



**CITY OF BLACKFOOT
PLANNING & ZONING MEETING
February 26, 2019**

PLEDGE OF ALLEGIANCE

Commissioner Jefferis called the meeting to order at 7 PM and led the Pledge of Allegiance.

ROLL CALL

Commissioners present: Chairperson Marilyn Jefferis, Commissioners JoAnne Thomas, Deborah Barlow, Charles Kotter, and Ron Ramirez. Commissioner Quinn Stufflebeam was absent.

OTHER ATTENDEES

Garrett Sandow, City Attorney
Kurt Hibbert, Planning & Zoning Administrator
Donna Parkinson, Planning & Zoning Clerk

REVIEW / APPROVE MEETING MINUTES

Commissioner Ramirez motioned to approve the minutes from the January 22, 2019 meeting as written; Commissioner Barlow seconded; all were in favor, motion carried. Commissioner Barlow motioned to approve the minutes from the February 12, 2019 meeting as written; Commissioner Thomas seconded; all were in favor, motion carried.

Commissioner Jefferis turned the time over to Planning & Zoning Administrator, Kurt Hibbert.

Conditional Use Permit – Dawn Boegler 640 N Shilling, Blackfoot

Administrator Hibbert presented the staff report for the Boegler residence. He stated that Ms. Boegler does meet all the requirements needed. Mr. Hibbert also reported that Fire Chief Gray turned in his statement saying that the home did meet the fire codes that were required for the child care. See the attached report:

Commissioner Jefferis questioned the size of the child care program that is in the Boegler residence. Mr. Hibbert reported that it will hold approximately twenty-one children and is open at this time. He complimented them for taking such great care of the children in the facility. Hibbert does recommend child care to receive approval currently.

Applicant Testimony

Dawn Boegler reported that she is excited to get the Child Care/Pre-School moving forward. The most important thing to her is to enrich the children in this area. The building that she will be holding the program will be located next to her home. She stated that she had done child care and preschool for the last 12 years. Boegler does continue to meet the state and other requirements.

Commissioner Jefferies opened the meeting to the public:

No comments:

In Favor:

Opposition:

Neutral:

Commissioner Jefferis closed the meeting to the public:

Commissioner Ramirez motioned to approve the Child Care/Pre-school provided that all the State of Idaho's conditions have fulfilled, Commissioner Barlow seconded; all were in favor, motion carried.

Roll Call Vote:

Commissioner Ramirez – Yes

Commissioner Kotter – Yes

Commissioner Barlow – Yes

Commissioner Thomas – Yes

Attorney Sandow read find of facts as follows:

FINDINGS OF FACT, CONCLUSIONS
AND RESOLUTION ADOPTED
BY THE
PLANNING AND ZONING BOARD
OF THE
CITY OF BLACKFOOT
February 26, 2019

FINDINGS AND CONCLUSIONS

At the regularly scheduled meeting of the Planning and Zoning Board of the City of Blackfoot on February 26, 2019, the Board held a public hearing on the request of Dawn Boegler for a conditional use permit in a C-2 zone for a child care facility to be located at 640 N. Shilling Street, Blackfoot, Idaho. A Staff Report from the City of Blackfoot Planning and Zoning Administrator was presented and considered by the Board. During the public hearing testimony in favor of the proposal was heard and evaluated by the Board. No testimony against or neutral to the proposal was presented. Upon reviewing the matter as submitted and any testimony in the public hearing, the Board found and concluded as follows:

FINDINGS:

1. That the proposed childcare facility appears to be or will be in compliance with all City Codes.
2. The applicant has applied for a permit from the State of Idaho.
3. That the location of the proposed use is compatible with other uses in the general neighborhood and will not place an undue burden on existing transportation and service facilities in the vicinity.
4. That the site is large enough to accommodate the proposed use and all yards, open spaces, pathways, walls and fences, parking, loading, landscaping and such other features as are required by Blackfoot City Code.
5. That the proposed use, if it complies with all conditions imposed, will not adversely effect other property in the vicinity.
6. That the proposed use will not adversely affect the public health, safety or welfare.
7. That the proposed use is in compliance with and supports the goals and objectives of the Blackfoot

Comprehensive Plan.

8. That the request can demonstrate adequate public facilities including roads, drainage, potable water, sanitary sewer, and police and fire protection exist or will exist to serve the requested use at the time such facilities are needed.
9. That the request has minimized, to the degree possible, adverse affects on the natural environment.
10. That any conditional use permit granted by the Board does not address any restrictive covenants that may apply to the property at issue.

RESOLUTION AND CONCLUSIONS

UPON MOTIONS DULY MADE, SECONDED AND CARRIED,

IT WAS RESOLVED THAT:

That the conditional use application shall be granted with the following conditions:

That the applicant shall comply with all applicable City and State regulations about childcare facilities.

These findings of fact, conclusions, and resolutions were formally adopted by a majority vote of the planning and zoning board on the 26th day of February 2019.

Donna Parkinson

Secretary of Planning & Zoning Board
City of Blackfoot, Idaho

Commissioner Ramirez motioned to accept the finding of facts, conclusion, and resolution; Commissioner Thomas seconded; all were in favor, motion carried.

PUBLIC HEARING – ACTION ITEM

RESIDENTIAL RANCHETTE (R1-R) ZONE :

Administrator Hibbert presented the R1-R zone to the Commission Board for their approval. The purpose of establishing the Residential Ranchette Zone is to promote and maintain a single-family residential neighborhood that protects animal rights as part of allowed uses. This new zone will include areas of land where small acreage, including domestic farm animals be kept within the city limits and the impact area. Hibbert feels as if he has corrected all the issues that needed the attention on the zone.

