

Planning & Zoning Minutes

Regular Meeting

January 4, 2010



Meeting started at 7:08 pm

In attendance: Emily Nichols; Kari Desser, Andy von Gleich, Josh Weltman.; Jan Gallup, Planning Consultant;
Citizens: see sign-in sheet

- **Amend Agenda** according to IC 67-2343
 - Comprehensive Plan added by consensus of commission
- **Appoint Chair, Vice-chair, secretary**
 - Desser moved to appoint Nichols chair. von Gleich seconded. Motion carried unanimously.
 - Weltman moved to appoint Desser secretary, von Gleich seconded. Motion carried unanimously
 - von Gleich moved to appoint Weltman vice chair, Desser seconded. Motion carried unanimously.
- **Minutes:**
 - December 7, 2009
 - Desser moved to accept the minutes as presented. von Gleich seconded. Motion carried unanimously.
- **Recommendation of a new member for City Council approval**
 - Once impact area is approved by county will have to have two members from impact area; until area is approved, fill spots from city
 - Bring recommendations to Carol : Mayor will then be notified to contact person recommended
- **Review Idaho Code 50-222**
 - Category A
 - Issue for recent annexation was way city code is written: zoning & comprehensive plan changes only to P&Z the way the code is currently written
 - Property owner wanted to be annexed
 - Property was included on comprehensive plan
 - In the future – to authorize P&Z recommendation(s) associated with annexation - authority would have to be added by ordinance
 - Category B & C
 - forced annexation; this city council has determined that it will not pursue forced annexation
- **Review Title 9 Land Use Code:**
 - **Chapter 5, Article 02 Amendments and Reclassification**
 - As written, ordinance does not allow enough days for public hearing; increased number of days to 60 from 30; except for (b) rejecting by majority vote will stay at 45 days
 - 9-5-2 Annexation – would go to city council, bypassing P&Z; zoning and comprehensive plan would go to P&Z once council determines whether or not to annex
 - **Chapter 5, Article 04 Lot Split & Lot Line**
 - City can have the right to review boundaries and classification by ordinance
 - Definitions included
 - Evaluation

- Criteria (1-6)
- There is no public hearing requirement; adjacent property owners may attend based on listing as agenda item
 - Discussion focused on recent lot split application deemed unnecessary until land is sold; property owner will need to provide city with survey for approval prior to submitting to county for recording
- **Chapter 8, Appeals & Variances**
 - Public Hearing required
 - Change 9-8-5 City - Council would like the opportunity to say yea/nay
 - If council says yea the variance recommendation is approved; nay, council would have to hold a public hearing, then make a decision

Weltman moved to leave chapter 8 as currently written. Desser seconded. Motion carried unanimously.

- **Chapter 10, Article 06 Regulations**
 - Building & Enclosures must be at minimal distance as outlined in 9-10-4 (2)
 - R1 zone with most discussion: Chicken, goats, rabbits still allowed.
 - Does not have to go to public hearing. To city council which can accept, reject, or hold its own public hearing
 - Transitional agriculture and agriculture are the only zoning that allows variances to code
 - Other zoning would require an application to change zoning
 - Conditional use permit would require a public hearing; cost is a concern going this route
 - Enforcement? Animal permit with a lower fee? Affected adjacent property owners notified for comment, names to be provided by applicant, no public hearing required.
- **Comprehensive Plan: Land use map changes recommended**
 - Rails-to-Trails – preserved as open space
 - large lots moved back to agricultural; future developer would be responsible to request zoning change(s)
 - Changes would need to go before a public hearing
- **FYI – No action required**
 - Create Bias if involved with public meeting?
 - Seek legal advise from Birch to ensure future issues not compromised with involvement
 - Water Study from 2008 (Schies)
 - available for checkout from City Office – good idea for P&Z members to be aware of issues surrounding water
 - New contract language, no P&Z recommendations will be given to City Council by Gallup
- **Rails-to-Trails: Park at Trailhead**
 - Corrals at trailhead, land belongs to Idaho Parks & Recreation (title search done)
 - Egberts own corrals; idea is to salvage wood, sell, \$ to City to create/fund park, interpretive site
 - “Yes, move forward in the spring” per Brad Egbert -Dick Egbert Centennial Memorial Park?
 - Copy of written correspondence available at City Hall.

- **Adjourn Meeting**

Desser moved to adjourn. von Gleich seconded. Motion carried unanimously.

Meeting Adjourned at 8:35 p.m.

Emily Nichols, Chair

Date

Carol Lenz, City Clerk

Date