

APPROVED

CITY OF GRACE
PLANNING & ZONING COMMISSION
VARIANCE HEARING & REGULAR MEETING
HELD ON AUGUST 10, 2023, AT 7:10 P.M.

PRESENT: Chairman Dave Pristupa

Commission Members: Kyle Bingham, Scott Rasmussen, Mark Crabb, Ralph Spackman

Zoning Clerk: Loy Raye Phillips

OTHERS PRESENT: Nellie Askew, Glenda Hobbs

Chairman Pristupa called Variance hearing 2023-02 held on August 10, 2023, to order at 7:10 p.m.

Chairman Pristupa asked those in attendance to please state their name for the record:

Kyle Bingham, Scott Rasmussen, Nellie Askew, Glenda Hobbs, Mark Crabb, Ralph Spackman,
Loy Raye Phillips, David Pristupa

Chairman Pristupa stated the purpose for Variance hearing 2023-02:

Glenda Hobbs, petitioner, and property owner is requesting approval for Variance # 2023-02 (setting permit # 2023-12) to permanently place a 14 foot X 20 foot metal freestanding carport on the north side of the property and a freestanding 18 foot X 20 foot RV metal carport on the east side of the property which will be on the property line and not to extend into the city street (City Ordinance R-1 (single-family residential) Zone, 3-1-3 (D) setbacks and Variance procedure (3-3-3). The legal description of the property is: LOT 1, BLK 21, LLOYD ADD., GRACE. The address of the parcel is 224 S. 4th E., Grace, ID.

Ms. Hobbs stated that she is trying to cover her driveway as far as possible, just to the property line. Ms. Hobbs stated that she is trying to winterize the property, having to deal with the wind, snow coming from the south and wind coming from the north filling the north driveway. Ms. Hobbs stated that it is shoveled every day and cannot get out of the driveway. Ms. Hobbs stated that the motorhome takes a beating even with the heavy duty tarp cover, between the snow load, the roof had a lot of water damage. The water started coming in through the roof, ruining the interior of the motorhome. Ms. Hobbs stated that she cannot get in the back yard all winter due to so much snow being piled in the driveway. By adding the extension on the freestanding carport to help keep the driveway clear.

Chairman Pristupa asked for comments.

Ms. Hobbs stated that the carports would be all steel frame and have a vertical roof. The roof siding would have the peak going down so the snow would slide off the roof. Ms. Hobbs stated that she would have an additional snow load from 30 lbs. to 50 lbs. and a 90 mile per hour wind requirement. The steel carports will have anchors driven into the ground. Ms. Hobbs stated that there was a picture attached to the Variance.

Chairman Pristupa stated that letters had gone out to property owners within three hundred feet (300'): There were four letters returned.

Robert Jensen	Approved applicant's request
Sue & Vernon Hardy	Approved applicant's request
Julie Parkinson	Neutral Comments: As long as emergency personnel can get into the property.
Superintendent Crookston, City of Grace	Neutral Comments: as long as it is not in the city street.

Ms. Hobbs stated that the carport would be several feet back. Chairman Pristupa stated that Superintendent Crookston is concerned with the snow being plowed into the structure. Ms. Hobbs stated that there is quite a distance between the property line and the pavement. Ms. Hobbs stated that the city did not plow that part. Chairman Pristupa stated that there is a normal right of way through the street of 60' width and a 30' center line going either way being the city right of way.

Chairman Pristupa stated that the property was surveyed when the property was purchased. The biggest concern with the RV carport on the east side is the snow removal.

Ms. Hobbs stated that she had talked to superintendent Crookston about the strip of land between the pavement and the property line, asking Superintendent Crookston if they had ever plowed the area? Superintendent Crookston stated that the city had not plowed the area, because the city would get stuck if it were plowed and the city tries to stay on the pavement. Ms. Hobbs stated that there was a nice cushion of land that is not paved because the city will get stuck.

Chairman Pristupa stated that at some time in the future the city might decide to pave the entire area, the city has to look at future planning for the city.

