



Twin Falls Planning & Zoning Commission Minutes

Tuesday, October 10, 2017, 6:00 PM

City Council Chambers
305 3rd Ave E
Twin Falls, ID 83301

Members -

City Limits: Tom Frank, Chairman, Kevin Grey, Vice Chairman, Danielle Dawson, Craig Hawkins, Gerardo "Tato" Muñoz, Ed Musser

Area of Impact: Ryan Higley, Steve Woods

1) Confirmation of Quorum/Call Meeting to Order

Members Present: Frank, Grey, Dawson, Musser, Woods

Staff Present: Carraway-Johnson, O'Connor, Spendlove, Strickland, Vitek

Chairman Frank called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff.

2) Consideration of Amendments to Agenda

3) General Public Input

None

4) Consent Calendar

a) Approval of Minutes from the Following Meeting: 09-26-17

Approval of Findings of Fact and Conclusions of Law for the Following Meeting: 09-26-17

- Joshua Hall_SUP
- Jeremy Petersen_SUP

Motion:

Commissioner Grey made a motion to approve the consent calendar, as presented.

Commissioner Woods seconded the motion.

Unanimously Approved

5) Items of Consideration

- #### a)
- Request for approval of the **Preliminary Plat** for Valencia Park Subdivision, a ZDA for approximately 9 (+/-) acres consisting of 84 residential lots located along Valencia Street, extended from Southwood Avenue to 3600 North Road c/o Reidesel Engineering, Inc. on behalf of Dennis Hournay

Applicant Presentation:

Rex Harding, Reidesel Engineering, Inc. stated this is a request to approve the preliminary plat for Valencia Park Subdivision. This is another step in the process that is required in order to move forward with development of the property.

Staff Presentation:

Planner I O'Connor reviewed the request on the overhead and stated in June 2016, this commission forwarded a positive recommendation to city council to approve the Valencia Park Zoning Development Agreement with the following conditions;

1. Subject to site plan amendments as determined by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and Standards.
2. Subject to the entirety of Valencia Street being constructed in the first phase, subject to engineering review of the plat.
3. Subject to the perimeter fence being installed prior to issuance of a building permit, for each phase of the project.
4. Subject to a final plat being recorded prior to any development.
5. Subject to conformance to the Zoning Development Agreement and the Valencia Park Master Development Plan as approved.

On July 25, 2016, the City Council heard and approved the ZDA, as presented subject to the following conditions:

1. Subject to site plan amendments as determined by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and Standards.
2. Subject to the entirety of Valencia Street being constructed in the first phase; if construction begins on the North end Valencia shall connect to 3600 North (Valencia connector width to be determined by City Engineer); if construction starts on the south end, either full construction of Valencia is required, or they can bond for the future phases, with a completion deadline by the year 2022; both scenarios subject to engineering review of the plat.
3. Subject to the perimeter fence being installed prior to Issuance of a building permit, for each phase of the project.
4. Subject to a final plat being recorded prior to any development.
5. Subject to conformance to the Zoning Development Agreement and the Valencia Park Master Development Plan as approved.
6. Subject to an on-site or hired property manager.

The ordinance was approved and recorded in December 2016.

On July 25, 2017, this commission held a public hearing, and deliberated a request to amend the ZDA Master Development Plan by removing the medians/landscape islands within the roadway. This body recommended to Twin Falls City Council to keep the Islands and street width as originally presented during the ZDA public process.

On August 23, 2017, City Council approved the applicants request to amend the ZDA by removing the medians/landscape islands and maintaining the collector designated street width standard.

This is a request for preliminary plat of The Valencia Park ZDA Subdivision, a 9 +/- acre parcel, which plans to develop eighty-four (84) residential townhomes. Development will be completed in phases. As of today, the Parks-n-Lieu has not had approval by the City Council. A condition the final plat may not be scheduled until the City Council has approved the Parks-n-Lieu request by the Developer would be appropriate.

The plat indicates that each lot will be connected to City of Twin Falls water and sewer systems. Approval of a preliminary plat does not constitute a commitment by the City to provide water or waste water services. A guarantee of services comes when the City Engineer signs a will-serve letter after final and construction plans are reviewed. It is also indicated on the Preliminary Plat that the development will be on a pressure irrigation (P.I.) system.

The plat is consistent with the subdivision development site requirements found in City Code and the Valencia Park ZDA 2016-16 Amended. It also complies with the Comprehensive Plan, which designates this area as "Town Neighborhood." Low to medium density residential use is appropriate for this future land use designation.

