



CITY OF BLACKFOOT  
PLANNING & ZONING  
Work Meeting Minutes  
157 N Broadway Street, Blackfoot  
September 13, 2022

**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 September 13, 2022, at the City of Blackfoot council chambers by Commissioner Marilyn Jefferis. This meeting was also made available to the public for viewing by way of the Zoom application.

**Pledge of Allegiance**

**Commissioner Roll Call:**

Those present: Commissioners Marilyn Jefferis, Merv Dolan, JoAnne Thomas, and Scott Stufflebeam.

Those absent: Chairperson Deborah Barlow, Vice Chairperson, Dine Smith

**City of Blackfoot Staff Present:**

Kurt Hibbert, Planning & Zoning Administrator, Julie Conan, Planning & Zoning Clerk

**Report on Conflicts of Interest/Ex parte of Communication:**

No items were brought forward.

**Approval of the August 23, 2022, Meeting Minutes:**

A motion to approve was offered by Commissioner Stufflebeam; Commissioner Dolan then seconded. The motion to approve the August 23, 2022, meeting minutes passed.

**Annexation Discussion – Mayor Marc Carroll:**

The Mayor asked the Board of Commissioners to give the reasoning for not recommending the Annexation of Rowes Garden on August 23, 2022, in order to learn any lessons for future annexations. Commissioner Jefferis responded that if she had been at the meeting, she may have voted against it because of the pending lawsuits in that area, and it would have been a bigger mess trying to put it through, then having the chance of it being turned down in court.

Commissioner Stufflebeam stated he voted for the recommendation. He had spoken to Attorney Sandow, prior to the hearing, and found out that the pending litigations would not affect this annexation, but this was not explained to the board at the hearing.

Commissioner Thomas responded that she voted against the recommendation because she did not understand the issues related to the pending litigations. She also discussed the negative relationship issues between the City and the GWSD (Groveland Water and Sewer District). She feels like these issues need to be resolved in order to move forward with city growth.

Commissioner Stufflebeam talked about how residents never want to be annexed because of tax increases and how they feel about what the city has to offer them, compared to what they already have.

Commissioner Jefferis talked about how a portion of her city taxes go the county, and how it relates to someone being annexed and having to pay city taxes. She also mentioned that the GWSD is very confrontational when they meet with the Commissioners.

The Board discussed the relationship between the GWSD and the City, and how the annexations still need to move forward. They agreed that it would be helpful to get more guidance on the pending litigations from the City Attorney prior to going to the public hearing. They also talked about the negative feelings of the residents facing annexation because of city taxes, but named many things inside the City they do utilize and have access to.

Mayor Carroll stated that the Commissioners' job was a difficult one, but that the City needs to grow through annexations to keep it alive. He commended the Board for their service. They discussed the town hall meeting that was held prior to the hearing for the Rowes Garden residents, and that the attendance was low.

The Mayor spoke about a new park that is being planned out by Twin Bridges. The City is trying to acquire grants to fund this project. It will have walking and biking paths. Commissioner Thomas talked about how other communities work together to keep things nice and how it establishes better relationships and growth within the community.

Commissioner Stufflebeam asked the Mayor about the problems with water pressure. Mayor Carroll explained that a booster pump failed and the City is waiting for parts. He said the City is going to start shopping for new water rights to be prepared for future growth. He also stated that the best time to have good water pressure is between 10 a.m. – 3 p.m., according to the Water Superintendent. They went on to discuss the water issues around the state that the Department of Water Resources is dealing with, in relation to ground water and surface water.

Commissioner Dolan asked about the responsibilities that GWSD has for updating and maintaining their infrastructure. The Mayor stated that GWSD would be the one to answer that question. Commissioner Dolan asked whether the City of Blackfoot is responsible for any of the maintenance. The Mayor explained that the City has an agreement with GWSD to maintain the lift stations and sewer pipe, and GWSD pays the City for that work. This is due to state/federal requirements to have appropriate licensing to perform this type of work. GWSD is responsible for their District's water system, water supply and piping for members who are signed up for services.

The Commissioners invited Lyle Yancey (143 N 360 W) to respond to the questions related to GWSD being able to support amount of growth that is currently happening in their District. Mr. Yancey stated that there are regulations in place to request availability fees, and development agreements, to help with the costs of supplying services and maintaining the infrastructure. He said the GWSD is in a good position to provide the needs in their District with the impending growth. Commissioner Jefferis asked who would be responsible to pay for repairs at the sewage treatment plant if it failed. Mr. Yancey stated that the District would share the responsibilities with the City, per their contractual agreement. They went on to discuss fees between the residents of the District and the residents of the City. Mr. Yancey suggested a meeting between the Commissioners and the GWSD to go over the contract the City has with GWSD. Administrator Hibbert will arrange the meeting.

#### **Action Items:**

##### **a) Commercial Codes – Lot Area sizes; Percentage of Coverage by Structures; Setback Requirements**

Administrator Hibbert explained the need for Commercial Codes to be adopted, particularly for the downtown area. He said there needs to be design standards added to the code, including outdoor dining and recreational opportunities, but this cannot be solved at this meeting.

He stated the Use District table needs a number assigned to it, so it can be referenced properly in the codes. He said that can happen when it is codified.

Administrator Hibbert stated the County is not looking to adopt the City ordinances for the impact areas. He stated that the Highway Business District Zoning would have to be looked at. He said there is no County zoning on the City zoning map now.

He recommended the R2-T Zone be adopted to Medium Density Residential Zone on the map, because it has been adopted in the codes.

He said since there are so few uses in the residential zones, they have all been listed under those zones, rather than listing them on the Use District table.

He asked the Commissioners to recommend adding the Use District table to the code, and if they had anything else they would like him to update, just let him know. He stated that he had no changes to the lot coverage percentages or setbacks currently listed.

**b) Residential Code for Farm Animals in the City (January 2013 Codes – 11-4-8 Section Q)**

Administrator Hibbert explained how this verbiage was accidentally omitted from the code. He recommended that the code needs to state that roosters are not allowed in the city limits. It also needs to have the farm animal information put back in, specifically regarding chickens, for the residential zones. The Commissioners agree that these items need to be put back in the code.

**c) Approval of Zoning Map Corrections**

Administrator Hibbert went over the proposed zoning changes on the map with the Commissioners. He explained that the recent annexations would have to have zones adopted for them, because the City could not use the existing County zoning. He described each area in detail and pointed out the proposed changes.

**d) Approve Findings of Fact - Category “A” Annexations: Rowes Garden and 2022-4 SWC of Highway 26 & 39; Harmony Acres Zone Change from R1 to R1-R**

Administrator Hibbert brought up the Findings of Facts from the previous public hearing on August 23, 2022. Commissioner Stufflebeam made a motion to approve the findings without reading them aloud, it was seconded and the motion passed. Commissioner Stufflebeam made a motion to approve the Finding of Facts as written, for all three, and the motion was seconded by Commissioner Dolan and the motion to approve passed unanimously.

**Discussion on Outstanding Issues:**

Administrator Hibbert handed out a draft Impact Agreement for the Commissioners to review and add to the next meeting agenda. No outstanding issues were brought forward.

A motion to adjourn the meeting was made by Commissioner Dolan and seconded by Commissioner Thomas. The meeting was adjourned at 8:43 p.m.

  
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City of Blackfoot, Planning & Zoning Clerk  
Julie Conan