



CITY OF BLACKFOOT
PLANNING & ZONING
Meeting Minutes
157 N Broadway Street, Blackfoot
March 9th, 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 March 9th, 2021, at The City of Blackfoot council chambers 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, and Merv Dolan. Co-Chairman Dine Smith participated via Zoom. Commissioner Deborah Barlow was absent.

City of Blackfoot staff present:

Kurt Hibbert, Planning & Zoning Administrator and Donna Parkinson, Planning & Zoning Clerk were present.

Report on Conflicts of Interest/Ex parte of Communication:

None were brought forward.

Approval of the February 23rd meeting minutes:

Commissioner Jefferis made the motion to approve the minutes. Commissioner Thomas seconded; the motion to approve the minutes passed unanimously.

Agenda Item #6, Consent Agenda - Findings of Fact:

Chairman Ramirez started out by saying that agenda item 6c would be struck from the agenda due to the Finding of Fact not being available for tonight's meeting. The following agenda items were introduced:

- a) Jeremy & Brittany Wood, 655 Harbor Drive, Conditional Use Permit – Action Item (Presenting Finding of Fact for Kennel License Application). Finding of Fact & Conclusions listed below:

FINDINGS OF FACT, CONCLUSIONS
AND RESOLUTION ADOPTED
BY THE
PLANNING AND ZONING BOARD
OF THE
CITY OF BLACKFOOT
March 9, 2021

FINDINGS AND CONCLUSIONS

At the regularly scheduled meeting of the Planning and Zoning Board of the City of Blackfoot on February 23, 2021, the Board held a public hearing on the request of Jeremy and Brittany Wood for a commercial kennel at their home located at 655 Harbor Drive. This is currently zoned R-1R and requires a conditional use permit. 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 provided by the applicant was heard and evaluated by the Board. No

other testimony was provided in favor. 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 kennel appears to be or will be in compliance with all City Codes.
2. The applicant has complied with requirements from the State of Idaho, if any.
3. That the location of the proposed use is compatible to 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.

That the applicant properly discard any animal feces or deposits, and limits the kennel to 6 adult females.

These findings of fact, conclusions, and resolutions were formally adopted by a majority vote of the planning and zoning board on 23rd day of February, 2021.

Donna Parkinson

Secretary of Planning & Zoning Board
City of Blackfoot, Idaho

b) Russell Robison, 676 E Court Street, Zone Change – Action Item (Presenting Finding of Fact for Zone Change to

R-3). Finding of Fact & Conclusions listed below:

FINDINGS OF FACT, CONCLUSIONS
AND RESOLUTION ADOPTED
BY THE
PLANNING AND ZONING BOARD
CITY OF BLACKFOOT
March 9, 2021

FINDINGS AND CONCLUSIONS:

At the regularly scheduled meeting of the Planning and Zoning Board of the City of Blackfoot on February 23, 2021, the Board held a public hearing on the request of Russell Robinson to change the zone on property located at 676 E. Court, Blackfoot, Idaho, from R-1 (single residential) to R-3 (Multi Family) and to consider the recommendations to provide City Council pursuant to the application that is attached hereto and made a part hereof by this reference. During the public hearing, testimony was heard from the Applicant and evaluated by the Board. The matter was discussed with the Planning Administrator with a review of the relevant City Code. No testimony was provided neutral or against the proposal. After reviewing any documents submitted by the applicant and by any other interested parties, the Board finds and concludes as follows:

FINDINGS and CONCLUSIONS:

1. The property currently is zoned R-1. The Applicant has requested a designation of R-3 to better suit the surrounding areas with multi-family zoning.
2. That after consideration of the surrounding areas, the Commission has determined that a zone of R-3 is appropriate.
3. The proposed zone change to R-3 complies with and advances the goals and objectives of the Comprehensive Plan and is consistent with the uses in the area.
4. The zone change will allow the City to provide and maintain existing future capabilities of public utilities.
5. It appears the amendment to R-3 will not adversely affect other property in the vicinity.
6. The proposed zone will not adversely affect the public health, safety or welfare and does more accurately reflect the historic uses of the area.

RESOLUTION AND CONCLUSIONS

UPON MOTIONS DULY MADE, SECONDED AND CARRIED,

IT WAS RESOLVED THAT:

The Board recommends that the City Council amend the zoning of the proposed area from R-1 to R-3.