Planner I O'Connor stated upon conclusion staff recommends the commission approve the preliminary plat of the Valencia Park ZDA, as presented, and subject to the following conditions:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.
2. Subject to approval of the Parks-n-Lieu prior to scheduling the final plat before City Council.
3. Compliance with the Valencia Park ZDA 2016-16 Amended.

Public Hearing: Opened & Closed Without Concerns

Discussions Followed: Without Concerns

Motion:

Commissioner Woods made a motion to approve the request, as presented, with staff recommendations. Commissioner Dawson seconded the motion. Commissioner Frank, Dawson, Musser and Woods voted in favor of the motion with Commissioner Grey voting against the motion.

Motion passed 4-1.

Approved, As Presented, With the Following Conditions

1. Subject to final technical review and amendments as required by building,

engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.

2. Subject to approval of the Parks-n-Lieu prior to scheduling the final plat before City Council.
 3. Compliance with the Valencia Park ZDA 2016-16 Amended.
- b) Request for a **Special Use Permit** to establish an automobile sales business and to include a designated asphalt vehicle display strip within the gateway arterial landscaping on property located at 1215 Addison Ave West within the Area of Impact. c/o Charles Legg dba A-1 Auto Sales. (app. 2891) **TABLED ON 09-12-17**

Staff Presentation:

Planner I O'Connor reviewed the request and stated this request is to consider the request from Mr. Charles Legg to establish an automobile dealership in the C-1 zoned portion of property located at 1215 Addison Ave W. This commission heard and tabled the item from the September 12, 2017 hearing, pending a site plan that met current city code; specifically the Gateway Arterial required landscaping. Please see the attachments for the original Staff report from the September 12, 2017 hearing. The applicant provided a revised site plan on October 3, 2017. Staff has reviewed the plan and feels it meets current city code.

Planner I O'Connor stated upon conclusion the Commission is tasked with acting on the request, approving, approving with conditions, or denying the request.

Discussions Followed:

- Commissioner Frank asked in comparison to other properties how many display pads have we allowed within the same amount of square footage.
- Planner I O'Connor explained that the code does not limit the number of display pad per site nor are there any calculations used to determine an amount that should be allowed within a certain square footage.
- Commissioner Frank asked if this is a higher number than usual.
- Planner I O'Connor stated yes.
- Commissioner Grey asked if the landscaping shown on the site plan meet the gateway arterial landscape requirement.
- Commissioner Frank asked about the 10' asphalt strip.
- Planner I O'Connor explained that the 10' asphalt strip has been removed.
- Commissioner Frank asked what will be in the 10' strip.
- Planner I O'Connor explained the pad site will be within this area and it will be a hard surfaced space with some type of landscaping.
- Commissioner Grey stated that if the landscaping has met the requirement he doesn't see an issue.
- Commissioner Frank explained he is not against the pad sites he is just concerned with the number as compared to other lots.
- Commissioner Musser explained without some guidelines it opens up the door for a

subjective decision.

- Commissioner Woods explained that comparing the Kimberly Road/Goode Motor request with this area of town is not the same. There are cars everywhere, with gravel and junk along the road along Addison Avenue West and anything would be an improvement.
- Commissioner Frank explained he doesn't think this meets the intent of the gateway arterial landscaping and the number of pad sites.
- Assistant City Engineer Vitek explained the code requirement is that there be a 30' landscape buffer, the applicant is asking to use some of the area to display cars.
- Commissioner Grey explained that if this was a parking lot there would be more cars parked close to this area. This may provide a better buffer for what is happening on the rest of the lot.
- Commissioner Musser explained he doesn't like having the pad sites encroaching into the required arterial landscaping, but the applicant is allowed to make this type of request. As for the number without some type of criteria to follow he doesn't have an issue.
- Commissioner Grey explained he doesn't like the display pads in the landscaping either, but it is the norm, which is why the applicant can make this request.
- Commissioner Dawson asked about clarification for the landscaping requirements.
- Planner I O'Connor explained the landscaping requirements for the commercial area and the arterial landscaping.
- Commissioner Dawson stated that once the landscaping is in it may turn out that there is not enough room for that many cars.

Motion:

Commissioner Woods made a motion to approve the request with the revised site plan as presented and with staff recommendations. Commissioner Dawson seconded the motion. Commissioners Grey, Dawson and Woods voted in favor of the motion, with Commissioners Frank and Musser voting against the motion.

