

January 4, 2022

7:00 p.m.

Planning Department

City Annex Building

MEMBERS PRESENT: Commissioners Brent Dixon, Arnold Cantu, George Morrison, Margaret Wimborne, Joanne Denney

MEMBERS ABSENT: Lindsey Romankiw

ALSO PRESENT: Planning Director Brad Cramer, Assistant Planning Director Kerry Beutler, planners Naysha Foster and Caitlin Long and interested citizens.

CALL TO ORDER: Brent Dixon called the meeting to order at 7:00 p.m.

CHANGES TO AGENDA: None.

MINUTES: Denney moved to approve the Minutes from December 7, 2021, Morrison seconded the motion and it passed unanimously.

Business:

1. PLAT 21-035: FINAL PLAT. Final Plat for Lorin C. Anderson Addition Division No1, fifth Amended.

Applicant: Kaden Fuhrman, Horrocks Engineers, 2194 Snake River Parkway, Idaho Falls, Idaho. Fuhrman stated that this is a clean up of property that is west of Woodruff behind Hallpark Subdivision (Big Lots). Fuhrman stated that this was previously platted as 4 separate lots and they are zoned LC. Fuhrman stated that they have submitted a site plan to incorporate the entire lot as a whole and they are platting it to one single lot to clean up lot lines, and extra easements to accommodate the individual lots.

Dixon stated that he has seen that prep work had been done before the snow and there were 2 flat areas. Dixon asked if there are going to be 2 buildings and why make it a single lot if there will be multiple building lots. Fuhrman stated that it is one big building made of two little buildings that are attached. Fuhrman stated that they prepped the pads so they can dig for footings whenever they want.

Long Presented the staff report, a part of the record.

Dixon asked if there is only one access off Woodruff and asked if there is cross access to the property to the south and is there a problem with the exit not lining up with the access points on the other side of the road. Long affirmed all of Dixon's questions. Long added that they already have an established approach.

Wimborne moved to recommend to the Mayor and City Council approval of the Final Plat for Lorin C. Anderson Addition, Division No. 1, 5th Amended, Morrison seconded the motion. Dixon called for roll call vote: Wimborne, yes; Denney, yes; Cantu, yes; Morrison yes. The motion passed unanimously.

Public Hearing(s):

2. ANNX 21-019: ANNEXATION/INITIAL ZONING. Annexation and Initial Zoning of R3A for approximately 22.669 Acres.

Dixon opened the public hearing.

Applicant: Gilmore Jenkins, HLE, 101 S. Park, Idaho Falls, Idaho. Jenkins presented the property that is approximately 23 acres south of 65th and West of 5th and east of the Idaho Canal. Jenkins presented that the property would have 2 points of access off of Lewisville to ensure good access to a major arterial which is needed for R3A zoning. Jenkins stated that they are requesting R3A which is consistent with the Comprehensive Plan.

Morrison asked if they are going to put a bridge across the canal as the property line appears to cross the canal.

Jenkins stated that the annexation includes the canal, but the property line does not include the canal, so they have no plans to have a bridge into the golf course.

Foster presented the staff report, a part of the record.

Wimborne asked about the zoning toward the residential development that has 65th on one end and borders the property is R1. Foster agreed that is zoned R1 and the corner piece is limited commercial which would allow for high density residential as well as commercial.

Dixon asked if most of the utilities are in the arterials of 65th and 5th East. Foster indicated that there is water in 5th East and sewer in the subdivision to the south. Foster stated that there is some sewer that has been stubbed to the proposed development to the north, and utilities along the west side. Dixon clarified that the platted development to the north has not developed. Foster agreed that the development has not been constructed.

No one appeared in Support/Opposition.

Dixon closed the public hearing.

Morrison feels this is straight forward and he is glad to see development in this area.

Morrison moved to recommend to the Mayor and City Council approval of the annexation of 22.669 acres in the NE ¼ Section of 31, T 3N, R 38 E with an initial zoning of R3A and the Airport Overlay Zone, Wimborne seconded the motion. Dixon called for roll call vote: Wimborne, yes; Denney, yes; Cantu, yes; Morrison yes. The motion passed unanimously.

3. PLAT 21-033: PRELIMINARY PLAT. Preliminary Plat for Quail Drive and Bentley Way Extension.

Dixon opened the public hearing.

