

APPROVED

CITY OF GRACE
PLANNING & ZONING COMMISSION
REGULAR MEETING HELD ON
JANUARY 12, 2023

PRESENT: Chairman Dave Pristupa
Commission Members: Kyle Bingham, Ralph Spackman, Scott Rasmussen
Zoning Clerk: Loy Raye Phillips

Chairman Pristupa called the regular meeting of the Planning & Zoning Commission held on January 12, 2023, to order at 7:00 p.m.

Invocation: Commission Member Rasmussen

Pledge of Allegiance: Clerk Phillips

Chairman Pristupa asked if there were any amendments to the agenda? There were none.

Chairman Pristupa asked if the Planning & Zoning Commission had read the minutes of the regular meeting held on December 8, 2022, and if there were any changes or corrections? The commission members had no changes.

Motion was made by Commission Member Bingham to approve the minutes of the December 8, 2022, regular meeting of the Planning & Zoning Commission. Motion was seconded by Commission Member Rasmussen. Motion passed unanimously.

Chairman Pristupa stated that the City Council meeting for December 21, 2022, had been canceled.

Commission Member Bingham reported that there was nothing from the City Council meeting held on January 4, 2023, for the Planning & Zoning Commission. Commission Member Bingham stated that the City Council had discussed snow removal within the city.

Chairman Pristupa stated that information from Southeast Idaho Council of Governments (SICOG) had been received. Discussion was had on the opinion poll that the agricultural questions were a repeat from the last comprehensive update meeting. Question was asked why address an issue that has a new City Ordinance 3-1-7: Regulations for the A (agricultural) Zone that was passed November 7, 2018. The number of animals can be regulated by resolution. Discussion was had that the ordinance seems to have addressed the issue of livestock, the number of chickens etc. Discussion was had if ducks were allowed in the city. Discussion was had on applying for a permit to have ducks or chickens information found in Use District 3-1-1 (F).

School Facilities and Transportation: Concern has been voiced that children have to walk out into the street because of snow being piled on the intersection corners blocking the sidewalks.

Discussion was had on adult education programs being added in the community. There have been several requests from farmers in the community that would like to have machining classes. There will be a meeting held on January 23, 2023, with Idaho State University and a representative from Idaho Job

Service, District Superintendent Moss, a Counselor from the school, and Suzanne Hill. This is an item that needs to be added to the school facilities. Discussion was had on the community wanting ISU to bring the classes here. Discussion was had that it can be done both ways. These programs would benefit students that don't fit into the normal programs and are bored with classes that do not interest them. If the program were set up the opportunity would allow the student to attend ISU classes that would benefit them, getting hands on training at the university.

Discussion was had that it would be better to offer classes at ISU at a time when the farmers are able to attend before the seasons work and planting begin. Setting up class time from November to the first part of March when the classes could be offered. Discussion was had that the community needs to give input, SICOG would be a good place to start.

The current school facilities serve the needs of our community: Discussion was had that the size of the classrooms are not adequate. This meets the needs at the time but doesn't prepare for the future. Discussion was had that young families are moving back into the community.

Commission Member Bingham had information from Twin Falls County Planning & Zoning Commission that listed several items of interest. Commission Member Bingham read a question that asked what would you describe as Twin Falls County's or Grace City's greatest assets? Which asked the participant to select their top three of the ten items listed. Items listed on the Comprehensive plan update included weakness of the county, what measures do you feel are most important to ensure continued prosperity for agriculture, economic development, housing issues, other issues which are of great concern, types of housing units that are in short supply, is the current comprehensive plan and zoning codes adequate, biggest issue with road infrastructure, types of multi-modal connectivity are most appropriate to promote greater connectivity and safer travel options, should development be limited or restricted in some portions of the county, more visitors coming to the county what steps should the county consider in order to support or encourage visitation, type of neighborhood scale service would benefit most residents that do not exist today or are not currently enough of, and what else would you like to know about living and working in Twin Falls County, and if you would like to be added for future notification on events related to the comprehensive plan and zoning code please provide your contact information, stating these are items that could improve our opinion poll.

Commission Member Bingham discussed a city planning questionnaire from Rigby Idaho. Giving information on Public Services and Utilities which asked the citizen to rate the services provided by the City: Fire Services, Police Services, Parks/Recreation, Water Service, Sanitary Sewer Service, Recycling Program, Streetlighting, Permit Processing Services, Snow & Ice removal, Garbage/Trash Pickup Services, and Library. These items could be rated from very poor, fair, excellent, and don't know on the survey. The survey numbers were listed as to how the citizens felt about the city, which indicated how things were going in the city. Commission Member Bingham stated that not all these items would apply to the City of Grace because the City of Rigby is larger.

Commission Member Bingham stated that there are seventeen Elements that the State of Idaho requires to be addressed in the Comprehensive Plan (Idaho Statutes Title 67-6508). Discussion was had that the city comprehensive plan is minimal and needs to be upgraded. Discussion was had that the City of Grace Comprehensive Plan list fifteen elements in the plan. Discussion was had that other areas list more items on their comprehensive plans and that they have a booth at the county fair for information and questions. Discussion was had that the booth would not have to be available all week but might be available for a couple of days which would help get information out and get questions answered.