Approved, As Presented, With the Revised Site Plan, and with the Following Conditions

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to completion of all required site improvements and issuance of the Certificate of Occupancy prior to activation of this Special Use Permit.

6) Public Hearings

- a) Request for the Commission's recommendation for a **PUD Amendment** to the Canyon Village PUD #270 to remove residential development requirements for property located at the NW corner of Eastland Drive North and Cheney Drive. c/o Kent Taylor on behalf of Northeast Investments, LLC (app. 2897)

Applicant Presentation:

Ann Taylor, the applicant representing NE Investments, LLC, stated the request is to remove some language out of the PUD Agreement regarding architectural restrictions for the

residences and the townhomes located in the development. All of the property owners directly affected have signed a document agreeing with the removal of these restrictions from the PUD Agreement. At the time this property was being discussed for development and the original PUD request came through the adjacent property owners were concerned with the how the property was going to be developed and an agreement was reached between the developers and the property owners. These restrictions were agreed upon and included in the PUD to try and relieve the neighboring property owners concerns. The restricts served as a place holder until CC&R's could be put into place once platted and until the developer could demonstrate that he would follow through with the promises made. They are asking that these restrictions be recommended for removal from the PUD Agreement.

Staff Presentation:

Planner I O'Connor reviewed the request and stated prior to current development, this area was used agriculturally. On August 12, 2014 the Planning & Zoning Commission heard the preliminary PUD presentation on this request. Due to public comments the public hearing was postponed until October 14, 2014. After the public hearing was closed at the October 14, 2014 P&Z meeting and at the applicant's request the request was tabled – to be rescheduled. On November 18, 2014, the applicant held a neighborhood meeting at EHM Engineer, Inc. offices. On November 25, 2014, the Commission held the public hearing whereby they unanimously recommended approval as presented subject to three conditions. City Council approved the PUD, as presented by the applicant, and subject to conditions, in December 2014. The Canyon Village PUD #270 was recorded in January 2015. The approved project is being developed into a mixed-use development with commercial, multi-family and single family residences.

On May 2, 2017 the applicant applied for a residential building permit to be located at 1525 Mountain View Drive. Following building department protocol, city staff reviewed the permit for compliance with Building Codes, and typical zoning codes (property line setbacks, height limitation, parking spaces, etc.). Typical residential permit reviews do not include review of CC&R's, or extensive reviews of PUD documents. After concluding the typical review, the permit was issued to the applicant and construction began.

On August 22, 2017, a phone call was made to the City inquiring about a new home being constructed which was shown to have siding being installed. After investigating the inquiry, Staff made contact with the developer notifying him of the PUD violation. During that phone conversation, the violations were listed: the Garage may not face south, and the exterior of the home shall be brick, stucco, or stone. Staff also informed the developer the house would not receive a Final Certificate of Occupancy until the conditions of the PUD were met.

A subsequent meeting was scheduled on August 24, 2017, with the Developer and Staff in order to determine options for the developer. During that meeting, the options were given to change the home to conform to the PUD or to apply to amend the PUD through the process allowed within City Code.

On August 28, 2017, Staff received an application for a PUD Amendment requesting removal of the residential development standards.

This Commission heard the preliminary presentation for the PUD Amendment request at the September 26, 2017 Planning & Zoning Hearing.

During the original application process for the Canyon Village PUD #270, there were several community outreach sessions which resulted in a unique agreement. PUD #270 has architectural elements as part of the development standards for the private residences within 280' of the southern boundary (Cheney Drive).

Listed *below* is the original PUD Verbiage for Section #5-F of the PUD development standards along with the staff analysis and impacts as written in the original P&Z Staff report from November 25, 2014.

All buildings within 280 feet of the Southerly boundary (Area C and Area F) shall be of residential architectural character.

Residential units within 280 feet of the South boundary shall have the following additional requirements:

- a. Minimum living unit size of residences shall be 1600 square feet exclusive of garage.*
- b. Each residence shall have a 2 car or larger garage.*
- c. Lot area shall average not less than 10,000 square feet*
- d. Exterior material shall be brick, stucco or stone, or a combination thereof.*
- e. No garage doors shall face Cheney Drive.*
- f. Roof pitches shall be not less than 6 in 12.*
- g. Building height shall not exceed 28 feet.*
- h. Any fencing parallel to and adjacent to Cheney shall be uniform and approved by the architectural control committee*

These regulations restrict the development standards for buildings within 280 feet of the South boundary (Area C and Area F). These criteria place minimum standards for any residential development that occurs in these areas. These criteria will be reviewed and enforced by City Staff at the time of Building Permit submittal. These restrictions are not found in Twin Falls City Code. These restrictions are typically found within Codes, Covenants, and Restrictions (CC&R's). The greatest impacts these restrictions will have are on future landowners for this property, as well as an increased review time for future Building Permits.

