

CITY OF PRESTON PLANNING AND ZONING MEETING
December 13, 2023

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

Staff present: Shawn Oliverson, Tyrell Simpson, Becky Cox, Ethan Rawlings, Chief Dan McCammon.

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

**REVIEW &
APPROVAL
P&Z MINUTES
11/8/2023**

Commissioner Titensor moved to approve the minutes of November 8, 2023 as written. Commissioner Cole seconded the motion.

Vote went as follows:

Commissioner Winn	<u>Aye</u>
Commissioner Call	<u>Abstain</u>
Commissioner Titensor	<u>Aye</u>
Chairman Alvey	<u>Aye</u>
Commissioner Cole	<u>Aye</u>
Commissioner Swainston	<u>Abstain</u>

Motion passed by majority vote.

**PUBLIC
HEARING:
SPECIAL
USE PERMIT
155 E 3RD N**

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on December 13, 2023, before the City of Preston Planning and Zoning Commission at the hour of 6:00 P.M. (or as soon thereafter as this matter may be heard) at the city hall located at 70 West Oneida St., Preston, Idaho, to give consideration to the application of Jordan Snedaker, 155 East 3rd North, for a Special Use Permit in accordance with Preston Municipal Code 17.14.030 which states that Special Uses may be granted pursuant to PMC 17.40, subject to the ability of political subdivisions, including the City and school districts, to provide services for the proposed use, and when it is not in conflict with the comprehensive plan. Specifically, the applicant proposes to expand on the north end of the property, of the existing 55 room Heritage Senior Living Center with an additional 16 rooms. The expansion is part of the Heritage Senior Living's original design. The property is currently zoned Residential A3. A copy of the Application for Special Use Permit, and legal description of property, is on file with the City Clerk at the above stated address, and may be reviewed upon request to the City Clerk. All persons present will be given the opportunity to be heard in regard to said Application. Written comments or objections to said variance may be submitted to the City Clerk at the above stated address, and the same will be considered if received prior to said public hearing.

Dated this 23rd day of October, 2023

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Linda Acock
Publish: November 22, 2023

Chairman Alvey informed the commissioners that Mr. Snedaker has withdrawn his application for a special use permit.

**PUBLIC
HEARING:
VARIANCE
155 E 3RD N**

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on December 13, 2023, before the City of Preston Planning and Zoning Commission at the hour of 6:05 P.M. (or as soon thereafter as this matter may be heard) at the city hall located at 70 West Oneida St., Preston, Idaho, to give consideration to the application of Jordan Snedaker regarding property located at 155 Est 3rd North, for a Variance to the requirements of Section 17.14.010 which states that, in Residential A3 Zone, the Maximum Lot Area Coverage is 55%. Specifically, the applicant desires expand on the north end of the property, of the existing 55 room Heritage Senior Living Center with an additional 16 rooms. The expansion will reduce the open space to approximately 35%. No current green space will be interrupted, as the development will be developed where there is existing asphalt. A copy of the Application for Variance, as well as the legal description of the property, is on file with the City Clerk at the above stated address, and may be reviewed upon request to the City Clerk. All persons present will be given the opportunity to be heard in regard to said Application. Written comments or objections to said variance may be submitted to the City Clerk at the above stated address, and the same will be considered if received prior to said public hearing.

Dated this 23rd day of October, 2023.

Linda Acock
Publish: November 22, 2023

Chairman Alvey informed the commissioners that Mr. Snedaker has withdrawn his application for variance.

**PRESTON
MUNICIPAL
CODE
17.18: ADU**

City Attorney Ethan Rawlings recommended that they add some clarification about an accessory dwelling unit being required to be a separate structure. He also recommended that they require an approval letter from both the Fire Marshal and the Building Inspector. The commissioners agreed that these would be good changes.

Commissioner Titensor made a motion to set a public hearing on Preston Municipal Code 17.18: Accessory Dwelling Units with the changes to indicate that it must be a separate structure and that an approval letter from both the Fire Marshal and the Building Inspector is required. Commissioner Swainston seconded the motion.

Vote went as follows:

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

Motion passed by majority vote.

**PRESTON
MUNICIPAL
CODE
17.62: STR**

City Attorney Ethan Rawlings recommended that the word ‘may’ be replaced with ‘shall’ in 17.62.020B and that they remove the phrase ‘in conjunction with’ in 17.62.020C to make it more concise. The commissioners agreed that these were good changes and Commissioner Titensor commented that he feels this ordinance is coming at a good time for the city as short-term rentals are on the increase.

Commissioner Cole made a motion to set a public hearing for Preston Municipal Code 17.62: Vacation Rentals or Short-term Rentals with the recommended changes. Commissioner Titensor seconded the motion.

Vote went as follows:

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

Motion passed by majority vote.

**PRESTON
MUNICIPAL
CODE
17.050.070:
ACTION BY
COUNCIL**

The commissioners discussed amending this section of code to eliminate the requirement for City Council to hold a second public hearing on P&Z recommendations. City Attorney Ethan Rawlings suggested that they change references to Council to be more specific and state City Council, and to make the same change to Commission and refer to it as the Planning and Zoning Commission.

Commissioner Titensor made a motion to amend Preston Municipal Code 17.050.070 to state that a public hearing is not required by city council on P&Z recommendations and to instruct legal council to draft those amendments and to set a public hearing. Commissioner Cole seconded the motion. Vote was unanimous.

**APPROVED
BUILDING
PERMITS**

The following approved building permits were reviewed. There were no comments.

Franklin County Fire	55 W 1 st S	Addition
Bryon Martin	290 N 2 nd E	House
Tony Crockett	559 Eagle Dr	House

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**CALEN-
DARING**

Chairman Alvey stated that the December 27th meeting is cancelled. They will set public hearing for the January 24th meeting.

ADJOURN

Meeting was adjourned at 6:28 P.M. by Chairman Alvey.

Becky Cox

Adrienne Alvey, Chairman