Applicant: Barry Bane, Connect Engineering 2295 N. Yellowstone, Unit 6, Idaho Falls, Idaho. Bane presented a preliminary plat for 39 acres that is south of Lincoln Road and east of Woodruff. Bane presented a right of way plat for Quail Drive on the north side of Lincoln last month and this is the reason that was brought forward, and this will allow Quail Drive to continue down and connect to Bentley. Bane stated that Bentley is planned to be stubbed to the east and another stub to the property to the east. Bentley and Quail will be 70' right of ways and

the other stub to the northeast is a 60' right of way. Bane stated that the property is currently zoned for LC which allows for commercial and some higher density residential and that is why the lots are bigger lots. Bane stated that this plat will help connectivity in the area and help connectivity for utilities as well. Bane stated that there is water and sewer in Bentley and also a water stub coming out to the northeast, but it currently doesn't loop, and they will connect and help loop the water system. Bane stated that they have broken it into division, and Division 1 will include Quail Drive and the street will be constructed and construction and development progress. Bane stated that they added some character and traffic calming to Quail Drive. Bane stated that there is a canal to the east of the property (Crow Creek), and they plan for the prescriptive right of way, and they have been working with Idaho Falls Power for an easement for power line that needs to go down the east side. Bane stated that there is also a Crow Creek extension listed on the staff report, but it is not Crow Creek anymore and they have worked with the Irrigation District and Public Works and that is actually just a drainage so the drainage that goes down the northeast side will be handled by a pipe with an easement for the drainage. Bane stated that the utilities will stub to the west.

Dixon asked about the cul-de-sac at the end of Bugatti Drive. Bane stated that is called a knuckle and they will address that to make it bigger and they plan on doing that. Bane stated its not a full cul-de-sac but a knuckle with a stub going east. Dixon asked if there are any preliminary plats for the property to the east. Beutler agreed there is not a preliminary plat. Bane agreed that they are working with staff to create a stub so as the property to the east develops there is connectivity.

Wimborne appreciates the improvements to Quail Drive being included in Division 1.

Beutler presented the staff report, a part of the record.

Support/Opposition:

Aaron Gastile, 2053 Kearney, Idaho Falls, Idaho. Gastile is trying to understand how this plat is going from high density housing, and he is concerned about the overall traffic impact and the infrastructure availability in the area to handle that kind of density. Gastile stated that Lincoln goes towards Costco and there is already a big back up. Gastile is asking if there are road improvements that will go with this development that will alleviate those issues. Gastile asked about the impact on parks, schools, etc. Gastile asked if any of those things had been addressed.

Dixon asked if this is being developed with 40 acres, at what point would they require a traffic study. Beutler stated that they have done a traffic study for the area, and that was part of the submittal and a review. Beutler stated that there are some minor recommendations along Woodruff as things warrant it. Beutler stated that potentially Bentley Way could be a lighted intersection at some point in the future if it is warranted and necessary for safety. Beutler stated that both Lincoln and Woodruff are arterials designed to manage the traffic load in the area, and the Comprehensive Plan lays out locating higher density residential near the arterial roads. Beutler stated that Quail Drive and Bentley will be designed as collector roads with 70' right of way which is wider than the standard 60' right of way for local roads and that will carry the traffic out to the arterials. Dixon asked if there are issues for turn lanes, decel lanes. Beutler stated not now, but as the property develops and depending on how it develops there could be a necessity for another traffic study. Dixon asked if it is a problem that Quail Drive is offset from

Quail Drive to the north of Lincoln Rd. Beutler stated that it will be aligned as shown on the subdivision plat where Quail Drive has been realigned so they will line up.

Dixon closed the public hearing.

Morrison moved approve the Preliminary Plat for Quail Drive and Bentley Way Extension with the recommendation that the Knuckle at the end of Bugatti Drive be made to a minimum of a 60' radius, Cantu Seconded the motion. Dixon called for roll call vote: Wimborne, yes; Denney, yes; Cantu, yes; Morrison yes. The motion passed unanimously.

Wimborne indicated that they need to change the term of cul-de-sac to Knuckle on the Reasoned Statement of Relevant Criteria and Standards.

Morrison moved to accept the Reasoned Statement of Relevant Criteria and Standards with the change on II. Decision to state Knuckle instead of cul-de-sac, Denney seconded the motion. The motion passed unanimously.

