

**MINUTES
PAYETTE PLANNING & ZONING COMMISSION
Regular Meeting
July 23, 2020**

6:00 PM – Regular Meeting

A regular meeting of the Payette City Planning and Zoning Commission was called to order at 6:00 PM by Chairman Choate in the Council Chambers of Payette City Hall, 700 Center Avenue.

ROLL CALL:

Members Present: Jim Franklin, Jody Henderson, Nial Bradshaw, Peggy Childers, Gary Youngberg and Randy Choate

Members Absent: Kevin Jensen was excused.

Staff Present: Mary Cordova and Sarah Skelly

APPROVAL OF MINUTES

06-25-2020 Regular Meeting Minutes

A motion was made by Henderson and seconded by Youngberg to approve the Regular Meeting Minutes of 06-25-2020 as written.

After unanimous voice vote, motion
CARRIED.

PUBLIC HEARINGS

Chairman Choate conducted the Public Hearings.

- A. An application for a Variance by RCG/R2B, LLC to allow a cul-de-sac longer than 400' in Corsair subdivision. The site that is subject of the request is parcel P165000000AB & P149001700F.

Cordova addressed the Commission. This is a bit of housekeeping. We have a fillable form and if you use up all of the space that we have provided it kind of hides and it had a little mark next to it which I didn't notice until after the meeting. So, the original request for Variances I think there was a set back and the road width. They talked about it and thought we were approving the variance, but after the meeting we noticed we never advertised for the cul-de-sac length. So that is why we made them do it again so that everything is proper and because we didn't officially advertise for it. Lance Warnick was in here before and talked with this Commission about the need for the extended length. The Council did approve the Preliminary Plat at their last meeting, contingent on getting the Variance from the Planning and Zoning Commission.

Choate asked which cul-de-sac are we talking about? Cordova replied it is the one the top one on the plat.

Youngberg asked how much over the 400' are we talking? Cordova replied I believe it is 400' to the first one, maybe 600', from the street that comes in off 6th Ave S." Youngberg asked what is the purpose of the 400' on a cul-de-sac; is it for safety?

No further statements were heard. Hearing closed at 6:14PM.

- B. AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF PAYETTE CITY CODE, TITLE 17 ZONING, CHAPTER 17.28 B RESIDENTIAL DISTRICTS, SECTION 17.28.040 (A)(1) LOCATION REQUIREMENTS, BY REDUCING THE FRONT SETBACK FOR RESIDENTIAL LIVING AREA TO FIFTEEN FEET; PROVIDING A PENALTY FOR VIOLATIONS; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE

Cordova stated based on the new setbacks for B-Residential zones the contractors who testified at that public meeting suggested that we change the setback for the living area to 15' versus the 20' current setback. Youngberg stated that the idea was to give more space to live in the backyard and a more neighborly feel in the front and slow people down in the neighborhood. It still leaves room in the driveway to get a vehicle and not be on the sidewalk, I like it. Choate noted that other cities have started to adopt this too."

No further statements were heard. Hearing closed at 6:18PM.

- C. AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE TITLE 16 SUBDIVISIONS, BY AMENDING CHAPTER 16.04, GENERAL PROVISIONS, TO REFERENCE SHORT PLAT PROVISIONS; AMENDING CHAPTER 16.12 DESIGN STANDARDS, SECTION 16.12.040 (D) STREET REQUIREMENTS TO REDUCE A LOCAL STREET RIGHT OF WAY TO FIFTY FEET UPON SPECIAL EXECPTION BY THE COUNCIL; SECTION 16.12.060 EASEMENTS, TO CHANGE PUBLIC UTILITY EASEMENT DEPTHS AND RESTRICTING PLACEMENT OF STRUCTURES IN SUCH EASEMENTS; SECTION 16.12.070 STREET SIGNS TO REQUIRE COMPLIANCE WITH MUTCD STANDARDS; SECTION 16.12.080 STREETLIGHTS AND POLES TO REFERENCE ADOPTED DESIGN STANDARDS, AND ADDING A NEW SECTION 16.12.100 CONDITION BASED EXCEPTIONS; AMENDING CHAPTER 16.20 PRELIMINARY PLATS, SECTION 16.20.020 (A) CHANGING THE NUMBER OF SUBMITTED COPIES TO THREE; SECTION 16.20.050 FURTHER DEFINING REVIEW BY AGENCIES; ADDING A NEW SECTION 16.20.055 NOTICE OF PUBLIC HEARING; SECTION 16.20.060 PLANNING & ZONING COMMISSION ACTION TO REQUIRE STAFF TO NOTIFY APPLICANT OF COMMISSION RECOMMENDATION; SECTION 16.20.070 CITY COUNCIL ACTION TO ALLOW COUNCIL TO DETERMINE ANOTHER PUBLIC HEARING AND APPLICANT ABILITY TO CONTEST DECISION OF COMMISSION; AMENDING CHAPTER 16.24 FINAL PLATS TO REPEAL SECTION 16.24.030 REVIEW AND RECOMMENDATIONS BY AGENCIES; SETTING AN EFFECTIVE DATE;

ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.

No statements were heard. Hearing closed at 6:21PM.

AGENDA ITEMS

1. An application for a Variance by RCG/R2B, LLC to allow a cul-de-sac longer than 400' in Corsair subdivision. The site that is subject of the request is parcel P165000000AB & P149001700F. The full legal description is on file with the City Clerk and can be viewed during regular business hours.

Franklin stated his concern is with the public safety people. As we were talking earlier Mary mentioned the Fire Chief and the Police Chief got a chance to look at this. So, if the Fire Chief and the Police Chief do not have an issue with the longer cul-de-sacs, the only other would be traffic and this certainly isn't going to be a high traffic area. I don't really see any reason to deny it.