These findings of fact, conclusions, and resolution formally were adopted by a majority vote of the Planning and Zoning Board on February 23, 2021.

Donna Parkinson
Secretary of Planning & Zoning Board
City of Blackfoot, Idaho

- c) Zoning Code Amendments. This item was removed from the agenda.
- d) Bianca Pelayo, 1750 Hepworth Lane, Zone Change – Action Item (Presenting Finding of Fact for Residential R-

1- Re-zone to R1-R Rural Ranchette). Finding of Fact & Conclusions listed below:

FINDINGS OF FACT, CONCLUSIONS
AND RESOLUTION ADOPTED
BY THE
PLANNING AND ZONING BOARD
CITY OF BLACKFOOT
March 9, 2021

FINDINGS AND CONCLUSIONS:

At the regularly scheduled meeting of the Planning and Zoning Board of the City of Blackfoot on February 23, 2021, the Board held a public hearing on the request of Blanco Pelayo to change the zone on property located at 1750 Hepworth Lane, Blackfoot, Idaho, from R-1 (single residential) to R-1R (rural ranchette) and to consider the recommendations to provide City Council pursuant to the application that is attached hereto and made a part hereof by this reference. The matter was discussed with the Planning Administrator with a review of the relevant City Code. No testimony was provided neutral or against the proposal. After reviewing any documents submitted by the applicant and by any other interested parties, the Board finds and concludes as follows:

FINDINGS and CONCLUSIONS:

1. The property currently is zoned R-1. The Applicant has requested a designation of R-1R to preserve the animal rights associated with the property.
2. That after consideration of the surrounding areas, the Commission has determined that a zone of R-1R is appropriate as the property has historically utilized animal rights.
3. The proposed zone change to R-1R complies with and advances the goals and objectives of the Comprehensive Plan and is consistent with the uses in the area.
4. The zone change will allow the City to provide and maintain existing future capabilities of public utilities.
5. It appears the amendment to R-1R will not adversely affect other property in the vicinity.
6. The proposed zone will not adversely affect the public health, safety or welfare and does more accurately reflect the historic uses of the area.

RESOLUTION AND CONCLUSIONS

UPON MOTIONS DULY MADE, SECONDED AND CARRIED,

IT WAS RESOLVED THAT:

The Board recommends that the City Council amend the zoning of the proposed area from R-1 to R-1R.

These findings of fact, conclusions, and resolution formally were adopted by a majority vote of the Planning and Zoning Board on February 23, 2021.

Donna Parkinson
Secretary of Planning & Zoning Board
City of Blackfoot, Idaho

- e) Impact Area Agreement – Action Item (Presenting Finding of Fact for Impact Area Agreement). Finding of Fact & Conclusions listed below:

FINDINGS OF FACT, CONCLUSIONS
AND RESOLUTION ADOPTED
BY THE
PLANNING AND ZONING BOARD
OF THE
CITY OF BLACKFOOT
March 9, 2021

FINDINGS AND CONCLUSIONS

At the regularly scheduled meeting of the Planning and Zoning Board of the City of Blackfoot on February 23, 2021, the Board held a public hearing on the request of the City of Blackfoot to adopt an Area of Impact Agreement with Bingham County. Recommendations and the basis for those recommendations from the City of Blackfoot Planning and Zoning Administrator and the City Attorney were presented and considered by the Board. No testimony was presented in the public hearing. Upon reviewing the matter, the Board found and concluded as follows:

FINDINGS:

1. Based upon the recommendations provided and reflected in the minutes, the Area of Impact Agreement with Bingham County should be updated to an agreement substantially in conformance with the agreement presented.
2. That in order to properly protect the orderly growth of the City, this Area of Impact Agreement should be entered as presented by the City Planning and Zoning Administrator.

RESOLUTION AND CONCLUSIONS

UPON MOTIONS DULY MADE, SECONDED AND CARRIED,

IT WAS RESOLVED THAT:

It is recommended to the City Council that the proposed Area of Impact Agreement be adopted, contingent upon no substantial amendments are proposed by the County's planning and zoning department or commissioners.

These findings of fact, conclusions, and resolutions were formally adopted by a majority vote of the planning and zoning board on 9th day of March, 2021.

Donna Parkinson
Secretary of Planning & Zoning Board
City of Blackfoot, Idaho

The Commission collectively agreed that the Finding of Fact & Conclusions for items a, b, d, and e were acceptable. Commissioner Jefferis made a motion to accept; Commissioner Smith offered a second. The motion to accept the Consent Agenda with the exclusion of item c passed.

