

# CITY OF PRESTON PLANNING AND ZONING MEETING

April 14, 2021

**ATTENDANCE**      **The following Board members were present: Chairman Fred Titensor, Commissioner Steve Call, Commissioner Berni Winn, Commissioner Adrienne Alvey, Commissioner Dave Cole, Commissioner Penny Wright**

**Staff present: Tyrell Simpson, Shawn Oliverson, Preston Rutter, Becky Cox, Dan McCammon**

**Others: Dan Keller, Nile Checketts, Dixon Beckstead, Deb Summers, Jim Summers, Jeff Call, Quinn Corbridge, Zach Corbridge**

**Meeting was called to order at 6:00 P.M. by Chairman Fred Titensor.**

**REVIEW & APPROVE P&Z MINUTES 3/24/2021**      **It was moved by Commissioner Steve Call and seconded by Commissioner Penny Wright to approve the Planning and Zoning Minutes of March 24, 2021 as written. The vote went as follows:**

<b>Chairman Titensor-</b>	<b>Aye</b>
<b>Commissioner Alvey -</b>	<b>Aye</b>
<b>Commissioner Cole -</b>	<b>Aye</b>
<b>Commissioner Winn-</b>	<b>Aye</b>
<b>Commissioner Wright -</b>	<b>Aye</b>
<b>Commissioner Call-</b>	<b>Aye</b>

**Vote was unanimous.**

**PUBLIC HEARING AMENDMENT TO COMPREHENSIVE PLAN ELEMENT 2: LAND USE**      **Chairman Titensor called for a public hearing on the proposed amendment to the Comprehensive Plan, Element 2: Land Use.**

## NOTICE OF PUBLIC HEARING

City of Preston

Amendments to City of Preston Comprehensive Plan, ELEMENT 2: Land Use

A public hearing will be held before the Planning and Zoning Commission, of the City of Preston, to hear public comment on amendments to the City of Preston's Comprehensive Plan, ELEMENT 2: Land Use.

Revising ELEMENT 2: Land Use, to remove major land use issue, promotion of infill rather than expansion, small amounts of commercial zone, housing shortage, dairies, Residential A-1 zone, Residential A-2 zone, Residential B zone, Transitional zone, Business zone, Industrial zone and General Policy Statement; adding land use needs, infrastructure for roads, water and sewer, a well-defined city zoning map, development without added cost to current residents, limited housing, addressing minor subdivisions compromising future roads and back-lot development, growth in the commercial, industrial and downtown zones, protecting agriculture, animal rights and open spaces.

**HEARING DATE AND TIME:** Wednesday, April 14, 2021 at 6:05 p.m. or a soon thereafter as can be heard.

**HEARING LOCATION:** Preston City Hall Council Chambers 70 West Oneida Preston, Idaho 83263.

A copy of ELEMENT 2: Land Use of the City of Preston Comprehensive Plan is available at the City Clerk's office at 70 West Oneida Preston, Idaho.

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City Hall is accessible to persons with disabilities. Anyone desiring accommodations for disabilities please call the City Clerk's Office, 208-852-1817, at least 48 hours prior to the public hearing.

Linda Acock, City Clerk

**Chairman Titensor read the guidelines for a public hearing and stated that these guidelines would be followed for each public hearing held this day and he would not be reading them at the beginning of each public hearing.**

**Chairman Titensor explained that the Land Use element of the Comprehensive Plan was updated to eliminate language about specific zones, update the current needs of the city and make it more general in regards to land use in the city.**

**Chairman Titensor called for comments in support of the amendment.**

**There were no comments and no written comments in support.**

**Chairman Titensor called for neutral comments.**

**There were no neutral comments and no written neutral comments.**

**Chairman Titensor called for opposing comments.**

**There were no opposing comments and no written opposing comments.**

**Commissioner Winn made a motion to close the public hearing. Commissioner Cole seconded the motion.**

**Vote was as follows:**

<b>Chairman Titensor-</b>	<b>Aye</b>
<b>Commissioner Alvey -</b>	<b>Aye</b>
<b>Commissioner Cole -</b>	<b>Aye</b>
<b>Commissioner Winn-</b>	<b>Aye</b>
<b>Commissioner Wright -</b>	<b>Aye</b>
<b>Commissioner Call-</b>	<b>Aye</b>

**Vote was unanimous.**

**Chairman Titensor called for a motion on the proposed amendment to the Comprehensive Plan, Element 2: Land Use.**

**Commissioner Cole made a motion to recommend to City Council approval of the amendment to the Comprehensive Plan, Element 2: Land Use.**

**Commissioner Alvey seconded the motion.**

**Vote went as follows:**

<b>Chairman Titensor-</b>	<b>Aye</b>
<b>Commissioner Alvey -</b>	<b>Aye</b>
<b>Commissioner Cole -</b>	<b>Aye</b>
<b>Commissioner Winn-</b>	<b>Aye</b>
<b>Commissioner Wright -</b>	<b>Aye</b>
<b>Commissioner Call-</b>	<b>Aye</b>

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**Vote was unanimous.**

**PUBLIC  
HEARING  
AMEND-  
MENT TO  
COMPRE-  
HENSIVE  
PLAN  
ELEMENT 3:  
TRANSPOR-  
TATION**

**Chairman Titensor called for a public hearing on the proposed amendment to the Comprehensive Plan, Element 3: Transportation.**

**NOTICE OF PUBLIC HEARING**

City of Preston

Amendments to City of Preston Comprehensive Plan, ELEMENT 3: Transportation

A public hearing will be held before the Planning and Zoning Commission, of the City of Preston, to hear public comment on amendments to the City of Preston's Comprehensive Plan, ELEMENT 3: Transportation.

Replace overview of ELEMENT 3: Transportation, to replace the listed speed limit along U.S. 91 from 25 mph to 30 mph; replace the listed city limits encompassing four (4) miles to city limits encompassing seven (7) square miles.

