



Twin Falls Planning & Zoning Commission Minutes

Tuesday, June 14, 2022, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

COUNCIL CHAMBERS

Members -

City Limits: Craig Kelley, Chairperson; Carolyn Bolton, Vice-Chair; Shelley McEuen; Todd Rambur; Cortney Campbell; Marilu Perez

Area of Impact: David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Vice Chair Bolton called the meeting to order at 06:00 PM

A quorum was present.

Members Present: Bolton, Detweiler, McEuen, Campbell, Rambur

Staff Present: Spendlove, Ebersole, Strickland, Zollinger, Steel

Commissioner Campbell was introduced to the group and audience.

2) Consent Calendar

MOTION: Commissioner McEuen moved to approve the Consent Calendar, as presented.

Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 5 to 0.

a) Approval of minutes from the following meeting: May 24 and June 1, 2022

3) Items of Consideration none

4) Public Hearings

- a) Request for a recommendation to City Council for a zoning district change and zoning map amendment from R4 (Residential Medium Density) to R4 ZDA (Residential Medium Density Zoning Development Agreement) for approximately 34 acres on property located at the 1200-1300 blocks of the east side of Harrison Street South c/o EHM Engineers, Inc. on behalf of Idaho Land Holding, LLC. (PZ22-0035)

Staff Presentation:

City Planner Strickland presented the request for a recommendation to City Council for a zoning district change and zoning map amendment from R4 (Residential Medium Density) to R4 ZDA (Residential Medium Density Zoning Development Agreement) for approximately 34 acres on property located at the 1200-1300 blocks of the east side of Harrison Street South c/o

Per Twin Falls City Code10-6-1.7(E), Approval of a ZDA shall be based on the following standards:

- The proposed uses shall not be detrimental to any surrounding uses, nor shall they be detrimental to the health, safety and general welfare of the public.
- Any variation from the underlying zoning district development requirements must be warranted by the design and amenities incorporated in the conceptual development plan.
- The underlying zoning district and the conceptual development plan shall conform to the comprehensive plan.
- Existing and/or proposed streets and utility services must be suitable and adequate for the proposed development.

There is no significant zoning history for this property.

A conceptual plan and associated written comments have been provided by the applicant and have been reviewed by staff. The conceptual plan proposed by the applicant consists of 75 buildings each consisting of 4 "townhouse dwelling units" that can be individually owned and will be platted on their own lots. The remainder of the area surrounding the lots will be owned and maintained collectively by the owners in the subdivision and will provide open space for the residence. The R-4 zone allows for attached single household dwellings (aka townhouses) on lots fronting arterials and collectors, therefore the applicant is not requesting a complete departure from current land use requirements.

The applicant has provided several depictions of varying types of structures with basic architecture, such as single-story and two-story buildings with pitched roofs. There will be multiple streets constructed to support this development as well as provide future connections as more development occurs. The applicant has provided a phased plan consisting of 3 phases with plans to complete the project by 2027.

Currently, the density provided for in the R-4 zoning district would allow for 11,000 sq. ft. lots with a 4-plex on each lot, which is the equivalent of approximately 400 dwelling units. The applicant has applied for a zoning development agreement in order to provide a master development plan and to request some exceptions to the code that would allow for the 300 dwelling units. Staff has reviewed the plan and does not foresee the land use of "town-houses" being detrimentally different from currently permitted land uses within the zoning district. Each "townhouse" has the opportunity to be individually owned, and is more in line with a typical residential development rather than apartment complexes.

The design of the development provides a reasonable amount of open space and should help lower the visual impact of the clustered town-houses. Staff has determined the overall development will have a similar impact on the surrounding area as a typical subdivision; and we find this plan to be in conformance with the overall goals and objectives listed within comprehensive plan.

The ZDA process requires a public hearing for citizens to testify about the project. After

testimony has been heard, the commission will deliberate and move to make a recommendation to the City Council. The recommendation can be to deny the request, approve the request as presented, approve the request with conditions or table the request for additional information.

If the commission recommends approval of the request as presented, staff recommends the following condition:

1. Subject to site plan amendments as determined by Building, Engineering, Fire and Zoning officials to comply with applicable City Codes and standards.

