PLANNING & ZONING COMMISSON (P&Z)
Minutes for June 8, 2016 at 6:30 p.m.
City Council Chambers, Municipal Building
911 North Seventh Avenue, Pocatello, ID 83201

The meeting began at 6:33 PM.

Present: Jack Brennan, Bill Hancock, Ryan Loveland, Ryan Satterfield, and Matthew Tovey.
Excused: Kathleen Lewis and Steve Long.
Staff: Dave Foster, Aceline McCulla, and Merril Quayle.

AGENDA CLARIFICATION MEETING: A meeting was held at 6:00 p.m. in the Iwamizawa Conference Room at City Hall, prior to the regular meeting for clarification of the agenda.

The following is the official agenda of the Planning & Zoning Commission. Discussion and Commission action will be limited to those items on the agenda. Any citizen who wishes to address the Commission shall first be recognized by the Chair, and shall give his/her name and address for the record. If a citizen wishes to read documentation of any sort to the Commission, he/she shall first seek permission from the Chair. A three (3) minute time limitation is requested for presentations to the Commission.

AGENDA ITEM #1: DISCLOSURE OF CONFLICT OF INTEREST, EX-PARTE COMMUNICATION AND SITE VISIT.
Disclose who was talked to, the basic substance of the conversation, and whether the conversation had any influence. Disclose if a site visit was done, location(s) of the visit, and what was seen.

Brennan stated he conducted bonding research and had nothing to report. **Hancock** had nothing to report, **Loveland** had nothing to report. **Satterfield** stated he had conversations with staff and insurance companies about bonding and had nothing to report. **Tovey** had nothing to report.

AGENDA ITEM #2: APPROVAL OF MINUTES
The Commission may wish to approve the minutes from the regular meeting held on May 25, 2016.

A motion was made by **Brennan** and seconded by **Hancock** to approve the Minutes from May 25, 2016. Upon roll call, those voting in favor were Brennan, Hancock, Loveland, Satterfield, and Tovey. Motion passed.

AGENDA ITEM #3: SUBDIVISION ORDINANCE
The Commission will continue deliberations on the proposed changes to the Subdivision Ordinance.

Dave Foster, Associate Planner with the City of Pocatello, stated the Commission was dealing with two issues from the May 25 meeting. The first proposed revision would allow issuance of building permits for development on a recorded platted subdivision lot prior to 100% completion of subdivision infrastructure, provided the only remaining infrastructure was the street pavement. The fire and public works departments must grant approval to ensure the status of the street was sufficient to support emergency service vehicles for the duration, before being paved. Language was incorporated under section 16.24.100(A)(3) to allow the issuance of a building permit under the above circumstances, and a certificate of occupancy could be issued under this scenario. The Commission agreed this issue had been resolved.

The second issue was with warranty bonding at the end of a project for the two-year period. Originally, there was one option, the posting of a warranty bond. It was suggested after more research to expand that to

include three options. The first was a straight warranty bond for each development for the two-year period. The second would allow a cash surety to be posted with a title company or financial institution for that same period; all other conditions of the warranty and bonding period would still apply and would be for two years, against the infrastructure, the workmanship, the durability, and the materials involved. The third option was to utilize a licensed contractor's bond in the appropriate amount with the appropriate language that it was warrantied and covered. Currently, it is written that a licensed developer could use their bond with appropriate language in the bond. The commission agreed to add language to utilize a licensed contractor's bond in lieu of a separate warranty bond, provided the contractor's bond complied with the provisions, sections, and language.

Commissioners **Satterfield** and **Brennan** discussed their research on warranty bonds.

Hancock suggested the language in quotes be used in 16.24.110(E)(2)(c) Warranty Bond Requirements. "A developer and/or a developer's contractor that is a licensed and bonded contractor within the City of Pocatello may utilize their contractor's bond in lieu of a separate Warranty Bond, provided said contractor's bond complies with the provisions of this Section." The Commission agreed to this additional language to move forward.

Satterfield had concerns about the boundary line adjustment process. He stated that previously, a record of survey could have been done if the property met the standard lot size and a building permit would have been issued. The new process would require property line adjustments to be platted rather than a record of survey. **Foster** clarified that was not correct. **Satterfield** felt the process was over stepping, the record of survey was adequate and cheaper. The plat process would take more time and have more fees. **Foster** clarified that the term subdivision includes dividing a property by at least two. The record of survey is a map of boundaries and a deed conveys property. Problems have occurred with nonconforming properties, no infrastructure, and hidden costs to the purchaser. A plat covers sewer, water, curb, and gutter, and the costs would be known upfront. The buyer would not be caught off guard with required processes and costs that were not addressed with a record of survey. **Hancock** stated that what the City proposed is reasonable, not that it would work for every situation, but most circumstances.

Satterfield asked Merril Quayle to discuss how a subdivision development permit and associated cost would be affected by the Ordinance. **Merril Quayle,** Public Works Engineer with the City of Pocatello, provided background information to Satterfield's questions.

A motion was made by **Brennan** and seconded by **Hancock** to recommend approval to City Council for the proposed changes to the Subdivision Ordinance noting the changes in section 16.24.110(E)(2)(c). Upon roll call, those voting in favor were Brennan, Hancock, Loveland, Satterfield, and Tovey. Motion passed.

With no other business, Chair Lewis closed the meeting at 7:38 PM.

Submitted by Aceline M McCulla Approved on September 28, 2016

Aceline McCulla, Secretary