



CITY OF BLACKFOOT
PLANNING & ZONING
Meeting Minutes
157 N Broadway Street, Blackfoot
January 26, 2021

Meeting called to order:

The meeting of the Planning and Zoning Commission of the City of Blackfoot was called to order at 7:00 PM on January 26, 2021, at The City of Blackfoot council chamber by Chairman Ron Ramirez. This meeting was also made available to the public by way of the Zoom application.

Pledge of Allegiance:

Commissioner Roll Call:

Those present: Chairman Ron Ramirez, Commissioners JoAnne Thomas, Marilyn Jefferis, Merv Dolan, Rocky Moldenhauer, Deborah Barlow, and Dine Smith, Co-Chair.

City of Blackfoot staff present:

Kurt Hibbert, Planning & Zoning Administrator, Donna Parkinson, Planning & Zoning Clerk, and Attorney Garrett Sandow. Jon Swain, directing the Zoom application, was also present.

Report on Conflicts of Interest/Ex parte of Communication:

Chairman Ramirez took a moment to explain to the group what constitutes both a conflict of interest and ex parte of Communication. He shared with the group a handout from the state statutes, reviewing the definitions of both with the Commission. Chairman Ramirez explained that he had been involved with three exparte of Communication just in the past week. Mr. Ramirez then asked the members if they had any ex parte of Communication to report. There were none that came forward.

Approval of the January 12th meeting minutes:

Chairman Ramirez asked if there were any questions on the minutes. Commissioner Jefferis made a motion to approve the minutes. Commissioner Smith seconded; the motion to approve the minutes passed unanimously.

Agenda Item 6a, Meglio Holdings, Application for Zone Change – Action Item (Presenting Finding of Fact):

This agenda item has been withdrawn.

Agenda Item 6b, Steven D. and Katrina M. Elliott, Application to request a Zone Change – Action Item:

Mr. Ramirez explained that the information given on this request was erroneous. He stated that new information would be forthcoming and that a hearing would have to be rescheduled. Chairman Ramirez asked for a motion to table this item; Commissioner Smith offered one. Commissioner Dolan seconded to which a vote to table the application to request a zone change on behalf of Steven D. and Katrina M. Elliot was voted on. The motion passed.

Agenda Item 6c, Proposal to amend the term limits for Planning & Zoning Commissioners per state law – Action Item:

Chairman Ramirez went over the statute, explaining that the length of term decided was three years. Administrator Hibbert then delivered the staff report echoing the information that was handed out to the members. He explained the process of overlapping members' terms, and in the event a commission member stepped down how that position would be filled, and how the term limit statute would apply.

At this time, Chairman Ramirez opened the meeting to the public for comment. Mr. Ramirez asked if anyone was in

favor to please come forward; no replies were given. The public was asked if any were neutral; none were. Finally, it was asked if any were opposed; there were none. Chairman Ramirez then closed the public hearing portion and gave the floor to the Commission for discussion. The question was brought up by Commissioner Barlow as to how the time already served by current members would be applied in serving out a member's term. Chairman Ramirez explained each of the member's term as follows:

- Commissioner Jefferis – 1 year.
- Chairman Ramirez – 1 year.
- Commissioner Thomas – 2 years.
- Commissioner Barlow – 2 years.
- Commissioner Dolan – 3 years.
- Commissioner Smith – 3 years.
- Commissioner Moldenhauer – 3 years.

As far as time already served, this amendment would still need to go to the city council for approval, and that question could not be answered at this time. Mr. Ramirez asked if there was any more that needed to be discussed. Chairman Ramirez then asked for a motion to recommend to the city council to approve or disapprove the amendment to allow for a Commissioner's term to be limited to three years. A motion was then offered by Commissioner Barlow; Commissioner Moldenhauer seconded. The motion passed.

Agenda Item 6d, Proposal to amend the approval process for Planned Unit Developments - Action Item:

Chairman Ramirez offered the floor to Administrator Hibbert to give the staff report. Mr. Hibbert explained that the proposed amendment changes the role of the Planning & Zoning Commission from approving Planned Unit Developments to one of recommending them for the city council's approval. Administrator Hibbert confirmed that city staff supported this amendment.

Chairman Ramirez then opened the meeting to the public. He asked if there were any individuals for, neutral, or against the proposed amendment. There was no comment from the public. Mr. Ramirez then closed the meeting to the public and gave the floor back to the Commission for discussion. Some on the Commission voiced their concerns about the PUD approval process and how some approved developments turned out. Chairman Ramirez clarified that the Commission has more influence regarding PUD versus just zone changes. Administrator Hibbert stressed that all of the requirements could be set and recommended for a PUD, but this Commission has to focus on what they want as a completed plan. Mr. Hibbert pointed out that more details about the end result of a property could be better defined using the PUD. Commissioner Jefferis asked the question about when one of these developments is sold and if the city inherits things such as the narrow streets, etc... Administrator Hibbert replied that those items involving maintenance and upkeep are to be spelled out in the HOA agreement for that particular development. The discussion continued with the topics of enforcement of the PUD's requirements and developments that have not been completed.

Chairman Ramirez brought the discussion to a close. The motion to recommend to the city council the amendment for Planned Unit Development approval or disapproval was offered by Commissioner Smith. It was then seconded by Commissioner Dolan. The motion passed.

Agenda Item 7a, Unfinished Business, Zoning Code Amendments (Amendments proposed to be made to the Zoning Code) - Action Item:

Chairman Ramirez brought everyone's attention to a copy of the draft, "Blackfoot Development Code," that was handed out. The Commission discussed some of the verbiage changes that have been made and what is still needed to complete this overhaul. It was stressed that updating and making changes will be ongoing to this portion of the code. Chairman Ramirez and Administrator Hibbert shared some information to the group that housing units were in great demand and that building permits have doubled in the last year. Down the road, Blackfoot will most likely see continued growth.

After the discussion, Chairman Ramirez asked for a motion to schedule "Zoning Code Amendments" to be brought to a public hearing on February 23, 2021. Commissioner Barlow brought a motion forward to which Commissioner Jefferis seconded. Chairman Ramirez asked for any further questions to which Commissioner Jefferis asked about the possibility of other outlets besides the newspaper to notify the public. It was suggested by Commissioner Barlow that the City's Facebook page may be an excellent source to post the information. It was agreed by the group that this would be a good idea. It was suggested that Ms. Parkinson work with Lisa Tornabene to get the information posted. Chairman Ramirez then asked for a vote on the motion currently on the floor. The motion passed unanimously.

Chairman Ramirez, in regard to the Impact Area Agreement, asked if the county would like to meet jointly at the February 9 work meeting. Administrator Hibbert said he would check on it.

Commissioner Smith reported that he had gone through the table for residential dimensions, and the question was brought up that the table and code dimensions currently are not matching. Chairman Ramirez stated that the information contained in the table was correct, and he and Administrator Hibbert would look at the code definitions.

Administrator Hibbert took a moment to thank members of the public who joined in through remote means.

Adjournment:

A motion to adjourn was made by Commissioner Barlow and seconded by Commissioner Dolan. The meeting was adjourned at 8:00 PM.

Donna Parkinson

City of Blackfoot, Planning & Zoning Clerk
Donna Parkinson