

CITY OF PRESTON PLANNING AND ZONING MEETING
January 24, 2024

ATTENDANCE The following Board members were present: Chairman Adrienne Alvey, Commissioner Fred Titensor, Commissioner Steve Call, Commissioner Richard Swainston, Commissioner Dennis Sessions, Commissioner Bret Jacobson.

Staff present: Shawn Oliverson, Tyrell Simpson, Becky Cox, Preston Olsen, Chief Dan McCammon.

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

**REVIEW &
APPROVAL
P&Z MINUTES
1/10/2024**

Commissioner Titensor moved to approve the minutes of January 10, 2024 as written. Commissioner Call seconded the motion. Vote was unanimous.

**INTRODUCE
ATTORNEY
PRESTON
OLSEN**

Chairman Adrienne Alvey asked City Attorney Ethan Rawlings to introduce Preston Olsen, who has joined Fuller & Fuller Law and will be legal counsel for the Planning and Zoning Commission. Ethan stated that Mr. Olsen is very experienced and will do a great job. Mr. Olsen stated that he is excited to be in Preston and looks forward to getting to know the commissioners.

**PUBLIC
HEARING:
PMC 17.18
PMC 17.62
PMC 17.50.070**

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on January 24, 2024, 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 consider amendments to Preston Municipal Codes 17.18 ACCESSORY DWELLING UNITS (ADU), eliminating secondary dwelling unit and accessory apartments as acceptable accessory dwelling units; requiring that all Accessory Dwelling Units be a separate structure from the primary dwelling; allowing only one structure per parcel; eliminating language and definition related to secondary dwelling unit and accessory apartments; limiting square footage of living area by parcel size; 17.62 VACATION RENTALS OR SHORT-TERM RENTALS (STR) allowing Short-Term Rentals within the General Commercial Zone or Downtown Zone without the requirement of owner occupancy; All Short-Term Rentals in the Residential Zones shall be Owner occupied; Short-Term Rentals shall not be allowed with multi-family dwellings; setting maximum occupancy limits; only one structure per parcel may be licensed and used as a Short-Term Rental. 17.50 AMENDMENTS, City Council may, prior to adopting, revising or rejecting the amendment to a zoning ordinance, conduct a public hearing.

All persons present will be given the opportunity to be heard in regard to said Application. Written comments or objections to said rezoning 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 26 th day of December, 2023

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Linda Acock
Publish in The Preston Citizen on January 3, 2024

Chairman Alvey called for a public hearing on PMC 17.18 Accessory Dwelling Units, PMC 17.62 Vacation Rentals or Short-term Rentals; PMC 17.50.070 Action by Council.

Commissioner Call made a motion to open the public hearing. Commissioner Swainston seconded the motion. Vote was unanimous.

Chairman Alvey read the procedure for the public hearing and invited Community Development Director Shawn Oliverson to present the proposed code changes.

Mr. Oliverson stated that the changes to the Accessory Dwelling Unit code included removing references to accessory apartments, clarifying that it must be a separate structure and only allowing one rental per parcel.

Chairman Alvey called for public comment in favor. There were no comments and no written comments.

Chairman Alvey called for neutral public comments. There were no written neutral comments.

Chairman Alvey called for public comment in opposition. There were no comments and no written comments.

Commissioner Titensor made a motion to close the ADU section of the public hearing. Commissioner Call seconded the motion. Vote was unanimous.

Commissioner Titensor made a motion to recommend to city council approval of the changes to PMC 17.18 Accessory Dwelling Units. Commissioner Swainston seconded the motion.

Vote went as follows:

Commissioner Call	<u>Aye</u>
Commissioner Titensor	<u>Aye</u>
Chairman Alvey	<u>Aye</u>
Commissioner Sessions	<u>Aye</u>
Commissioner Swainston	<u>Aye</u>
Commissioner Jacobson	<u>Aye</u>

Motion passed.

Commissioner Swainston made a motion to open the STR and Action By Council section of the public hearing. Commissioner Jacobson seconded the motion. Vote was unanimous.

Chairman Alvey invited Community Development Director Shawn Oliverson to present the proposed code changes. Mr. Oliverson stated that the STR code governed vacation and short-term rentals in the city. It establishes occupancy limits, restricts them in multi-family housing areas and allows them in general commercial and downtown zones without having to be owner occupied, and

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restricts them to one rental per parcel. The changes to code 17.50.070 Action By Council, removes the requirement for city council to hold a second public hearing on issues already heard at a public hearing by P&Z, which conforms to Idaho State code.

Chairman Alvey called for public comment in favor. There were no comments and no written comments.

Chairman Alvey called for neutral public comments. There were no written neutral comments.

Chairman Alvey called for public comment in opposition. There were no comments. There was one written comment submitted and is attached to the minutes.

Commissioner Swainston made a motion to close the STR and Action By Council section of the public hearing. Commissioner Call seconded the motion. Vote was unanimous.

Commissioner Titensor made a motion to recommend to city council approval of the changes to PMC 17.62 Vacation Rentals or Short-Term Rentals, and PMC 17.50.070 Action By Council. Commissioner Call seconded the motion.

Vote went as follows:

Commissioner Call	<u>Aye</u>
Commissioner Titensor	<u>Aye</u>
Chairman Alvey	<u>Aye</u>
Commissioner Sessions	<u>Aye</u>
Commissioner Swainston	<u>Aye</u>
Commissioner Jacobson	<u>Aye</u>

Motion passed.

**DISCUSSION:
COMPRE-
HENSIVE
PLAN**

Chairman Alvey stated that they like to review the comprehensive plan annually to keep it current. Community Development Director Shawn Oliverson said he is collecting updates on statistics and data. Commissioner Titensor said that he would like to remove references to minor subdivisions in the land use section and remove any indication that annexing land into the city would be considered. He also suggested removing references to manufactured housing in the Housing section and change the phrasing to state that the city supports development instead of encourages development. Commissioner Swainston asked Mr. Oliverson about any changes to public transportation. Mr. Oliverson stated that he thought it was the same but would follow up. City Engineer Tyrell Simpson recommended adding language about not spot zoning.

The commissioners asked Mr. Oliverson to make these changes and bring a draft to the next meeting where they would discuss them further.

CALEN-

Chairman Alvey asked the commissioners if they had any topics that they

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DARING felt needed to be addressed and reminded them that they had previously discussed the need for a plan for a highway bypass around Preston. They agreed to discuss that at the next meeting.

ADJOURN Meeting was adjourned at 6:32 P.M. by Chairman Alvey.

Becky Cox

Adrienne Alvey, Chairman