



recommendation is approval of the conditional use as drafted. She added that as this request falls in the Soda Springs Area of Impact, she had provided the required notice to the City, and Councilman Jon Goode has reached out to her regarding the request. He asked that the Commission consider a condition that the color of the containers be of a more neutral color, such as tan or beige.

Dr. Wayne Cutler, 661 N Hooper Ave, Soda Springs, said these will be one-use shipping containers and all the same colors with no signs or branding. Dr. Cutler said that his veterinary clinic is overrun and lacking adequate space since he transitioned it from small animals only, to include care of large animals and they need more space. He explained he plans to build a barn and there is a possibility that when the barn is built, he would no longer need the containers.

There were no additional comments. The public hearing was closed and the Commission began discussion. There was a brief discussion among the Commission regarding whether or not there should be a condition regarding color. The unanimous consensus was that where Dr. Cutler already planned to use containers with a neutral color and of good quality there was no need to list it as a condition. Nolan Koller moved to recommend the Commissioners approve the conditional use as drafted without any additional conditions; seconded by Wendy Pelayo. All in favor, motion approved.

6:35 PM Vice Chairman Hayden opened the public hearing to give consideration to the application of Carrie Yost who is requesting approval of a Conditional Use permit for a Short-Term Rental in the Agricultural Zone. The Conditional Use would allow the use of an existing home as a short-term rental (as defined in Caribou County Zoning Ordinance 1.08.118) for up to 7 occupants at a time. The land is located at 1278 Welch Rd, Bancroft, Idaho, Caribou County. Vice Chairman Hayden noted that while he would chair the meeting he was abstaining from all discussion as he had to recuse himself due to a potential conflict of interest. P&Z Admin Ashley provided an overview of the staff report regarding the request (see attached). She outlined how the request was in compliance with the code and the County's Comprehensive Plan, as a result it was staff's recommendation to approve the request. She noted that earlier that day she had received an e-mail from Corry Hatch, a concerned neighbor regarding the request and advised that while her recommendation was to approve the request this did not take into account the information provided in the e-mail and encouraged the Commission to consider conditions as they felt appropriate to address the concerns.

Carrie Yost, of 205 Gilbert Rd, Bancroft, ID said they purchased the property about 3 years ago when it came available for bid as they own the farmland around it. She said they fixed up the home and had a renter in there for 2 ½ years and he smoked and had animals in the home. She said they spent approximately \$80,000 on the home (purchased for \$60,000 and \$20,000 in repair). They felt like having a short-term would allow them a better overview of the property and control, so as to avoid costly repairs to the home, like they had to do after the last renter. She said they started the short-term rental a couple months prior to knowing that she would have to have a conditional use permit. During that time, they have had two incidents where people became drunk and loud as they partied and the cops were involved. She said that when these incidents arose that she contacted the neighbors and apologized for the circumstances. She said they also changed the listing for their home and added the stipulation to the rental agreement that parties are prohibited and that the renters forfeit their \$500 deposit if they break the rules.

Kathy Hatch, 1275 Welch Rd, Bancroft, ID said that she lives across the road from the house and her son Corry and daughter Hailey are purchasing it from her and live there with them. She said they felt that they moved to the country to live in the country and avoid these nuisances. She says she has come home to people in her driveway and on her property since the Yost's have started renting their home as a short term-rental. She has concerns regarding safety for her family.

Corry Hatch, 1275 Welch Rd, Bancroft, ID said that he submitted an email and wanted to expand on it. He said that the encroachment of commercial into the agricultural zone creates hardship. His biggest concern aside from this is there are no screening processes for tenants. As a result, sex offenders or animal rights activist could rent the property and it could have effects on his children and his agricultural business. He is getting ready to operate his mink farm and does not want the attention from animal rights activists that having the short term rental across the road could bring. He recognizes that many want to see the community to grow, and he does not want to see good rentals available be utilized for short-term use when there is such a big need for long-term rentals. He again reiterated how he did not want his agricultural rights to be infringed upon if this is allowed. P&Z Admin Ashley explained that the properties are located in the Agricultural zone and therefore protected for agricultural uses. Just because someone complains does not mean that it can affect the agricultural use of his property as there are no ordinances that support deterring or stopping legal agricultural uses.

Carrie Yost said she understands that they have valid concerns. She says they have rentals in town, however there are 5 rentals within two miles of the house. Kathy Hatch felt like the intent of those rentals does not attract those looking to have a cheap rental or party as they are geared for larger, family reunion type gatherings. Carrie Yost said that herself, her husband Loren and mother-in-law Shauna can be available if issues arise. Additionally, they felt like they have increased provisions to protect against poor tenants. She says they have had 30 renters of which 2 were a detractor.

Wendy Pelayo said that the \$500 is a minimal amount to those who are renting in Lava, especially in the summer months, she didn't feel like it would be a deterrent to the renters. Carrie said there's a way to verify the renters now to make sure the tenants have been left good reviews from previous hosts the tenants have stayed with. Nolan Koller said he agreed with Wendy Pelayo's concern that the deposit may not be large enough to deter people from poor behavior. The Commission discussed the matter at length. It was noted that the Yost's had made changes to the rental in just the past few weeks, and therefore it remained to be seen if they were effective in mitigating against future issues with tenants. Glayd Christensen asked the Hatch's if they would be in support of approval of a conditional use that had a tentative one-year limit of use with the option for them to request a revisiting of the conditional use in that time if additional problems arose. Corry Hatch said he would be in support of a trial-based approach like this.

Glayd Christensen moved to recommend the Commissioners approve the conditional use with a one-year condition to see if the new stipulations resolve the prior issues. The Hatch's have a right to request a hearing to cancel or void the conditional use in the event that there are tenants that cause damage to the public health, safety or general welfare within the vicinity of the property or materially injurious to the property or properties within the vicinity. An additional condition that there is improved signage for addressing to clearly identify the home and access so as to limit confusion for visitors for which house is the rental; seconded by Wendy Pelayo.

Voting showed:

Aye: Glayd Christensen                      Abstain: Scott Hayden  
Wendy Pelayo  
Nolan Koller

Majority in favor, motion approved.

Vice Chairman Hayden began the discussion regarding the request of Kenneth and Meloney Rasmussen regarding their request to construct a 6,000 square foot shop on the east side of their property. P&Z Admin Ashley said she had been delayed in getting the notices out in adequate time so had extended the comment period to Tuesday, November 10<sup>th</sup>. Meloney Rasmussen said her neighbors had received the notices as one called to ask if they needed to attend the meeting if they supported it. She had told them they did not, unless

they had a concern. P&Z Admin Ashley said that she had received an e-mail from the City of Grace, which owns property abutting the Rasmussen's, and they had no objection to the building. After a brief discussion Wendy Pelayo moved to approve the 6,000 square foot shop; seconded by Glayd Christensen. All in favor, motion approved, with the understanding that if objections arose between the meeting today and the end of the comment period at 4:30 PM on Tuesday the 10<sup>th</sup>, the request would have to be revisited at the meeting next month.

7:47 PM Wendy moved to adjourn the meeting, seconded by Glayd Christensen. All in favor, meeting adjourned.