

APPROVED

CITY OF GRACE
PLANNING & ZONING COMMISSION
REGULAR MEETING HELD ON
MARCH 11, 2021

PRESENT: Chairman Dave Pristupa
Commission Members: Kim Welch, Kyle Bingham, Courtney Smith, Colleen Fluckiger
Zoning Clerk: Loy Raye Phillips

OTHERS PRESENT: Matt Loertscher

Chairman Pristupa called the regular meeting of the Planning & Zoning Commission held on March 11, 2021 to order at 7:05 p.m.

Invocation: Commission Member Fluckiger

Pledge of Allegiance: Clerk Phillips

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

Chairman Pristupa asked the Planning & Zoning Commission if there were any changes to the minutes of the February 11, 2021 regular Planning & Zoning Commission meeting.

Motion to approve the minutes of the February 11, 2021 regular meeting of the Planning & Zoning Commission was made by Commission Member Smith. Motion was seconded by Commission Member Welch. Motion passed unanimously.

Report from City Council: Commission Member Welch reported that the Planning & Zoning Commission had a budget of \$3,000.00. Commission Member Welch reported that there was a sewer plant open house held on February 23, 2021. Discussion on snow removal in the city. The City Council had Kathy Hosek on the agenda to present a community service projects through the Church of Jesus Christ of Latter day Saints. Discussion was had on a computer process to sign in for service projects for personnel service in the community.

Commission Member Welch stated that Craig Corbett, Chad Corbett, and Kent Corbett had a discussion with the City Council on water pressure and flow in the area. Discussed what could be done to help the flow and pressure. The group felt that the water meters are part of the problem. Chairman Pristupa discussed the size of the meter being 5/8th inch and the pressure valve that was to be installed, some areas of the city have 72 lbs., others 45 lbs. and others 30 lbs. Commission Member Smith discussed that the pressure and flow could be a valid concern when adding more homes to the water system,

Commission Member Welch stated the City Council discussed a bond hearing to be set for May 13, 2021 on the sewer plant for upgrades, repairs and new sewer lines, and manholes which are needed to stay in compliance with the sewer. There will be a rate increase for sewer to pay for the renovation and upgrade of the sewer system. Discussion was had on a small city not having a choice with the change of

rules and regulations. That nothing has been done to improve or keep the system up to date for thirty plus years.

Commission Member Welch stated that Superintendent Crookston had presented a setting permit for Rex Parkinson to replace a wall and add to his home.

Chairman Pristupa turned the time to Matt Loertscher:

Mr. Loertscher stated that he lived at 1998 Tuner Road over by Heritage Safe. Mr. Loertscher stated there is a possibility of building a meat processing plant on the property in the city limits next to the storage units and his home. Mr. Loertscher wants to know if there is any problem with a meat processing plant being built in the city. Commission Member Welch stated that would be in an I (industrial) zone.

Commission Member Welch asked what was meant by meat packing and if there were going to be live animals?

Mr. Loertscher stated there would be one live animal on site at a time for slaughter, cut wrap and freeze. It would be a USDA Inspected facility. Mr. Loertscher stated that the purpose would be to slaughter, and process on site. This would be beneficial to the community instead of having to travel to have the animal processed. Discussion was had on the back up time on other facilities to get the animals into slaughter.

Commission Member Welch asked Mr. Loertscher how many animals would be on location at any given time? Mr. Loertscher stated only customers animal one at a time. Mr. Loertscher stated he would not be able to hold an animal overnight, the animal would have to be killed the same day as they arrived.

There will be no holding pens. The plan is to have a concrete pen to unload the animal then move to a squeeze chute then into slaughter. Commission Member Smith asked how many people would be involved? Mr. Loertscher stated that the maximum number of employees would be five (5) employees. Commission Member Bingham asked if the animal would be held more than one day. Mr. Loertscher stated that he could not hold any animal because he would not be allowed to do so. Mr. Loertscher stated that he could hold cattle on the county side of his property just to feed but the minute the animal comes on the butcher property the animal has to be slaughtered the same day.

Commission Members discussed if Mr. Loertscher would need a Variance or a Conditional Use Permit. Discussion was had on a business in an I (industrial) zone. Discussion was had on a Variance dealing with exceptional or extraordinary circumstances of conditions on the property. Discussion was had on checking the ordinance in the I (industrial) Zone to make certain things are in order.

Discussion was had if a Conditional Use Permit is needed a lay out of the property would be needed to see how the business would affect the city shop, the storage units or Nelson's business.

Discussion was had on grease traps to catch the fat off the animal, so it did not go into the sewer system. Mr. Loertscher stated that there would be two grease traps one on each side. Mr. Loertscher stated the waste would be removed the same day the animal is slaughtered. Mr. Loertscher stated the facility would run Monday through Friday. The blood would be the only thing that would go into the sewer, but it can be collected, processed and sold. Discussion was had on a grease trap collection before it goes into the city sewer.

Chairman Pristupa stated information on the Conditional Use Permit would be discussed with City Attorney Wood and the Planning & Zoning Commission would let Mr. Loertscher know if a CUP was needed.