Amend Policy 1 – Transportation Planning, to remove language relating to the Idaho Transportation Department Highway 91 Corridor Study; incorporate transportation plan to include trails and bike paths.

Amend Policy 2 – Circulation to include a committee investigation of through streets, providing efficient traffic circulation, causing less congestion; remove the classification of Major Arterial and Minor Arterial to encompass those street classifications as Arterial; include storm water standards and remove phrase relating to the Runoff Study of 1998;

Amend Policy 3 – Economic Development to state the city should seek to develop business to accommodate city residents, county residents and outlying areas; and seek to implement downtown parking;

Amend Policy 4 – Entrance Corridors Goals to remove landscaping set back of thirty feet (30') on entrance of business corridors.

Amend Policy 5 – Transportation Financing, to remove additional traffic signals on U.S 91 and the rebuilding of South State Street as prioritized Planned Improvements; add language that Preston City should seek grants to improve street and sidewalks; and add paving streets that are not fully paved to the Prioritize Planned Improvements.

Amend Policy 6 – Airport area to add the location of the public airport.

Amend Policy 7 – Public Transportation to remove taxi service and charter air as provided services; and to add Cache Valley Transit, Pocatello Regional Transit and School Bus Service to students from kindergarten through grade twelve.

Amend Policy 8 – School Safety to add the review of streets and sidewalks near school facilities; create safe environment for the community.

Amend Policy 10 – Multi-Jurisdictional Planning to reference the city's desire to continue working with Franklin County officials.

**HEARING DATE AND TIME:** Wednesday, April 14, 2021 at 6:10 p.m. or a soon thereafter as can be heard.

**HEARING LOCATION:** Preston City Hall Council Chambers 70 West Oneida Preston, Idaho 83263.

A copy of ELEMENT 3: Transportation of the City of Preston Comprehensive Plan is available at the City Clerk's office at 70 West Oneida Preston, Idaho.

City Hall is accessible to persons with disabilities. Anyone desiring accommodations for disabilities please call the City Clerk's Office, 208-852-1817, at least 48 hours prior to the public hearing.

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Linda Acock, City Clerk

**Commissioner Steve Call explained that there were not many changes made to this element. Information that was outdated was removed or updated.**

**Chairman Titensor called for comments in support of the amendment.**

**There were no comments or written comments in support.**

**Chairman Titensor called for neutral comments.**

**There were no neutral comments or written neutral comments.**

**Chairman Titensor called for opposing comments.**

**Jim Summers asked if anything was being addressed about Main Street being changed back to its original configuration. Chairman Titensor explained that the Comprehensive Plan is an aspirational document that provides a direction for the city but does not drive changes. That change will happen with the State Road Department and the City Council.**

**There were no written opposing comments.**

**Chairman Titensor called for a motion to close the public hearing.**

**Commissioner Cole made a motion to close the public hearing for the proposed amendment to the Comprehensive Plan, Element 3: Transportation. Commissioner Alvey seconded the motion.**

**Vote went as follows:**

<b>Chairman Titensor-</b>	<b>Aye</b>
<b>Commissioner Alvey -</b>	<b>Aye</b>
<b>Commissioner Cole -</b>	<b>Aye</b>
<b>Commissioner Winn-</b>	<b>Aye</b>
<b>Commissioner Wright -</b>	<b>Aye</b>
<b>Commissioner Call-</b>	<b>Aye</b>

**Vote was unanimous.**

**Chairman Titensor called for a motion on the proposed amendment to the Comprehensive Plan, Element 3: Transportation.**

**Commissioner Winn made a motion to recommend to City Council approval of the amendment to the Comprehensive Plan, Element 3: Transportation. Commissioner Call seconded the motion.**

**Vote went as follows:**

<b>Chairman Titensor-</b>	<b>Aye</b>
<b>Commissioner Alvey -</b>	<b>Aye</b>
<b>Commissioner Cole -</b>	<b>Aye</b>
<b>Commissioner Winn-</b>	<b>Aye</b>
<b>Commissioner Wright -</b>	<b>Aye</b>
<b>Commissioner Call-</b>	<b>Aye</b>

**Vote was unanimous.**

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**PUBLIC  
HEARING  
AMEND-  
MENT TO  
COMPRE-  
HENSIVE  
PLAN  
ELEMENT 4:  
COMMUNITY  
DESIGN  
AND  
SPECIAL  
SITES**

**Chairman Titensor called for a public hearing on the proposed amendment to the Comprehensive Plan, Element 4: Community Design and Special Sites.**

**NOTICE OF PUBLIC HEARING**

City of Preston

Amendments to City of Preston Comprehensive Plan, ELEMENT 4: Community Design and Special Sites

A public hearing will be held before the Planning and Zoning Commission, of the City of Preston, to hear public comment on amendments to the City of Preston's Comprehensive Plan, ELEMENT 4: Community Design and Special Sites

Amend General Policy Statement: Downtown –to remove reference to zoning classification C2; remove maximum height of two (2) stories for businesses. Adding pedestrian oriented theme for downtown business area; providing identification signs of historical significance, navigation, and amenities.

Amend General Policy Statement: Shopping Centers – to remove specification to generalized retail districts or linear strip commercial; remove specification to allowed shopping centers within the C3 Zone.

Amend General Policy Statement: Regional Shopping Centers – to remove this general policy statement, which discourages regional shopping centers, typified by anchor stores, factory outlets, warehouse/club stores, etc., in its entirety.

**HEARING DATE AND TIME:** Wednesday, April 14, 2021 at 6:15 p.m. or as soon thereafter as can be heard.

**HEARING LOCATION:** Preston City Hall Council Chambers 70 West Oneida Preston, Idaho 83263.

A copy of ELEMENT 4: Community Design and Special Sites, of the City of Preston Comprehensive Plan, is available at the City Clerk's office at 70 West Oneida Preston, Idaho.

