

MINUTES OF THE MEETING OF THE PLANNING AND ZONING COMMISSION OF CARIBOU COUNTY, IDAHO HELD JUNE 6TH, 2019.

ROLL CALL SHOWED THE FOLLOWING PRESENT: Reagan Phillips - Chairman
Glayd Christensen – Vice Chairman
Nolan Koller
Scott Hayden
JoAnna Ashley, Secretary

ABSENT: Jeff Godfrey

ALSO PRESENT: Bryce Somsen, Commissioner

7:00 PM Chairman Phillips called the meeting to order. The Commission reviewed the minutes from the February 6th, 2019 and May 1st, 2019 meetings. Glayd Christensen moved to approve the minutes, seconded by Nolan Koller. All in favor, minutes approved.

Secretary Ashley explained later in the meeting the Commission would discuss the proposed Subdivision Ordinance. Chairman Phillips brought up questions regarding the subdivisions that were previously designated as “Recreational Subdivisions.” He wanted to make sure the issue would be addressed as people are trying to sell lots in such subdivisions however the roads are not built or if they are, may not be to County specifications. Nolan Koller pointed out there is an ordinance governing how the road should be built. Further discussion determined that it is happening rather often where roads are not being built to County specifications, but are getting approved by the County. Secretary Ashley pointed out that County Attorney Doug Wood had said there could be an additional requirement in the code that requires the developer to have the road inspected and certified by an engineer that it meets requirements. Further discussion determined there should likely be better ordinances in place to govern the construction of roadways in the County. Nolan Koller raised concerns with the Blackfoot Harbor and Blue Lake subdivisions as they are recreational subdivisions and he feels things have not been enforced well and there is a lot of confusion regarding requirements to build out to the harbor. He also expressed concern about where Bed and Breakfast and Airbnb type activities are happening. Secretary Ashley pointed out that the newly adopted zoning code addressed this and requires conditional use permits in order to do such a business. If a business was operating in such a way before the code was adopted it could be grandfathered however they would still have to adhere to the code for the limitations on number of persons who could stay according to number of bedrooms available. Chairman Phillips felt if something wasn’t addressed specifically in the grandfather clause it shouldn’t be allowed to continue.

7:28 PM Chairman Phillips opened the public hearings to give consideration to any and all comments on the proposed revised Caribou County Zoning Map changing all Idaho State, Federal and Tribal lands to Special Lands, and reflecting the consolidation of the Low Density Residential Subdivision into the Low Density Residential Zone as well as the consolidation of the High Density Residential Subdivision into the High Density Residential Zone. Scott Hayden read the notice of public hearing.

Secretary Ashley explained this second public hearing was scheduled for the proposed Zoning Map as there was concern the previous hearing did not address all the notification requirements. It was verified with this hearing that all was done correctly.

Nolan Koller asked questions regarding the Special Lands designation and the lands it incorporated and further how someone will still be able to tell who owns what land. Secretary Ashley explained the layout of the new proposed zoning map and compared the old with the new. In addition to updates to the County

Zones the color scheme of the map was changed to make for easier reading of the map. She visually compared the currently adopted zoning map with the proposed and explained how this change gives a better view of the County and the land available for a variety of uses. Further in the GIS system a zoom in option is available to view in great detail who owns which parcel and which zone the parcel is. The question was raised if the zoning map would be available online. Secretary Ashley explained currently it is not, however she could discuss with the County's IT professional Jacob Farnes to see if that was possible.

7:43 PM Public hearing closed. Chairman Phillips moved to recommend the Commissioners adopt Ordinance 2019-3 Caribou County Zoning Map, seconded by Scott Hayden. All in favor, motion approved.

Secretary Ashley began the discussion on the proposed Subdivision Ordinance. She outlined changes she is recommending:

- Adding a definition for “replat” as this issue arose with a recent request to amend a plat for a subdivision. Having a process and definition for replat adopted and in place will greatly simplify the process and make sure that changes like this are given their due diligence to be done correctly.
- Adding the requirement that County Staff such as Planning and Zoning Administrator, Road and Bridge Supervisor and Building Inspector will have an onsite visit with the developer to review the proposal and preliminarily address potential issues. Nolan Koller pointed out other Counties also require a road permit with a building permit. It was pointed out that depending on the time of the year land may or may not have water or flooding issues that might not be seen. The question was raised if it could be required of the developer to have to wait until spring runoff to have the site evaluated for septic systems compatibility. It was agreed it would likely create undue process requiring developers to have to push out their application so far.
- Under the category for Reviewing Agencies, adding the Idaho Department of Environmental Quality as a required agency for a determination of nutrient density analysis and sustainability of housing density for septic systems and wells. Adding this requirement would help protect future citizens against well contamination or too much effluent from septic systems.
- An amendment that notices must be sent to everyone within fifteen hundred feet (1,500') of the property boundary instead of the current three hundred feet (300).
 - Chairman Phillips pointed out another portion that needed changed to 1,500 feet as well.
- Adding proof of contact such as certified mail that was received by the agency or another way to verify contact.
- Requiring the Community Impact Analysis be created by the developer, instead of County staff.

Bryce Somsen asked if there was a regulation in the ordinance that would govern the need to have dust control management. Secretary Ashley said a requirement could be added that regulate the use of dust control measures such as magchloride, to mitigate against the dust.

Secretary Ashley outlined requirements as well for Planned Master Community developments. She pointed out another addition to the code is the simplified subdivision which would apply if a lot was being split into four or fewer parcels and met specific requirements regarding road access, utilities, etc.

Nolan Koller raised concern that proof of access to water is not required for these subdivisions. He explained that wells sometimes never reach good water, or there may be large areas where there is not good quality water available via the wells. Secretary Ashley pointed out that the Cedar Subdivision experienced something similar and as a result petitioned to be placed on the City of Soda Springs water system to get good water. Chairman Phillips raised concerns that when it comes to building developers they aren't following the required placement of the septic and wells because other issues may arise with land features or where the house gets placed on the parcel. Also he raised a question for when an asphalt road may be

required. Commissioner Somsen asked Secretary Ashley to review the previous discussion on this. Secretary Ashley explained that previous discussion with the Commissioners agreed they would be willing to adopt and maintain a road once it serves ten houses and at the level of quality it is at the time of adoption. For example if it is asphalt at the time of adoption the County will maintain it as such, and the same if it is gravel. Further discussion raised concerns with larger housing developments and should the developer be required to install asphalt roads to mitigate against dust. Secretary Ashley pointed out they could utilize the requirement for dust control with accepted forms of dust control listed so as to avoid the employment of short term or ineffective dust control measures. It was decided by the Commission they did not feel there was enough information for how to appropriately address these concerns. As a result Secretary Ashley will reach out to other counties to see how they handle these issues. More discussion determined there may be a need for a storm water mitigation plan for subdivisions when the parcels are two and a half (2.5) acres or smaller.

The proposed subdivision ordinance also included the following:

- A fee schedule for recording different components of each lot.
- A bond requirement of 110% of the estimated cost of improvements for the project to be completed within a year.
- Rules governing open space type subdivisions when they are larger than 75 acres
- It was discussed to expand the cul-de-sac size requirements to better allow access for emergency vehicles. Expanding it to 60 foot clearance to allow for both buses and emergency vehicles.

Discussion revealed there should be a standard for roadway width requirements in the County so as to set a standard within subdivisions.

8:57 PM Nolan Koller move to adjourn the meeting, seconded by Scott Hayden. All in favor, meeting adjourned