

**Fremont County Planning  
& Zoning Work Session Minutes  
August 4, 2008  
6:00 pm  
County Annex Building**

The Fremont County Planning & Zoning Commission met in a work session on August 4, 2008. They met in the County Annex Building. **Members in attendance were:** Kirk Mackert (Chairman), John Nedrow (Vice-Chairman), Ron Kynaston, Glen Pond, Steve Pinther, Cindy Miller, Larry Singleton, Joette Lookabaugh, and Vance Derricott.

**Staff and others present:** Kurt Hibbert (Administrator), Joshua Chase (Planner II) and Lisa Benson (P&Z Planner).

1. Welcome

The chairman called the meeting to order at 6:00 pm.

2. Fremont County Comprehensive Plan Work Session

Mr. Mackert stated there were no minutes to approve and he turned the time over to Joshua Chase.

Mr. Hibbert stated this is for the deliberation of the public hearing on the Comprehensive Plan (CP). There will be no public comment taken tonight.

Mr. Chase stated we will go through the oral comments and written comments. At the July 21<sup>st</sup> hearing we had several recommended changes. Marla Vik recommended additional gravel mining places disbursed throughout the county. She did not recommend specific areas for those gravel pits, however, and he is not sure how they want to address that.

Mr. Mackert questioned if anyone had visited with Mrs. Vik to see if there are other sites throughout the county that she is thinking of.

Mr. Hibbert stated her comment is informational only and that things could be changed in a map amendment later on.

Mr. Pinther stated that he had talked to Mrs. Vik on this and about what could be done. They are going to a zone based system and if someone wants to come in

and propose a new pit, they can apply for an amendment. They need to keep in mind that they are directing where these are going as they do the planning.

Mr. Hibbert stated the need to realize that they are showing combined industrial and commercial zones and they are not specific yet to what the preferred use is. That will be done later on.

Mr. Pinther stated there were others who indicated that they wanted the gravel pits to be smaller and others want them bigger. That can be addressed in the zoning.

Mr. Hibbert stated they are not doing zoning or giving land use rights on this map, it is for suggestion only. They do not want to get regulatory.

Mr. Mackert questioned if we wanted to look at making changes to the land use map right now?

Mr. Hibbert stated there were no specific recommendations with that, Mrs. Vik just wanted us to be aware and think of them. He gave recommendations for making motions to change things tonight.

Mr. Mackert stated that Marla had an excellent suggestion as this is something that is going to happen in the future.

Mr. Chase stated Tal Singleton had asked that the property owned by Mr. Brant Singleton be considered as a potential gravel mine and be so identified on the land use map.

Mr. Hibbert showed the area on the map.

Mr. Chase this would be a site that is within an area for residential growth. They have looked at the existing land use on the maps.

Mrs. Lookabaugh questioned if it was existing agricultural land right now?

Mr. Chase stated yes it is. Group discussed the map.

Mr. Pinther stated the best comment that they received is that if you say this is where gravel pits can be, then this is where they will be. The question is, do they want this to be the gravel Mecca of Fremont County.

Mr. Hibbert this is only a Preferred Land Use Map and does not give them any industrial zoning to allow them to do that.

Group discussed locations of different land uses on the map.

Mrs. Lookabaugh questioned why they are looking at a special request in this discussion for the CP?

Mr. Hibbert stated that the property owner would like to see this property have a specific land use, and the P&Z has to look at that and decide. This is part of the process and after they adopt the CP, they will have applications for very specific changes in land use. They can only change the land use map once every six months. Generally what boards do is to save up all those applications for change and deliberate on them once at the end of every 6 months. It is an ongoing process.

Mrs. Lookabaugh questioned if the property owner is asking that this land be classified as a gravel pit on the map.

Mr. Hibbert stated no, they are asking that the property be classified as commercial. They also need to get a zoning map and clarify some of these zones as there are some parcels that are being taxed commercially and they do not have the commercial zoning rights.

Mr. Pinther discussed where the requested gravel mines are located on the map.

Group discussed where these lands are located on the land use map.

Mr. Chase stated that the request was to identify the land as commercial.

Mr. Mackert stated there are homes to the east of them in a little development that has been approved, but is in a holding pattern and is a disaster.

Mr. Hibbert stated they need to be sure they know what all their options are and they do not have to accept the whole thing.

Mr. Mackert discussed what is around that property.

Mrs. Miller questioned if we could have some testing done before we make the determination?

Mr. Hibbert said that this area is already shown on the gravel source map.