4. Adoption of the Comprehensive Plan for the City of Idaho Falls.

Dixon opened the public hearing.

Applicant: City of Idaho Falls. Cramer presented. Cramer stated that this has already been recommended for approval in October. Cramer stated that concurrent with this process City Council has been considering implementing impact fees and one of the requirements for any jurisdiction to implement impact fees the Comprehensive Plan has to include some specific elements related to those impact fees, including a Capital Facilities Plan to show where and how the funds collected would be used. Cramer stated that this is a new element and not something they were familiar with, but not difficult to add because the City had already paid for the study to be done, so it had been created and they just needed to add a paragraph explaining where it would be found, how it would be included, and make sure it was included. Cramer showed on page 45 of the Comprehensive Plan under Methodology they have included a reference to what the Statute requires and how they have incorporated it into the Plan, and it will be part of the appendix. Cramer stated that they have done a summary of the document to explain what the Capital Facilities Plan does in terms of impact fees. Cramer stated that the City Attorney felt comfortable that this met the intended Statute but because it is a substantive change, staff felt it was best to bring it back to Planning and Zoning for a review again. Cramer stated that there were concerns in October that the document wasn't polished, and they have not done those polishing edits, but nothing was substantive, and it is more readable and cleaner. Cramer stated that they sent out an email to the Commissioners that was an email staff received from the County. Cramer Summarized the letter from the County that stated because of the Area of Impact that the City and County adopted in 2000 said the County would adopt its Comprehensive Plan to be compatible with the City of Idaho Falls, and because of that agreement, the County feels that if the City changes the Plan at this time, it would be inconsistent with the County Plan and the County would have to make changes to their Plan. Cramer stated that the County has also stated that they have not received a final draft of the Plan, and that because the Comprehensive Plan goes outside of the City's boundaries, that they would like an opportunity to have it reviewed by the Planning and Zoning Commission and the County Commission. Cramer stated that the County is asking the City to postpone the recommendation of the Plan until the County has had more of a chance to review. Cramer stated that they have reviewed this

with the City's attorney. Cramer strongly recommends that the Commission does not postpone recommendation. Cramer stated that they are anticipating having the Comprehensive Plan going to City Council in February. Cramer stated the reasons he doesn't want it postponed. Cramer has appreciated the County's participation along the way. Cramer understands what the County is saying, but he disagrees with the approach and doesn't feel it has any legal basis. Cramer stated that the County was involved along the way. Cramer stated that two of the staff members from the County were on the Advisory Committee. Cramer stated that they invited the County Commissioners to participate in a focus group of elected officials, however their legal counsel advised them not to participate because of a pending lawsuit. Cramer stated that they did attempt to get on the Planning and Zoning Commission agenda over the Summer and it was hit and miss, and the County provided an email to Cramer for him to just provide a draft of the Plan and a summary report, and that they would invite him back if there were any questions, and Cramer was not invited back. Cramer stated that the most recent email implies that the draft the County received was a preliminary draft. Cramer stated that it was in terms of layout, but in terms of text, the actions, the policies that was the final draft, and only corrective edits have been made, but nothing substantive have changed. Cramer's opinion is that the County has seen the final draft of the content, but not a final draft of the layout. Cramer feels that the County has been involved along the way. Cramer feels that it is also a misreading and interpretation of the Area of Impact in terms of the Statute and the Agreement. Cramer stated that the Agreement was made in 2000. Cramer stated the process to get to that agreement comes from the City and County sitting together and comparing Plans and they determine which Plans will apply where, and at that time in 2000 it was determined that the City's would apply and the County would amend their plan to reflect the City's Comprehensive Plan, but that does not preclude jurisdictions from future planning, and both the City and County have modified their Plans since that time. Cramer stated that they have tried to update the Area of Impact Agreement, but the Agreement fell apart once it got to the elected officials. Cramer stated that the idea that the County would have to change their plan is inconsistent with current legal interpretations. Cramer stated that cases from the early 2000's made it very clear that the cities Ordinances and Plans have no jurisdiction outside of its boundaries, so anything that happens outside of the City's boundaries is aspirational, and the City cannot force the County to do anything in terms of changing their Plans. Cramer stated that there is also a reference made to the State's Statute about planning talking about how the Plan must include all land that is part of the jurisdiction and because the Plan goes outside of the City's jurisdiction the implication is that they need to let the County review it as part of a planning process. Cramer doesn't feel that is an appropriate interpretation of the what the Statute is saying. Cramer stated that the Statute is saying that they cannot neglect part of their own jurisdiction and everything has to be included. Cramer added that it doesn't say we cannot go outside of the City boundaries, and it would be foolish to not go outside of the City's boundaries. Cramer stated that he does recognize the concern of the County, but he is on the Agenda for the County Planning and Zoning the end of January and after he receives their feedback, if there is anything that he feels need to be adjusted he can do that prior to City Council. Cramer stated that his responsibility to the City of Idaho Falls is to the citizens, stake holders and focus groups, including Bonneville County that participated in this along the way and he feels it would be inappropriate to stall the process because of a misinterpretation of an agreement and Statute. Cramer doesn't feel it would be appropriate to make major changes, if requested by the County, at this point without making sure that the requested changed align with the community.