Ms. Hobbs asked if the road would go onto her property. Chairman Pristupa stated that the city would not infringe on her property but would abut to the property line only going to the stake. The city could repair the roadway putting in an oil base roadway. That is something in the future. Ms. Hobbs stated that technically the RV steel carports are removable, they can be cut, moved back, etc. Ms. Hobbs stated that the RV metal carport would not go passed her fence or property line. The property line runs north and south on the east side.

Chairman Pristupa adjourned Variance hearing 2023-02 at 7:20 p.m.

Ms. Hobbs asked if the variance was approved. Chairman Pristupa stated that the Variance would go to the city council on August 16, 2023, to make the final decision. Chairman Pristupa stated that part of the variance for the carports could be approve or all the variance for the carports could be approved. The city council will notify you of the decision.

Chairman Pristupa called the regular meeting for the Planning & Zoning Commission held on August 10, 2023, to order at 7:22 p.m.

PRESENT: Chairman Pristupa

Commission Members: Kyle Bingham, Scott Rasmussen, Mark Crabb, Ralph Spackman
Zoning Clerk: Loy Raye Phillips

OTHERS PRESENT: Nellie Askew, Caribou County Planning & Zoning Administrator

Invocation: Commission Member Rasmussen

Pledge of allegiance: Clerk Phillips

Chairman Pristupa asked if the Planning & Zoning Commission had read the minutes of the July 13, 2023, variance hearing and regular meeting and if there were any changes or corrections.

Motion to approve the July 13, 2023, minutes of the Variance hearing # 2023-01 and regular meeting was made by Commission Member Spackman. Motion was seconded by Commission Member Rasmussen. Motion passed unanimously.

Chairman Pristupa asked if the Planning & Zoning Commission had read the minutes of the July 27, 2023, meeting and if there were any corrections to be made on the July 27, 2023, Re-Plat hearing and the Special Meeting. Correction were made to correct the spelling of Bingham and Re-Plat.

Motion to approve the Re-Plat Hearing and Special Meeting held on July 27, 2023, was made by Commission Member Bingham. Motion was seconded by Commission Member Rasmussen. Motion passed unanimously.

Report from City Council:

Commission Member Crabb stated that he attended the July 19, 2023, meeting of the city council and presented Variance # 2023-01, and the Caribou County Fair Board amendment on the use of the county RV Park. Commission Member Crabb stated that the city council was very busy.

Chairman Pristupa stated he had attended the August 1, 2023, city council meeting and presented the city council with the Re-Plat Amendment. The city council tabled the amendment until a later meeting. Chairman Pristupa stated that Mr. Clegg had visited with Wade Olorenshaw about doing the legal descriptions on the property for the landowners. The landowners will be responsible for the charges for the update of the description.

Variance # 2023-02:

Chairman Pristupa stated that Ms. Hobbs had several items on the paperwork. On the east side Ms. Hobbs would like to add a carport for the motorhome, add a green house or shed, which is not a problem. Commission Member Crabb asked if the greenhouse or shed was in the backyard? The backyard is not part of the variance. Discussion was had on the one carport coming out to the right of way to the very edge of the property line on the east side. The one on the north side is a few feet shy of the property line. Discussion was had on the carport on the east side being on the property line and the one on the north side is 2' from the property line. Commission Member Crabb asked how far in was she encroaching into the setbacks? Commission Member Crabb stated that it is showing 20', the entire carport is going to be in the setback area. Discussion was had on a porch cover on the permit, which is not a problem to cover the porch for weather convenience.

Commission Member Crabb asked about the setback on the north side. Chairman Pristupa stated that it is far enough that it is technically a 2' setback. Discussion was had that the situation has to do with snow removal. The RV carport on the eastside is right on the asphalt. Discussion was had on 2nd S. being paved. The city will be pushing snow into the area where the motorhome is being housed. Commission Member Crabb stated that the concern is as the plow moves the snow it could still damage the motorhome not intending to do it on purpose. Chairman Pristupa stated that Ms. Hobbs needs to be

aware that moving the snow can hit the motorhome. Commission Member Rasmussen stated that if a slab of ice were to be moved it could hit the vehicle.

