



Twin Falls Planning & Zoning Commission Minutes

Tuesday, August 10, 2021, 6:00 PM

203 Main Avenue East
Twin Falls, ID 83301

Council Chambers

Members -

City Limits: Danielle Titus, Chairperson; Craig Kelley, Vice-Chair; Ed Musser; Carolyn Bolton; Curtis Hansen; Marilu Perez

Area of Impact: David Detweiler

1) Confirmation of Quorum/Call Meeting to Order

Chairperson Titus called the meeting to order at 06:00 PM

A quorum was present.

Members Present: Titus, Kelley, Musser, Bolton, Hansen, Detweiler

Staff Present: Hart, Humble, Nope, Vitek, Hafer, Spendlove, Ebersole

2) Consent Calendar

MOTION: Commissioner Kelley moved to approve the Consent Calendar, as presented.
Commissioner Musser seconded the motion.

Unanimously Approved by a vote of 5 to 0.

a) Approval of minutes from the following meeting: July 13, 2021

3) Items of Consideration – Agenda Amended at meeting

- a) Request for the consideration of the preliminary plat for the Federation Point ZDA Subdivision, approximately 10.69 (+/-) acres consisting of seven (7) lots located at 2104 Washington Street North c/o EHM Engineers, Inc. on behalf of Federation Point, ZDA. (PZ21-0115)

Staff Presentation:

Senior Planner Hart presented the request for the consideration of the preliminary plat for the Federation Point ZDA Subdivision, approximately 10.69 (+/-) acres consisting of seven (7) lots located at 2104 Washington Street North c/o EHM Engineers, Inc. on behalf of Federation Point, ZDA. (PZ21-0115)

As per Twin Falls City Code 10-12-2.3: The Commission may approve, conditionally approve, deny or table for additional information when acting on the preliminary plat. Approval of the Preliminary Plat will set many parameters for which the Final Plat must substantially conform to. Including the total number of lots, street layout, sidewalk connections, and other similar items.

A final plat, that is in conformance with the approved preliminary plat and including any conditions the Commission may have required, is then presented to the City Council. After a final plat has been approved by the City Council and construction plans approved, the plat will be recorded, and lots sold for development.

This plat complies with the standards as set forth in the City's General Subdivision Provision of Title 10, Chapter 12, Section 3, all regulations regarding RM and CRO Overlay zoning development standards, the Federation Point ZDA and the 2016 Comprehensive Plan. All general criteria for approval have been met, per State Statute 50-13. As stated, the Preliminary Plat Sets forth the total number of lots, street layout, sidewalk connections, and other similar items. A key feature of the Preliminary Plat are the multiple sidewalk connections, crosswalk, and private roads.

A note has been made on the Preliminary Plat concerning the sidewalk crossing across the corner of Federation and Washington. The note states "final location to be determined". The final location will be determined with the submittal of the construction plans to be determined by the City Engineer.

Upon conclusion, should the Commission approve this request as presented, staff recommends approval be 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.

Applicant Presentation:

Dave Thibault, EHM Engineers, Inc., representing applicant, presented the request of the preliminary plat for the Federation Point ZDA Subdivision, approximately 10.69 (+/-) acres consisting of seven (7) lots located at 2104 Washington Street North. He stated there are provisions for wider sidewalks, a crosswalk, and trail connections, as agreed with the city. He stated they are working with staff on an appropriate location for the crossing. He stated the residential units are not entry level. The Parks in Lieu application has been submitted and approved by City Council, as there is a large city park in close proximity to this development.

PZ/Questions & Comments:

- Commissioner Musser asked about single ownership of the residential units.
- Mr. Thibault clarified the ownership plan for the residential units.
- Citizen Chuck Brockway expressed his opposition to the development.
- Mr. Thibault gave his closing comments. He explained the parks in lieu process and the city's desire to not have a large park in this subdivision. He explained the preliminary plat process for subdividing the lots and that building permits will be submitted and reviewed at a later date. He stated this development is compliant with the Comprehensive Plan as analyzed by city staff, the Planning and Zoning Commission and City Council.

