

Rigby Planning and Zoning Commission

Minutes of the Meeting

July 11, 2024

Chairman Stowell called the meeting to order at 7:00 p.m.

The chair asked for roll call:

Commissioner Stowell (Chair)- Present

Commissioner Sutherland- Present

Commissioner Stone- Present

Commissioner Belk- Present

Commissioner Kifer- Present

P&Z Administrator- Present

Public Works- Present

Pledge- Commissioner Stowell

Commissioner Sutherland: Motion to approve the minutes.

Commissioner Stone: Seconded the motion.

Motion Carries.

Public Hearing:

Zone Change/ Zone Map Amendment/ R & S Peterson/ Addresses approx.190 North 5th West and approx. 507 West 1st North, Rigby, Idaho/ Approximately 11.279 acres R-2 duplex or twin homes and 19.225 acres R-3 condominiums/ multifamily.

John Stenquist: Representing for R & S Peterson. The initial application was made two years ago on July 5, 2022. It was rejected at both the commission and the council level. We have a constitutional right to do anything with our land, as long as we follow the City Code, along with the Comprehensive Plan. The judge remanded in the lawsuit for R & S Peterson to come back to Planning and Zoning for reconsideration. In the city code 10-1-2: The zone boundaries and regulations which apply within each of the zones have been made in accordance with the Rigby Comprehensive Plan which is designed to promote the health, safety, peace, convenience and general welfare of the inhabitants of Rigby and are required: To promote the orderly growth

and development of the City. To lessen congestion, and reduce the waste of excessive amounts of streets. To appropriately distribute population, and prevent the overcrowding of land. The Comprehensive Plan chapter 4 talks about advancing the police in the plan. The housing goal number one is to encourage the availability of affordable homes and adversity of homes. The Comprehensive Plan is intended to serve as a guide for future development, and land use in City of Rigby. While the planning horizon of this Comprehensive Plan is intended to be five years, it will be a living, evolving document that is adapted to reflect refinements in City Council priorities, new ideas, and emerging trends. Successful implementation of the Comprehensive Plan depends on the coordinated, and collective action of City decision makers, staff members, community members and other partners. The multiple components of the strategies to implement the Comprehensive Plan are described in this chapter. City Council is responsible to guide implementation by establishing a Comprehensive Plan Review Policy, developing partnerships, and ensuring accountability of City department activities in harmony with the plan's policies. Planning and Zoning Commission is responsible to actively promote implementation of the Comprehensive Plan and other adopted plans; each decision should be assessed to see how it helps advance the goals and policies in the Plan. There is no evidence in this application that should, or would deny this application. I know there are a lot of neighbors that do not like this, but this is not a homeowner's association. We do not want two more years of litigation, and the decision should be based on facts

Kirt Roland Eagle Rock engineering: Representation for R & S Peterson. We have been working on this property for 15 to 20 years. They are asking to rezone the property. We are asking for 11.279 acres R-2 duplex or twin homes, and 19.225 acres R-3 condominiums/ multifamily. We have the constitutional right to ask for these zones. It fits the Comprehensive Plan and the zoning requirements.

Commissioner Stowell: Readied Carol Bakers and Barbra McMurtrey letter into the minutes.

In favor:

One person spoke in favor of the zone change. Rigby is going to grow whether we like it or not. The city has put in code to help protect the neighbors.

Neutral: -

Apposed:

There were several that spoke against the zone change/zone map amendment. We have been through this before and our concerns are still the same. What about the impact on the schools, they are already overcrowded? What about the safety of the kids? This road is already out of compliance with the overflow of traffic, will there be a stop light? Can the city sewer and water system handle this many more homes. They are talking about low-income homes. This brings in

a lower class of people. That brings in more crime, and troublemakers. They would like to see an environment study, a road study and independent study before a decision is made.

Rebuttal:

John Stenquist: This is just a zone change. Most of the questions asked will be handled at the platting stage. There is no record showing that low income brings in crime or troublemakers. This is not a valid reason to deny this application.

Closed Hearing:

Commissioners: This meets The City Code. There's commercial to the south, and R-3 is allowed next to commercial. To the north is R-1, and they have buffered it with R-2 which follows code. The city needs more affordable housing. The school bond failed, the problem with the bond is it was an overreach. People don't want to pay for the bond, then the city needs to bring money into the city other ways. The multifamily tax is higher than a single-family dwelling. As far as the road, they will need to do a road study at the platting stage of the project. Remember this is just a for a Zone Change Zone Map Amendment, and it fits the City Code.

Mitch Bradley City Public Works: As far as water and sewer, it was just upsized. The sewer will not be an issue for several years. There is plenty of water also. There will need to be a road study, and then they will tell us whether it will need a stop light or turn lane, but not until the platting stage of the project.

Commissioner Stone Motion to reopen the hearing.

Commissioner Sutherland Seconded the motion.

Motion carries:

Morgan Peterson: When I purchased this land, it was in the county. It was being taxed as farmable land. As you know this is not farmable ground, so where it wasn't being farmed then taxes when up. Then we were annexed into city limits. Not sure what happened, but at one time it was zoned R-2, and then it was s R-1.

Public Comment:

There was one person that spoke in favor. This is out my back door. The city is growing, we need more homes.

Closed Hearing:

This is about annexation, and zone designation. They have met all the requirements for a zone change. The R-3 is next to commercial, there is a buffer on R-2 next to the R-1. This works.

Commissioner Kifer: Motion to recommend to council to approve the Zone Change/ Zone Map Amendment/ R & S Peterson/ Addresses approx.190 North 5th West and approx. 507 West 1st North, Rigby, Idaho/ Approximately 11.279 acres R-2 duplex or twin homes and 19.225 acres R-3 condominiums/ multifamily. With water right turn over to the city and Road study a Platting stage.

Commissioner Belk seconded the motion.

Roll Call:

Commissioner Stowell- yes

Commissioner Kifer: yes

Commissioner Sutherland- yes

Commissioner Stone- yes

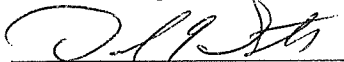
Motion: Carries:

Commissioner Sutherland: Motion to adjourn.

Commissioner Stone: Second the motion.

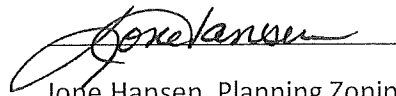
All in favor: Motion Carries.

The meeting was adjourned at 9:05 p.m.



Dan Stowell

ATTEST:



Ione Hansen, Planning Zoning