Chairman Pristupa stated that Superintendent Crookston did not state that on the letter being returned for comments. Superintendent Crookston is concerned with piling of the snow on the side streets and large berms the city dealt with. Commission Member Bingham stated that if this next winter is like the one the city dealt with this year it could cause a problem. Discussion was had that Ms. Hobbs is trying to fix the damage to the motorhome so it can be sold. Ms. Hobbs wants to cover the motorhome so there will be no damage. Chairman Pristupa stated that Ms. Hobbs stated she could shorten up the carport if the motorhome was sold. Commission Member Crabb was concerned that the carport would probably not be moved once installed. Chairman Pristupa stated that if the motorhome was sold it could be required to shorten the carport 10' to get it away from the road. Commission Member Bingham stated that if the snowplow was to bend one of the poles that held the carport, then what would be done? Commission Member Crabb stated that if the city were to hit one of the corners of the carport or the fence there is a problem.

Commission Member Crabb stated that Ms. Hobbs would need to understand that there is a risk of putting the carport out onto the property line that there is a risk of being hit and that she could not approach the city for the repairs to the damage. Commission Member Bingham stated that the Commission needs to be careful if they approve one on the property line how many more property owners are going to want to extend to the property line. Commission Member Spackman stated that this would set a precedence. Commission Member Spackman asked what was stopping Ms. Hobbs from putting the carport in the back yard? Chairman Pristupa stated that there were trees in the back yard and the trees would have to be removed to place the carport and a gate would need to be installed in the fence to allow the motorhome to enter the back yard. Discussion was had on taking out the trees and ruining the back yard to park the motorhome with the carport cover.

Commission Member Crabb stated that the Commission does not need to set a precedent to cause problems for the city to maintain the streets, making it so the city employees cannot do their job, efficiently. Commission Member Rasmussen stated that in Ms. Hobbs defense she is aware of the problem of this being an issue and it could be removed if there was a problem developed. Commission Member Crabb asked if that could be written in the variance if approved if it became an issue to remove the carport.

Commission Member Bingham stated that he was going to deny the Variance on the east carport. Commission Member Spackman stated that it is difficult to infringe on people's rights, to allow things that they want to do on their property. Commission Member Spackman stated that when the property was purchased the setbacks were already in place. Commission Member Spackman stated that he would deny the carport on the east. Commission Member Crabb felt that it is not a very good idea to approve the carport on the east of the home for the motorhome. Commission Member Rasmussen stated that the carport on the north would be fine but the one on the east should be denied, due to the removal of snow on the street coming around the corner pushing it causing a problem because of the way the snow load is carried around the corner. Commission Member Rasmussen stated that the one with the 2' setback on the carport on the north is fine. Commission Member Bingham asked how far the carport was off the property line? Chairman Pristupa stated that it would be 2' from the property line. The option of removing the trees in the backyard and move the motorhome into the backyard was discussed. Discussion was had on the cost to remove the tree. Discussion was had on suggesting removal of the trees put a gate in the fence and put the carport in the backyard off the street.

Chairman Pristupa asked the Commission Members if there was approval for the carport on the northwest end of the home. Discussion was had that the setting permit is also dealing with the greenhouse and porch roof being done by Superintendent Crookston.

Commission Member Rasmussen stated that the concern was the east carport, setting a carport is a nice thing but there is still a lot of work to be done.

Chairman Pristupa asked the Commission Members for approval for the carport on the north side, asking for a motion.

Commission Member Crabb asked if Superintendent Crookston had any comment on the east carport? Chairman Pristupa stated that Superintendent Crookston had concern of the carport on the east but did not state his concern on the comments returned. Discussion was had on the comment of emergency services being available and if the snow was piled it might cause a problem to have emergency services available.

Motion was made by Commission Member Bingham to approve the north carport with a setback of 2' and reevaluate, the east carport being located too close to the right of way of the street. Suggesting removal of trees and putting the carport in the backyard. Motion was seconded by Commission Member Rasmussen. Motion passed unanimously.

Chairman Pristupa stated that Ms. Askew had provided a 2023- Caribou County Ordinance and the Planning & Zoning Commission has the City of Grace 2021 ordinance. Chairman Pristupa stated that there was a correction on the proposed description on the City of Grace proposed ordinance for 2021. The description should state northwest instead of northeast.

