

Planning and Zoning Minutes
Jan 19th, 2010

Present: Mike O'Neill, Zachary Smith, Pete Linville, Troy Barry and Lynn Bagley
Staff: Cari Golden
Bill Knight

Meeting Minutes were approved for the Jan. 5th, 2010.

Business Licenses /

Encore Childrens Choir (home occupation)- Approved

Aldo Botto Tax services- Approved

Mountain Valley Business Services- (Elizabeth Kozub) 20 W 8000 S –Approved

West Point Electrical (285 Cedron Road) – Approved

Sign Permit

Horsehoe Canyon Accounting / Victor Crossroads building - Approved

VARD/ Anna Trentadue Anna explained to the commission that studies are being done for the overgrowth of subdivisions in two areas of the west and one of the sites they are focusing in is the Teton Valley area. There will be ongoing meetings and she was asking the commission to be a part of those meetings. This is sponsored by the Sonoran Institute and VARD. There will be another meeting around October. They are looking at presenting incentives for farming to bring in sustainability to the valley.

Herb Heimerl/ Cont. Rezone The office received updated information for the rezone and redefined their request. The updated staff report was read. More information came into the office that further complicated the application requiring it to be revised. The applicant presented the changes to the commission and explained that they felt their property was spot zoned and that it should be zoned Central Business Zone rather than the assigned residential 1 zone.

It was explained by staff that the reason why a portion of the property was in the central business zone was because it used to be in a central business overlay. This overlay was repealed when the new mixed use Central Business zone was adopted. The new zone incorporated much of the allowances of the overlay. The city didn't want to downzone the property so it stayed in a Central Business designation.

The commission deliberated

Commissioner Bagley wanted to see the rezone tied to a development.

Commissioner Linville was not in favor of up zoning without a proposal of development.

Commissioner Barry wondered why the requested zones were blocked off. He also felt that the parks area should extend to the highway frontage so people could access the proposed trail along the creek. He felt that the rezone would make more sense with a defined plan attached to it. The right of way for the extension of Elm was not accurate and could become a dead end street. The project needs another access for that kind of zoning.

Commissioner Smith asked if the parks were going to be dedicated to the city.

Chairman O'Neill felt that he could recommend conditions to approve the rezone to the council.

The applicants representative explained that if it were permitted for the amended rezone, it would have to go through another rezone so the project would fit the special conditions of the flood plain.

Bill Knight explained that at times applicants turn to government policy for wind-falls to development rights. He cautioned against getting into something that could end up being a rash of applications for the same request.

A motion was made to recommend to council to deny the application for ZV 2009-1 for the up zone. The vote was unanimous.

Accessory Dwelling Units: Staff member Bill Knight discussed with the commission the challenges we are having in the city with the rash of over the garage dwelling units that are being built without permits. There are issues with density flourishing in the R1 zoning districts. These units are also hooking onto the city utility services without permission. We need to look at the reality in the downtown areas. Should there be provisions to allow for the units, could or should they be rented. The TND allows for accessory units.

Should the units be allowed to be rented and should there be a maximum number of days? There will be further discussion of the issue.

Subdivision Ordinance discussion: It was discussed that the commission wanted to add to the subdivision ordinance that "Generally flag-lots are not allowed in city limits and for new subdivisions, flag-lots are not allowed." The commission will review the ordinance in the next meeting.

Meeting was adjourned.

P&Z Administrator- Cari Golden

P&Z Chairman- Mike O'Neill