During the original application process and Public Hearings, the staff analysis stated these standards are typically found in CC&R's. However, these restrictions are legal to be within the PUD and as the applicant placed the restriction upon himself, they remained within the document. As generally indicated in the original report, staff showed minimal support for

these standards being in the PUD and would rather them to be in a CC&R agreement.

In the past, the sentiment of public officials and City Staff has been to remain silent on architectural elements for residential properties in order to avoid conflicts with dictating the types of materials private property owners choose to construct their homes with.

Staff supports the amendment to the PUD as it removes City Staff from responsibility of enforcing architectural design standards on private residential homes, which is a position the City and Staff has been reluctant to take up many times in the past.

The Planning and Zoning Commission is tasked with forwarding a recommendation to the City Council. The Commission may recommend: approving the request as presented, approving the request with conditions, or denying the request.

Public Hearing: Opened

- Nathan Welch, 1345 Mountain View Dr, he represents a portion of the adjacent neighborhood that helped to create this PUD Agreement. He has spoken to all of the neighbors and expressed that they are very happy with the development so far. The neighbors are supportive of this request with regard to the residential area because it has been platted and CC&R's in being put into place. The neighbors however are concerned with removing the restrictions from the section related to the residential townhomes. The townhome area currently does not have any CC&R's in place for protection and the area has not been platted. There is a good buffer in place however, if the economy takes a downturn and ownership changes hands before it is developed without the restrictions in the PUD Agreement in place there is no protection for the neighbors. They ask that the Commission consider leaving the restrictions in place for the townhome area until plating and CC&R's for that area can be put into place.

Public Hearing: Closed

Closing Statement:

- Ms. Taylor thanked them for the neighbors praise on the development. Regarding the townhomes, she thinks that with the City review, ordinances, and protections in place the townhomes will not be an issue, they are just asking to be treated like everyone else. There are not any other PUD Agreements that include these types of restrictions and it is appropriate to remove them. In the event that someone wants to do something a little different than what is in the PUD or someone purchases the property with something different in mind will have to go through this process again to make any changes, if these requirement are not removed at this time.

Discussion Followed:

- Commissioner Frank asked for clarification on the process for the townhomes should the requested change be approved, as presented.

- Senior Planner Spendlove, stated the property would need to be platted and the building permit applications would be submitted.
- Commissioner Frank asked if there would be any set along the way that would ask for public input for the development.
- Senior Planner Spendlove explained the PUD Agreement calls out the zoning requirements for this portion of the development and the lots have to be platted and developed as R-1 VAR or Townhomes.
- Commissioner Frank asked once platted with there be CC&R's for the rest of the development.
- Senior Planner Spendlove explained the CC&R's come into place when the property is platted but they are not required.
- Commissioner Grey asked if leaving this verbiage in for the townhome portion would not prevent the residential development to move forward.
- Senior Planner Spendlove explained that is correct.
- Commissioner Grey explained that the City has moved away from PUD Agreements to a ZDA Agreement process that does outline design criteria and restrictions so that the information is presented everyone knows what to expect. He understands the request, but in the future these types of things are going to be in a ZDA Agreement.
- Commissioner Woods asked if the restrictions could be left in for the townhomes and removed for the residential portion.
- Senior Planner Spendlove state yes the Commission can make a recommendation to council that the restrictions related to the townhomes could be left in the agreement.
- Commissioner Grey stated he is considering all of the negotiations that took place for this development to move forward and everyone was happy. He understands, but the economy is very volatile and removing these conditions could leave the area with something less desirable. He doesn't see any reason to remove Section 4 at this time.
- Commission Musser explained this was a very unique situation and he would like to see this type of stuff addressed in CC&R's but he understands how this happened.
- Commissioner Dawson stated that her understanding is that this was an agreement that was made with the neighbors by the developer so that things could move forward. She feels like the neighbors are being very understanding with what has happened so far, but it is the developers and builders responsibility to understand the document and make sure that they adhere to the agreement. For the time being the townhome section should be left alone, because the neighbors are not comfortable with that part of the request. It may not be appropriate to remove those conditions until the property is ready for development.
- Commissioner Grey explained the restrictions are not so restrictive that they are not going to be built. He is fairly certain that when it comes time to build the townhomes this oversight will not be forgotten. He does understand it seems counterproductive to go through a public hearing process again to make a change to the PUD Agreement.
- Commissioner Dawson explained that the applicant had the responsibility to check for compliance and understand the agreements that were made and in this instance they were told they could bring things into compliance or make a formal request to amend the

agreement.