Chairman Pristupa stated that much discussion has been had since the meeting with Ms. Askew in May of 2023. Chairman Pristupa stated that there has been discussion with Attorney Wood and the City Council of the boundary on the north end with Rich Road of the proposed impact area. There is not a problem with the south end or the west. The problem is that suggestion was made to move the line to the Gibson Lane and the Harwood Road. The city wants to stay with the border of the Forest Service and the Bureau of Land Management on the east boundary.

Ms. Askew asked what the reason the city felt it needed to remain the same? Chairman Pristupa stated that there is a water line that crosses the property in the area. The commission is trying to maintain somewhat control of how the water is delivered to the city.

Ms. Askew stated that the area of impact is not designed to protect the area in question. There is an easement, and the city could find out where the water line is located. Chairman Pristupa stated that there is nothing which states where the water line is exactly located coming from the springs.

Chairman Pristupa stated that the county is allowing permits for home building on the east bench. Ms. Askew stated that the property owner is permitted to do so. Chairman Pristupa stated that he does not argue that point. The point is the city needs to protect and with impact there is input to the city. Chairman Pristupa stated that the county could allow a township on the property or build a subdivision on the property. The county approves the permit without any input from the city. If it were in the impact area the City of Grace could ask if this was going to affect the water sources, sanitation, etc. that may be proposed. The city does not have protection if not extended out as described legally.

Ms. Askew stated that it was totally agreeable but part of the job of the county is to protect building on property. Discussion was had that the city does not get the information, the only time there is going to be a subdivision in the area that it is posted in the paper. By having the impact area in place, it would protect the city by sending the information to the city, asking if there was any input on this subdivision, a house, factory, etc. Discussion was had that this is the rationale of the impact area remaining the same.

Question was asked about the border on the east side of the impact area was the line going to go between the private property and the Forest Service? Ms. Askew stated that Telford Road would be the north boundary line. Chairman Pristupa stated that Attorney Wood recommended leaving the north boundary on Rich Road. Ms. Askew asked why that was stated? Chairman Pristupa stated that Attorney Wood stated it would be easier to leave the north boundary where it is at now than to move it back from Telford Road. Ms. Askew stated that if these boundaries are going to be realistic if there is annexation? The purpose is not simply for control of building or subdivisions it is open to annexation. Discussion was that there is a possibility that there could be an industrial area, there are other areas that could apply to industrial. Yes, there would have to be wells installed and some type of sewer system, or allowing septic systems, this is one way to expand. The industrial area could not go south due to the agricultural property not being for sale.

Commission Member Spackman asked about the red line on the map (see attachment). Ms. Askew stated that it was not an official line it just set what the area of impact could look like, the orange dotted line is the current area of impact. Chairman Pristupa stated that the Commission was trying to keep the current, impact line that the city council wanted. Discussion was had that in November of 2021 the Caribou County Commission, City Attorney Wood and the City of Grace agreed to leave the impact area as outlined. Commission Member Spackman asked if there was an annexation being done at the present time? Chairman Pristupa stated that there is not one being done at the present time, the annexation would come if someone wanted to build north of the city, etc. it would be a possibility of going north to build. Discussion was had that at one time the city owned the airport north of the city. Ms. Askew asked why the airport was removed? Discussion was had that the owner and the city wanted it removed. Discussion was had that the airport was city owned property outside of the city limits.

Commission Member Rasmussen asked why this area of impact was being revisited? Ms. Askew stated that every 10 years the Impact Area should be revisited and update any changes that have been made. Ms. Askew stated that it was time to renegotiate and add corrections. Chairman Pristupa stated that if you view the map, it shows the dotted line follows the river back to the west. The jog in the map on Turner Road left the property that Viehweg owned out of the city impact area. Commission Member Rasmussen stated that the property could become an environmental problem for the county in the future. Commission Member Bingham asked what would be the problem of incorporating the property and cleaning it up? Commission Member Rasmussen stated that it would be one of the superfund environmental issues.

Chairman Pristupa stated that time would be given to Ms. Askew to go over Ordinance 2023-00.

