

CITY OF PRESTON PLANNING AND ZONING MEETING
February 22, 2023

ATTENDANCE The following Board members were present: Chairman Adrienne Alvey, Commissioner Steve Call, Commissioner Richard Swainston, Commissioner Justin Carter, Commissioner Berni Winn, Commissioner Dave Cole.

Staff present: Shawn Oliverson, Becky Cox, Jared Coburn.

Meeting was called to order at 6:00 P.M. by Chairman Adrienne Alvey.

**REVIEW &
APPROVAL
P&Z MINUTES
2/8/2023**

Commissioner Carter moved to approve the minutes of February 8, 2023 with a change in wording on one comment. Commissioner Swainston seconded the motion. Motion passed by unanimous vote.

**PUBLIC
HEARING:
PMC TITLE 16:
SUBDIVISIONS**

Chairman Alvey called for a public hearing on Preston Municipal Code Title 16: Subdivisions.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on February 22, 2023, at 6:00 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 amendments to Title 16 Subdivisions, also known as the “Subdivision Ordinance of the City,” and Title 17 Zoning, also known as the “Zoning Code of Preston, Idaho.” More specifically, amendments will be considered for the following chapters or sections:

Title 16 Subdivisions:

Section 16.08.135 Developer
Chapter 16.12 Procedure
Chapter 16.22 Minor Subdivisions
Chapter 16.25 Design Criteria
Chapter 16.28 Improvements
Chapter 16.24 Design Standards
Chapter 16.32 Modifications and Waivers
Chapter 16.34 Planned Unit Developments
Chapter 16.36 Penalties

Title 17 Zoning:

Chapter 17.40 Special Use
Chapter 17.42 Variance

Copies of the proposed ordinances are on file with the city clerk at the above address and copies of the same may be obtained from that office.

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

Publish: February 1, 2023, in The Preston Citizen

Commissioner Call made a motion to open the public hearing. Commissioner Winn seconded the motion. Motion passed by unanimous vote.

Chairman Alvey read the procedures for the public hearing. Chairman Alvey explained that the commissioners have been working for several months on making changes to the subdivision code. The changes help to eliminate redundancy in the code, update the application processes and the waiver and modification process. There are significant changes to the open space requirements and to the swale design requirements. A table was added to make it easier to determine what is required, definitions were added and language updated to simplify the code and make it more relevant to Preston City.

Chairman Alvey called for supporting comments.

There were no supporting comments and no written comments.

Chairman Alvey called for neutral comments.

One letter with neutral comments was read and is attached to these minutes.

Chairman Alvey called for opposing comments.

Dixon Beckstead commented that he felt like removing the ten-day review period for developments was not a good idea, that left it open to things getting forgotten and a timeline would be important to protect the developer. He also commented that requiring all improvements to be done in a development before any building permits are issued makes the building process cumbersome and if there is a bond in place to cover the improvements then they should be able to build. He commented that there are no building lots on the MLS listings in Preston right now and that this indicates there is something wrong with the process and increasing regulations and costs are making lots smaller and increasing the number of multifamily housing that developers are building and this is not in accordance with the comprehensive plan for the city.

Brandon Roberts commented that he just submitted a preliminary plat and was told that the option to do swales is going away with these changes. He stated that swales might not work everywhere but that there are some places that they can work and he would like to see the option stay so that the engineer can determine what would work best in each development. He also commented that in the cities of Nampa and Caldwell where he has done developments, they don't do a park unless it is at least five acres. The problem becomes a lot of little parks everywhere that aren't properly maintained. He likes that there is an option to buy out the open space instead of building a small park.

There were no written opposing comments.

The commissioners discussed whether or not the option to have a swale was still included with the new changes and some of the reasons that they had

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decided not to allow swales. They discussed the removal of the deadline for the review of preliminary plats and the pros and cons of having a timeline and that they should consider meeting schedules when setting deadlines. They explained that they had decided to require improvements to be made before building permits were issued because there were problems with houses being built before there was road access for emergency vehicles and that the city didn't want to end up building roads if the developer defaulted.

Commissioner Winn made a motion to close the public hearing.
Commissioner Swainston seconded the motion. Vote was unanimous.

The commissioners discussed the options to table the decision until some questions could be answered by City Engineer Tyrell Simpson, who was not in attendance.

Commissioner Call made a motion to table the decision until the next meeting.
Commissioner Swainston seconded the motion.

Vote went as follows:

Commissioner Carter	<u>Aye</u>
Commissioner Swainston	<u>Aye</u>
Chairman Winn	<u>Nay</u>
Commissioner Alvey	<u>Aye</u>
Commissioner Cole	<u>Aye</u>
Commissioner Call	<u>Aye</u>

Motion passed by majority vote.

**PUBLIC
INPUT**

None.

**CALEN-
DARING**

Chairman Alvey stated that they will revisit the decision on this public hearing at the next meeting, and there will be a public hearing on the Comprehensive Plan on March 22.

ADJOURN

Meeting was adjourned at 6:57 P.M. by Chairman Alvey.

Becky Cox

Adrienne Alvey, Chairman