Wimborne asked if the inclusion of the Impact Fee the trigger for the concern from the County or is just the overall timeline. Cramer stated that the timing on this is interesting as they were ready to take it to Council in December and a few days prior to the hearing he did receive a call from County Commissioner Christensen making this same request, and it was later the next day that they ran into the Capital Facilities Plan issue, so the County had a concern prior to the Impact Fee. Cramer had hoped that by delaying the process this much and by getting on the Agenda for the County that their concern would be resolved, but it has not.

Cantu asked if the Commissioners are required to respond to the letter sent by the County. Cramer stated that they are not required. Cramer stated that the letter was addressed to the Planning Commission. Wimborne added that it would be like any other letter that would be received from a neighbor or interested citizen. Cramer agreed and stated that it needs to be considered as part of the record, but they are not required to respond.

Dixon asked at what point does an Area of Impact Agreement expire. Cramer stated that the Statute says it should be reviewed every 10 years to determine if an update needs to be made. Kirkham stated that unless the terms of the Agreement designate an expiration, then it would stay in effect until it is changed. Dixon stated that some parts are obsolete as the City has outgrown the boundaries in several locations and property has been annexed beyond the boundaries. Kirkham stated that it does need to be reworked and reevaluated to make sure it is working for everyone, and there is likely some that isn't being followed. Cramer stated that there isn't anything that is not being followed, but one of the actions in this Plan is to review the Area of Impact Agreement. Cramer stated that the County agrees that it is time to do that, but they want to blend the Area of Impact and Comprehensive Plan process, and as painful as those processes are, it is time to do it, and there is a different process for that, and it is not this process. Dixon stated that it is time to do it as they are seeing more growth than they have in the past and a lot of things have changed. Dixon asked if the City is within 3 miles of Bingham County on the South. Cramer stated that they might be on the southwest area. Dixon recalls that you can do an area of impact with a County when you are within 3 miles of that County.

Dixon feels that it can be construed that if they have passed a motion to recommend approval, that it would mean that it is a final draft ready for approval, and if the County is waiting for a final draft to review then it seems like they can review this as a final draft. Kirkham stated that when Council approves a document it is then a final draft and before then it can be changed. Kirkham stated that the term final draft can be used in many ways and the final draft could have been the document that was given prior to the last-minute grammar check. There is no legal connotation to the draft process.

Support/Opposition.

Austin Black, Bonneville County Planning and Zoning, 605 N. Capital Ave, Idaho Falls, Idaho. Black thanked Cramer for reading the email into the record. Black stated that the County's concerns are expressed in the letter, and he feels Cramer did a good job of expressing the concerns. Black stated that the County's main concern is the communication through the process, and Black agrees with Cramer that they are working on bettering the communication between City and County. Black feels that the fact that staff was involved was helpful to a point with the County, but Staff in the County doesn't have any driving power for change to the Comprehensive Plan, as that has to be done through the Planning Commission and recommended to the County Commissioners for Change. Black stated that they don't feel that the Planning

Commission has had the equal opportunity to review the plan and recommend any concerns or changes they think they need to be made in order for the County to be compatible in the future.

Dixon closed the public hearing.

Wimborne appreciated the context and background given by Cramer regarding the County's issues raised in the letter, and she feels it is critical that the City and County work together. Wimborne feels they have made great strides with that in the last years and Cramer has given examples of how the City has tried to involve the County. Wimborne is pleased to know that the County Planning and Zoning can provide feedback before it goes to City Council. Wimborne feels they need to take action tonight on this item. Wimborne is sad that they have gotten back to this spot where the County doesn't feel like the City is cooperating as she feels staff has gone above and beyond to work together.