Ms. Askew stated that this ordinance was done in line for both the city and the county, it will go with the potential growth of the city. Ms. Askew stated that it does not state Caribou County rules. Ms. Askew stated that the city codes were used as references. The other agreement with the county and the city was vague and this one will have more information with the city and the county.

Ms. Askew stated the first section deals with the legal side of the ordinance. Ms. Askew asked the Commission to go to section 2.

Section 2 reads as follows: The following rules and regulations shall also apply within the area of city impact: 1). Conditional Use Applications, Variance, Amendment to Zoning:

This is the first number one item. a. If application is made for any outlined above in the area of impact, such application shall be submitted to the county, and the county shall forward a copy of said application to the city for its review, input and recommendations. The city shall be given the thirty days for the allotted time to have a review process. However, the county's ruling on the application shall be final. Question was asked why the city is limited on the issue of why there is a limit, could the city recommend why it is not in favor of the application? Ms. Askew stated that things can be recommended to the county from the city. The county could take into consideration of what the City of Grace recommended for or against the proposal and then the county would make the final decision. Ms. Askew stated that the county does take into consideration what is recommended.

2). Subdivisions:

a. Application for subdivisions within the area of impact, shall be required to annex into the city.

Ms. Askew asked if someone was proposing a subdivision on the boundary would the city rather have the subdivision annexed into the city first or have the subdivision built and then annexed?

Ms. Askew stated that it would be better to have the land on the tax levy. Discussion was had that the subdivision should be annexed before being built. Ms. Askew stated then the subdivision would have to be done according to the city ordinance for subdivisions. Discussion was had on annexing property that borders the city limits. Ms. Askew asked if the subdivision should be against the city limit line or out three hundred feet out or just on the city limits line? If the three hundred feet were used, then there would be a subdivision just outside the city. If it is just against the line or grant three hundred feet within that area mark. Discussion was had on bordering the city with just one line, being asked to move the subdivision line to give city services to the area. If the subdivision were out three hundred feet, it would be a good question? If the owner owned the property that was going to be in the three hundred foot area the decision should be to annex all the area into the city, because it could be being done to bypass the city annexation rule.

Question was asked on Section 2) Subdivision (b). Why would the city want to deny a subdivision that borders the city? Ms. Askew stated that this has already happened twice. This is a forever reason that the city denied the subdivision annexation. Then the applicant must return to the county with the documentation as to the reason or why it was denied. Then the subdivision can proceed with the county. Ms. Askew stated that this is more like what happens. Discussion was had that in some instances the people doing the subdivision are not aware of the A (agricultural) Zone requirements. There was no subdivision ordinance requiring a lift station for the sewer. Had these subdivisions been part of the city the tax base would have increased in the city. The more that is built and added to the city the more the tax base increases.

3). Building Permits:

a). All structures shall be built according to county building standards; current edition of the International Building Codes will adhere to all other applicable building ordinances. The county building inspector will send a copy of the permit for review. Discussion was had on going to the International Contractors Code (ICC) building code. The ICC allows more flexibility of the cost of building permits. Ms. Askew stated that it would be for the cost of materials, that fluctuates. The International Building Code

(IBC) changes the cost twice a year on building permit fees and it would be a better fit to go with the ICC because there is only one change a year.

4). Commercial and Industrial:

Ms. Askew stated that the city code was used more here because this would benefit the city. Referencing the Conditional Uses Permitted in the city ordinance 3-1-5 and 3-1-6. Once the application is submitted to the county; the county shall immediately send the permit to the city, for the review to allow the city to work with the county. Ms. Askew stated that the county has different standards than the city. The county may like something this way and the city would suggest something else.

5). Residential:

Ms. Askew stated that the City Ordinance 3-1-3 will be used, it would be a benefit for the city.

a. Permitted Uses:

b. Single-Family & Accessory Structures: Permitted and Conditional Permitted Uses shall follow the regulations outlined in the City of Grace's Code 3-1-3.