Discussions Followed:

- Commissioner Kelley reviewed what the commission is voting on for this

application.

- Commissioner Hansen stated the Zoning Development Agreement has been brought forward to the commission and council multiple times and the only thing the commission is voting on tonight is the division of lots.
- Commissioner Detweiler stated he likes the mixed use of this subdivision and believes the applicant has made the changes requested by the commission.
- Commissioner Musser stated the commission is just moving to the next step, and the developer has addressed the concerns brought forward. He stated he believes the mixed use is similar to what is currently along the canyon rim. He stated there is a need for this type of development and that it fits with the Comprehensive Plan.
- Commissioner Detweiler believes this project works as a project on the canyon rim.
- Commissioner Kelley agreed it is a good project as it sits back from the canyon rim trail and the developer is working on improving the trail.
- Chairperson Titus stated she agrees as this project is not on the canyon rim, but in the Canyon Rim Overlay. She believes it will bring better accessibility, works with the Comprehensive Plan and is appropriate for the area.

MOTION: Commissioner Kelley moved to approve the request for the Preliminary Plat for the Federation Point ZDA Subdivision, approximately 10.69 (+/-) acres consisting of seven (7) lots located at 2104 Washington Street North c/o EHM Engineers, Inc. on behalf of Federation Point, ZDA. (PZ21-0115), as presented with staff recommendations. Commissioner Bolton seconded the motion.

Unanimously Approved by a vote of 6 to 0.

4) Public Hearings

- a) Request for a Special Use Permit to allow for an in-home daycare service on property located at 396 April Avenue c/o Sabrina Al Zohiry. (app. PZ21-0096) - **Rescheduled by Applicant**
- b) *Moved to Item of Consideration*
- c) Request for a recommendation to City Council to consider an amendment to The Comprehensive Plan for the City of Twin Falls by the addition of the Twin Falls Impact Fee Study and Capital Improvements Plan ("Capital Improvements Plan") as Appendix A for the collection and expending of police, fire, parks, and streets development impact fees for system improvements as identified in the Capital Improvements Plan c/o City of Twin Falls. (PZ21-0099)

On April 29, 2021, The Impact Fee and Improvement Reimbursement Committee recommended approval by a vote of 6-0.

Staff Presentation:

Planning and Zoning Director Spendlove presented the request for a recommendation to City Council to consider an amendment to The Comprehensive Plan *for* the City of Twin Falls by the addition of the Twin Falls Impact Fee Study and Capital Improvements Plan (“Capital Improvements Plan”) as Appendix A for the collection and expending of police, fire, parks, and streets development impact fees for system improvements as identified in the Capital Improvements Plan c/o City of Twin Falls.

He introduced Consultant Anne Wescott to present the recommendation.

Applicant Presentation:

Anne Wescott, consultant, presented the request. She presented the background of gathering the information and the cities growth projections.

PZ/Questions & Comments:

- Commissioner Musser asked how often these plans be updated.
- Consultant Wescott stated, by law, the plan is to be reviewed every 5 years, but the plan may be looked at sooner if the city growth exceeds expectation.
- Planning and Zoning Director Spendlove recapped the commission’s decision on this item and that it is a recommendation to City Council.

Public Hearing: Opened and closed without input**Discussions Followed: without concerns**

MOTION: Commissioner Bolton moved to approve the request for a recommendation to City Council to consider an amendment to The Comprehensive Plan *for* the City of Twin Falls by the addition of the Twin Falls Impact Fee Study and Capital Improvements Plan (“Capital Improvements Plan”) as Appendix A for the collection and expending of police, fire, parks, and streets development impact fees for system improvements as identified in the Capital Improvements Plan c/o City of Twin Falls. (PZ21-0099), as presented, with staff recommendations.

Commissioner Detweiler seconded the motion.

Unanimously Approved by a vote of 6 to 0.