Applicant Presentation:

David Thibault, EHM Engineers, Inc., representing applicant, presented the request for a recommendation to City Council for a zoning district change and zoning map amendment from R4 (Residential Medium Density) to R4 ZDA (Residential Medium Density Zoning Development Agreement) for approximately 34 acres on property located at the 1200-1300 blocks of the east side of Harrison Street South. He stated the applicant has worked to accommodate design standards and are asking for an adjustment to the minimum lot size requirement. He stated they have worked with staff on roadway designs. He stated they are not asking for the maximum density with this development, leaving sufficient open space.

PZ/Questions & Comments: none

Public Hearing: Opened and Closed without input

Discussions Followed:

- Commissioner Rambur stated that he is in favor of this request and liked the fact the applicant worked with staff on roadways and likes they didn't go for full density.
- Commissioner Detweiler stated he is in favor of this request.
- Commissioner McEuen stated she is in favor of the request. She stated she likes the layout of this development.

MOTION: Commissioner Detweiler moved to approve the request for for a recommendation to City Council for a zoning district change and zoning map amendment from R4 (Residential Medium Density) to R4 ZDA (Residential Medium Density Zoning Development Agreement) for approximately 34 acres on property located at the 1200-1300 blocks of the east side of Harrison Street South, c/o EHM Engineers, Inc. on behalf of Idaho Land Holding, LLC. (PZ22-0035) , as presented with staff recommendations.
Commissioner Rambur seconded the motion.

Unanimously Approved by a vote of 5 to 0.

- b) Request for a recommendation to City Council for a Zoning Title Amendment to Title 10 Chapter 4 Section 19: Canyon Rim Overlay, removing permitted and special uses, modifying allowed maximum heights and, removing the ZDA Requirement c/o Priya Raman on behalf of North Canyon Medical Center. (PZ22-0087)

Commissioner Rambur recused himself from this item and stepped down.

Staff Presentation:

City Planner Strickland presented the request for a recommendation to City Council for a Zoning Title Amendment to Title 10 Chapter 4 Section 19: Canyon Rim Overlay, removing permitted and special uses, modifying allowed maximum heights and, removing the ZDA Requirement c/o Priya Raman on behalf of North Canyon Medical Center. (PZ22-0087)

Per City Code 10-14-4 Zoning districts, zoning subdistricts and overlay districts shall be amended in the following manner:

(A) Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested.

(B) If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and (Ord. 2012, 7-6-1981)

Per City Code 10-14-6 The commission may recommend that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied. The commission shall ensure that any favorable recommendations for amendments are in accordance with a comprehensive plan and established goals and objectives.

Upon granting or denying an application to amend this title, the council shall specify:

(A) The regulations and standards used in evaluating the application.

(B) The reasons for approval or denial.

(C) The actions, if any, that the applicant could take to obtain a permit.

In the event the council shall approve an amendment, such amendment shall thereafter be made a part of this title upon the preparation and passage of an ordinance. (Ord. 2012, 7-6-1981).

Title 10-4-19 was adopted in 1996. The intent was to establish an overlay district for the canyon rim. The overlay along the Snake River Canyon includes all of the area within seven hundred feet (700') and all of the area within two hundred feet (200') of the Rock Creek Canyon Rim.

In 2006 and 2014, amendments to this Title dealing with the building height restrictions were approved stating that additional building heights beyond one hundred feet (100') from the canyon rim may be allowed; but only in certain locations (within one thousand feet (1,000') of state administered highways or between Washington and Blue Lakes) and only for certain land use types (hotel/convention center or private/public mixed use developments).

The Code also requires a Zoning Development Agreement for all development proposed in the overlay area (700 and 200 feet from the rim respectively).

The applicant has coordinated with staff on the proposal to amend Title 10-4-19 Canyon Rim Overlay. Upon request, staff provided a draft of the proposed changes we had been working on internally. These changes would include removing land-use regulations, updating the building height development standards, and removing the requirement for a Zoning Development

Agreement for proposed development within the overlay.

Removal of the use regulations would cause the land-uses to be determined by the base zoning district upon which the overlay is placed.

Replacing the building height development standards would allow for the maximum height allowed per the base zoning code within one hundred fifty feet (150') of the canyon rim. Additional heights beyond fifty feet (50') would be required to follow City Code 10-7-3; a process that requires public hearings and final approval from the City Council.

Currently, a Zoning Development Agreement is required if the property is within the canyon rim overlay. The purpose of a Zoning Development Agreement is to allow for development creativity and allow an applicant to request variations from the underlying zoning and development requirements. Historically, the ZDA requests have not been used for the stated purpose in code, rather it has been used for additional heights, and modifying permitted/special land uses.