1. Minimum Lot Size:

a. Will follow the city code 3-1-3 which give the minimum lot size required that if the property is within 300 feet of the borders shall have minimum lot size of 9,000 square feet.

b. Property that does not share a border or are within 300 feet of the border, shall have a lot size of 1,000 square feet. If the property is seeking to utilize individual septic and well, minimum lot size shall be 5 acres. Ms. Askew stated that property of less than five acres has been an issue in the county.

Chairman Pristupa stated that the city had redone the subdivision ordinance, so there is reference to septic systems. Ms. Askew stated that the cost of hooking into the city services are relatively cheap compared to drilling a well and adding a septic system on the property. Question was asked if the county had changed the 40 Acre size of the acreage purchased in the county. Ms. Askew stated that if it was purchased in 2008 it would apply to the old ordinance but there has been a new ordinance issued 2019. This will help the city and the county with where the growth would be. Ms. Askew stated that many counties require community sewer and water systems in areas of building, then there is not a lot of single wells and septic systems.

Ms. Askew stated that it has been interesting to study what is working and what is not. Ms. Askew stated that she would like to see our county be the best and a successful county. Chairman Pristupa stated that a concern was that those that are building out in the county are the school districts even approached on the bus routes for the new subdivision or housing? This adds time to the bus routes and more buses to bring children to school. Ms. Askew stated that the only time this is discussed is when a subdivision is being proposed. Discussion was had that in the large subdivisions how is it going to affect the schools. Ms. Askew stated that the contractors are required to talk to the school district about the proposed building of the new subdivisions before the plans are submitted. Commission Member Rasmussen stated that Caribou County is a large area, go over by Freedom, Wyoming and see what is being built in Caribou County, it is amazing.

Home Occupations:

Ms. Askew stated that the county only allows one individual and two other individuals that border the property. It must basically be confined in your home or an accessory.

- a. Home occupations are commercial activities permitted in zones where the principal uses are not commercial. Permitting home occupations introduces flexibility into the zoning regulations of the title by allowing people to conduct a business from their home. In order to ensure that the business activity does not change the character of a residential neighborhood or interfere with the pursuit of the principal uses permitted in the zone, limitations are placed on the scope and intensity of the business activity. The following provisions are intended to further that purpose:
 1. Business activity must be secondary to primary use of a dwelling and must not consume over 600 square feet or 20 percent of the gross floor area of the dwelling, whichever is less;
 2. The limited business activity shall not change the character of the dwelling: Ms. Askew stated that there could be no changes.
 3. An accessory building may be used to house a home occupation, provided the home occupation does not subject abutting property to noticeable odors, sounds, dust, or debris. The accessory building must comply with the definition of residential accessory buildings in this code;
 4. Any work operations connected with a home occupation shall be conducted inside the dwelling or within the accessory building.
 5. When a home occupation serves as an office for a business using heavy equipment or substantial accessory business inventory, no such equipment or inventory materials shall remain or be stored upon the site in question for more than 12 hours unless it is fully enclosed by a building or fence deemed satisfactory by the planning and zoning director. No hazardous materials shall be stored on the property.

Ms. Askew stated that basically the inventory can be dropped off for 12 hours unless it is in your accessory building or structure. Chairman Pristupa stated that an item that is missing in this home occupation is parking. Parking needs to be addressed. Ms. Askew asked if it would be off street parking? Commission Member Bingham asked if signage should be addressed? Discussion was had on the size of the sign being 3 feet X 4 feet. Chairman Pristupa stated that a residential area should have at least two parking spaces. If there is a business, like hairdressers they may need additional parking. Ms. Askew stated that the parking could be addressed.

6. A home occupation shall not use mechanical or electrical equipment of a heavier nature than is typical for household use;
7. Junkyards: No junkyards are permitted within the area of impact. Discussion was had that the city allows a junkyard in industrial, with gravel, fenced and kept clean.
8. No feed lot operations, dairy farms, pig farms, or CAFO operations (as designed in Section 67-6529C, Idaho Code) or similar type operations shall be permitted in the impact area.

Chairman Pristupa asked why did mink farms not fall under CAFO's? Ms. Askew stated that there would have to be some research done on mink farms. Discussion was had on bringing a poultry operation into the impact area. How does that affect the impact area? Ms. Askew stated that there needs to be research done on this type of operation.