Mr. Loertscher stated there is no hurry but would like the information and proper requirements that are required to build a meat processing business.

Chairman Pristupa stated the Clerk would have the setting permit and other information available in the morning. He thanked Mr. Loertscher for coming to the Planning & Zoning Commission.

Election of Planning & Zoning Officers: Chairman Pristupa opened the meeting for election of officers. Commission Member Welch made the motion that Chairman Pristupa remain as Chairman. Motion was seconded by Commission Member Bingham. Motion passed unanimously.

Chairman Pristupa asked for nominations for Vice Chairman. Commission Member Bingham made the motion that Commission Member Welch remain as Vice Chairman. Motion was seconded by Commission Member Smith. Motion passed unanimously.

Comprehensive Plan: Chairman Pristupa asked the Commission Members if they had reviewed the information on the Comprehensive plan handed out at the February 11, 2021 meeting. If the Commission Members have any comments those can be discussed.

Chairman Pristupa will contact Southeast Idaho of Council of Government (SICOG) for help on the Comprehensive plan and invite a representative to come to our meeting in April.

Discussion was had on Element 8: Recreation: Question was asked if Grace still had a basketball and baseball program for the summer. Discussion was it is variable what parents want to do, some go to Preston, some to Pocatello and some to Soda Springs Rec. Discussion was had on having our own Recreation Program. Discussion was had on the funding and the facilities for practice. Discussion was had that most of the football runs through the Soda Rec. Discussion on wrestling being done here. The wrestling coach has done a program at the school with the help of students in the wrestling program having practice and some tournaments. Discussion was had on soccer going through the Soda Rec. Discussion was had that a basketball program for the grade school is held during the spring. Discussion was had on the program Mike Hansen did for a baseball program when he lived in the area, the Lions Club and Elks had teams, that participated several years ago. There is some baseball during the summer. Discussion was had that Mrs. Straatman coaches a girl's baseball league. Discussion had on someone to be in charge of the programs and needing some place for the youth to congregate. COVID shut down the schools and because of the policy put in place schools were closed and the church does not allow the use of gyms. Discussion was had on setting goals to help improve the program supporting the youth in the community. Discussion was had that a rec center would be nice to have separate from the school and the church. Something that could be acquired and built for such a purpose. Discussion was had on what Smithfield and the school district did in Utah and the city manages the facility, the school is able to use the facility. Discussion was had on using the Caribou County Fair building for a small basketball court, small volleyball court, wrestling, etc. Discussion was had on the amount of interest in the community. What is hurting the sports is the club sports.

Chairman Pristupa stated that SICOG could give some direction on the Recreation Element. A community survey may be needed to find out what is really needed. Discussion on those who are unable to afford to travel or participate. Discussion was had on funding from a neighborhood to provide funds for youth. Things like this can happen behind the scenes to help youth when needed.

Chairman Pristupa asked the Planning & Zoning Commission to review the Comprehensive Plan for the next meeting. Chairman Pristupa stated he would let the Commission Members know when he hears from SICOG.

Impact Area Map & Ordinance: Chairman Pristupa explained for the north boundary of impact change was made due to the sale of the airport to a private individual.

Discussion was had that it was not feasible to use the pipeline as it was not a straight line and it would be too costly to put sewer and water on the north side to add to the city limits. Discussion was had on development going east and south. The east border does not change, and the south border does not change nor the west border. Discussion on the little jog on Turner Road to take out for Viehweg's wrecking yard.

Discussion was had on the three mile area set by Caribou County for those who lived on Telford Road and the livestock. Discussion on concern for those who would want to increase the size of the herds owning property in that three mile area.

Discussion was had on Section A: Feed operations, dairy farms, pig farms, or CAFO operation (as defined in section 67-6529C. Idaho Code) or similar type operations shall be permitted in the impact area or within a three mile radius of the exterior boundary of the impact area. Discussion was had that the city is unable to regulate three miles outside of the impact area. Building permits in the impact area are issued through the county. The concern of the city would be the city water and sewer. Discussion was had on the restrictions of the amount of area that is set. Discussion was had on growth and limiting their ability to increase their herd. Discussion on removing the wording or within a three mile radius of the exterior boundary of the impact area.

Commission Member Smith discussed the CAFO rules on the number of livestock being a significant amount for animals in the impact area which is still restricted for some property owners. Discussion was had that it would not be feasible to meet some of these numbers in the code for those that choose to expand and grow. Property owners in the impact area on the north could buy property in the area and expand and this limits the growth of the operation. Discussion was had on the possibility of expanding north from Telford Road. Discussion was had that Caribou County enforces the CAFOs in the impact area.

Discussion was had on Section A Idaho Statutes 67-6526/ 67-6529A/ 67-6529B and if any changes are made to the statute that from the last date amended the code remain in force. Discussion was had that if changes in the Idaho statute were made the Planning & Zoning Commission would like to have the date previous to amendment date of 2002 and any new provisions will be reevaluated and agree to the state code with changes to the impact area.