City Hall is accessible to persons with disabilities. Anyone desiring accommodations for disabilities please call the City Clerk's Office, 208-852-1817, at least 48 hours prior to the public hearing.

Linda Acock, City Clerk

**Commissioner Alvey explained that changes to this element were made to facilitate the small town feel for current and future residents. Wording that no longer applied or was redundant was removed.**

**Chairman Titensor called for comments in support of the amendment.**

**There were no comments or written comments in support.**

**Chairman Titensor called for neutral comments.**

**There were no neutral comments or written neutral comments.**

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Chairman Titensor called for opposing comments.

There were no comments or written opposing comments.

Chairman Titensor called for a motion to close the public hearing.

Commissioner Winn made a motion to close the public hearing for the proposed amendment to the Comprehensive Plan, Element 4: Community Design and Special Sites. Commissioner Wright seconded the motion.

Vote went as follows:

Chairman Titensor-	Aye
Commissioner Alvey -	Aye
Commissioner Cole -	Aye
Commissioner Winn-	Aye
Commissioner Wright -	Aye
Commissioner Call-	Aye

Vote was unanimous.

Chairman Titensor called for a motion on the proposed amendment to the Comprehensive Plan, Element 4: Community Design and Special Sites.

Commissioner Call made a motion to recommend to City Council approval of the amendment to the Comprehensive Plan, Element 4: Community Design and Special Sites.

Commissioner Wright seconded the motion.

Vote went as follows:

Chairman Titensor-	Aye
Commissioner Alvey -	Aye
Commissioner Cole -	Aye
Commissioner Winn-	Aye
Commissioner Wright -	Aye
Commissioner Call-	Aye

Vote was unanimous.

**PUBLIC  
HEARING  
AMEND-  
MENT TO  
COMPRE-  
HENSIVE  
PLAN  
ELEMENT 5:  
ECONOMIC  
DEVELOP-  
MENT**

Chairman Titensor called for a public hearing on the proposed amendment to the Comprehensive Plan, Element 5: Economic Development

**NOTICE OF PUBLIC HEARING**

City of Preston

Amendments to City of Preston Comprehensive Plan, ELEMENT 5: Economic  
Development

A public hearing will be held before the Planning and Zoning Commission, of the City of Preston, to hear public comment on amendments to the City of Preston's Comprehensive Plan, ELEMENT 5: Economic Development.

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Remove agriculture as the largest contributor in Preston City; adding major industries to include education, healthcare, retail, manufacturing and construction; listing largest employers in Preston City.

Remove reference to Preston City being a bedroom community to Logan, Utah; add large contingent of people who live in Preston work in Utah.

Add extension of high speed internet to as many neighborhoods as possible.

List 2019 data for median yearly income for Preston City and Franklin County.

Remove paragraphs referencing development of industrial site, SICO, and individually named businesses and activities; to include encouragement of the growth, development and expansion of local businesses.

HEARING DATE AND TIME: Wednesday, April 14, 2021 at 6:20 p.m. or as soon thereafter as can be heard.

HEARING LOCATION: Preston City Hall Council Chambers 70 West Oneida Preston, Idaho 83263.

A copy of ELEMENT 5: Economic Development of the City of Preston Comprehensive Plan is available at the City Clerk's office at 70 West Oneida Preston, Idaho.

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Linda Acock, City Clerk

**Chairman Titensor explained that this element has been updated by eliminating references to businesses that no longer exist, adding wording about remote workers and referencing the latest income study.**

**Chairman Titensor called for comments in support of the amendment.**

**There were no comments or written comments in support.**

**Chairman Titensor called for neutral comments.**

**There were no neutral comments or written neutral comments.**

**Chairman Titensor called for opposing comments.**

**There were no comments or written opposing comments.**

**Chairman Titensor called for a motion to close the public hearing.**

**Commissioner Cole made a motion to close the public hearing for the proposed amendment to the Comprehensive Plan, Element 5: Economic Development. Commissioner Call seconded the motion.**

**Vote went as follows:**

Chairman Titensor-	Aye
Commissioner Alvey -	Aye
Commissioner Cole -	Aye
Commissioner Winn-	Aye
Commissioner Wright -	Aye
Commissioner Call-	Aye

**Vote was unanimous.**

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**Chairman Titensor called for a motion on the proposed amendment to the Comprehensive Plan, Element 5: Economic Development**

**Commissioner Alvey made a motion to recommend to City Council approval of the amendment to the Comprehensive Plan, Element 5: Economic Development. Commissioner Wright seconded the motion.**

**Vote went as follows:**

<b>Chairman Titensor-</b>	<b>Aye</b>
<b>Commissioner Alvey -</b>	<b>Aye</b>
<b>Commissioner Cole -</b>	<b>Aye</b>
<b>Commissioner Winn-</b>	<b>Aye</b>
<b>Commissioner Wright -</b>	<b>Aye</b>
<b>Commissioner Call-</b>	<b>Aye</b>

**Vote was unanimous.**

**PUBLIC  
HEARING  
AMEND-  
MENT TO  
COMPRE-  
HENSIVE  
PLAN  
ELEMENT 7:  
PUBLIC  
SERVICES,  
FACILITIES  
AND  
UTILITIES**

**Chairman Titensor called for a public hearing on the proposed amendment to the Comprehensive Plan, Element 7: Public Services, Facilities and Utilities.**

## NOTICE OF PUBLIC HEARING

City of Preston

Amendments to City of Preston Comprehensive Plan, ELEMENT 7: Public Services, Facilities and Utilities

A public hearing will be held before the Planning and Zoning Commission, of the City of Preston, to hear public comment on amendments to the City of Preston's Comprehensive Plan, ELEMENT 7: Public Services, Facilities and Utilities

Revise ELEMENT 7: Public Services, Facilities and Utilities removing reference to lawn watering restrictions and need for water meters, former engineer, former facilities planning studies, 1996 wastewater study, 1998 storm study, summation of protective services, incorporation of Fire District in 1999, relocation of county landfill and general policy statement; implementing water facility plan, wastewater facility plan, design and building of new wastewater facility plan, updated summary of protective services in Preston City, Franklin County Landfill, Larsen-Sant Library, Franklin County Medical Center, exploration of revenue from Impact Fees and General Policy Statement.