Morrison agrees with Wimborne and feels this needs to go forward tonight.

Cantu moved to recommend to the Mayor and City Council approval of the Adoption of the Comprehensive Plan for the City of Idaho Falls, Wimborne seconded the motion. Dixon called for roll call vote: Wimborne, yes; Denney, yes; Cantu, yes; Morrison, yes. The motion passed unanimously.

5. RZON 21-019: Amendment to the Form Based Code October 2020 Edition, Amending Section 4.0 Uses.

Applicant: City of Idaho Falls. Foster presented for the City of Idaho Falls. Foster stated that they are asking to amend the Use Table in Edge C Subdistrict. Foster indicated that this acts as buffer between commercial and residential. Foster stated that the form-based code was adopted in 2019 and it is a new concept for the Region. Foster showed where Edge C is between G Street and F Street. Foster stated that there is some single family and some multi-family and some commercial in the residential areas. Foster stated that the City is proposing to change the Use Table in Chapter 4 to allow neighborhood retails and neighborhood services. Foster showed the current table. Foster stated that the uses allowed in neighborhood retail and neighborhood services would create a transition from the core to residential, and it does offer residents in the area daily services within a walkable distance. Foster showed the uses that would be allowed in the Use table if they approved the amendment. Foster stated that the change is only to change the table to allow neighborhood retail and neighborhood services. Foster stated that the uses that are proposed to be allowed are compatible with the surrounding land use and still meet the intent of the transition for core subdistrict to the residential uses. Foster stated that the Core A subdistrict also allows for residential so this could provide a service on both sides.

Wimborne asked for an example of a neighborhood retail, and how it differs from general retail. Foster showed on the screen that there is a list that has uses that are allowed.

Dixon feels that the tables in the staff notes are the same. Dixon asked if there is a reason why parking lots are not considered buffers. Foster stated that they haven't considered that. Dixon suggested considering it at this time. Beutler stated that there aren't parking lots in the area. Beutler stated the motivation for this change is to get the non-conforming uses in the area back into a conforming zone, so the business owners have the ability to improve their businesses and expand. Beutler stated that if there is stand alone parking lots in the zone they could be considered. Dixon stated that Edge B has parking, and the other side of Yellowstone does too.

Dixon stated that between Yellowstone and the RR Track has parking. Dixon asked why Edge B is different than Edge C. Beutler stated that the definition of parking lot is standalone lot, with no building associated with it. Beutler stated that he doesn't see any stand-alone parking lots in Edge C. Dixon stated that they should consider what would be allowable, not just what exists. Beutler stated that he doesn't think they want to allow for someone to demolish a building and create a parking lot in that zone as it is supposed to be a buffer between residential and commercial and structures do a better job than a vacant parking lot and that is why it wasn't included and Beutler doesn't feel it should be included now.

Wimborne has a love hate relationship and feels that parking lots are ugly and not a buffer.

Dixon asked if there was redevelopment in Zone Could there be a requirement for landscape requirement. Foster stated that there are some requirements with a change of use, as well as design standards that are required.

No one appeared in support or opposition.

Dixon closed the public hearing.

Wimborne moved to recommend to the Mayor and City Council approval of the Amendments to the Form Based Code to Change the Use Table to Allow Neighborhood Retail and Neighborhood Services in the Edge C Subdistrict, Denney seconded the motion. Dixon called for roll call: Wimborne, yes; Denney, yes; Cantu, yes; Morrison, yes. The motion passed unanimously.

Work Session:

6. Accessory Dwelling Unit Development Standards.

Long stated that in the Comprehensive Plan in draft form the City-Wide Housing is to allow accessory dwelling units in all zones that allow housing. Long stated that they have already started to draft the code pages. Long wanted to have a work session to go over things with the Commissioners to get thoughts prior to presentation.

Long stated that the issue is affordability and availability, and the objective is diversifying housing stock and a way to do that is to allow accessory dwelling units in all zones that allow housing.

Long stated that allowing ADU in all zones is an easy step, but the step that Long wants input on is what to do with parking, and design.