- Commissioner Woods stated he agrees protection needs to be provided for the townhome area and protect the agreement that has been made between the developer and the neighbors. We don't want to compromise the relationship by leaving this area left to chance.
- Commissioner Frank clarified there are no CC&R's associated with this portion of the property so until those are in place he agrees with the other members.

Motion:

Commissioner Grey recommended approval of the request to the City Council, as presented, and with the following condition, that the Residential Townhome Restrictions remain in the PUD Agreement. Commissioner Woods seconded. All members present voted in favor of the motion.

Recommended for Approval, to the City Council, As Amended

- b) Request for a **Special Use Permit** to operate a gym – Cross Fit Magic Valley – as an indoor recreation facility on property located at 248 Idaho Street South. c/o Brett Witherspoon (app. 2898)

Applicant Presentation:

Brett Witherspoon, the applicant, stated she is requesting a Special Use Permit to operate a gym. She has scheduled small classes, people come in work out and leave. The business is not open all day so there will be minimal traffic to the area and minimal impacts.

Staff Presentation:

This parcel is lots 28-32 of block 119 of the Original Town site plat recorded in 1904. The zoning was likely set with Ordinance 2012 in which was adopted in 1981. Since that time, this building has housed a number of uses and currently houses Cavalli Corp, an establishment that specializes in artistic application of plaster to homes and businesses.

This request is to establish a fitness gym, classified as Indoor Recreation, at 248 3rd Ave S. The property is zoned Old Town within the Warehouse Historic Overlay with a P-3 parking overlay (OT WHO P-3). The WHO requires any exterior modifications to be granted a Certificate of Appropriateness from the Historic Preservation Commission prior to any change. In the OT zone, a Special Use Permit is required for Indoor Recreation.

The applicant owns CrossFit Magic Valley and is currently leasing space on Kimberly Rd. The owner of the property granted permission for the applicant to request an SUP before signing a lease (see packet provided by staff). The applicant runs most of the sessions herself but has coaches to fill in when needed. The narrative also states in order to keep the sessions manageable and small there will be no more than 15 individuals coached at any one time. There will be limited noise as the sound levels for music needs to be low enough so coaching can be heard over the music. All activity will take place inside the gym.

The parking requirement for a gym is 1 space per 250 sq ft of exercise/floor area. The location of the gym falls under the 10-10-12 (C) P-3 Parking District 3. Under the P-3 overlay the code states, " ***Due to the desire of the city to retain the character of the P3 district special consideration may be given on a case by case basis to the parking requirements, if the standard requirements cannot be applied. Examples of special consideration may be a variance, leased parking, and remote parking.***" In this case, 12-15 spaces are required per city code, depending on the ultimate area used in this business. URA Director, Nathan Murray, granted permission to utilize the URA/Public parking lot located across the street from 248 3rd Ave. South (see attachments). The Zoning Administrator concurs.

Per City Code 10-4-13- OT District:

An SUP is required to establish any Indoor Recreation Facility.

Per City Code 10-4-22- WHO District:

A Certificate of Appropriateness granted by the Historic Preservation Commission is required prior to any exterior modification, including signage.

Per City Code 10-11-1 thru 8- Required Site Improvements:

Required improvements include landscaping, parking and maneuvering, screening, trash enclosure, access, drainage and storm water, utilities, etc.... These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal. In this case, all improvements are existing, and no building permit is anticipated to increase the size of the building, staff does not foresee any improvements being required.

Comprehensive Plan Compliance:

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Downtown." Downtown supports a very broad and diverse range of land uses, while encouraging infill and adaptive reuse. Recreational Facilities are specifically called out in the comprehensive plan as land uses that should be supported. Staff has determined this request complies with the 2016 comprehensive plan.

The applicant nor staff anticipates any negative impacts to surrounding properties from this land use.

