

MINUTES OF THE MEETING OF THE PLANNING AND ZONING COMMISSION OF CARIBOU COUNTY, IDAHO HELD THURSDAY, JUNE 3rd, 2021.

ROLL CALL SHOWED THE FOLLOWING PRESENT: Wendy Pelayo - Chairwoman
Glayd Christensen – Vice-Chairman
Nolan Koller
Reagan Phillips
JoAnna Ashley – P&Z Administrator

ABSENT: Scott Hayden

ALSO PRESENT: Josh Younger Jon Jonsson
James Ackerman

7:00 PM 7:00 PM Chairman Pelayo opened the meeting. Glayd Christensen made a motion to approve the May 6th, 2021 minutes, seconded by Regan Phillips. All in favor minutes approved.

7:05 PM Chairwoman Pelayo opened the public hearing to give consideration to the application of Josh Younger, who is requesting approval of a variance of fifteen feet (15') to the twenty-foot (20') side-yard setback and a variance of ten feet (10') to the rear yard setback in the Low-Density Residential Zone. The variance would allow the construction of a one-hundred-foot by sixty-foot (100'x60') building, five-feet (5') from the west, side-yard property line and ten-feet (10') from the north, rear-yard property line. The proposed variance would be for property located at 2190 McPherson Rd, Grace, Idaho

Josh Younger said that he needs to place the shop on his property and the current setback requirements would require the structure to protrude too far into his property affecting the functionality. He said that both of his surrounding neighbors are in support of his application; David Zaharias who owns the land to the north, and Jon Jonsson who owns the land to the west.

Jon Jonsson, 2186 McPherson Canyon Rd, said the fence is not the property line. He placed it twelve-feet (12') to the west of the property to allow better access to his property. He said he was in support of the variance and had no issue with it.

Since it was determined that the fence was not the property line further clarity was sought regarding exactly where the structure would be placed in relation to the fence. After more discussion it was clarified that if the variance was granted the shop would be placed seventeen feet (17') to the east of the existing fence, accounting for twelve feet (12') that belongs to Mr. Jonsson and then the additional five-foot (5') setback if the variance of fifteen feet (15') is approved.

There was a brief discussion among the Commission. Reagan Phillips moved to recommend the Commissioners approve the variance as he feels the evidence shows the standards of the approval in the code have been met, seconded by Glayd Christensen. All in favor, motion approved.

Jon Jonsson said he had an additional question. His neighbor to the west just recently placed a shipping container right near the property line and he knows of others who have placed the containers on their property. He wanted to know why the rules did not apply to everyone regarding the setbacks. P&Z Admin Ashley said that the setback rules do apply to everyone equally. She stated she was not aware of the one Mr. Jonsson had mentioned but would reach out to the property owner to let them know about the setback requirements and request the structure be moved to a comply with the code. She explained the County does have a Code Enforcement Policy and best efforts are implemented to ensure that the code is adhered too. When she is made aware of a structure or project that is out of compliance, she follows through on

contacting the land owner and enforcing the code.

P&Z Admin Ashley requested the August 5th meeting be moved to either August 4th or the 12th. She has a personal scheduling conflict with the 5th and would not be able to attend if it was held the 5th. The Commission members discussed the request. Regan Phillips made a motion to move the August P&Z meeting to August 4th, seconded by Glayd Christensen. All in favor, motion approved.

Regan Phillips requested an update on the Commission's recommendation to the Commissioners to issue a moratorium on all permits for RV Parks, tiny homes (under 400 square feet) and yurts. P&Z Admin Ashley explained she had discussed their request with the Commissioners. They recommended an alternative solution which is to amend the 2012 Comprehensive Plan to clarify such issues as RV Parks, campgrounds and overnight accommodations and the County's desire to have them located near established cities and communities. As a result, she is currently working on reading through the Comprehensive Plan and pointing out potential revisions to address these matters.

P&Z Admin Ashley provided two different draft solar ordinance proposals. She explained the more simplified one came out of North Carolina and the other from San Bernadino County in California. She pointed out that the North Carolina draft also included appendixes that she felt the County should utilize, such as the one for landowners who are looking at leasing their land for solar. Additionally, this draft ordinance identified three different levels or tiers of solar system and were determined by mounting type and size. Regan Phillips said he felt like Agricultural would need special consideration. P&Z Admin Ashley said when she discussed the draft ordinances with the proposal Commissioner Bryce Somsen had suggested only permitting large commercial solar in the Industrial Zone. Regan Phillips said he felt like it would be better to allow them in both the Agricultural and Industrial Zone however not permit them in area with prime agricultural soil. Nolan Koller said he felt like someone should talk to someone who is involved with the solar farm at Sage Junction, south of Cokeville, Wyoming. During the rest of the discussion the Commission felt the following should be taken into consideration:

- Placing a restriction for how close the solar farms could be placed to an established residence. Allowing an option for an effected landowner to give their consent to the solar farm being located closer if they wish.
- Explore further what it would look like to require a decommission trust the company would fund, with the County as the beneficiary. This would provide funds to decommission the solar farm when it is closed or meets its end of life.
- Allow solar farms in Agriculture and Industrial zones however prohibit it in areas with Prime Agricultural Soils.

The Commission reviewed the San Bernadino County draft ordinance. It had thirty-one conditions of approval the North Carolina draft had. Regan Phillips asked if residential, house mounted solar panels would be covered under the propose ordinances but not required to have conditional uses like the solar farms would. P&Z Admin Ashley confirmed they would be. The Commission reviewed several of the conditions listed within the ordinance. The Commission concluded that they would take the ordinances and review them over the next month and bring their suggestions to the July 1st meeting.

Regan Phillips asked for an update on the area of impact agreements. P&Z Admin Ashley provided an overview that included the following:

- She met with the City of Bancroft to discuss their area of impact and the zoning in March of this year. She was waiting to hear back from them.
- Grace was having ongoing discussions between their P&Z Commission and the City Council regarding changing the area of impact boundary from Rich Rd to Telford Rd. She had not heard anything further as of yet.

- In regards to the City of Soda Springs she is conducting a review of the code adopted to highlight deficiencies or issues that are arising because of the presently adopted code. Once she has that complete the Commissioners will issue a formal letter of request for reconsideration and provide that review to the City.

8:38 Nolan Moved to adjourn, seconded by Glayd all in favor.