**HEARING DATE AND TIME:** Wednesday, April 14, 2021 at 6:25 p.m. or a soon thereafter as can be heard.

**HEARING LOCATION:** Preston City Hall Council Chambers 70 West Oneida Preston, Idaho 83263.

A copy of ELEMENT 7: Public Services, Facilities and Utilities of the City of Preston Comprehensive Plan is available at the City Clerk's office at 70 West Oneida Preston, Idaho.

City Hall is accessible to persons with disabilities. Anyone desiring accommodations for disabilities please call the City Clerk's Office, 208-852-1817, at least 48 hours prior to the public hearing.



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Linda Acock, City Clerk

**Commissioner Wright explained that the changes made to this element were to update the public services information and add information about the new sewer facility that is being planned for.**

**Chairman Titensor called for comments in support of the amendment.**

**There were no comments or written comments in support.**

**Chairman Titensor called for neutral comments.**

**There were no neutral comments or written neutral comments.**

**Chairman Titensor called for opposing comments.**

**There were no comments or written opposing comments.**

**Chairman Titensor called for a motion to close the public hearing.**

**Commissioner Call made a motion to close the public hearing for the proposed amendment to the Comprehensive Plan, Element 7: Public Services, Facilities and Utilities. Commissioner Alvey seconded the motion.**

**Vote went as follows:**

<b>Chairman Titensor-</b>	<b>Aye</b>
<b>Commissioner Alvey -</b>	<b>Aye</b>
<b>Commissioner Cole -</b>	<b>Aye</b>
<b>Commissioner Winn-</b>	<b>Aye</b>
<b>Commissioner Wright -</b>	<b>Aye</b>
<b>Commissioner Call-</b>	<b>Aye</b>

**Vote was unanimous.**

**Chairman Titensor called for a motion on the proposed amendment to the Comprehensive Plan, Element 7: Public Services, Facilities and Utilities.**

**Commissioner Wright made a motion to recommend to City Council approval of the amendment to the Comprehensive Plan, Element 7: Public Services, Facilities and Utilities.**

**Commissioner Call seconded the motion.**

**Vote went as follows:**

<b>Chairman Titensor-</b>	<b>Aye</b>
<b>Commissioner Alvey -</b>	<b>Aye</b>
<b>Commissioner Cole -</b>	<b>Aye</b>
<b>Commissioner Winn-</b>	<b>Aye</b>
<b>Commissioner Wright -</b>	<b>Aye</b>
<b>Commissioner Call-</b>	<b>Aye</b>

**Vote was unanimous.**

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**PUBLIC  
HEARING  
AMEND-  
MENT TO  
COMPRE-  
HENSIVE  
PLAN  
ELEMENT 11:  
HOUSING**

**Chairman Titensor called for a public hearing on the proposed amendment to the Comprehensive Plan, Element 11: Housing.**

**NOTICE OF PUBLIC HEARING**

City of Preston

Amendments to City of Preston Comprehensive Plan, ELEMENT 11: Housing

A public hearing will be held before the Planning and Zoning Commission, of the City of Preston, to hear public comment on amendments to the City of Preston's Comprehensive Plan, ELEMENT 11: Housing

Amend paragraph 2, to remove the words restrictive standards, and add the words current zoning ordinances.

Amend paragraph 3, to remove the words apartment complexes and add the words multi-unit housing and PUD development.

**HEARING DATE AND TIME:** Wednesday, April 14, 2021 at 6:25 p.m. or as soon thereafter as can be heard.

**HEARING LOCATION:** Preston City Hall Council Chambers 70 West Oneida Preston, Idaho 83263.

A copy of ELEMENT 11: Housing, of the City of Preston Comprehensive Plan, is available at the City Clerk's office at 70 West Oneida Preston, Idaho.

City Hall is accessible to persons with disabilities. Anyone desiring accommodations for disabilities please call the City Clerk's Office, 208-852-1817, at least 48 hours prior to the public hearing.

Linda Acock, City Clerk

**Commissioner Cole explained that this element is being amended to update current issues with multi-family housing, including expanding the areas where it can be built and making it less restrictive to build multi-family housing. He also noted that the issue of affordable housing is one that Preston has faced since the last revision of the Comprehensive Plan.**

**Chairman Titensor called for comments in support of the amendment.**

**Dixon Beckstead stated that the wording "unobtrusive to current residents" is very vague and suggested they look at different wording. Chairman Titensor explained that this document is just an outline and specific issues are addressed in the ordinances.**

**There were no written comments in support.**

**Chairman Titensor called for neutral comments.**

**There were no neutral comments or written neutral comments.**

**Chairman Titensor called for opposing comments.**

**There were no comments or written opposing comments.**

**Chairman Titensor called for a motion to close the public hearing.**

**CITY OF PRESTON PLANNING AND ZONING MEETING**

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**Commissioner Alvey made a motion to close the public hearing for the proposed amendment to the Comprehensive Plan, Element 11: Housing. Commissioner Cole seconded the motion.**