Ms. Askew stated that the mink farm can be added to the CAFO section. Ms. Askew stated that the impact area could allow three pigs. Discussion was had on the number of animals allowed in the City of Grace A (agricultural) Zone; the property owner is only allowed so many animals on the property. Discussion was had on the impact area allowing a hog operation in the impact area can that be done. According to the rules of the CAFCO it cannot be done. It does not specify that you cannot put a mink farm, rabbit raising facility or poultry facility in the impact area. Ms. Askew stated that there could be 10 mink, 10 chickens, which is controlling the number of animals allowed. Chairman Pristupa stated that the property owner could get a conditional use permit stating that there will be this number of mink, chickens, and poultry which could upset the other property owners. The odor from the waste causes

problems when spread on the farm ground and not get tilled in right away. Commission Member Bingham stated that it is not just the chickens. Commission Member Spackman stated that it was not just the smell it is the flies.

Ms. Askew stated that depending on the acres in the county there can be 10 chickens. In the city ordinance the property owner is allowed only five chickens and no roosters. Ms. Askew stated that there would be a number listed for the impact area.

Ms. Askew stated that Section 3 states: All applications for zoning permits, subdivisions permits, building permits or other permits related to the ordinances adopted for the area of city impact, is basically stating that anything that comes to the area of impact will come to the City of Grace. Discussion was had that it would basically be received by the city council.

Ms. Askew stated that Section 4 states: Caribou County, Idaho shall not have the power to change, amend, modify, or otherwise alter any ordinances applicable to the area of city impact without consent of the City of Grace, Idaho. Ms. Askew stated that if the City of Grace, the Planning & Zoning Commission wants something changed then the city and county would have to meet and discuss the changes.

Ms. Askew stated that Section 5 would repeal Ordinance 09-01 for Caribou County, Section 6 waives the three rules reading and Section 7 states that the ordinance would be in full force and effect from and after its passage, approval, and publication according to law.

Discussion was had on repealing Ordinance 284 for the City of Grace. Discussion was had that there cannot be two separate ordinances. Commission Member Bingham stated that the ordinance would be the same for both parties.

Ms. Askew stated that she would make the corrections and send the information back to the Planning & Zoning Commission for their next meeting.

Ms. Askew asked how the Commission was feeling about the new ordinance and if there were any concerns.

Commission Member Bingham feels that the ordinance has been done well. Commission Member Crabb stated that one thing that he had concerns with was the home occupation. The people that have heavy equipment set them in the yard. There are a lot of people that have this type of equipment here. Commission Member Crabb was concerned of the fencing in of the property. Commission Member Crabb felt that there was a lot of citizens that could be upset. Ms. Askew stated that it is up to the Planning & Zoning Commission of what is needed. Ms. Askew stated that if you are going to turn your home into a heavy equipment operation that you should be able to use the property wisely.

Discussion was had that in R-1 (family-residential) Zone and the R 2 (multiply family residential) Zone, C (commercial), and I (industrial) Zone are in the city. Commission Member Crabb lives in the impact area and discussion was had on one individual has equipment in his yard in the area. Ms. Askew stated that this would apply to new individuals building in the impact area. Chairman Pristupa stated that an individual had built a facility or shop to store the trucks, and equipment. What is not stored in the shop is parked in the gravel pit area. Discussion was had on having the area restricted to the commercial area and keeping the equipment enclosed with a fence. Discussion was had that in the county ordinance it is

talking about a residential house where the equipment is parked around the property. Discussion was had on the commercial business not disrupting the commercial property. Commission Member Spackman stated that with construction equipment it should be parked in a nice, prepared area that is not overgrown with weeds, doesn't have a broken down bone yard of equipment. Commission Member Bingham stated that it is a home occupation service, the excavation businesses have shops to park the machinery inside. Is the property residential? Ms. Askew stated that most of the area where these residents are is zoned agriculture, so they are not required to have zones like construction which is permitted. These are not rezoned.