Planner I O'Connor stated upon conclusion should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to class sizes being limited to no more than 15 individuals at any one time.
3. Subject to ADA Parking space being located as close as possible to the Alleyway entrance to 248 3rd Ave.
4. Subject to a Certificate of Appropriateness, be granted by HPC prior to any exterior

changes, including signage.

PZ/Questions & Comments:

- Commissioner Grey asked if she understood the condition stating no more than 15 individuals at any one time.
- She explained that she did understand that condition and that it was acceptable. If there becomes a need for more she will just add another class to her schedule. She likes small classes and having more than 15 in a class is difficult.

Public Hearing: Opened & Closed Without Concerns

Discussions Followed: Without Concerns

7) Upcoming Meeting(s)

- a) October 24, 2017 Public Hearing
November 1, 2017 Work Session

PZ Staff or Commission Questions/Comments:

Zoning & Development Manager Carraway-Johnson explained currently staff has been preparing for the move into the new City Hall which is planned for November 6, 2017. She stated she does not want to plan a work session that may not be productive. Staff has not prepared an item for discussion for the November work session and so staff is asking if the Commission has anything they would like to focus on for the next meeting, if not the meeting will be cancelled.

Commissioner Frank explained that he understands the short term events coming up quickly within the next month or two but asked if staff had a long term plan for work sessions.

Zoning & Development Manager Carraway-Johnson explained that the monthly meetings were originally to provide a preview to the public hearing agenda, which was deemed inappropriate, therefore the work session meetings were cancelled. The work sessions were rescheduled to discuss code amendments and educate the Commission on City Code. Senior Planner Spendlove has been tasked with working on these amendments.

Senior Planner Spendlove explained that after doing the definitions approximately 60% of the definitions chapter has been amended. If the definitions chapter is any indication what it is going to take to amend Title 10, he suspects that the other chapters will require as much if not more amendments. The process for amending sections of the code requires a public hearing in front of the Planning & Zoning Commission and the City Council. When the amendment is made staff has to track what the current code is, what has been deleted and identify and amendments. The bookkeeping process for each individual item to be changed over time is very time consuming and if 60% of the definitions have been amended the remainder of Title 10 will not be any easier. He has been working with Deputy City Manager Humble to create a staff report to present to Council to propose that instead of changing the code piece by piece, staff would recommend Title 10 be completely repealed and replaced. This does two things it allows staff to overhaul not only the definitions, the uses but also the entire layout of the code

section without having to track every single change, which in turn saves time. For example in the definitions indoor recreation facility is no longer identified, staff has recognized through experience that different have been categories as indoor recreation facility they have all had different impacts that may or may not have justified acquiring a Special Use Permit. If the city adopts the new definitions and that use is no longer identified, but is still listed in the zoning section it will create a conflict in the code, but waiting to review each definition and update each zoning section piece by piece would take forever. Staff deals with this issue already because our code does not always correlate with the Comprehensive Plan and staff has to navigate through keeping in mind the code as well as the intent of the Comprehensive Plan. If the entire section is replaced it gets done all at one time, which is what we are going to propose to City Council. The conversation about what uses should be allowed or allowed with a special use permit could not take place with defining each use. After working on the definitions for uses it was recognized that if 60% of that had to be overhauled, and Comprehensive Plan identifies zones we don't have it may be better to just overhaul the entire thing and replace Title 10.

Commissioner Grey asked about a timeline for this to be presented to City Council.

Zoning & Development Manager Carraway-Johnson explained realistically it will be presented to City Council in the new year. If the Council approves staff request, that will mean that Senior Planner Spendlove will be tasked with completing a draft of the proposed Title 10 revision and be what he is assigned to focus on for possibly the next year.

Commissioner Frank suggested that staff cancel the work session for now and improvise.

Senior Planner Spendlove explained the discussions can continue and items could be scheduled for public hearings but if they are just going to be revised or relocated in the new Title 10 Code section it just creates double the work.

Commissioner Grey recommended that if he Commission wants to discuss something it could be presented for discussion at the end of the evening meetings.

Assistant City Engineer Vitek explained that the current City Council building will be used throughout the rest of this year.

Commissioner Frank explained it is next to impossible to deal with the parking now that the police department has fenced off the parking area across the street. He also reminded the Commission that Commissioner Hall has stepped down so attendance is essential for a quorum. There will be an advertisement for his vacant position as well as three other positions that will be vacant at the end of February.

8) Adjournment

Chairman Frank adjourned the meeting at 7:23 pm.