Discussion was had that SICO had a three month window, and the city has already surpassed that window. Discussion was had that the City of Grace could go door to door, email or mail a survey which would get a better selection from the community instead of the small amount of people attending the community meeting. A community meeting is still needed which provides a limited input from the community. Discussion was had that the last community meeting was held in 2016.

Discussion was had on the increased population for the City of Grace. Discussion was had on the economy of the city and how it has changed over time, bring in business to improve our community. Discussion was had on types of business in the City of Grace and what business would you like to see in our community.

Discussion was had to add some questions under agricultural that are being requested by citizens. School Facilities and Transportation need more questions and comments on the size of the classrooms and school programs, adequate transportation for schools, economic development. The downtown is a distinct area (main street) that needs more questions. Discussion was had on the condition of the sidewalks in the area. Discussion was had on streetlights being available in the city except the subdivisions. Discussion was had on streetlights being a requirement by the contractor for the subdivision providing streetlights for each home. Discussion was had that streetlights should be provided for all citizens.

Public Service Facilities and Utilities: 2. The city's continued work to improve the wastewater and water infrastructure is it improving my service. Question was asked how many citizens know that improvements are being done? Discussion was had on putting a statement on the poll to add: The city has put in water infrastructure do you have any questions or concerns with the water? Commission Member Spackman asked if the well was back online? Discussion was had that the well is functioning and back online and is pumping 900 cubic feet per second. Discussion was had on having to test one well so that it could be used if necessary.

Discussion was had on identifying these types of things so the citizens can be aware of things they would like to see done to improve the city.

Commission Member Spackman stated that all the water that comes from the tank is basically a surge tank, all water that comes from the springs is pumped to a storage tank and then flows back down to the infrastructure, so depending on the pressure in the tank that depends on the pressure in the system. Discussion was had on two pressure pumps that are supposed to increase the pressure of the water coming out of the tanks, which are very expensive to use. Discussion was had on the spring water coming down and tying into the system going to the tanks needed to be repaired.

Commission Member Rasmussen questioned Land Use 2. Ordinances better reflect the need for infill housing being clarified. Discussion was had that the community is technically full, there is no available housing that people can come in and fill. There are no townhouses, or apartment complexes anything people could rent or buy. Discussion was had that citizens have extra lots or acreage and will not sell because they do not want to be encroached on. Comments on ordinance being less restrictive. Discussion was had on how much less restrictive the ordinances are in the City of Grace? Discussion was had that the ordinances are not enforced.

Chairman Pristupa asked the Commission Members to work on the survey go through the questions and cross off the ones that you don't think apply and then drop the notes by the city office. Chairman

Pristupa asked the Commission Members to come with ideas that would work for our survey in these areas of the elements. Discussion was had to using the list of elements listed on the Comprehensive Plan Elements page to help with ideas and changes. Discussion was had on setting a date for February but would need to move back later due to the activities of the community.

Chairman Pristupa stated that there is a code on Airbnb's, which by state code are: Short-Term Rentals. Chairman Pristupa stated that Caribou County had passed Ordinance 13.65: Short Term Rentals and Application that did not define an Accessory Dwelling Unit (ADU) at the last Commissioners meeting.

Discussion was had on the amount of ADU's that would be available in the City of Grace. Commission Member Spackman stated that when you look at the topography of the availability of lots there is not many that would be able to add an ADU to the property. Commission Member Spackman stated that air is the company and B is bed and B is breakfast, the company is having some difficulty. Discussion was had that there are other companies like Verbo. Commission Member Rasmussen stated that Verbo states that you are going to have the rented home all to yourself. Discussion was had on the price that would be required to rent. Discussion was had if your rent was to accommodate a large gathering it would be more.

Discussion was had on parking in our community in the winter would be a big issue.

Discussion was had that the county's ordinance is a good one and should be looked at for an ordinance for the City of Grace. Discussion was had on requiring a parking pass. Law enforcement would like to see parking passes required for the renter with name and contact number so that when there is a complaint filed the Sherriff's Office will know who to contact. Discussion was had on the application which lists the owner of the property and who is the local contact taking care of the rental. Discussion was had on looking at the City of Boise's ordinance addressing parking, contact having to live within 20 vehicle miles of the house, proof of liability insurance, etc. Discussion was had on Caribou County's Short Term Rental requiring not to impede the flow of traffic. The City of Grace allows parking spaces in driveways in Ordinance 3-1-3: (G), 3-1-4: (G), 3-1-5 (G): Off street Parking. Discussion was had on hours where noise shall be maintained for quiet hours from 10:00 p.m. to 8:00 a.m., trash shall be placed in proper containers for disposal, license required, license renewed yearly, obey all laws federal, state, and local statutes. Commission Member Spackman stated that the ADU's should be inspected by the fire department. Commission Member Bingham stated that cannot be enforced because the short term rental is considered a private home. Discussion was had on having requirements for the permits or a license for the health, safety, and welfare could change the requirement. Discussion was had on being careful under the Idaho Statute Law being passed it is still a home.

