

APPROVED

CITY OF GRACE
PLANNING & ZONING COMMISSION
REGULAR MEETING HELD ON
SEPTEMBER 9, 2021

Present: Chairman Dave Pristupa

Commission Members: Kyle Bingham, Kim Welch, Scott Rasmussen

Zoning Clerk: Loy Raye Phillips

Chairman Pristupa called the regular meeting of the Planning & Zoning Commission held on September 9, 2021, to order at 7:10 p.m., excusing Commission Member Smith.

Invocation: Commission Member Bingham

Pledge of Allegiance: Clerk Phillips

Chairman Pristupa asked the Commission if there were any amendments to the agenda. Commission members stated there were none.

Chairman Pristupa asked the Planning & Zoning Commission if there were any changes to the minutes of the regular meeting held on August 12, 2021.

Commission Member Welch made the motion to approve the minutes of the regular meeting held on August 12, 2021. Commission Member Bingham seconded the motion. Motion passed unanimously.

Chairman Pristupa stated that the last Planning & Zoning commission meeting there was discussion on KMR Construction Highline View Subdivision. Discussion was had that on the four two and one half acre lots there was to be nitrate septic systems. Discussion was had that the county does not require the nitrate septic systems on the five acre lots. Even though the Impact Area ordinance states that anything in the Impact area requires a nitrate septic system. Discussion was had on the Department of Environmental Quality (DEQ) requiring the use of nitrate septic systems. The Health Department has the discretion to use nitrate septic systems or regular septic systems.

Discussion was had that because it was not enforced on the five acre lots in the Madsen subdivision it would not be done on the Highline View Subdivision.

Commission Member Rasmussen asked how would a fire emergency be handled not being annexed into the city? Discussion was had that the subdivision would be covered by the Caribou County Fire Department. Commission Member Bingham asked if water could be taken from the hydrant in the Phase 2 Subdivision? Discussion was had that the hydrant was too far away. Only time the water can be used is if the County gets permission from the City of Grace. Discussion was had that the citizens of Grace are being billed for water used. Discussion was had that the logical way to go would be to bill the homeowner for the use of the water but there is nothing in writing. Discussion was had that the city water system goes to the Helena Company and is metered. Discussion was had that an estimated amount of water used from a fire truck could be calculated from to the flow meter on the truck.

Discussion was had if the city would be reimbursed for the water? Discussion was had on assessing the homeowner for the use of the water used for fighting the fire.

Discussion was had that Fire Chief Peck stated that the Fire Department would have to come out of Soda Springs. Discussion was had on taking water from the canal system

Report from City Council:

Chairman Pristupa stated that JoAnn Ashley, Administrator for the Planning & Zoning Commission presented information on the Highline View Subdivision. Chairman Pristupa stated it was the County Planning & Zoning Commission information needing to be discussed. After Ms. Ashley discussed the information with the Grace City Council on the Highline Subdivision, the Grace City Council approved the permit for the Highline View subdivision.

Discussion was had on the Highline View Subdivision parcel not being paved. It will be gravel and the Phase 2 Burton Canyon subdivision will be paved. Discussion was had that KMR Construction has discussed using a chip seal paving on the new subdivision.

Business from City Council:

Mayor Barthlome has asked the Planning & Zoning Commission to look at an ordinance for Substantial Complete.

Discussion was had on Zoning information found in Setting Permit guidelines where substantial complete is listed, and Ordinance 3-4-5 Expiration of Setting Permit.

Chairman Pristupa read from the Setting Permit Guidelines of substantial complete to be used.

- Height-roof on
- Setback-items that could impact restrictions
- Off street parking requirements
- Walls, windows, steps, doors complete
- All temporary construction buildings removed
- Fences and Landscape Project height & lay out established
(Resolution 171-05-01-2013 see attachment)

Commission Member Rasmussen stated it sounds as if Mayor Barthlome wants a general conclusion on what is substantial complete. Discussion was had on homes that are not substantial complete being nontaxable until complete. Homes that you can live in that are not finished. Discussion was had on how cosmetically the home looks. Discussion was had that the setting permit is good for one year and gives the citizen plenty of time to complete building a house. Discussion was had on the permit being good for one year and that taxation should start after that year. Discussion was had on material being available to build. Discussion was had on setting permits being expired and the citizen needing to come for a new setting permit. The problem has been items to finish the projects are unavailable, or too costly. Applying for a new setting permit is cheaper than paying taxes.

Discussion was had on increasing the Setting Permit fee each year when a new setting permit is issued for an existing setting permit. Discussion was had the first one is done as required. The second one the citizen must present the reason to the City Council and the third one a citizen needs to see the Planning & Zoning Commission as well as the City Council. Discussion was had that the city staff approves the

Setting Permit. Discussion was had that all permits used to come through Planning & Zoning and were called zoning permits. The city council changed the zoning permit to setting permit and the permits go to the city staff which is Superintendent Crookston. Discussion was had on how Planning & Zoning is in the loop. The Planning & Zoning Commission are responsible for Conditional Use and Variance Permits.

Commission Member Rasmussen asked how the Planning & Zoning Commission would be included in the process. Commission Member Bingham stated that there should be some procedure to follow on substantial complete.