Mrs. Miller stated he is not asking for something that does not make sense.

Group discussed the area.

Mr. Mackert stated there is a good buffer there.

Mr. Pinther stated that we already have an existing gravel pit in that area. Do we want to see that area expanded more? In both of these cases, the land owners can submit their application for changes prior to when this thing comes into effect. He does not see any reason to extend that area to be a 700 acre commercial zone at this time.

Mr. Mackert stated that if we put it on the map it doesn't mean that it is approved.

Mr. Hibbert stated that we need to deliberate on this specific request to make an amendment to this map.

Mr. Pinther stated that the green area shown on the map is sufficient for a commercial area. They should be open to hearing reasons to increase that area but right now that area is already around 400 acres.

Mr. Chase stated that the acreage is 407 acres.

Mr. Pinther stated that if we were to accommodate these requests that area would be increased to nearly 2,000 acres.

Mr. Mackert stated the one area is 150 acres.

Mr. Hibbert stated there are two issues here. One is that we have traditional land uses they are trying to mitigate and redevelop properly. This does not change any zoning. They will have to zone this whole area which will come after this planning process. The first thing they have deliberated on is that they would want to continue looking at other sites for gravel pits. The second thing is that they would not be under any obligation to give him a permit for commercial use or a gravel pit. The map is not regulatory document; it is just to guide us as we make these decisions. He is not adverse to this proposal and he discussed different options available.

Mr. Pinther questioned if the applicant can put in his application now and be approved.

Mr. Hibbert stated no.

Mr. Mackert stated that he agreed with Mr. Pinther that they should shrink that area down.

Mr. Pinther stated that he didn't say we should not have gravel pits but we should consider that is the gateway to St. Anthony and everyone is so concerned with the scenic views.

Mr. Pond stated that he goes back to the property rights thing and that he should have some rights and we have not allowed him to do anything with his property and they should let him have some rights on that property.

**MR. POND MOTIONED TO APPROVE THE LONG NARROW BLUE PARCEL AS A POTENTIAL COMMERCIAL AREA. MRS. LOOKABAUGH SECONDED.**

Mr. Hibbert stated after this first round of suggestions, they will be begging people to designate any industrial and commercial areas for the county. It is really hard to get this.

**VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

Mr. Chase stated the larger area will be addressed with the general land use committee recommendations.

Mr. Mackert stated they should combine all those recommendations/issues from Molly Knox and Mr. Pocock and the larger issue.

Mr. Chase stated there was a request from Mrs. Knox to remove the designation on this side of the highway, and they have a request to expand it from Mr. Pocock.

Mr. Mackert asked for the map to be pulled up. The group looked at the map and discussed the area. Mr. Pocock is asking to designate this piece of land as commercial.

Mrs. Lookabaugh asked what Mrs. Knox is requesting.

Mr. Mackert stated she does not want the whole area included.

Mrs. Lookabaugh asked if the land use committee recommended they designate the entire area to be commercial.

Mr. Mackert stated their initial recommendation created a large area, but then they shrunk it.

Mr. Nedrow stated that it is an existing state gravel pit and is already a commercial area.

Mr. Pinther stated the area Mr. Pocock wants as commercial is a gravel pit that has been reclaimed/refilled.

Mr. Nedrow questioned if these reclaimed/refilled gravel pits can have homes built upon them.

Mr. Hibbert stated the intended use here is not for homes, but for workshops etc.

Mr. Chase stated generally, reclaimed pits are not suitable for residential use.

Mr. Hibbert stated he heard that they did talk to Mrs. Knox and she did not understand that they just wanted the commercial use and not to expand the gravel pit. The land use committee's recommendation was to remove everything here, but there are existing conditions they need to deal with.

Mr. Mackert stated that he thought that they should include the state gravel pit and include it with the reclaimed gravel pit.

Mr. Hibbert stated they do have some commercial use there and they have a multi-family use area on the other side. He explained what he would recommend for the commercial area. This is totally driven by transportation and the transportation corridor. They need to realize that eventually US 20 is going to be changed, and what could happen if it closes down.

Mr. Pond questioned if they had long term planning to close all those areas.

Mr. Mackert stated he thought there was a proposal for an overpass there.

Group discussed the proposed road changes there.

Mr. Mackert questioned everyone's thoughts on the green area vs. the larger area on the map. Stated he agrees with Mr. Pinther about shrinking it down for now.

Mrs. Miller questioned if he was asking if they approve of the proposed green line.

