

APPROVED

CITY OF GRACE
PLANNING & ZONING COMMISSION
REGULAR MEETING HELD ON
FEBRUARY 10, 2022, AT 7:00 P.M.

PRESENT: Chairman Dave Pristupa
Commission Members: Kyle Bingham, Kim Welch, Scott Rasmussen, Mark Crabb
Zoning Clerk: Loy Raye Phillips

Chairman Pristupa called the regular meeting of the Planning & Zoning Commission to order held on February 10, 2022, at 7:00 p.m.

Invocation: Commission Member Welch
Pledge of Allegiance: Clerk Phillips

Chairman Pristupa welcomed Mark Crabb to the Planning & Zoning Commission.

Chairman Pristupa asked the Planning & Zoning Commission if there were any amendments to the agenda. There were none.

Chairman Pristupa asked if the Commission had read the minutes of the Planning & Zoning Commission regular meeting held on January 13, 2022, if there were any correction to be made.

Motion to approve the minutes of the regular meeting of the Planning & Zoning Commission held on January 13, 2022, was made by Commission Member Welch. Motion was seconded by Commission Member Rasmussen. Motion passed unanimously.

Chairman Pristupa stated that there was no business from the City Council meeting held on February 2, 2022. Discussion was had that the City Council was going to go over the Subdivision Ordinance in more detail. Commission Member Rasmussen stated that the City Council had discussed in the newspaper that someone other than Superintendent Crookston check out the setting permits. Which would free up the Superintendent to do other things. Discussion was had that the Planning & Zoning Commission did check zoning permits at one time. Commission Member Welch asked if the Planning & Zoning commission had authority to check out Setting Permits. Discussion was had that the Planning & Zoning Commission has the authority to report violations.

Chairman Pristupa stated that the Planning & Zoning Commission would be meeting with the Caribou County Commissioners at 10:15 a.m. on February 14, 2022, in the Commissioners room at the courthouse.

Chairman Pristupa stated that the Caribou County Administrator of the Planning & Zoning Commission, Joanna Ashley wants the City of Grace Planning & Zoning Commission to meet with the Caribou County Planning & Zoning Commission before meeting with the Commissioners. Chairman Pristupa discussed with Administrator Ashley that the Planning & Zoning Commission had already met on November 4, 2021, with the County Planning & Zoning Commission. Chairman Pristupa stated that Caribou County

Administrator Ashley of the Planning & Zoning Commission had provided the County Commissioners with an Impact Ordinance that this Planning & Zoning Commission had not agreed too.

City Attorney Wood had advised the Grace Planning & Zoning Commission not to change the northern boundary. Changes had been made to what this Commission deemed necessary and had accepted some of the things the County Planning & Zoning Commission wanted. That is what is listed in the Impact Area Ordinance.

Chairman Pristupa stated that this is what will be presented when the Planning & Zoning Commission meet with the County Commissioners. Chairman Pristupa stated that he had a phone call from Ms. Ashley wanting to visit and asked Ms. Ashley to call back at 200 p.m. Ms. Ashley stated that she would discuss items at the Commissioners meeting.

Discussion was had on the change from Rich Road to Gibson Lane that Ms. Ashley presented to the County Commissioners. At the Planning & Zoning meeting in January Attorney Wood stated it would be better to keep it at Rich Road. Attorney Wood stated that the Commissioners had approved it at Rich Road.

Commissioner Crabb asked why the Impact Ordinance map boundary was being changed. Discussion was had on an addition on the northwest corner of Rich Road and Ivins Road that is being developed. Discussion was had that in a meeting with the Caribou County Planning & Zoning Commission held on November 4, 2021, Rich Road was the northern boundary.

Discussion was had on the airport being owned by the city and sold to a private individual some years ago. If the airport were to be sold again the city could benefit by purchasing it. Discussion was had that the airport is owned by a private aerial applicator business. By having the impact area cover the northern area it helps to have the planes fly closer to the mountain instead of over the city.