The Snake River Canyon is a space with natural beauty that has been developed with requirements for public amenities, such as a walking trail for all to enjoy. The Snake River Canyon has been an attractive area for development over the years with the majority of undeveloped areas currently master planned within an existing Planned Unit Development or Zoning Development Agreement. The amendment to the Title eliminating the Zoning Development Agreement requirement would then governed by the base zoning district upon which the overlay is placed.

The Commission may recommend approval of the proposed amendment, recommend approval with modifications to the proposed amendment, or recommend denial. The Planning & Zoning Commission recommendation is then sent forward to the City Council for a final decision.

Applicant Presentation:

Tom Schofield, architect, representing applicant, presented the request for a recommendation to City Council for a Zoning Title Amendment to Title 10 Chapter 4 Section 19: Canyon Rim Overlay, removing permitted and special uses, modifying allowed maximum heights and, removing the ZDA requirement. He introduced Scott Daly from the North Canyon Medical Center. He explained the intent of request.

PZ/Questions & Comments:

- Commissioner Campbell asked why removing the height restriction is needed.
- City Planner Strickland explained how the code reads now and what the change to the code would accomplish.
- Commissioner Campbell asked if the medical building could be located elsewhere.
- City Planner Strickland explained the distance from the canyon rim and explained the due process for this request.
- Vice Chair Bolton asked if this request is project specific or is the commission being asked for a request to make a blanket code change.
- City Planner Strickland stated why this request has been brought forward.
- Commissioner McEuen asked if the intent of the height restriction in the Canyon Rim Overlay is for people in the canyon being able to look up and not see buildings.

- City Planner Strickland stated the original intent of the height restriction.

Public Hearing: Opened

- David Thibault, EHM Engineers, Inc. expressed he is in favor of this request and shared why this would be beneficial to future development.
- Planning and Zoning Director Spendlove reminded the commission that they are not looking at a specific property with this request, and that this request is for an amendment to the whole canyon rim overlay. He stated the commission should only be focusing on the Zoning Title Amendment, as a whole. He stated the applicant will come back with the specific scope of work at a later date.
- Vice Chair Bolton asked staff about the Title 10 code rewrite, and the specifics to this ZTA request. She asked if staff is in agreement with this request.
- Planning and Zoning Director Spendlove stated if staff felt there needed to be proposed modifications to this request, they would be in the staff report. He stated that staff does not believe this request is detrimental.
- Vice Chair Bolton asked about the number of staff denials on requests.
- Planning and Zoning Director Spendlove answered there may be one staff denial one a year over past 10 years.
- Commissioner Campbell asked why this request is not property specific, and does this request affect all canyon rim overlay.
- Planning and Zoning Director Spendlove stated that code says staff cannot consider property specific Zoning Title Amendment requests. He explained this request encompasses the canyon rim and rock creek canyon in total that is inside of the city's jurisdiction.

Public Hearing: Closed

Discussions Followed:

- Commissioner Detweiler stated this request is getting things up to speed. He is in favor of this request as staff is on board with the request.
- Commissioner McEuen agreed, and is in favor of the request, due to staff being in favor and this is part of the master plan.
- Commissioner Campbell asked if this request falls into compliance with the Comprehensive Plan.
- Planning and Zoning Director Spendlove stated the staff report stated it is not against the Comprehensive Plan.
- Vice Chair Bolton stated if staff had found error with the request, it would have been in staff report.
- Commissioner Campbell asked about effect to Rock Creek.
- Vice Chair Bolton stated she believes there has only been one request on the Rock Creek in the past 4 yrs.
- Commissioner Detweiler does not believe this request would make a big change to Rock Creek, as there are still setback requirements.
- Vice Chair Bolton stated this request is forward thinking and is already part of the code rewrite.

MOTION: Commissioner Detweiler moved to approve the request for a recommendation to

City Council for a Zoning Title Amendment to Title 10 Chapter 4 Section 19: Canyon Rim Overlay, removing permitted and special uses, modifying allowed maximum heights and, removing the ZDA Requirement c/o Priya Raman on behalf of North Canyon Medical Center. (PZ22-0087), as presented, with staff recommendations.
Commissioner McEuen seconded the motion.

Motion approved by a vote of 4 to 0.

5) Upcoming Meeting(s)

a) Tuesday, June 28, 2022

6) Adjournment

The meeting adjourned at 06:53 PM

Kelli Ebersole

Kelli Ebersole, Technician