be required to put in improvements.

County Commissioner Robert Swainston spoke on behalf of the county and stated that they wanted to keep 3rd North as an option for more ingress and egress to the rodeo grounds. He stated that the county does not have plans to develop 3rd North through the fairgrounds at this time but would like the road to help with traffic congestion.

There were no opposing written comments.

Chairman Titensor invited Mr. Roberts to address the concerns raised by the public comments. Mr. Roberts stated that 4th West will be widened considerably

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and curb, gutter and sidewalk put in front of the new homes. He pointed out that putting in 3rd North is not going to help with traffic because it doesn't connect to anything on either end and the smaller street connecting to Gamble Ave. would add another corridor for traffic. He also stated that he will not develop 3rd North even if it is not vacated.

Commissioner Winn moved to close the public hearing. Commissioner Swainston seconded the motion. Vote was unanimous.

Commissioner Call stated that if there is any place in the city that they need to maintain the roads for traffic flow it is in that area. Commissioner Swainston stated that it doesn't make sense to develop a road that doesn't connect to anything and 3rd North isn't going to alleviate traffic all that much but 2nd North will be a much better corridor when it is developed. Chairman Titensor pointed out that there is only one lot in the development plan that will be affected by the road and maybe this is a decision that needs to wait for further development. Commissioner Call stated that there is a lot of ground in that area that can be developed and it would be a mistake to abandon the roads. Commissioner Carter asked Mr. Roberts where in the development of those nine houses on 4th West would 3rd North sit. Mr. Roberts replied that it would be right about in the middle of the houses. The commissioners discussed the pros and cons of the road and how it would affect traffic flow in the future and how it would affect the proposed development.

Commissioner Steve Call made a motion to recommend to City Council that they do not amend the major street plan. Commissioner Alvey seconded the motion.

Vote went as follows:

Commissioner Carter	<u>Aye</u>
Commissioner Swainston	<u>Nay</u>
Commissioner Alvey	<u>Aye</u>
Chairman Titensor	<u>Aye</u>
Commissioner Cole	<u>Aye</u>
Commissioner Call	<u>Aye</u>
Commissioner Winn	<u>Aye</u>

Motion passed by majority vote.

**PUBLIC
HEARING:
PRESTON
CITY CODE
17.36:
PARKING**

Chairman Titensor called for a public hearing on amending Preston City code 17.36: Parking.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on the 22nd day of June, 2022, at the hour of 6:00 P.M., or as soon thereafter as this matter may be heard, at City Hall located at 70 West Oneida St., Preston, Idaho, before the City of Preston Planning and Zoning Commission to consider an amendment to the City of Preston Zoning Ordinance, which is codified in Preston Municipal Code 17.36 - PARKING, as follows:

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AN ORDINANCE OF THE CITY OF PRESTON, IDAHO, AMENDING PRESTON MUNICIPAL CODE AS FOLLOWS: 17.36 – PARKING, 17.36.010 ENLARGEMENT OR INCREASE OF USE TO REMOVE EXCEPTIONS BEING GRANTED BY THE PLANNING AND ZONING COMMISSION; AND ALLOWING AN EXEMPTION FOR EXISTING BUILDINGS IN THE DOWNTOWN ZONE.

17.36.050 ROUNDING UP OF FRACTIONAL NUMBERS REMOVING EXAMPLE.

17.36.100 REQUIRED PARKING SPACES TO ADD NEW OR EXPANDING BUILDING SHALL PRODUCE PARKING LOAD FOR THEIR BUILDING TO ALSO INCLUDE EMPLOYEE PARKING.

17.36.120 STATE STREET PARKING 1ST SOUTH TO 1ST NORTH BUYOUT OPTION REMOVING THE BUYOUT OPTION IN ITS ENTIRETY; AND RENUMBERING 17.36.120 TO REQUIRED LOADING ZONES.

17.36.130 REQUIRED LOADING ZONES RENUMBERING CHAPTER TO FINES FOR VIOLATIONS; AND REMOVING 17.36.140.

A copy of the 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 May 25, 2022.

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 prior to the public hearing, and the same shall be considered by the Commission in its deliberations.

Linda Acock, City Clerk

Publish: May 25, 2022 in The Preston Citizen

Chairman Titensor invited City Planner Shawn Oliverson to introduce the proposed amendment to City Code 17.36. Mr. Oliverson explained that the downtown parking requirements and buyout option were not working and this amendment to change those requirements and do away with the buyout option would put the code in compliance with practice.

Chairman Titensor called for public comments in favor. There were no comments and no written comments.

Chairman Titensor called for neutral comments. There were no comments and no written comments.

Chairman Titensor called for opposing comments. There were no comments and no written comments.

Commissioner Winn moved to close the public hearing. Commissioner Cole seconded the motion. Vote was unanimous.

Commissioner Call asked how this change would affect short term rentals in the downtown area. Mr. Oliverson explained that the short-term rentals ordinance addresses parking and covers any issues that may come up in the down town area.

Commissioner Cole made a motion to recommend to city council approval of the amendment of Preston City Code 17.36: Parking. Commissioner Swainston seconded the motion.

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Vote went as follows:

Commissioner Carter	<u>Aye</u>
Commissioner Swainston	<u>Aye</u>
Commissioner Alvey	<u>Aye</u>
Chairman Titensor	<u>Aye</u>
Commissioner Cole	<u>Aye</u>
Commissioner Call	<u>Aye</u>
Commissioner Winn	<u>Aye</u>

Motion passed by unanimous vote.

**SUB-DIVISION
ORDINANCE:
DISCUSSION**

City Engineer Tyrell Simpson presented the commissioners with a draft of the preliminary requirements amendment to the subdivision ordinance. The commissioners discussed the requirements and some wording changes that needed to be made. The commissioners discussed the timeline of amending the subdivision ordinance and whether the preliminary requirements should be put into place while they look at the rest of the ordinance.

Commissioner Call made a motion to set a public hearing on Preston City Code 16.10 Preliminary Requirements providing that a review by legal staff doesn't find any issues. Commissioner Alvey seconded the motion. Vote was unanimous.

**APPROVED
BUILDING
PERMITS**

The following approved building permit was reviewed, there were no comments.

Preston Kiwanis	182 W 2 nd N	Burger Booth
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**PUBLIC
INPUT**

None

CALEN-DARING

Chairman Titensor stated that the next meeting will hold a public hearing and continued discussion of the subdivision code.

ADJOURN

Meeting was adjourned at 6:47 P.M. by Chairman Titensor.

Becky Cox

Fred Titensor, Chairman