Dixon asked what the difference is between Accessory Dwelling and another residence on the same lot. Long stated that there are requirements including the ADU has a smaller footprint with a max of 750 square feet; the owner has to live in the ADU or in the primary dwelling. Beutler stated that both of those requirements are in the code currently, so this proposed change doesn't change the code. Dixon asked how you enforce that. Beutler stated the Code requires that they record a Deed restriction. Dixon asked if the accessory can be smaller than the main dwelling. Beutler stated that the accessory dwelling needs to be subordinate or secondary to the primary residence. Dixon asked if there is requirement for street access. Beutler stated that currently the locations that allow ADU are the TN Zone, so that is where there is the alley access, and they are allowed in the higher density residential zones as well. Beutler stated that there is not always

alley access, so when it is in the TN Zone it will encourage that they use alley access, but not a requirement. Beutler stated that as they expand the ADU to R1 or RP those neighborhoods don't have alleys, so they will use the same access points for the primary residence.

Wimborne asked what Long is asking for tonight.

Long stated that the first item is parking. Long stated that the Code currently requires that if you are building an ADU you have to supply a parking spot, and the current code requires that the spot is an off-street parking spot. Long stated that the option they are looking at is requiring an on-street parking spot, so they wouldn't be required to add another cement slab onto the property. Long stated that on street parking is common in other codes throughout the Country. Long stated that in Idaho she didn't find anything that stated they could do on street parking, and it was mostly off-street parking. Long stated that she would like to know what the commission would prefer for parking on ADU.

Dixon stated that near by communities have parking stickers and you can only park on streets in certain neighborhoods if you have a sticker. Dixon feels that this idea of on street parking seems like it would get the City to this point of a sticker to show who has the right to park on the street.

Beutler stated that on street is public parking so anyone in the City can use it and there is not a way that they City can restrict someone's curb in front of their home to their residence.

Wimborne stated that in an R1 neighborhood there are larger lots and often more garages, then maybe the on-street parking won't be a big deal, but in a TN on street parking makes more sense, so maybe have the requirement be different by zone. Wimborne stated that with the Commission some of the multi dwelling projects that have come have a lot of concern with parking and that the driveway parking isn't enough, however, not everyone that lives in an ADU or a house, has 3 cars. Wimborne stated that it will be frustrating when you have a lot of guests over for like Thanksgiving, but day to day there wouldn't be a conflict.

Dixon is trying to understand what an accessory dwelling would look like in R3. Wimborne stated that it's a shed in the backyard for your son to live in while he does an internship at the INL. Wimborne stated that it depends on the project and there are some developments that won't be able to do an ADU. Wimborne stated that just because its allowed, doesn't mean you can do it. Dixon asked if you had attached condominiums in R3 and there is not another property above you, but if you have an accessory, at what point is that just adding another residence above or below you, and calling that the accessory residence, and then it went from a townhome to an apartment, and if so, the accessory can park on the street, so half the parking is now on the public street, where usually apartment complexes have parking problems any way . Beutler stated that the 750 square feet equates to a 1-bedroom apartment, and the reason for the restriction was to ensure that you wouldn't see a second unit for an entire family, which would reduce the amount of impact to the neighborhood. Beutler stated that the owner occupancy helps. Dixon understands that you can have one accessory unit per primary unit, but if you have an 8 plex and the owner lived in one of the 8 units, they could only have one accessory, but if it was 8 townhouses, all under separate ownership, each one could add an ADU. Beutler agreed that they could if there was sufficient space for that. Beutler stated that a lot of the townhomes the lot size is the exact footprint of the unit, and there is no additional land where someone could locate an ADU. Dixon asked if it could be on another floor, and they could just add a story to the townhome. Wimborne asked Dixon to think about how feasible that actually is, and people

aren't going to rip up their roof, it would be cheaper to go find another apartment somewhere to rent. Beutler stated that it is likely not structurally designed for the 3rd floor. Dixon stated that they could deliberately build it during construction with a 3rd floor. Beutler stated that if the code allows for 3 stories in that zone, then its not an issue. Dixon feels that the issue is that they have a second household and therefore an additional car. Beutler agreed and said that is why they have the additional parking requirement. Dixon stated that the question is does the parking go on the road or is it required to be accommodated on site.

Morrison stated that they are making assumptions that it is one person in this place, but they could easily have 3 people in that structure and that could bring 3 cars.

Dixon stated that a single person could also own more than one vehicle.

