



STAFF REPORT

TO: New Meadows City Council
FROM: New Meadows City Staff
REPORT DATE: January 20, 2022
MEETING DATE: January 24, 2022
SUBJECT: Zone Change
ACTION: Approve / Deny / Table Zone Change

SUMMARY: The purpose of this application is to consider a request to change the zoning of the East Park Subdivision from Central Business District (CBD) and Business Residential to Residential Three (R-3).

OWNER: Curtis & Stacy Blum

APPLICANT: Curtis & Stacy Blum

LEGAL DESCRIPTION: Situated in the SW 1/4 of the NE 1/4 of Section 24, T. 19 N., R. 1 E., B.M., a portion of Vacated Blocks 6,7, 26, and 27 and Vacated Ford and Virginia Avenues of the New Meadows Townsite, City of New Meadows, Adams County, Idaho.

LOT 1: RPM01400010010

LOT 2: RPM01400010020

LOT 3: RPM01400010030

LOT 4: RPM01400010040

PRIVATE DRIVE: RPM01400010990

CURRENT ZONING DISTRICT: Central Business District / Business Residential

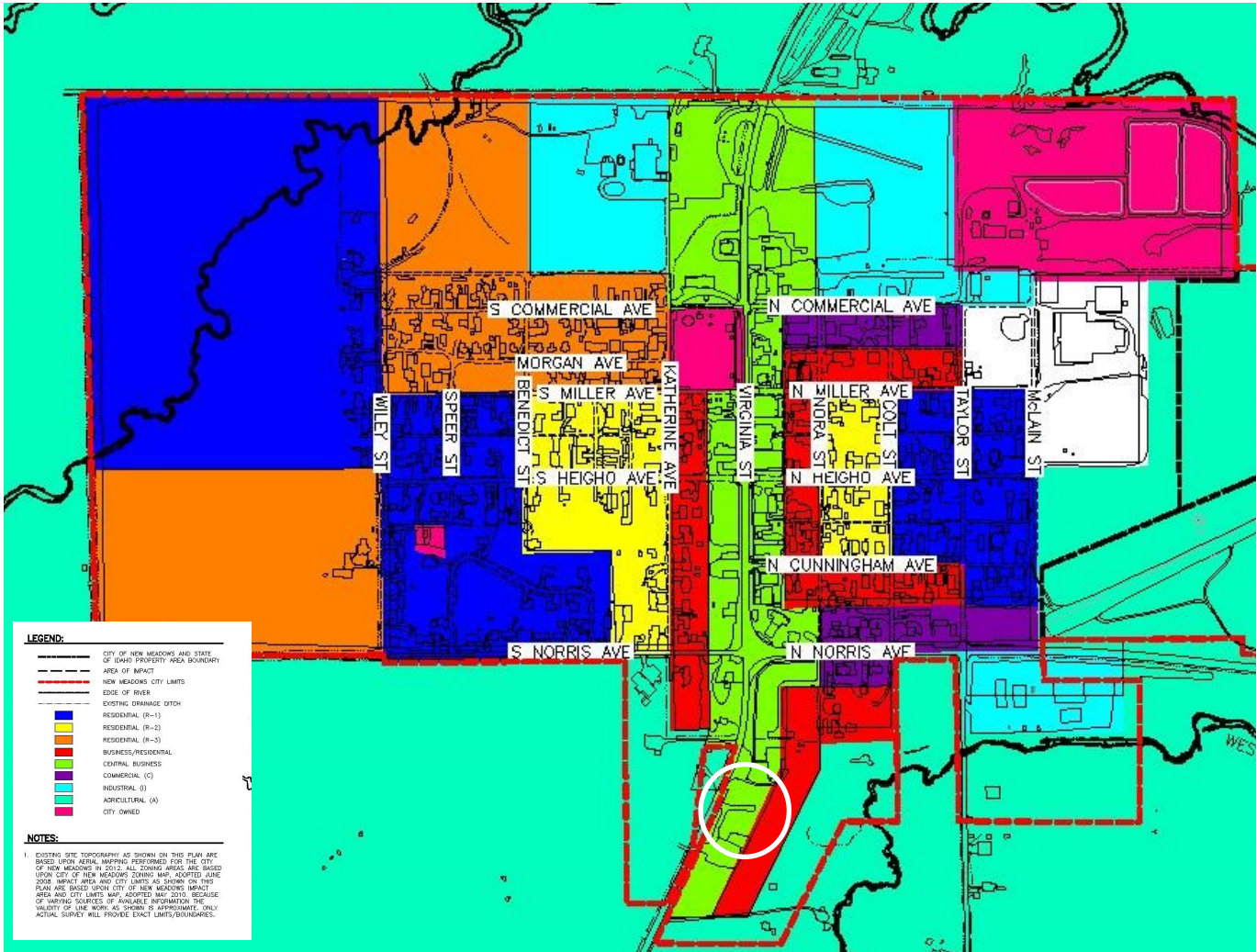
PROPOSED ZONING DISTRICT: Residential Three (R-3)