Youngberg stated that just speaking more generally to variances, since he missed the training a few months ago, he struggles to understand how the fact that they had a hard time figuring out how to get all the houses to fit in there qualifies for a variance when it says one of the reasons to give it is that the variance is not caused by the owners actions. What is an undue hardship, well it's a skinny piece of property, well it was when you bought it and laid out the houses this way.

Franklin said he thought the hardship is there is no way to put in a through street. There is a lot that belongs to someone else that blocks the potential avenue. Choate added that he did not think that there being no access to a through street is the current owner's problem, probably poor planning by the City a long, long time ago. They didn't plan for a through street when those lots were established and built on. If you hold them to no through street you probably just prevent that land from being used and I don't know if that serves the City use.

Youngberg continued that unless you develop it as two or three-acre properties and a short cul-de-sac that fits the 400', I get it and I understand what they are trying to do I wonder about the slippery slope of if 400' doesn't matter, then we should change the code to say 600' is okay or what really does matter. If 400' is arbitrary, lets change it there. But I don't understand all that, I am not the safety guys. He agreed that the hardship was there probably before the land was purchased.

A motion was made by Franklin and seconded by Henderson to allow a Variance by RGC/R2B, LLC to Approve a cul-de-sac longer than 400' in Corsair Subdivision.

After unanimous voice vote, motion CARRIED.

2. AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF PAYETTE CITY CODE, TITLE 17 ZONING, CHAPTER 17.28 B RESIDENTIAL DISTRICTS, SECTION 17.28.040 (A)(1) LOCATION REQUIREMENTS, BY REDUCING THE FRONT SETBACK FOR RESIDENTIAL LIVING AREA TO FIFTEEN FEET; PROVIDING A PENALTY FOR VIOLATIONS; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

Youngberg stated he agrees with this as it does help with these infill projects, creates housing that is affordable for young families and first-time home buyers.

A motion was made by Youngberg and seconded by Bradshaw to send a favorable recommendation to the Payette City Council.

After a unanimous voice vote, the motion CARRIED.

3. AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE TITLE 16 SUBDIVISIONS, BY AMENDING CHAPTER 16.04, GENERAL PROVISIONS, TO REFERENCE SHORT PLAT PROVISIONS; AMENDING CHAPTER 16.12 DESIGN STANDARDS, SECTION 16.12.040 (D) STREET REQUIREMENTS TO REDUCE A LOCAL STREET RIGHT OF WAY TO FIFTY FEET UPON SPECIAL EXECPTION BY THE COUNCIL; SECTION 16.12.060 EASEMENTS, TO CHANGE PUBLIC UTILITY EASEMENT DEPTHS AND RESTRICTING PLACEMENT OF STRUCTURES IN SUCH EASEMENTS; SECTION 16.12.070 STREET SIGNS TO REQUIRE COMPLIANCE WITH MUTCD STANDARDS; SECTION 16.12.080 STREETLIGHTS AND POLES TO REFERENCE ADOPTED DESIGN STANDARDS, AND ADDING A NEW SECTION 16.12.100 CONDITION BASED EXCEPTIONS; AMENDING CHAPTER 16.20 PRELIMINARY PLATS, SECTION 16.20.020 (A) CHANGING THE NUMBER OF SUBMITTED COPIES TO THREE; SECTION 16.20.050 FURTHER DEFINING REVIEW BY AGENCIES; ADDING A NEW SECTION 16.20.055 NOTICE OF PUBLIC HEARING; SECTION 16.20.060 PLANNING & ZONING COMMISSION ACTION TO REQUIRE STAFF TO NOTIFY APPLICANT OF COMMISSION RECOMMENDATION; SECTION 16.20.070 CITY COUNCIL ACTION TO ALLOW COUNCIL TO DETERMINE ANOTHER PUBLIC HEARING AND APPLICANT ABILITY TO CONTEST DECISION OF COMMISSION; AMENDING CHAPTER 16.24 FINAL PLATS TO REPEAL SECTION 16.24.030 REVIEW AND RECOMMENDATIONS BY AGENCIES; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.

Cordova stated this is an overhaul of our subdivision ordinance. The first change is for Short Plats. The street requirements, the Council has been granting 50' right of ways a lot on these new subdivisions so we put that in here. The easements we are changing to match the new setbacks and adding B which says we shall not put

anything in these easements. The street signs we are just updating and taking out some old language. Street lights and poles we adding in the Public Works Design Standards and that has the new LED street lights and developers will have to put in the new LED street lights. The Council will be able to make condition-based exceptions for example “you can do this but you will have to do this in return.” The condition-based exception shouldn’t go against the zoning but it will be something that could come to a variance request. The next is the filling of copies, we have in there that they provide us with seven copies of applications and we don’t need seven copies, we have been having them just give us three. The providing of copies will go from seven to three. The review and recommendations by agencies, right now we are having them send out letters of the plan to effective agencies and now we will do that. The City Council will be taking the Planning and Zoning’s recommendations instead of having a second public hearing, the City Council will still be able to have a Public Hearing if the matter has a large amount of public feedback. 16.20 commencement of construction is a whole new section. No construction shall take place on the site prior to approval of City Council and Planning and Zoning. On the Final Plat we have removed the mailing of the plat to the agencies, as no major changes can take place between the preliminary plat and the final plat; we won’t be mailing out the notice twice.

A motion was made by Franklin and seconded by Henderson to sending a favorable recommendation to the Payette City Council.

After a unanimous voice vote, the motion CARRIED.

ADMINISTRATIVE REPORTS

None

ADJOURNMENT

A motion was made by Childers and seconded by Youngberg to adjourn the meeting at 6:47PM.

Motion CARRIED unanimously.

Sarah Skelly
Recording Secretary