- d) Request for a recommendation to City Council for a Zoning Title Amendment to repeal City Code Title 10 Chapter 18: Impact Fees, in order to recodify in its own Title; and amend Title 10 Chapter 12 Section 3-11: Parks and Stormwater Retention/Detention c/o City of Twin Falls. (PZ21-0100)

Staff/Applicant Presentation:

Senior Planner Hart presented the request for a recommendation to City Council for a Zoning Title Amendment to repeal City Code Title 10 Chapter 18: Impact Fees, in order to recodify in its own Title; and amend Title 10 Chapter 12 Section 3-11: Parks and Stormwater Retention/Detention c/o City of Twin Falls.

PZ/Questions & Comments:

- Commissioner Musser asked about the cash submitted by a developer in lieu of a park.
- Deputy City Manager Humble explained the history of the parks in lieu process and why it hasn't worked. He stated the city wants better control of park land. He stated the city uses fees to buy park land the city wants instead of having developers dedicate land as retention pond parks. The city does not want the left over land from developers. He explained the difference between a neighborhood park and community park. He stated with the change, there will be a fairly significant impact fee for parks, but no longer will there be a park dedication requirement. He stated the goal is to get parks where the city wants there to be parks.
- Commissioner Musser asked if the net storm water retention be removed from impact fee?
- Deputy City Manager Humble stated there is a difference and a better storm water solution. He stated the maintenance funding comes from the same pot as perimeter landscaping.
- Chairperson Titus asked about community vs neighborhood park allocation? Are the fees separated?
- Deputy City Manager Humble stated the parks commission defined the difference between the two types of parks. A Neighborhood Park is close to home for nearby recreation. A Community Park (example Sunway Soccer Park) is not a walk to park, but the community drives to those parks for events/tournaments. He stated the city would buy acreage from developers through the platting process where neighborhood parks are needed for incoming subdivisions, while still making improvements to community parks. There is a Parks Master Plan that has neighborhoods marked that are underserved. The parks impact fee will have to be used solely for parks expense and used where the need is greatest.
- Chairperson Titus asked if the city maintains the retention ponds, but does not own land.
- Senior Planner Hart clarified the stormwater retention code and how city will maintain those ponds.
- Deputy City Manager Humble stated the land will be dedicated to the city for maintenance. This is a long-needed solution to this issue.
- Chairperson Titus asked the comparison between a developer dedicating a park versus paying the parks in lieu fee.

- Deputy City Manager Humble clarified the parks in lieu process and how the fees are calculated and collected.
- Commissioner Musser asked if the fee is based on the costs of homes.
- Deputy City Manager Humble clarified the fees are based on the city's needs and what needs drive the fee amount.
- Planning and Zoning Director Spendlove answered there is no discrepancy in park impact fees between multi household vs single family homes. He stated the new code will eliminate the developers obligation for a park. City staff will work with developer on where parks are needed during the platting process.

Public Hearing: Opened and closed without input

Discussions Followed:

- Commissioner Bolton stated she likes that this is a transparent process and that storm water retention is being taken out of a park.
- Commissioner Kelley shared his experience with stormwater retention issues. He is in favor with this plan.
- Chairperson Titus agreed, but is unsure how it compares it to a parks in lieu and the city trying to buy land in areas in this real estate market.
- Commissioner Detweiler agreed and is in favor of getting parks in areas where the city wants and needs them. He believes this is a well thought out plan.
- Commissioner Hansen stated he thinks these are good changes and this will help with parks as mudholes and will put parks where they will be used.

MOTION: Commissioner Kelley moved to approve the request for a recommendation to City Council for a Zoning Title Amendment to repeal City Code Title 10 Chapter 18: Impact Fees, in order to recodify in its own Title; and amend Title 10 Chapter 12 Section 3-11: Parks and Stormwater Retention/Detention c/o City of Twin Falls (PZ21-0100), as presented with staff recommendations.

Commissioner Bolton seconded the motion.

Unanimously approved by a vote of 6 to 0.

5) Upcoming Meeting(s)

a) Tuesday, August 24, 2021

6) Adjournment

The meeting adjourned at 07:24 PM

Kelli Ebersole

Kelli Ebersole, Administrative Assistant