PROPERTY SIZE: Approximately 1.478 acres

VICINITY MAP



CURRENT ZONING MAP



BACKGROUND

The East Park lots, located on East Virginia Street / Highway 55, were annexed into the City of New Meadows in 1970. In 2005, an application was submitted for the East Park Subdivision, which included 6 lots. A Conditional Use Permit was approved to develop multi-family residential units. At that time, underground power was installed, a fire hydrant, and water/sewer lines. The owners of the East Park subdivision pay an annual Will Serve on each lot.

After review of the original East Park Conditional Use Permit and development agreement, staff concluded that the permit should never have been granted, as the conditional use sought was not permitted within City Code. Currently, the Blum's would like to request a zone change so that multi-family units might be built at this location.

CURRENT / PROPOSED ZONING

Current Zone - Central Business District / Business Residential :

Lots 1 & 2, and the majority of lots 3 & 4, are located in the Central Business District. A very narrow strip along the north side of lots 3 & 4 is zoned Business Residential.

The purpose of the Central Business District is to *“provide a location for groups of compatible commercial uses having the common characteristics of not involving more than incidental and minimal assembly, fabrication or storage of commodities; for example, enterprises dispensing retail commodities and those providing professional and personal services to the individual. The Central Business District is the most intensive commercial district that promotes pedestrian use” (New Meadows City Code).*

In the Central Business District, residential use is only permitted where a commercial use is present on the first floor, and residences are placed above. Conditional uses do not include residences in this zone.

Proposed Zone - Residential 3:

The proposed rezone would change Lots 1-4 to Residential Three (R-3).

The purpose of an R-3 District is to *“preserve and enhance residential neighborhoods in accordance with the comprehensive plan, provide for high density residential development and, in certain appropriate areas, upon City approval, permit mobile home park development.” (New Meadows City Code).*

Per City Code, *“Multiple-family dwellings require an eight thousand (8,000) square foot lot (.18 acre), and each dwelling unit above two (2) shall require an additional one thousand two hundred fifty (1,250) square feet to the minimum lot size requirement (.21 acre total).”*

Site Area Requirements

The following site area requirements apply to the R-3 High Density Residential District;

Footprint:

The footprint of the primary structure plus the accessory structures shall have a maximum lot coverage of no more than forty percent (40%).

Parking:

Two (2) off street parking spaces per dwelling unit are required. Lots on arterial and collector streets shall have alleys to provide off street parking access from the alley to the parking in the rear of the lot.

Sidewalk:

A five foot (5') wide sidewalk shall be required at the edge of the street right-of-way abutting each lot. The lot owner/renter shall be responsible for keeping the sidewalk clear and open for pedestrian traffic and for the maintenance, up keep and reconstruction of said sidewalk. (Ord. 313-08, 6-9-2008)

Setbacks:

Front Yard: No building or structure shall be erected nearer than fifteen feet (15') from the right-of-way line of the street.

Side Yards: No building shall be erected closer than ten feet (10') from any side property line; except corner lots shall maintain a fifteen foot (15') side yard adjacent to the street which intersects the street upon which the building fronts.

Rear Yard: There shall be a rear yard having a depth of not less than fifteen feet (15'). (Ord. 313-08, 6-9-2008)

No building within the R-3 District shall be constructed greater than a height of two (2) stories not to exceed thirty five feet (35'). (Ord. 313-08, 6-9-2008)

All new buildings and structures, other than single-family homes, in the R-3 District are subject to design review by the City Planning and Zoning Commission and City Council and shall meet the design review guidelines as set forth in chapter 4 of this title.

REVIEW CRITERIA

Conditions may be attached to a Quasi- Judicial approval (or recommendation) including, but not limited to, conditions that:

- A. Minimize adverse impact on other development;
- B. Control the sequence and timing of development;
- C. Control the duration of development;
- D. Assure that development is maintained properly;
- E. Designate the exact location and nature of development;
- F. Require the provision of on-site or off-site public facilities or services;
- G. Require more restrictive standards than those generally required in this Land Development Code;
- H. Require mitigation of effects of the proposed development upon service delivery by any governmental agency/district, including school districts, providing services within the planning jurisdiction.

Development Agreements

- A. A development agreement, as specified in Sec. 67- 6511A, Idaho Code, is allowed as a condition of a Rezone Map amendment or Conditional Use Permit.