The three mile limit outside of the Impact Area was changed to the Rich Road and the Two Mile Road in a meeting with the Caribou County Planning & Zoning Commission removing the three mile limit in a meeting held March 5, 2020.

Discussion was had that the city had concerns of feedlots and dairies being built too close to the City of Grace. The prior city administration had put the three mile extension in place to stop dairies or CAFO's from building too close to the City of Grace. Discussion was had on why would you want to stop growth in a rural community? Discussion was had on correcting the three mile area of the impact. This put the area of impact out to Highway 34 which is not necessary. The change was to correct the area of impact.

This impact ordinance has been revisited several times. Discussion was had on protecting the city springs to the east. The borders have really not been changed per say on the forest service or Bureau of Land Management land. Discussion was had on a correction needed to include the springs on the impact area map.

Chairman Pristupa asked for a motion to approve the Impact Area Ordinance 2022 – as presented by the Grace City Council which will be taken to the Caribou County Commissioners (see attachment Ordinance 2022-).

Motion to approve the Area of Impact Ordinance # 2022- was made by Commission Member Welch. Motion was seconded by Commission Member Bingham. Motion passed unanimously.

Chairman Pristupa stated that the next order of business would be the Substantial Complete Ordinance 2022-. Discussion was had on citizens building homes that have never finished the exterior, or landscaping. Attorney Wood has been given information for the need for substantial complete. Attorney Wood has drafted an ordinance for substantial complete with penalties. Discussion was had on 3-5-6 (B) to add the information needed to define substantial complete in the ordinance. Discussion was had on adding to the ordinance as what will be defined as finished. Brick, vinyl siding or metal siding, stucco, and other approved exterior finishes. Barrier wraps will not be allowed as waterproof finish.

Ordinance 3-5-6 (B) will read as follows:

(B) Substantial Completion is defined as the point in the project where the construction listed and set forth in the setting permit is in compliance with the Zoning Ordinance and the roof of the structure, walls, together with exterior finish (i.e. of exterior finish: brick, vinyl siding, or metal siding, stucco, and other approved exterior finishes). Barrier wraps are not allowed as waterproof exterior finish. Windows, steps, and doors have been fully constructed and installed, all setback, lot coverage, and off street parking requirements have been met. The height and lay out of fences and landscape project established, and all temporary construction buildings have been removed and is fit to be used for its intended purpose and an occupancy permit, if require, is granted. Furthermore, an inspection may be done that it can be determined whether substantial completion has been met and the inspector determines that substantial compliance with the building has been met.

Commission Member Crabb stated that in Caribou County that if the year goes by and the building is not complete that a citizen can ask for the permit to be extended. Commission Member Crabb stated that as long as progress is being made on the building there are no additional fees.

Discussion was had that the City of Grace uses setting permits instead of building permits. Commission Member Crabb asked if the folks that use the setting permit are aware that the project needs to be done within a year? Discussion was had that the citizen is aware of the requirement up front. If the project was not going to be finished in the year due to supply problems the citizen can apply for a new setting permit for a fee of \$100.00 on a new home. Discussion was had that the county charges by the square foot due to their requirements using the Idaho Building Code (IBC) and a building inspector is employed. The City of Grace does not have a building inspector and several discussions have been had that the city needs a building inspector. Discussion has been had on making an agreement with the county building inspector to help with the inspection of the permits in the city. Discussion was had that if the county would allowed the city to pay for the building inspector. Then the city could require that the permit would be charged by the square foot and the home would be inspected.

Discussion was had that the only penalties we have are the ones in the new Ordinance 2022- Commission Member Crabb stated that if a new permit was needed due to the incomplete project the fee of \$100.00 should be paid for the renewal of the new home setting permit.

Commission Member Welch stated that something needs to be done because of homes that are not finished and have not been completed for years. Discussion was had that citizens have been taking advantage of the situation. Commission Member Crabb asked if some of the houses have not been finished because of COVID, not having enough supplies. Commission Member Crabb stated that not

everyone is willing to go to be bank and apply for a loan. It could take years to complete a home. Discussion was had on an incomplete home with a citizen living in the home and it is not finished. Commission Member Crabb asked who signs off on a home when it is complete? Discussion was had that the City Staff or the City Superintendent sign the setting permits when presented at the city office. There is no inspection because the City of Grace uses a setting permit.