Chairman Pristupa stated that if a subdivision was to be built it would become residential. Ms. Askew stated that most of the high density that is listed is high residential area verses commercial. Commission Member Bingham stated that high density residential needs to be added. Ms. Askew stated that it would be added to the impact area as residential areas. Ms. Askew asked if the Commission Members wanted to add anything to the agricultural area. Discussion was had that the residential was not necessarily high residential or commercial or industrial.

Commission Member Spackman stated that he wished he could look at the map and see where the culinary wells, and springs are located. Commission Member Bingham stated the springs were all on forest service and bureau of land management land.

Chairman Pristupa presented a map for Commission Member Spackman to be able to see where the springs are located. The map shows Two Mile Road and McPherson Canyon Road. Most of the springs are to the north and there are three to the south. The water comes out of the canyon and makes its way down to the where the city water towers are located. Commission Member Spackman asked if the line is steel. Discussion was had on the line being steel wrapped or ceramic. Discussion was had that some type of tracer needs to be put in the line to find where it is located. Chairman Pristupa stated that Superintendent Crookston has stated it would cost \$30 a foot to replace the existing line. Commission Member Crabb asked if this was to dig and replace the water line? Chairman Pristupa stated that was the quote given on the materials. Discussion was had on the city applying for a grant to help with the cost of replacing the line for the water. Commission Member Spackman stated that when this is done that from this time forward the lines need to be surveyed so they are easy to locate. Discussion was had on a change made when the city did the water project that some of the property owners who were on city water had to be removed and drill a well.

Ms. Askew stated that she found that the water in the county went through the Alexander Township, these items of change need to be documented. Chairman Pristupa stated that in research from the Water Resource Board of the numerous wells for private, irrigation and all in the impact area around the City of Grace. Chairman Pristupa stated that the Village of Grace was documented in 1905. The National Forest Service was organized in 1910. Commission Member Spackman stated that the new lines were surveyed in. Discussion was had on the three wells that provide the city services that are surveyed. The wells are fenced and taken care of manually by the city crew to remove the weeds.

Ms. Askew stated that Mayor Barthlome and District Ranger Duncan are working on protecting the city wells, getting the no mining done on the 1812 update. Commission Member Rasmussen stated that the city needs to be proactive.

Chairman Pristupa thanked Ms. Askew for her time and trying to make the impact area beneficial for the city and the county.

Ms. Askew stated that it would be easier because the impact area deals with the city codes and will help the county.

Other Business:

Chairman Pristupa stated that Mayor Barthlome wanted to have some type of ordinance on portable carports. Discussion was had on portable kennels being changed because they are portable and moved in the yard. The kennel must be within the setback area of the property.

Chairman Pristupa stated that the Planning & Zoning Commission needs to do some research and bring to meeting for the portable carports. Does the City of Grace need an ordinance or is there some type of code in the ordinance that covers portable carports being allowed within the setback area of the property? Commission Member Spackman stated that the snow load needs to be added to the code.

Announcements:

Chairman Pristupa stated that the Comprehensive Plan hearing would be held August 16, 2023, with the Grace City Council at 6:00 p.m. This is a joint city council and P & Z commission hearing, attend if possible.

Chairman Pristupa stated that the comprehensive plan was missing the map of the impact area that has been discussed as soon as the map is printed it can be added to the final printing of the Comprehensive Plan. Water usage for the City of Grace needed to be updated and added to the plan.

The Planning & Zoning Commission has a Conditional Use Permit #2023-225 for Thomas Ag Services, to graze animals in an industrial zone behind the warehouse to control weeds, etc. The Conditional Use Permit hearing is scheduled for September 14, 2023, at 7:00 p.m. The Conditional Use will go to the city council at their meeting September 20, 2023.

Chairman Pristupa stated that the Commission Members schedule for city council are:
Chairman Pristupa is scheduled for August 16, 2023
Commission Member Spackman is scheduled for September 6, 2023, and September 20, 2023

Chairman Pristupa asked for a motion to adjourn.

Motion was made by Commission Member Bingham to adjourn the meeting. Motion was seconded by Commission Member Crabb. Motion passed unanimously.
Meeting adjourned at 8:55 p.m.

ZONING CLERK

APPROVED: _____
CHAIRMAN/VICE CHAIRMAN

DATE: _____