**MRS. LOOKABAUGH MOTIONED TO ACCEPT MAKING THE GREEN AREA SMALLER. MR. POND SECONDED. VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

Mr. Mackert stated they will now discuss the west side of that area.

Mr. Hibbert asked if they can parcelize that green area. It would make it much easier for tax purposes.

Mr. Mackert stated they would be ok with that.

Mrs. Lookabaugh stated that she liked Mr. Hibbert's idea of flipping the green area over to the other side and parceling that as well to make a symmetrical zone there on either side of the highway.

Mrs. Miller stated that she didn't like that idea because she would like there to be a scenic area on one side rather than commercial on both.

Group looked at the area on the map.

Mr. Hibbert asked Mr. Chase to pull up the County GIS Map. Group discussed the area.

Mrs. Lookabaugh questioned if we just want to skip to the gravel pit area.

**MRS. MILLER MOTIONED TO HAVE THE RECLAIMED STATE GRAVEL PIT AND THE HK RECLAIMED PROPERTY AND THE TRAILER COURT TO BE INCLUDED AS THE COMMERCIAL/ INDUSTRIAL AREA ON THE WEST OF HIGHWAY 20. MR. SINGLETON SECONDED. VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

Mr. Chase stated the next mapping recommendation is from Chan Atchley. He questioned whether the city impact areas (Teton and Newdale) were included as rural infill for residential growth. The recommendation from the land use committee was that the impact areas were sufficient to accommodate additional growth at this time.

Mr. Pond stated it doesn't prohibit those impact areas from growing.

Mr. Mackert stated that the city needs to look at these areas every 5 or 10 years. He questioned if that would mean there is a higher density allowed in those areas?

Mr. Chase stated generally they allow for greater density and they really need to look at that when they get to the zoning phase.

Mr. Hibbert stated the county always has jurisdiction and administers the city's CP and their Development Code.

Mr. Chase stated we have the opportunity to use those impact areas if they adopt a TDR system.

Mr. Hibbert stated that we will get a task force on TDR's soon so they can have that to use as a tool.

Mr. Mackert questioned if we need a motion on leaving that area alone now.

Mr. Hibbert stated the most important thing in Mr. Atchley's recommendation is to reconsider the areas around Teton and Newdale for areas of potential growth particularly on the Madison County side. It would be best if both sides did not look the same.

Group discussed the Madison line.

Mr. Hibbert stated we do need to keep looking at those lines to be sure they coordinate with Madison County.

Mr. Pond stated that he didn't think that they needed a motion on this.

Mr. Chase read Mr. Atchley's comments on the Chester area and the large section of wetlands.

Mr. Pond questioned if Chester was an unincorporated area.

Mr. Chase stated it has been identified as a potential growth area called rural infill on the Preferred Land Use Map.

Mr. Hibbert stated there have been a lot of comments regarding Chester.

Mr. Pinther stated they knocked it down in size from what it was.

Mr. Chase stated that happened before the recommendations were made.

Mr. Pinther stated they were trying to make it contiguous.

Mr. Hibbert stated the question for the board is do they want to increase density in Chester. He heard some recommendations to allow Chester to continue to grow the way it is.

Mr. Mackert had heard that there is not the infrastructure to support growth there.

Mr. Chase stated that Laura Pickert had made that comment.

Mrs. Miller stated that is a good recommendation because of the wetlands.

Mr. Hibbert explained where the wetlands are on the map. Group discussed the location of the area.

Mrs. Lookabaugh stated that she lives there and didn't know of any wetlands. She questioned where the wetlands are.

Mr. Nedrow stated it varies depending on the season and can be agriculturally induced.

Mr. Chase stated that this map shows 2 wetlands areas. He explained where they are located.

Mr. Pond questioned what the committee's recommendation was.

Mr. Chase stated that they identified rural infill areas and wanted to make it smaller.

Mr. Mackert stated that the yellow area is recommended for rural.

Mr. Chan Atchley stated that the area between highway 20 and the yellow area on the map is not a good agriculture ground as it is poorly drained. Some places have standing water and septic systems would not work there year round. If they did develop, they would need to put in central septic and the infrastructure would need to be built to support that development. It would be expensive and would not be appropriate.

Mrs. Lookabaugh stated it is not up to us to make that decision for would be developers, whether or not it is expensive to develop.

Mrs. Miller stated it is up to us to protect wetlands as there are state mandates to protect those wetlands.

Mrs. Lookabaugh questioned who classified and identified those wetlands.