Rezone Application Review

This review is intended to provide standards and oversight to mitigate negative effects a change in zoning may have on the public, neighborhood, or surrounding property owners. Recommendations and decisions of the Council shall be made a matter of public record in accordance with sections 67-6511, 67-6519 and 67-6535 of the Idaho Code.

Approval Criteria for a Rezone Map Amendment

1. The Zoning Map Amendment substantially conforms to the Comprehensive Plan.
2. The Zoning Map Amendment substantially conforms to the stated purpose and intent of the New Meadows Zoning Code.
3. This rezone will reinforce the existing or planned character of the area.
4. The subject property is appropriate for development allowed in the proposed district.

5. There are substantial reasons why the property cannot be used according to the existing zoning.
6. There is a need for the proposed use at the proposed location.
7. The City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.
8. The rezone will not significantly impact the natural environment, including air, water, noise, stormwater management, wildlife and vegetation.
9. The rezone will not have a significant adverse impact on property in the vicinity of the subject property.

COMPREHENSIVE PLAN

The following information regarding housing is found in the Comprehensive Plan.

Housing Goal Statement

To provide housing opportunities within the community to meet the needs of individuals of all socio-economic backgrounds, the elderly, and the disabled. Along with ensuring decent and safe housing in sufficient quantity to accommodate the various housing needs of present and future residents of New Meadows.

Objectives

- ☒ Create an environment where a variety in type, size, cost, and location of housing will be encouraged.
- ☒ Avoid unnecessary development of agricultural land or land with valuable natural or historic features by residential development.
- ☒ Encourage the upgrade and maintenance of the existing housing.
- ☒ Maintain a proper environment for residential purposes in all residential zones.
- ☒ Provide for lower income housing such as mobile home parks, manufactured housing subdivisions, and manufactured housing on private lots.

COMPREHENSIVE PLAN HOUSING IMPLEMENTATION

1. Sufficient undeveloped land within and adjacent to the city should be available for future residential uses. Designating land for residential uses is the first step in making lands for residential development available. Substantially more land than will actually be needed must be made available to give locational choice, to account for landowners not wishing to develop, to account for undevelopable land due to floodplains, drainages and steep slopes, and to maintain reasonable land prices. Currently within city limits there is approximately 140 acres of undeveloped land that is zoned to allow residential construction.

2. Lengthy extension of road and utilities could encourage sprawl and needless interruption of agricultural lands and should be avoided. The city encourages a careful approach that can balance residential and agricultural needs.

3. Flexibility in developmental regulations should be provided to allow a greater variety of housing and to make more efficient use of the land.

4. The city should encourage safe,

sanitary, and attractive housing that enhances the general appearance of the neighborhood and the community.

5. Excessive land requirements for residential developments should be avoided.

6. Land requirements for residential construction should be examined carefully by the city for excessive demands. Minimum lot size is the major land requirement. Other regulations affecting the amount of land necessary for development are minimum street and lot widths and requirements for setbacks, off-street parking, and usable open space.

PUBLIC COMMENT

A public hearing notice was mailed to property owners within 300' of the subject property, posted on site, and published in the newspaper. As of the date of this report, no public comment has been received.

FINDINGS OF FACT FOR APPROVAL / DENIAL

The Council will record finding of fact for their decision based on the review criteria found in the New Meadows City Code and Idaho State Code.

COUNCIL MOTION

Approve:

- I move to approve the rezoning of the East Park Subdivision lots 1-4 located on Virginia Street from Central Business District / Business Residential to Residential-Three. The approval is based on the findings of fact that the rezone complies with the goals and objectives of the Comprehensive Plan and complies with the approval criteria as outlined in the Staff Report.

Approve with Conditions

- I move to approve the rezoning of the East Park Subdivision lots 1-4 located on Virginia Street from Central Business District/Business Residential to Residential-Three. The approval is based on the findings of fact that the rezone complies with the goals and objectives of the Comprehensive Plan and complies with the approval criteria as outlined in the Staff Report. The approval is subject to the following conditions, which will be memorialized in a Development Agreement. (List conditions)

Table the Decision and Request more information

- I move to table the decision for a Rezone of the East Park Subdivision and request the following additional information.

Deny:

- I move to deny the rezoning of the East Park Subdivision lots 1-4 located on Virginia Street from Central Business District to Residential-Three. The denial is based on the findings of fact that the rezone does NOT comply with the goals and objectives of the Comprehensive Plan and does NOT comply with the approval criteria as outlined in the Staff Report. (List areas not in compliance)

Deny:

- I move to deny the rezoning of the East Park Subdivision lots 1-4 located on Virginia Street from Central Business District / Business Residential to Residential-Three. The denial is based on the findings of fact that the rezone does NOT comply with the goals and objectives of the Comprehensive Plan and does NOT comply with the approval criteria as outlined in the Staff Report. (List areas not in compliance)