Commissioner Ramirez discussed the new zone's ordinance regarding (#7) which states; the height of structures will be limited to fifty feet (50'). Commissioner Barlow corrected the mandate and reported that they had decided that 50 feet would be allowed to the height of buildings. Mr. Hibbert reminded them that he suggested that the 50 feet might be too high in a residential area. The Commission decided that the 50 feet would be satisfactory. The Commissioners discussed the new zone and were in favor of including residential and agricultural in the designated R1-R zone.

Commissioner Ramirez motioned to change the allowance for the height of the building from 40 feet to 50 feet, Commissioner Barlow seconded; all were in favor, motion passed.

Commissioner Jefferies opened the meeting to the public:

In Favor:

James Herndon, 1055 Riverton Road, spoke in favor of the new zone as this would help to keep their property in a farm like the community. He does enjoy the open space in this area of our city. Mr. Herndon thanked the P & Z Commission for taking interest and creating the new area.

Craig Reese, 1035 Riverton Road, thanked the Commission for creating this new zone and helping to protect this area. He does feel that the new R1-R Zone is an excellent idea for the homeowners of larger lots in the City limits.

Opposition: N/A

Neutral: N/A

Commissioner Ramirez motioned to change item #4; the height of structure limits from 40 feet to 50 feet, Commissioner Barlow seconded, all were in favor, motion carried.

Commissioner Ramirez motioned to approve the Residential Ranchette (R1-R) Zone to send to City Council, Commissioner Kotter seconded; all were in favor, motion carried.

Roll Call Vote:

Commissioner Ramirez – Yes

Commissioner Kotter – Yes

Commissioner Barlow – Yes

Commissioner Thomas – Yes

Attorney Sandow read find of facts as follows:

FINDINGS OF FACT, CONCLUSIONS
AND RESOLUTION ADOPTED
BY THE
PLANNING AND ZONING BOARD
OF THE
CITY OF BLACKFOOT
February 26, 2019

FINDINGS AND CONCLUSIONS

At the regularly scheduled meeting of the Planning and Zoning Board of the City of Blackfoot on February 26, 2019, the Board held a public hearing on the request of the City of Blackfoot to add to the residential City zoning to include a residential and agricultural zone to be designated as an R1-R zone. Recommendations and the basis for those recommendations from the City of Blackfoot Planning and Zoning Administrator were presented and considered by the Board. During the testimony of the public hearing in favor of the proposal was heard and evaluated by the Board. No testimony against the proposal was presented. Upon reviewing the matter and any testimony in the public hearing, the Board found and concluded as follows:

FINDINGS:

1. That there are certain areas of the City, and in the impact area around the City, which has historically been utilized for small scale agricultural uses. The new zone better reflects and is more compatible with those uses.

RESOLUTION AND CONCLUSIONS

UPON MOTIONS DULY MADE, SECONDED AND CARRIED,

IT WAS RESOLVED THAT:

It is recommended to the City Council that the proposed R1-R zoning is adopted as an additional zoning category for the City of Blackfoot.

These findings of fact, conclusions, and resolutions were formally adopted by a majority vote of the planning and zoning board on the 26th day of February 2019.

Donna Parkinson

Secretary of Planning & Zoning Board
City of Blackfoot, Idaho

Commissioner Barlow motioned to accept the finding of facts, conclusion, and resolution; Commissioner Ramirez seconded; all were in favor, motion carried.

PREFERRED LAND USE MAP (COMPREHENSIVE MAP)

Administrator Hibbert introduced the new and old land use map to the group. He explained that the preferred zone map is part of the city's land use; it is a document that works with and is part of the comprehensive plan. The zoning and land uses are supposed to be in conformance with the preferred zoning map. Commissioner Rameriz explained that the two maps work together showing that this will serve as residential or this mapping will function for the commercial building.

Hibbert informed them that the goal is to update this map so that it can be referred to during requests for specific zone changes to ensure that requested changes are consistent with the purposes of the City's long-range plan. The goal will be to take advantage of modern technology, upgrading the GIS software.

The Commissioners discussed that the preferred land use map would be a great general map helping to guide the City to stay in compliance with the comprehensive plan. This will be a map that will also assist the county in making firm decisions in the commercial and residential area.

Commissioner Ramirez motioned to move forward with the Preferred Land Use Map and Project Redevelopment Option (PRO-Zone) placing them as Public Hearing items in the March 26, 2019 P & Z meeting, Commissioner Kotter seconded; all were in favor, motion carried.

SIGN CODE/DOWNTOWN HISTORIC BUSINESS ZONE (DHB ZONE)

Commissioner Ramirez discussed with the Commission his intentions for the sign code. He has presented the new sign code to many of the businesses in the downtown area. The ordinance has had some very positive reviews.

The Commissioners discussed how the DHB Zone would answer the needs of the community for the areas that are mainly architecturally designed, with new ideas to encourage creativity in development, foster harmony among development patterns and projects. This will inspire a positive impact on the area that happened to be zoned this way. Mr. Hibbert

informed them that the new zone would minimize the effect of additional traffic, improve parking and air quality, encourage new development that fosters a sense of community, and provide an opportunity to involve the public. Mr. Hibbert suggested they send the next two items to a Public Hearing with the P & Z Board.

Commissioner Jefferis closed the Planning and Zoning Meeting:

Commissioner Ramirez motioned to move forward with the Sign Code and Downtown Historic Business Zone (DHB Zone), placing them on the agenda for the March 26, 2019 P & Z meeting for Public Hearing, Commissioner Thomas seconded; all were in favor, motion carried.

ADJOURNMENT

Commissioner Barlow motioned to adjourn the meeting; Commissioner Thomas seconded; all were in favor; the meeting was adjourned at 7:55 P.M.

Donna Parkinson

City of Blackfoot, Planning & Zoning Clerk
Donna K. Parkinson