**Vote went as follows:**

<b>Chairman Titensor-</b>	<b>Aye</b>
<b>Commissioner Alvey -</b>	<b>Aye</b>
<b>Commissioner Cole -</b>	<b>Aye</b>
<b>Commissioner Winn-</b>	<b>Aye</b>
<b>Commissioner Wright -</b>	<b>Aye</b>
<b>Commissioner Call-</b>	<b>Aye</b>

**Vote was unanimous.**

**Chairman Titensor called for a motion on the proposed amendment to the Comprehensive Plan, Element 11: Housing.**

**Commissioner Wright made a motion to recommend to City Council approval of the amendment to the Comprehensive Plan, Element 11: Housing. Commissioner Call seconded the motion.**

**Vote went as follows:**

<b>Chairman Titensor-</b>	<b>Aye</b>
<b>Commissioner Alvey -</b>	<b>Aye</b>
<b>Commissioner Cole -</b>	<b>Aye</b>
<b>Commissioner Winn-</b>	<b>Aye</b>
<b>Commissioner Wright -</b>	<b>Aye</b>
<b>Commissioner Call-</b>	<b>Aye</b>

**Vote was unanimous.**

**PUBLIC  
HEARING  
AMEND-  
MENT TO  
THE  
SUBDIVISION  
ORDINANCE,  
FLAG LOTS**

**Chairman Titensor called for a public hearing an amendment to the Subdivision Ordinance, Flag Lots, Chapter 16.24.045 of the Preston Municipal Code.**

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held on the 14<sup>th</sup> day of April, 2021, at the hour of 6:35 P.M., or as soon thereafter as this matter may be heard, at City Hall located at 70 West Oneida St., Preston, Idaho, before the City of Preston Planning and Zoning Commission to consider an amendment to the Subdivision Ordinance, Flag Lots, Chapter 16.24.045 of the Preston Municipal Code, as follows:

**AN ORDINANCE OF THE CITY OF PRESTON, IDAHO, AMENDING THE SUBDIVISION ORDINANCE OF THE PRESTON MUNICIPAL CODE AS FOLLOWS: 16.24.045 – FLAG LOTS, REVISING NUMBERING OF PARAGRAPHS, ELIMINATING THE RESTRICTION OF FLAG LOTS ONLY WITHIN THE CORE AREA OF THE CITY; AUTHORIZING THE CITY ENGINEER TO REQUIRE SCREENING AND LANDSCAPING; REQUIRING ALL PLANS BE APPROVED BY THE LOCAL FIRE PROTECTION AGENCY, THAT ALL DWELLINGS BE LOCATED WITHIN A MAXIMUM DISTANCE**

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OF FOUR HUNDRED FIFTY FEET (450') FROM THE STREET CENTERLINE, FIRE HYDRANTS, TURNAROUNDS, SIGNS, AND THAT ALL IMPROVEMENTS SHALL BE COMPLETED AT THE OWNER/DEVELOPER EXPENSE; REVISE THE BEFORE-AFTER INFILL ILLUSTRATION TO A FLAG LOT ILLUSTRATION.

A copy of a proposed ordinance is on file with the city clerk at the above address and copies of the same may be obtained from that office from and after March 24, 2021.

All persons present at the public hearing will be given the opportunity to be heard. Written comments and objections may be submitted to the City Clerk at the above address prior to the public hearing, and the same shall be considered by the Commission in its deliberations.

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Linda Acock, City Clerk

**City Engineer Tyrell Simpson explained that this ordinance is being amended to make it possible for flag lots to be outside of the core of the city and to extend the driveway limit to 450 feet, adding a requirement for a fire hydrant and a turn around.**

**Chairman Titensor called for comments in support of the amendment.**

**There were no comments and no written comments in support.**

**Chairman Titensor called for neutral comments.**

**There were no neutral comments or written neutral comments.**

**Chairman Titensor called for opposing comments.**

**Nile Checketts asked if the longer driveway was approved by the state fire department as he understood that a driveway over 150 feet would require a turnaround. Mr. Simpson replied that the new code includes the requirement for a turnaround if the driveway exceeds 150 feet.**

**There were no written opposing comments.**

**Chairman Titensor called for a motion to close the public hearing.**

**Commissioner Alvey made a motion to close the public hearing for the proposed amendment to the Subdivision Ordinance, Flag Lots, Chapter 16.24.045 of the Preston Municipal Code. Commissioner Cole seconded the motion.**

**Vote went as follows:**

<b>Chairman Titensor-</b>	<b>Aye</b>
<b>Commissioner Alvey -</b>	<b>Aye</b>
<b>Commissioner Cole -</b>	<b>Aye</b>
<b>Commissioner Winn-</b>	<b>Aye</b>
<b>Commissioner Wright -</b>	<b>Aye</b>
<b>Commissioner Call-</b>	<b>Aye</b>

**Vote was unanimous.**

# CITY OF PRESTON PLANNING AND ZONING MEETING

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**Chairman Titensor called for a motion on the proposed amendment to the Subdivision Ordinance, Flag Lots, Chapter 16.24.045 of the Preston Municipal Code.**

**Commissioner Call made a motion to recommend to City Council approval of the Subdivision Ordinance, Flag Lots, Chapter 16.24.045 of the Preston Municipal Code. Commissioner Alvey seconded the motion.**

**Vote went as follows:**

<b>Chairman Titensor-</b>	<b>Aye</b>
<b>Commissioner Alvey -</b>	<b>Aye</b>
<b>Commissioner Cole -</b>	<b>Aye</b>
<b>Commissioner Winn-</b>	<b>Aye</b>
<b>Commissioner Wright -</b>	<b>Aye</b>
<b>Commissioner Call-</b>	<b>Aye</b>

**Vote was unanimous.**

**PUBLIC  
HEARING  
AMEND-  
MENT TO  
THE  
ZONING  
ORDINANCE,  
OFF-STREET  
PARKING**

**Chairman Titensor called for a public hearing on the proposed amendment to the Zoning Ordinance, Off-Street Parking, Chapter 17.22 of the Preston Municipal Code.**

