

**APPROVED**

CITY OF GRACE  
PLANNING & ZONING COMMISSION  
REGULAR MEETING HELD ON  
MAY 9, 2024, AT 7:00 P.M.

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

Vice Chairman Bingham called the regular meeting of the Planning & Zoning Commission to order at 7:05 p.m.

Invocation: Commission Member Spackman

Pledge of Allegiance: Clerk Phillips

Vice Chairman Bingham asked if the Planning & Zoning Commission had read the minutes of the Planning & Zoning meeting held April 11, 2024, and if there were any changes or corrections?

Motion to accept the minutes of the April 11, 2024, regular meeting of the Planning & Zoning Commission was made by Commission Member Rasmussen. Motion was seconded by Commission Member Crabb. Motion passed unanimously.

Report from City Council:

Vice Chairman Bingham stated that information was given to the city council that the zoning map was being worked on by the Planning & Zoning Commission. Vice Chairman Bingham informed the Planning & Zoning Commission that Chairman Pristupa was retired from Planning & Zoning. The Planning & Zoning members can only serve two consecutive terms.

Zoning Business:

Vice Chairman Bingham asked if the Members of the Commission had reviewed Senate Bill 1403 for the revision amending Section 67-6526 and Section 67-6509 Impact Area?

Commission Member Rasmussen asked what the agenda or the thoughts on why it is being shrunk back to within a mile of the city limits? Discussion was had that developers are wanting to build more subdivisions and have area to grow. Commission Member Crabb asked if the mile started from the center of Grace or on the city limit area line? Discussion was had that this is an update to state code.

Vice Chairman asked the Commission Members to take the information and read through and do some research on the Senate Bill 1403 for discussion at the next Planning & Zoning Meeting. Commission Member Crabb asked if the items lined out on the bill is what being changed? Discussion was had that the items that were lined out are being changed and items that are underlined are being added to the document.

Vice Chairman Bingham would like the Planning & Zoning Commission to have time to read and research the document and bring it back to the June 13, 2024, meeting.

Motion to table the new information on Senate Bill 1403 was made by Commission Member Rasmussen. Motion was seconded by Commission Member Spackman. Motion passed unanimously.

Discuss Block 43:

Vice Chairman Bingham stated that he has a 2017 map for the Zoning Commission to look at for reference. Vice Chairman Bingham stated there is a copy of an assessment notice from the Assessor's office dated 2003 listing the property as commercial. Commission Member Spackman stated it is taxed commercial. Discussion was had there is a reference available from the title company on the property. Discussion was had that Mr. Christensen has stated that he is going to sell some of the property to Mr. Clegg to place a structure. Discussion was had that the city council had passed an ordinance that all property would need to be surveyed and/or the property pins found before proceeding to build. Discussion was had that more information is needed prior to the 2003 assessment notice on the property.

Mr. Christensen has been informed that a survey would need to be done to approve the building of the structure. Commission Member Rasmussen discussed the issue of needing a survey before proceeding to build on the property. Commission Member Spackman stated that when he read Ordinance 2024-03 it states if there are markers available that they can be used otherwise it would need to be surveyed. Vice Chairman Bingham stated that Mr. Christensen would have to find three out of four markers.

Commission Member Spackman stated that in the discussion with Mr. Christensen and Mr. Clegg that the area on the map was not correct. Commission Member Rasmussen stated that there cannot be six inches from the property on BLK 44, Lot 9 and Lot 10 or the west six inches of BLK 43, Lots 1,2,3,4, and 5 in the Citizens Addition Grace. There is some question on an alley shown on the map.

Commission Member Spackman asked if there was anything about polarization of the north star and surveying etc. With the new updated equipment that the property lines need to be adjusted by so many feet, but if there was a fence the person could disallow you to encroach on the property, but anywhere there is not an agreement the deeds, recorded surveys, and actual records can be used. If property owners agree to a split, it can be corrected. Commission Member Spackman asked if it was being used in Caribou County to survey using this method?

Commission Member Rasmussen asked if a survey indicated the bins are on some other property what would the procedure be to correct the problem. Commission Member Spackman stated that this would be a judicial issue and that a good survey could correct the problem. Commission Member Rasmussen stated that this would not be the city's problem. Commission Member Rasmussen stated that the Planning & Zoning Commission needs to be very diligent in making sure that the law and ordinances are followed.

Vice Chairman Bingham stated that the map still shows the right of way owned by the railroad, etc.

Commission Member Spackman asked to table BLK 43 until there is a survey done, then if something is found it would help with the decision. Commission Member Spackman made a motion to table the issue on BLK 43 until there is a survey in place. Motion was seconded by Commission Member Rasmussen. Motion passed unanimously.

Vice Chairman Bingham opened discussion on Planning & Zoning assignments for city council meetings, there are a few dates that will need to be filled that Chairman Pristupa would have attended. Vice Chairman Bingham stated that when a new member is called to the Planning & Zoning Commission, they could possibly fill in the other assigned dates. Vice Chairman Bingham stated that the Planning & Zoning Commission could cover for the month of June. Vice Chairman Bingham stated that June should be covered and October, and January be left until a new member is chosen. Vice Chairman Bingham stated that he would cover the June 5, 2024, city council meeting. Commission Member Crabb stated that he would cover the June 19, 2024, city council meeting.

Vice Chairman Bingham asked for names to be chosen for replacement on the Planning & Zoning Commission list. The list of potential members were reviewed, and corrections and updates made to the list of potential members. Commission Members chose the following names to be given to Mayor Barthlome:

1. Sherri McCurdy
2. Larry Thomas
3. John Roberts

Work session on Zoning Map:

Vice Chairman Bingham stated that it would be a good idea to do couple of blocks or divide the map into four sections. Vice Chairman Bingham had the commission start from One Mile Road and work north on the map. Commission Member Spackman stated that the area in blue on the south of One Mile Road will always be there. Commission Member Rasmussen asked if there are utilities on this side of the canal? Vice Chairman Bingham stated that the Planning & Zoning Commission could only recommend moving the city line. Discussion was had that if the property was on city utilities it should be left.

Commission Member Spackman asked when and where will the mile change on the impact area begin? Discussion was had that Mrs. Ashley had used the Gibson lane which would have split the airport.

Commission Member Spackman stated that the water lines coming from the springs need to be identified. Commission Member Spackman stated that the Highline Subdivision would all be on wells. Commission Member Rasmussen asked where Mr. Crabb's home was on the map? Commission Member Crabb stated that his home is on the corner of Harwood Road in the impact area.

Vice Chairman Bingham stated that the work session would stop at the church for today. Vice Chairman Bingham stated that once the work sessions get into the city it needs to be broken down more.

Vice Chairman Bingham stated that Commission Member Spackman is assigned for the May 15, 2024, city council meeting. Assignments for the city council assignments will be Vice Chairman Bingham June 5, 2024, and Commission Member Crabb June 19, 2024.

Vice Chairman Bingham asked if there was any other items of business? There was none.

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

Meeting Adjourned at 8:17 p.m.

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ZONING CLERK

APPROVED: \_\_\_\_\_  
CHAIRMAN/VICE CHAIRMAN

DATE: \_\_\_\_\_