Chairman Pristupa presented an updated Substantial Completion that will be used on the setting permit guideline application instructions:

- Height-roof on
- Setbacks-items that could impact restrictions
- Of street parking requirements
- Siding, walls, window, steps, doors completed
- Exterior finish (i.e. od exterior finish: brick, vinyl siding or metal siding, stucco, and other approved exterior finishes). Barrier wraps are not allowed as waterproof exterior finish.
- All temporary construction buildings removed
- Fences and Landscape Projects-height & lay out established.
- Fence—Height clarify –Wire (top wire): chain link--vinyl height permitted
- Fence and landscapes project clarify height and lay out established (Citizen will be able to continue to work on).

Note: if not substantial complete in 12 months new permit is required (Ordinance 2022-).

Discussion was had that the citizen should apply for items such as fences, sheds, etc. on another permit separately. Suggestion has been made at the time the setting permit was applied for to add the additional items. Some of the permits had all the items listed with the house and if the house is not completed within one year that it would be best to apply for the other items on a separate permit.

Discussion was had that there is a six foot height limit on fences. Discussion was had on citizens needing variances to increase the height of the fence. The property needs to be surveyed to apply for a setting permit to build a fence.

Motion to approve Ordinance 2022 Substantial Complete with the exterior information listed was made by Commission Member Bingham. Motion was seconded by Commission Member Welch. Motion passed unanimously.

Chairman Pristupa asked for a motion to approve the definition page for the application requirements.

Motion to accept the definition page rules for Substantial Complete on the setting permit guidelines was made by Commission Member Welch. Motion was seconded by Commission Member Rasmussen. Motion passed unanimously.

Chairman Pristupa stated that each year the Planning & Zoning Commission Members are assigned to attend City Council meetings. The Commission gets an extra month because of the number of Planning and Zoning Commission Members. The list was made at the December 2021 meeting with Commission Members in attendance. Chairman Pristupa stated that Mr. Crabb had not been appointed to the Commission until January.

Chairman Pristupa stated that the Commission would table the City Council assignments until Mr. Crabb had a chance to look over the schedule.

Chairman Pristupa stated that there are some meetings that the Planning & Zoning Commission do not have any business to take to the City Council, the Commission Members attends to bring back any information that the City Council would assign to the Planning & Zoning Commission. If there is no assignment from the City Council, the clerk will notify the Commission Member.

Chairman Pristupa asked Mr. Crabb to look over the City Council meeting assignments and let the Chairman know what dates would work for his attendance to the city council meetings.

The Planning & Zoning Commission are only required to have nine meetings a year. If there is no business to be done some meetings maybe canceled. This last year there have been a lot of Planning & Zoning meetings due to the business the city has been dealing with.

Chairman Pristupa stated the City Council Assignment for February 16, 2022, is Commission Member Rasmussen. City Council assignments for March 2, and March 16, 2022, will be Chairman Pristupa.

Chairman Pristupa stated that he will notify the Planning & Zoning Commission on Monday before the meeting to be held on Thursday by text. Commission Members were asked to notify if you can attend or not by text.

The Planning & Zoning Commission needs a quorum to hold meetings. The Planning & Zoning Commission have been able to communicate with Commission Members, by cell phone to have a quorum present.

The next Planning & Zoning Commission meeting will be held on March 10, 2022, at 7:00 p.m. Chairman Pristupa reminded the Commission Members of the meeting with the County Commission on February 14, 2022, at 10:15 a.m.

Chairman Prustipa asked if the Commission Members had any other business to be discussed.

Motion to adjourn the Planning & Zoning Commission meeting was made by Commission Member Rasmussen. Motion was seconded by Commission Member Crabb. Motion passed unanimously.

Meeting Adjourned at 7:46 p.m.

ZONING COMMISSION

APPROVED: _____
CHAIRMAN/VICE CHAIRMAN

DATE: _____