## **NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held on the 14<sup>th</sup> day of April, 2021, at the hour of 6:40 P.M., or as soon thereafter as this matter may be heard, at City Hall located at 70 West Oneida St., Preston, Idaho, before the City of Preston Planning and Zoning Commission to consider an amendment to the Zoning Ordinance, Off-Street Parking, Chapter 17.22 of the Preston Municipal Code, as follows:

AN ORDINANCE OF THE CITY OF PRESTON, IDAHO, AMENDING THE ZONING ORDINANCE, PRESTON MUNICIPAL CODE AS FOLLOWS: 17.22 – OFF-STREET PARKING, CHANGING CHAPTER TITLE OF 17.22.010 FROM INCREASE IN INTENSITY OF USE TO ENLARGEMENT OR INCREASE OF USE; REMOVING LANGUAGE REFERENCING INTENSITY OF USE TO THAT OF ENLARGEMENT OR INCREASE; AND ALLOWING PLANNING AND ZONING COMMISSION TO GRANT EXCEPTIONS BASED ON SUFFICIENT STANDARD.

17.22.030 ACCESS: ADDING 12' WIDTH MINIMUM FOR ONE-WAY ACCESS; AND 24' WIDTH MINIMUM FOR TWO-WAY ACCESS.

17.22.040 EXISTING BUILDING NOT DEEMED NONCONFORMING: EXISTING BUILDINGS MAY NOT REDUCE PARKING AREA OR CAPACITY.

17.22.050 ROUNDING UP OF FRACTIONAL NUMBERS: CALCULATION FOR REQUIRED PARKING SPACES SHALL BE ROUNDED UP.

17.22.070 MIXED USES: REMOVE EXCEPTION FOR DWELLINGS AND MOTELS

17.22.080 HARD-SURFACED PARKING SPACES: INCLUDE CONCRETE OR ASPHALT AS HARDSCAPED, IMPERMEABLE SURFACE; REQUIRE FRONT YARDS OF COMMERCIAL AND INDUSTRIAL BUILDINGS TO BE LANDSCAPED OR HARDSCAPED; NEW COMMERCIAL OR INDUSTRIAL BUILDING, OR ADDITIONS OF 500 SQUARE FEET SHALL BE REVIEWED AND APPROVED BY THE PLANNING AND ZONING COMMISSION.

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17.22.090 LIGHTING—SCREENING: ADDING PRIVACY FENCE; FENCING AND SCREENING TO BE MAINTAINED IN GOOD CONDITION; IF TERRAIN OR NATURAL FEATURES PROHIBIT SCREENING, PLANNING AND ZONING COMMISSION MAY NOT REQUIRE SCREENING; LIGHTING AND SCREENING PLANS SHOULD BE APPROVED BY THE PLANNING AND ZONING COMMISSION; CREAT TABLE FOR REQUIRED PARKING SPACE PER USE.

CREATE 17.22.100 TABLE FOR REQUIRED PARKING SPACE PER USE.

CREATE 17.22.110 PARKING STANDARDS: CREATING A PARKING SPACE DIMENSION TABLE

CREATE 17.22.120 STATE STREET PARKING 1<sup>ST</sup> SOUTH TO 1<sup>ST</sup> NORTH – BUYOUT OPTION: CREATE A STATE STREET 1<sup>ST</sup> SOUTH TO 1<sup>ST</sup> NORTH BUYOUT OPTION; CREATE THE DOWNTOWN PARKING FUND, ESTABLISH RATES FOR BUYOUT BY RESOLUTION; REQUIRING THE CANDIDATE FOR BUYOUT TO PRESENT EVIDENCE AS TO WHY THE BUYOUT IS NECESSARY; NO STAFF PARKING ALONG STATE STREET.

CREATE 17.22.130 REQUIRED LOADING ZONES: REQUIRING LOADING AREAS FOR NEWLY CONSTRUCTED COMMERCIAL/INDUSTRIAL BUILDING; LOADING AREAS SHALL NOT ENCROACH UPON PUBLIC PROPERTY; PARKING AREAS SHALL NOT DOUBLE AS LOADING AREAS DURING OPERATING HOURS.

CREATE 17.22.140 FINES FOR VIOLATIONS: ESTABLISHING PENALTY FOR VIOLATION.

A copy of a proposed ordinance is on file with the city clerk at the above address and copies of the same may be obtained from that office from and after March 24, 2021.

All persons present at the public hearing will be given the opportunity to be heard. Written comments and objections may be submitted to the City Clerk at the above address prior to the public hearing, and the same shall be considered by the Commission in its deliberations.

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Linda Acock, City Clerk

**Economic Development Director Shawn Oliverson explained that the biggest change to this ordinance is the buyout option for businesses that are downtown and do not have any parking available.**

**Chairman Titensor called for comments in support of the amendment.**

**There were no comments and no written comments in support.**

**Chairman Titensor called for neutral comments.**

**There were no neutral comments or written neutral comments.**

**Chairman Titensor called for opposing comments.**

**There were no comments and no written opposing comments.**

**Chairman Titensor called for a motion to close the public hearing.**

**Commissioner Winn made a motion to close the public hearing for the proposed amendment to the Zoning Ordinance, Off-Street Parking, Chapter 17.22 of the Preston Municipal Code. Commissioner Wright seconded the motion.**

**Vote went as follows:**

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<b>Chairman Titensor-</b>	<b>Aye</b>
<b>Commissioner Alvey -</b>	<b>Aye</b>
<b>Commissioner Cole -</b>	<b>Aye</b>
<b>Commissioner Winn-</b>	<b>Aye</b>
<b>Commissioner Wright -</b>	<b>Aye</b>
<b>Commissioner Call-</b>	<b>Aye</b>