Chairman Pristupa read Idaho Statute 67-6539: Limitations on Regulation of Short-term Rentals and Vacation Rentals: (1). Neither county nor a city may enact or enforce any ordinance that has the express or practical effect of prohibiting short-term rentals or vacation rentals in the county or city. A county or city may implement such reasonable regulations as it deems necessary to safeguard the public health, safety, and general welfare in order to protect the integrity of residential neighborhoods in which short-term rentals or vacation rentals operate. A short-term rental or vacation rental shall be classified as a residential land use for zoning purposes subject to all zoning requirements applicable thereto. (2). Neither a county nor a city can regulate the operation of a short-term rental marketplace. Commission Member Spackman stated that the clause on health and welfare, is where cities can safeguard clean water supply, controlling fire hazards, waste management be added.

Discussion was had to encouraging parking permits be added to the ordinance, so that there is a contact number of who owns the short term rental and who is renting the short term rental for security of others property.

Discussion was had that Ordinance No. 13.65 of the county needed to add ADU's. Information from Caribou County Planning & Zoning Administrator Askew stated that the ordinance covered the ADU's. Question was asked if ADU's were allowed in the City of Grace would the ADU's be required to be set on a foundation and be required to have sewer, power, and water? Does the City of Grace want ADU's to be used as a short term rental? Commission Member Spackman stated as soon as the person living in the structure passes away it becomes a short term rental. Discussion was had on if it was the City of Grace's responsibility to discourage the short term rental. Discussion was had on what the community would want.

Commission Member Spackman stated that after much thought, reading and studying the ordinances, there are many problems. Why would ADU's be an asset to the community. Discussion was had if needing extra space why not get a setting permit and add onto the home. Commission Member Spackman stated that really it is not the Planning & Zoning Commissions responsibility to say no to what the community wants. Discussion was had on it just being a short term rental. Discussion was had on some of the older folks would not want a room off the existing home, wanting their own privacy. Discussion was had that federal law states that it cannot stop an ADU from being built. It is part of the fair housing regulation.

Discussion was had that the setbacks on the property be enforced. Does something need to be added to require the ADU to be on a permanent foundation. Commission Member Bingham stated that it should be clarified that the ADU be placed on a foundation and have utilities. Commission Member Bingham asked if there were any restrictions on how small of a house can be built? Discussion was had on one ordinance stated that a bedroom could be seventy six square feet. Commission Member Rasmussen stated that most older rentals could fit at least two twin beds and the other room had only room for a small bed and no dresser, etc.

Commission Member Rasmussen stated that the City of Grace is a great place to live. Commission Member Spackman stated that the whole area we live in is a great place to live without crime and unrest in the community.

Chairman Pristupa opened the discussion on Setting Permit Fees. Discussion was had on going from Setting Permit Fees to a Building Permit fee if there was a building inspector used. Discussion was had on using a setting permit fee for anything smaller such as a fence, dog run, etc. Discussion was had that the City of Grace needs to have ex amount of dollars for revenue. Commission Member Spackman asked if this permit money would benefit all the citizens of Grace? Chairman Pristupa stated that the purpose of the fee would be to allow the City of Grace to hire an additional individual to enforce the permits and ordinances. Discussion was had on purchasing a \$100 hundred setting permit to build a \$400,000 hundred house, not having it inspected, who is going to inspect the house outside of the plumbing and electrical?

Discussion was had on the cost of building in other communities being a fee of \$2,000 building fee plus paying the cost of the extra fee for inspection of the electrical, plumbing, etc.

Commission Member Bingham brought out information from Franklin County which requires all structures exceeding 200 square feet to have a permit, the building fee is 1% of the assessed value of the home. This is something that could be considered. Commission Member Bingham had information on Bear Lake County building permits. The Bear Lake County building permits are done by square footage. Commission Member Bingham had information from the City of Bancroft for building permits, fees up to \$1,000 = \$10.00, fee for each additional \$10,000=\$10.00. Discussion was had that the City of Bancroft does not have a building inspector.

Discussion was had that parks need to be required in subdivisions which would require the developer to have one lot for park use.

Chairman Pristupa stated that City Council assignments need to be made for the year 2023. Discussion was had that Commission Member Crabb would be added and if there is a problem with the months for assignment it can be swapped with someone else. Chairman Pristupa went through the months with the Planning & Zoning Commission making the assignments for the new year. An updated list will be emailed to the Planning & Zoning Commission.

Clerk Phillips had information on the Pocatello Regional Transportation Bus (PRT). The information listed contact information, time, routes, and cost of the fare on the bus in the Caribou County (Grace, Soda Springs) area.

Chairman Pristupa asked if the Commission had any other business? There was none.

Motion to adjourn was made by Commission Member Bingham. Motion was seconded by Commission Member Rasmussen. Motion passed unanimously.

Meeting adjourned at 8:40 p.m.

Zoning Clerk

APPROVED: _____
Chairman/Co-Chairman

DATE: _____