Commission Member Welch asked how much say can the city have on the impact area? Discussion was held that the city can recommend a denial. The county can overrule the denial. Commission Member Welch stated that the code is set in the city even if it affects those that live in the impact area. The

impact area is not in the city limits but those in the impact area do not have a voice on issues that affect the area. Commission Member Smith asked if there needs to be something to protect those involved in the impact area involving the sewer systems? Discussion was had on Section 3 which states: All applications for zoning permits, subdivision permits, building permits, or other permits related to the ordinances adopted for the area of city impact shall be made to Caribou County, Idaho, and the procedures for approval or disapproval of any such application shall be as is provided by county ordinance except as modified by the provisions contained in this ordinance. Which is a county and city ordinance.

Chairman Pristupa read Section 4 (Impact Area): Caribou County, Idaho shall not have the power to change, amend, modify or otherwise alter any ordinance applicable to the area of city impact without the consent of the City of Grace, Idaho. If the parties cannot agree as to the modification, then the procedure for modification of the same set forth in Section 67-6526, Idaho Code, shall be followed by the county and the city. If a decision cannot be reached, then it will go by state code where a judge will make the ruling.

Discussion was had on subdivisions being planned in the impact area that are not three miles outside the city limits.

Discussion was had on the area of impact going up the mountain to protect the springs. Discussion was had on fifty acres next to the annexed property east of the city, which could affect the city wells and the homeowners on wells in the area. Discussion was had on the city looking into which way the water flows. Discussion was had on how many septic systems would be involved and the affect those systems would have on the city wells and private wells in the area.

Commission Member Smith discussed (F) of the impact area: Any well drilled upon property within the area of city impact shall be placed and located upon property having a higher elevation to ensure that contamination does not occur to said well. Septic tanks located within the area of city impact shall be required to have a nitrate reducing capability as dictated by the district health department. Question was asked how is this going to be policed? Commission Member Welch stated that the Department of Idaho Water Resource would deal with the wells.

Discussion was had on water and the wells being drilled in the impact area. The Bear River has begun the adjudication process which will protect those with water rights and stop those who do not have water rights. The adjudication will protect the rights of the Idaho water users.

Commission Member Fluckiger asked if there was an ordinance that states the City of Grace will only grow so large. Discussion was had on the more the city grows the more revenue is available. Discussion was had on the services that the city provides being able to accommodate the growth.

Commission Member Smith asked if there was something that would need to be done if an operation were to expand in the impact area that could be added for growth. If someone owns property in and out of the impact area. Could they apply for a variance on some of these situations? Discussion was had on the numbers of livestock on location for grazing or seasonal rotation for about two months on some of the property. This could really cause a problem with people coming into the community.

Chairman Pristupa opened discussion of property on 10th W 2nd S. in an R-2 residential zone that had logs, a sawmill and machinery. Discussion was had on a letter being sent by the city that the property

was out of compliance. Discussion was had that there is a code enforcement problem with the ordinances. Commission Member Bingham commented that a Conditional Use Permit could be issued for a privacy fence.

Discussion was had on City Ordinance 3-1-6: states that sawmills are allowed in the I (industrial) Zone. The industrial zone is free from residential or retail commercial activities. Commission Member Fluckiger stated that if left it could bring the value of the property in the area down from the standpoint of appearance in the R2 (residential) Zone. Discussion was held on the safety of the children in the neighborhood playing on the logs. Discussion was had that a load of logs could be dropped there but the ordinance states that he cannot have a sawmill in the R2 zone.

All Planning & Zoning Commission Members had visited the site. Discussion was had that the Planning & Zoning Commission cannot interfere this is not the Planning & Zonings concern. The City of Grace has the authority to enforce the ordinances.

Discussion was had on a property at 110 W. 5th N. which the Planning & Zoning Commission held a Conditional Use Permit hearing on and that the storage containers were in the area where permitted. Commission Member Welch stated that it is winter which is difficult to keep things in order. Commission Member Smith commented that the Planning & Zoning Commission had a Conditional Use Permit and there is a setting permit from the city to build the home. Discussion was had on the storage containers being moved in by someone else. Setting Permits were issued to someone else and then the containers were moved, and a Conditional Use Permit was required.

Discussion was had on the Planning & Zoning Commission passing the Conditional Use Permits and ordinances to the city council. The city council has the final say on the Conditional Use Permits and ordinances that the Planning & Zoning Commission send to the city for approval.

P & Z Commission Member Assignment for City Council meeting: Council Meeting will be held on March 17, 2021 at 6:00 p.m. Planning & Zoning Commission Member assigned is Commission Member Bingham.

Announcements: Planning & Zoning Meeting will be held on April 8, 2021 at 7:00 p.m.

Chairman Pristupa asked if there were any other business. The Commission had none. Chairman Pristupa asked for a motion to adjourn.

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

Meeting adjourned at 8:25 p.m.

ZONING CLERK

APPROVED: _____
CHAIRMAN OR VICE CHAIRMAN

DATE: _____