**Vote was unanimous.**

**Chairman Titensor called for a motion on the proposed amendment to the Zoning Ordinance, Off-Street Parking, Chapter 17.22 of the Preston Municipal Code.**

**Commissioner Call made a motion to recommend to City Council approval of the amendment to the Zoning Ordinance, Off-Street Parking, Chapter 17.22 of the Preston Municipal Code. Commissioner Alvey seconded the motion.**

**Vote went as follows:**

<b>Chairman Titensor-</b>	<b>Aye</b>
<b>Commissioner Alvey -</b>	<b>Aye</b>
<b>Commissioner Cole -</b>	<b>Aye</b>
<b>Commissioner Winn-</b>	<b>Aye</b>
<b>Commissioner Wright -</b>	<b>Aye</b>
<b>Commissioner Call-</b>	<b>Aye</b>

**Vote was unanimous.**

**PUBLIC  
HEARING  
CREATION  
OF A NEW  
CHAPTER  
TO THE  
PRESTON  
MUNICIPAL  
CODE**

**Chairman Titensor called for a public hearing on the creation of a new chapter to the Preston Municipal Code, Title 17, Zoning, 17.19, Animals and Eliminating 17.20.010, 17.20.020 , and 17.24.090 of Prohibited Uses In The Preston Municipal Code.**

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held on the 14<sup>th</sup> day of April, 2021, at the hour of 6:45 P.M., or as soon thereafter as this matter may be heard, at City Hall located at 70 West Oneida St., Preston, Idaho, before the City of Preston Planning and Zoning Commission to consider the creation of a new Chapter to the Preston Municipal Code, Title 17 Zoning, 17.19 ANIMALS and eliminating 17.20.010, 17.20.020, and 17.24.090 of prohibited uses in the Preston Municipal Code, as follows:

AN ORDINANCE OF THE CITY OF PRESTON, IDAHO, ELIMINATING PRESTON MUNICIPAL CODE 17.20.010 CERTAIN ANIMALS PROHIBITED A-1 AND A-2 DISTRICTS, IN ITS ENTIRETY; ELIMINATING PRESTON MUNICIPAL CODE 17.20.020 CERTAIN ANIMALS PROHIBITED RESIDENTIAL B AND TRANSITIONAL DISTRICTS, IN ITS ENTIRETY; AND ELIMINATING PRESTON MUNICIPAL CODE 17.24.090 LIVESTOCK ON PROPERTY IN ITS ENTIRETY AND CREATING A NEW CHAPTER IN THE PRESTON MUNICIPAL CODE, 17.19 ANIMALS.

17.19.010 PURPOSE – PROVIDE FOR KEEPING OF ANIMALS WITHIN CITY LIMITS.

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17.19.020 DEFINITIONS – DEFINE ANIMAL; ANIMAL EQUIVALENT UNIT (AEU); ANIMAL RIGHTS; BONAFIDE AGRICULTURAL, COMMERCIAL OR COMPETITIVE ENTERPRISES; HOUSEHOLD PETS; AND NONCONFORMING ANIMAL RIGHTS.

17.19.030 CONTINUANCE OF NONCONFORMING ANIMAL RIGHTS – ALLOWS PROPERTY OWNERS TO MAINTAIN, BUT NOT ENLARGE, NONCONFORMING ANIMAL RIGHTS.

17.19.040 EXEMPTIONS FOR EXISTING BONAFIDE AGRICULTURAL, COMMERCIAL, OR COMPETITIVE ENTERPRISES – CITY SHALL NOT TAKE ACTION TO RESTRICT EXISTING BONAFIDE AGRICULTURAL, COMMERCIAL, OR COMPETITIVE ENTERPRISE, EXCEPT A) PROHIBITED ANIMALS, B) LIVESTOCK PER PRESTON MUNICIPAL CODE 6.04 C) PROVISIONS WITHIN 17.19.070, 17.19.080, 17.19.090, 17.19.100, 17.19.110, 17.19.120, 17.19.130, D) USE IS DISCONTINUED FOR A PERIOD OF TEN (10) YEARS, E) BULLS AND STALLIONS MUST BE IN COMPLIANCE WITH PRESTON MUNICIPAL CODE 6.04.

17.19.050 NUMBER OF ANIMALS PERMITTED – CREATING MINIMUM REQUIRED LOT SIZE; CLASSIFICATION OF ANIMAL; NUMBER OF ANIMALS ALLOWED BASED ON ANIMAL EQUIVALENT UNIT (AEU); ANIMAL DENSITY; TABLE PER CLASSIFICATION AEU AND LOT SIZE.

17.19.060 YOUNG ANIMAL ALLOWANCE – MEDIUM CLASSIFIED ANIMALS UNDER ONE (1) YEAR WILL COUNT AS HALF AN ANIMAL EQUIVALENT UNIT.

17.19.070 REGULATIONS OF FEEDING AND HOUSING ANIMALS – LARGE AND MEDIUM ANIMALS MUST BE FED AND CORRALLED AT LEAST FORTY-FIVE FEET (45') FROM ANY NEIGHBORING BUILDING WITH HUMAN OCCUPANCY; JOINT FENCING PROHIBITED UNLESS ADJOINING PROPERTY OWNER GIVES CONSENT; FEEDING AND HOUSING ANIMALS SUBJECT TO ALL OTHER SECTIONS OF THE PRESTON MUNICIPAL CODE.

