

Buhl Planning & Zoning

203 Broadway Ave N

April 19, 2023

MINUTES

PRESENT:

Barbara Gietzen	Commission Chair	Jazmine Mills	P & Z Administrator
Maggie Himmelberger	Commission Member	Teresa Robbins	Public Works Clerk
Patricia Beltran	Commission Member	Jason Scott	Public Works Director
Jeff Gabardi	Commission Member	Concerned Citizens	
Karen Drown	City Clerk	Samsung SM-G975U1	Via ZOOM
Scott Bybee	City Engineer	Elise Church	Via ZOOM

OPENING The meeting was called to order at 10:30 AM.

REGULAR MEETING

CONFIRMATION OF QUORUM: Jazmine Mills confirmed a quorum.

OLD BUSINESS:

Approval of March 15, 2023: This item was overlooked and no action was taken.

NEW BUSINESS:

Review and Discussion of Code Updates:

Jazmine Mills stated at the previous meeting it was suggested that staff provide ideas for the hot topics chosen, the first topic of “Animal Grazing”, the red wording was the change suggestions, and the Board could make comments and adjustments.

Jeff Gabardi invited Jason Scott to provide background and an explanation for the changes. Jason stated that 30-45 properties in town meet the requirement of having 0.9-acre lots and a setup to allow animals to graze.

Jeff asked if there was a grandfathered status. Jason stated the current code had a permit process that many weren't aware of and lost the grandfather status when the permit wasn't renewed within a year and that properties in McCullum, Poplar, and Birch with animals aren't in compliance, so revising will help people maintain their properties.

There was a discussion about not being able to reissue these permits for properties that historically have had animals because of current code wording showing the grandfathered right being waived after missing permit renewals. Jazmine stated revision with a permit renewal process allows citizens to reapply for grazing to maintain their properties and avoid weed notices.

There was a discussion about new property owners purchasing the land thinking they could have animals then learning they can't and the property layout of parcels along Poplar St.

Jeff asked if there was anyone left who is grandfathered in. Jason stated no.

Jeff asked if the acreage estimate covers everyone who has that need. Jason said yes and it'd prevent animal grazing on properties that don't qualify.

There was a discussion about how enforcement would be easier by issuing permits instead of citations over weeds and that code services would be making contact either way.

Barbara asked if the 15,000 sq. ft. coincided with the 0.9 acres. Jason stated that the size is for the pasture area, and they cannot get a permit if they don't have that size.

There was a discussion about the benefits of revising this code section such as—code services suggesting animal grazing as a weed control alternative, seasonal grazing of sheep or goats, property owners using their water rights on their pasture ground, and the improved appearance of these larger properties within the city.

There was a discussion about animals that would no longer be allowed such as—llamas, alpacas, and emus.

There was a discussion about chickens and the requirements for them located at a different section of the city code.

Jeff moved to approve the animal grazing changes for the interim ordinance. Maggie seconded. There was a discussion about how interim ordinances work. There was a roll call vote: Patty yes, Maggie yes, Jeff yes. The motion passed.

Barbara introduced the next topic, “RV Living”.

Jazmine stated the city code does not address living in an RV during new construction, she compared what counties and other cities are doing in the area, and she would like direction from the Board regarding electrical utilities and other items for this topic.

There was a discussion about wastewater disposal, connecting to an approved sewer service when available, and abandoning the temporary sewer hookup upon Certificate of Occupancy issuance.

There was a discussion about water connection restrictions and requiring an outside spigot to receive water services.

There was a discussion about electrical utilities, prohibiting generator use, and requiring applicants to tie into the metered electrical service when available.

Jazmine stated the next section for revision regarding RV Living was inside a mobile home/manufactured home park, adding verbiage addressing long-term stays, and requiring the parks' Conditional Use Permit be updated showing the dedicated number of RV spaces.

There was discussion about what parks have long-term stays, the housing shortage causing RV living, and restricting the long-term stays to occur only at mobile home parks.

There was discussion about conditional use permits stating the number of RV spots helping code enforcement determine if the park complies.

Jeff moved to table the RV Living topic for a future meeting showing the changes. Patty seconded. There was no discussion. All voted in favor. The motion passed unanimously.

Jeff asked if Elise Church was a call-in to Zoom. Jazmine stated yes.

Jazmine introduced the next topic, “RV Storage”.

She stated the schedule of use chart needed to be updated to show the allowed use in certain zones since previous citizens have applied for that use with conditional use permits in a B-3. Jazmine suggested the chart show “P” for permitted in the B-3, I-1, and I-2 zones like mini-storage areas. There was a discussion about what the B-3 zone encompasses as Jazmine shared the zoning map on the Mondo board with the P&Z Board and Zoom attendees.

Jeff moved to approve the change to the control chart to allow RV storage. Patty seconded. The scope of I-1 zoned areas, their current uses, and future RV storage areas were discussed. All voted in favor. The motion passed unanimously.

Barbara introduced the next topic, “Accessory Dwellings”.

Jazmine stated this is for secondary dwellings, mother-in-law homes, or accessory dwellings depending on the wording the Board prefers, and that this was a whole new section to be added to the code.

There was a discussion about the requirements the cities of Middleton and Hailey have for secondary dwellings.

Barbara stated that this was a lot to absorb and requested more time to study this topic and suggestions. Jeff agreed and stated this section was added after the packet was sent to the Board.

There was a discussion about requiring separate city water and sewer connections for the secondary dwellings, and the need for more time to review lot size and other restrictions.

Maggie moved to table the “Accessory Dwellings” topic for further review. Jeff seconded. There was no discussion. All voted in favor. The motion passed unanimously.

Barbara introduced the next topic, “Green Spaces”.

Jazmine stated the attached document regarding green space for subdivisions didn’t have any red suggestions added until she knew the Board’s comments. She stated the city code requires 10% of green space for Planned Unit Developments that increase the city density by 25%, but no specific percentage is required for smaller subdivisions.

Jazmine stated that city code title 9-24D-13 talks about green spaces for subdivisions. She stated the Board could consider green space for each subdivision application or add a specific percentage to the code now.

There was a discussion about defining green space and requiring retention spaces to be converted into usable parks.

Pam McClain stated City Council is fully in favor of more green spaces in subdivisions, which include small areas for grants to place playground equipment, and City Council would like to see this requirement.

Jazmine stated she’d like to hear the changes the Board would like to make regarding this topic.

There was a discussion about the size of Planned Unit Developments where density increased by 25%.

There was a discussion about Harvest Hills Subdivision's density, the 3 green space areas in phases 1 and 2, and the additional two green spaces in the remaining phases.

Jazmine stated that wording about retention spaces being converted into green space could be worked into city code 9-24D-13.

Jazmine stated another concern was requiring HOAs to maintain these spaces and verbiage could be added to city code 9-24D-14.

There was a discussion about what city code 9-24D-13(D) Solar Easements means.

Barbara stated this code section needs some work.

Teresa stated the information provided today was to gather the Board's ideas for the code changes. Jazmine agreed and asked the Board for recommendations and guidance. There was no motion made for this topic.

There was a discussion about the many items that need to be addressed with code updates.

COMMISSION CONCERNS — There were none.

CITIZEN CONCERNS — There were none.

MEETING ADJOURNED — Jeff made a motion to adjourn. Patty seconded. All voted in favor. The meeting was adjourned at 11:10 a.m.

Minutes prepared by Jazmine Mills, Planning & Zoning Administrator