Dixon asked the Commission how they are feeling about allowing on street parking for ADU. Wimborne feels that off street parking will be an easier sell, but she does feel that there are some areas and neighborhoods that you could look at on street parking. Wimborne doesn't want the ordinance to be defeated because of that issue, so it might be safer to just require off street parking for now and make adjustments.

Long stated that they have been having discussions about design standards. Long stated that most codes she researched have vague design standards, so people can not be hindered while building ADU. Long showed the current code for ADU, that include well matched in height, bulk, and site location with adjoining neighborhood; resembles a single dwelling unit (similar architecture). Long asked if that is enough or are there issues with that. Long stated that some codes go in depth such as the roof slope has to match the dominate roof slope of the primary dwelling; has to complement the main house through use of materials and design; similar materials, colors, landscaping, etc. Long asked what the Commission thinks on the current codes if they are enough, or if they need changed.

Wimborne stated that the first example is adequate. Wimborne feels it is important that the accessory dwelling match the primary dwelling in most respects and that it is also complimentary to the neighborhood, but beyond that she doesn't feel that they need to get into the nitty-gritty as far as roof slope, etc.

Morrison stated that they would need an architecture committee to match things on the house. Morrison stated that times change, and things change. Long stated that when a homeowner wants to do an ADU, they submit for a building permit and that permit would go through reviews and pass through her office as well to make sure it meets all the codes of the ADU. Long stated that there wouldn't be a review committee, it would just go through staff.

Wimborne stated that an HOA could stipulate that an ADU have to meet certain design elements. Long agreed. Wimborne stated that the general codes as already listed are good enough.

Kirkham stated that if this is adopted as part of the zoning code this Commission would be allowed to review it and make a decision on whether it meets the zoning code or not.

Dixon feels that this is all kind of fuzzy, and there is no way to determine who is right. Kirkham stated that as long as there is a basis and reason for why the commission makes a decision and it is on the record, then Court's tend to side with the Commission's findings.

Dixon feels the current code is adequate, so the buildings look related.

Wimborne feels that they can make changes down the road if it seems to not be working.

Dixon stated that ADUs being allowed in every single residential zone, doesn't promote housing diversity.

Long stated that they get a lot of calls about ADUs in zones that don't permit the ADUs.

Wimborne stated that as they continue to work through this could they help the Commission understand the approval process.

Dixon clarified that ADUs have to have a separate kitchen, so its not just a roommate situation.

Foster stated that the places that don't allow ADU's already have them there illegally and they are doing it without meeting certain codes and criteria. Foster stated that building and construction is slowing down because they cannot get windows for 8 weeks, and certain materials are 20 weeks out.

Dixon stated that affordable housing units have been driving many discussions. Dixon stated that over time setbacks and lot size requirements have been increased, and maybe part of finding a more affordable housing niche is look at a zone that has smaller setbacks and smaller lot size requirements, but still is single detached. Dixon talked about the Village neighborhood that was originally developed under R2 and then rezoned R1 after the development was built out, but the it did keep people from developing apartments on the property. Dixon stated that the developer was upfront with his intention. Dixon feels that to get more affordable housing, they could look at a new zone that has smaller setbacks. Foster stated that next month they will continue this discussion.

7. Creation of Nominating Committee.

There was discussion on how to create a committee, and who would or would not want to be in a position such as Chairman, vice chair, or treasurer.

Morrison doesn't want to be chairman but will serve in another capacity.

Wimborne would be happy to fill in another roll, and maybe next year she could chair, but this next few month is busy for her.

Dixon doesn't feel like he should chair for 2 years in a row.

Wimborne suggested having the vice-chair be the Chair the next year.

Dixon asked Denney if she would be willing to serve as Chair. Denney agreed to Chair.

Dixon asked Cantu if he has any desire to serve. Cantu was thinking of leaving the Commission but will stay around for a minute.

Dixon suggested having Denney Chair, Romankiw vice-chair, and possibly Morrison for treasurer.

Beutler stated that the agenda item for voting will be at the February meeting.

Denney and Wimborne will be the nominating committee and reach out to members to find members who are willing to serve.

Beutler indicated there are 2 meetings in February (February 1 and February 15).

Next Meeting February 1, 2022

Dixon adjourned the meeting at approximately 9:00 p.m.

Respectfully Submitted

Beckie Thompson, Recorder