17.19.080 OTHER REGULATIONS – PROVISIONS OF PRESTON MUNICIPAL CODE TITLE 6 ANIMALS, CHAPTER 4 SHALL APPLY

17.19.090 TRESPASS BY ANIMALS OR FOWLS – IT SHALL BE UNLAWFUL FOR ANIMAL OR FOWL TO TRESPASS UPON THE PREMISE OF ANOTHER

17.19.100 PROHIBITED ANIMALS – HOGS OR PIGS; ALLIGATORS AND CROCODILES; BEAR; CAT FAMILY, EXCLUDING COMMON DOMESTIC CAT; DOG FAMILY, EXCLUDING DOMESTIC DOG; OSTRICH; PORCUPINE; PRIMATES; RACCOON; ROOSTER; SKUNK; VENOMOUS FISH AND PIRANHA; VENOMOUS SNAKES, LIZARDS, REPTILES; WEASEL INCLUDING ALL MUSTILIDAE FAMILY; WILD ANIMAL SUCH AS BIG GAME ANIMALS WHICH ARE RESTRICTED BY STATE OR FEDERAL LAW.

17.19.110 TRANSFERRING ANIMAL RIGHTS – THE RIGHTS TO KEEP ANIMALS ON A PARCEL IS NOT TRANSFERABLE TO ANOTHER PARCEL.

17.19.120 ANIMAL RIGHTS IN PLATTED SUBDIVISIONS – LOTS IN MAJOR AND MINOR SUBDIVISIONS ARE NOT ELIGIBLE FOR ANIMAL RIGHTS, EXCEPTING SMALL ANIMAL AND FOWL, UNLESS EACH AND EVERY LOT MEETS REQUIRED ACREAGE; HOA MAY FURTHER RESTRICT.

17.19.130 PENALTIES – ESTABLISHING PENALTY FOR VIOLATION.

A copy of a proposed ordinance is on file with the city clerk at the above address and copies of the same may be obtained from that office from and after March 24, 2021.

All persons present at the public hearing will be given the opportunity to be heard. Written comments and objections may be submitted to the City Clerk at the above address prior to the public hearing, and the same shall be considered by the Commission in its deliberations.



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Linda Acock, City Clerk

Chairman Titensor explained that they have received a lot of public feedback about this issue and they have taken a deep look into animal rights in the city and tried to come up with something that will work for what is already happening in the city with animals. This ordinance removes any zoning based restrictions and bases animal capacity on lot size. It also includes provisions for baby animals that are not permanent residents and protections for existing enterprises.

Chairman Titensor called for comments in support of the amendment.

Jim Summers thanked the commissioners for working on this ordinance. He wondered what protection current property owners have against new developments that move in and don't like the smell or noise of animals. Chairman Titensor explained that there would be no impact on the current property owners, there are protections in place for neighbors through a nuisance complaint.

Quinn Corbridge thanked the commissioners for their work on making these changes. He stated that he has occasionally raised pigs and would that be grandfathered in? Chairman Titensor explained that pigs have never been allowed in the city limits and that would not change.

Dixon Beckstead asked a question about the conversion table for maximum animals per half acre. Mr. Oliverson explained that the maximum number of animals per half acre is four (4).

Zac Corbridge thanked the commissioners and stated that this will resolve some issues between neighbors. He feels that people should be allowed to use their land. He asked them to consider making an exception for kids who would like to raise pigs for 4-H. He also asked for clarification on the nuisance complaints. Chairman Titensor explained that city code 6.04.140 addresses the nuisance complaints and will be enforced.

There were no written comments in support.

Chairman Titensor called for neutral comments.

There were no neutral comments or written neutral comments.

Chairman Titensor called for opposing comments.

Jeff Call stated that he understood that before changes could be made to ordinances the Comprehensive Plan should reflect those changes. He stated that for twenty-five (25) years the Comprehensive Plan and Title 17 has prohibited keeping large animals in the city limits and this abrupt change may catch people off guard. He also questioned how the level of nuisance is defined and who will decide what is acceptable. Chairman Titensor responded that these changes tried to reflect what was already happening in the city. He stated that unfortunately the nuisance complaints have to be driven by neighbors and while that is not ideal and can cause contention that is the reality. Commissioner Cole stated that subdivision lots are typically less than a half-acre and will not be allowed to have animals so the size restriction allows it to govern itself somewhat.

There were no written opposing comments.

Chairman Titensor called for a motion to close the public hearing.

# CITY OF PRESTON PLANNING AND ZONING MEETING

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Commissioner Alvey made a motion to close the public hearing for the creation of a new chapter to the Preston Municipal Code, Title 17, Zoning, 17.19, Animals and Eliminating 17.20.010, 17.20.020, and 17.24.090 of Prohibited Uses in the Preston Municipal Code. Commissioner Winn seconded the motion.

Vote went as follows:

Chairman Titensor-	Aye
Commissioner Alvey -	Aye
Commissioner Cole -	Aye
Commissioner Winn-	Aye
Commissioner Wright -	Aye
Commissioner Call-	Aye

Vote was unanimous.

Chairman Titensor called for a motion on the creation of a new chapter to the Preston Municipal Code, Title 17, Zoning, 17.19, Animals and Eliminating 17.20.010, 17.20.020, and 17.24.090 of Prohibited Uses in the Preston Municipal Code.

Commissioner Winn made a motion to recommend to City Council approval of the creation of a new chapter to the Preston Municipal Code, Title 17, Zoning, 17.19, Animals and Eliminating 17.20.010, 17.20.020, and 17.24.090 of Prohibited Uses in the Preston Municipal Code. Commissioner Cole seconded the motion.

Vote went as follows:

Chairman Titensor-	Aye
Commissioner Alvey -	Aye
Commissioner Cole -	Aye
Commissioner Winn-	Aye
Commissioner Wright -	Aye
Commissioner Call-	Aye

Vote was unanimous.

CALEN  
-DARING

Chairman Titensor asked commissioners to look ahead at upcoming topics for the April 28<sup>th</sup> meeting and to be prepared to discuss multi-family housing and the proposed land use map.

ADJOURN

Meeting was adjourned at 7:01 P.M. by Chairman Fred Titensor.

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Becky Cox

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Fred Titensor, Chairman