Discussion was had on a citizen not in compliance with substantial complete how does the city approach the issues. The citizen is putting in a fence so is the city back to ground zero. Discussion was had that posts are set. Discussion was had that a letter was mailed from the city attorney to stop the use of the sawmill on the property because the sawmill is not allowed in an R 2 (residential) Zone. Discussion was had that the only reason it was brought up is that the city had slapped another citizen hard when approached about putting a sawmill on his property which is not fair. The resident received a letter from the city giving them sixty days to clean up the sawmill, logs, and heavy equipment or receive a fine of \$250.00 and \$50.00 per day every day if not completed.

Discussion was had that the resident had been given several suggestions on ideas that could help find a place to process the logs for the fence. Question was asked if the mill could have been put in the I (industrial) Zone. Discussion had that this had been suggested to the resident.

Chairman Pristupa stated that he may not be able to attend the October 14, 2021, meeting, advising Vice Chairman Welch that it will be his responsibility to preside over this meeting. Discussion on substantial complete and ideas can be had at the October meeting. The decision on the substantial complete can be made in the Planning & Zoning regular meeting in November. Question was asked if Chairman Pristupa could attend Planning & Zoning meeting by phone? There is a possibility.

Chairman Pristupa asked the Planning & Zoning Commission to glean ideas from other communities what the substantial complete consists of for rules and regulations. If the commission need any help, please call and the information can be passed on or a thumb drive can be provided.

Discussion was had that no special meetings are called for Special Permits for extra meetings. The Planning & Zoning Commission try to schedule them on the second Thursday of the month. These Special Permits need fifteen days for publication and mailings to be handled properly.

Chairman Pristupa stated for Commission Member Rasmussen's information that the Planning & Zoning Commission members are assigned to attend Grace City Council meetings on assigned months, taking information that needs to be presented to the council and bringing information back from the city council. If assistance is needed other members of the commission will help.

Commission Member Rasmussen asked how to make sure that the new subdivision does not affect the city in the future.

Discussion was had on larger cities annexing areas allowing a length of time on septic systems, then if they choose to connect to the city sewage system it can be done. Discussion was had on researching the nitrate septic systems. Development outside the city limits, bordering the city limits how can annexing be processed in the future. What examples have other communities done in this situation.

Discussion was had on researching any development outside the city limits or that border the city limits how does the city handle the future.

Discussion was had that Ken Rasmussen stated that a lift station would cost \$125,000 for ten residential homes. Discussion was had that a larger lift station could be added if growth continued on the east side of the canal. Discussion was had that a larger line would be required for the growth.

Discussion was had on the concern of water pressure in the Phase 1 Burton Canyon subdivision when the Phase 2 Burton Canyon adds twenty nine homes. In a discussion with the city superintendent the water pressure should be able to handle the additional homes. Question was asked why the water pressure couldn't be set at seventy pounds so that everyone had good pressure. Discussion was had that the south side has good water pressure. Discussion was had that when the line is reduced from three quarters inch to five eighth inch the flow will be the same if the pressure is upped.

Commission Member Rasmussen asked how the water supply for the city sets now asking if the spring was better and is the ground water is stable. Discussion was had that the city is running on one well. Normally the city water comes from the springs.

Discussion was had that the city needs to look forward to the future for development and improvements.

Discussion was had on how to find out more information on nitrate septic systems. Questions need to be asked and answered by those who know the rules and regulations as to what, why and where these are necessary. Discussion was had on asking DEQ and Southeastern Idaho Public Health Department (SIPH) to come so questions could be asked.

Commission Member Rasmussen asked if the city limits are redefined? Discussion was had that this area is in the impact area and that the impact area had been left as the original area. Going to the forest service area to protect the city springs.

Discussion was had to see if Alan Johnson of DEQ could come to the Planning & Zoning Commission regular meeting on November 11, 2021. Question was asked if the SIPH should be invited? Discussion was had to make sure it was not their holiday. Discussion was had to invite DEQ and SIPH to attend the regular meeting at 7:00 p.m. to discuss nitrate septic systems and regular septic systems regulations.

Chairman Pristupa asked which city council member was over the Planning & Zoning Commission. Clerk Phillips stated Robyn Thomas and Mayor Barthlome. Chairman Pristupa stated that he would like to have Ms. Thomas invited to the meeting on November 11, 2021.

Chairman Pristupa discussed the assignments for city council meeting to be held on September 15, 2021. Commission Member Smith is assigned for this meeting. Commission Member Bingham is assigned for October and Commission Member Welch is assigned for November.

Chairman Pristupa asked the Zoning Clerk to contact the County Planning & Zoning Commission to set a date and time for a joint meeting to review the Impact Ordinance and Impact Map. Once this meeting is done any changes that are made will be presented to the city council for final approval. When finalized a public hearing can be held on the ordinance and the map.

Chairman Pristupa asked if there was any further business to be discussed. Chairman Pristupa stated that if Commission Member Rasmussen had any questions to call.

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

Adjourned at 8:20p.m.

ZONING CLERK

APPROVED: _____
CHAIRMAN/ VICE CHAIRMAN

DATE: _____