Agenda Item 7a, Comprehensive Plan – Action Item :

Chairman Ramirez asked that Administrator Hibbert share his comments. Mr. Hibbert pointed out that he would like the group to talk about assignments that had been given at the February 9th work meeting and also the Land Use Map. Items discussed concerning the fourth-grade picture contest was a time to get the contest underway, what the scope of subject matter to create the pictures from, and what prizes would be awarded. Commissioner Jefferis asked Mr. Hibbert if he would be willing to talk with the fourth-grade students, he said he would. Chairman Ramirez shared the idea of displaying the artwork for a period of time at The Candy Jar’s gallery, perhaps even allowing votes to be cast by those visiting. Mr. Hibbert also made the group aware that the top prize winner’s entry would be published in the City’s Comprehensive Plan. The discussion continued with several ideas being brought up. It was suggested that the contest information be given to the schools starting this week and entries being collected by April 9th. It was also decided to display the entries at City Hall, with Commissioner Jefferis and Chairman Ramirez helping with getting them displayed. Chairman Ramirez thought he could have the contest rules ready by the end of the week. Other ideas to promote this publicly were shared by Mr. Mangum with the Bingham Chronicle.

The meeting discussion then shifted to the Land Use Map. Administrator Hibbert went to the map and explained how land use should take precedence over granting a zone change. The land use and zoning maps were looked at and questions about some of the parallels and differences were talked about. Also, concerning the Comprehensive Plan, Mr. Ramirez asked that members look for any changes in verbiage they would like, Administrator Hibbert added that the language needed to coincide with the city ordinances. The Comprehensive Plan is a guide for how things should look in the future and is not code. Mr. Ramirez thanked the members for efforts to date. He would like to be ready to pull this together in draft form by the work meeting in May. Mr. Ramirez was hopeful they could have a current version for public hearing in June. He told Administrator Hibbert that demographics needed to be updated for sure. The Commission talked about demographics, particularly the growth rate and factors currently accelerating it. Administrator added that the rate is in the fifteen to twenty percent range.

Agenda Item 7b, Commercial Zone Review – Action Item:

Chairman Ramirez began by describing the different commercial zone classifications. Mr. Ramirez moved to the map on the wall to detail some of the areas that are part of these zone designations. He said the areas on the map that are shaded blue would be general business district and would supersede the previous definitions. Commissioner Jefferis had a question concerning residential in the business districts and if that would impact their property tax.

Mr. Hibbert explained that land use is what determines tax rate. Chairman Ramirez then focused attention on examples that would fit into the neighborhood business district. The size of these businesses came up and how best to determine where to allow them. Other examples of business types were passed around. The list of the businesses was reviewed with suggestions on what districts they should land in. After some detailed discussion, Chairman Ramirez asked the group to complete their business type list sheet and turn them in to him.

Agenda Item 7c, Review and Approval of The City of Blackfoot” Zoning Map” – Action Item:

Chairman Ramirez pointed out that they do not have an official zoning map. From the map on the wall, he pointed out some changes that he would like to see happen. One was the areas marked “public facilities”, the other, marked in two shades of orange on the map are keyed as “multi-residence”. Chairman Ramirez explained that two separate zones are not listed. He said that before the map becomes official, these need to all be the lighter orange color representing an R3 zone. Mr. Ramirez also brought up the map areas that were keyed for “mobile home residence” and needed to be adjusted to show as R1 zones. Other discrepancies within the existing map were brought out, noting the changes needed.

Administrator Hibbert took a moment to inform the Commission on the procedures involved in making the changes to the map. Commissioner Jefferis suggested that they work towards finalizing this in the next work meeting and bring it as an agenda item in the public meeting that would follow. Administrator Hibbert said he would have the two maps, “present and future” ready for the next work meeting. Mr. Ramirez brought this item to a close by asking Commission

members if they had any further questions. Mr. Dolan asked if he could get a printed map with the proposed changes. Administrator Hibbert acknowledged it would happen. Commissioner Smith said he would like the forms handed out to be emailed to him. Ms. Parkinson was given that assignment.

Adjournment:

A motion to adjourn was made by Commissioner Jefferis and seconded by Commissioner Thomas. The meeting was adjourned at 9:13 PM.

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