Mr. Chase stated the US Fish and Wildlife Services developed a data layer that shows them.

Mr. Hibbert stated the data can vary, but it is the best data they have.

Mr. Pinther stated the reason they considered this area is because this area is already checker-boarded with development.

Mr. Chase stated that the subdivided land is the orange area.

Mr. Mackert stated that there is a fair amount of homes out there.

Mr. Hibbert stated that this is an area that he struggles with this area because it is not next to a municipality. The idea of rural infill was about trying to support areas that the impact area did not encompass right now. This does not meet those criteria. The same intent could be met with a rural living zone designation. The

density has already been established, but he does not think they should encourage more growth in that environmentally sensitive area. If they put a more density there in that river corridor it could destroy what is there already. He struggles as a planner with this area because it does not meet the definitions for the growth areas. The idea was to cluster and keep the density in a small contained area. There is a river there and there are wetlands, they should try and keep any more density out of there.

Mrs. Lookabaugh questioned where the dam is on that map.

Mr. Mackert stated he understands that they are to remove that area.

Mrs. Miller stated they will not consider it an infill area at this time.

Mr. Pinther questioned if they are talking about taking that Chester area as an infill area.

Mrs. Lookabaugh questioned the existing density in that area.

Mr. Mackert stated it is 1 lot per 2&1/2 acres.

Mr. Nedrow stated agricultural land is 1 per 40.

Mr. Mackert stated they are not to increase the density area.

Mr. Nedrow questioned what they are going to change.

Mr. Chase stated they will make it rural instead of rural infill.

Mrs. Lookabaugh stated that there are already several homes.

Mr. Hibbert stated there is but they will not allow municipal level density.

Mr. Nedrow stated to Joette that most of those lots were there before our development code was adopted.

Mrs. Lookabaugh that is true, but there are homes there.

**MR. NEDROW MOTIONED TO CHANGE THE YELLOW AREA ON THE MAP FROM RURAL INFILL TO RURAL AS PER THE LAND USE COMMITTEE'S RECOMENDATION. MRS. MILLER SECONDED.**

Mr. Mackert questioned if there is any discussion on the motion to change the Chester area's designation.

Mr. Pinther stated Mr. Atchley questioned the wetlands area on the north side. He questioned what the density for those subdivisions is.

Mr. Chase stated this subdivision is one per ten and that is why they had the discussion that it does not make sense to add development and high density to this area.

Mrs. Miller stated this could be a conflict for those who have already developed at the higher density. This keeps it more uniform for the entire area.

**VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

Mr. Chase stated the 3<sup>rd</sup> mapping recommendation was that the Hess Museum should be recognized as a commercial use area on the land use map outside of the Ashton area.

Mrs. Miller questioned if that is close to the Fall River Rural Electric as that is commercial use.

Mr. Chase showed the location of those sites.

Mr. Nedrow stated there is also the power line construction.

Mr. Kynaston stated that they were trying to move the museum.

Mr. Hibbert stated they would like to see a commercial designation for the museum as well as for the adjacent lot for auxiliary buildings and such. He has heard from several people that they need to support that.

Mr. Pinther questioned the green area.

Mr. Mackert stated it was a good idea and keeping it in the county and they should consider adding the Fall River Electric Co. to that commercial designation area as well.

Mr. Pinther stated it would be in the best interest of the Hess Museum if they keep it designated agriculture lands. They are suggesting changing it to commercial use which means a gravel pit could come in right next to them.

Mr. Hibbert stated it does not.

Mr. Pinther stated it does because they are designating it commercial.

Mr. Mackert stated that would have to be given approval before it was allowed anyway.

Mr. Pinther stated the Hess family should be given the designation for the museum but they would be better protected if the lands surrounding them remained agricultural and not commercial or industrial.

Mr. Derricott stated that the Hess family has expressed the desire to have that designated as commercial so they can expand their business and add a trailer park.

Mr. Hibbert stated they are not there yet they are at the planning stage, but if they like the concept, they can change the designation with the understanding that if something comes in next to it that supports the land use, they can accept it.

Mrs. Miller stated if they decide to continue to farm they can leave it agricultural.

Mr. Pinther stated he is not opposed to granting the Hess property commercial use.

Mr. Mackert questioned if it is that big of a deal to include Fall River Electric in that commercial area?

Mr. Pond stated that it should be included.

Mr. Mackert recommended that the administrator look at if this to see if it is feasible.

Mr. Hibbert stated it would be easy to do it.

Mr. Pinther stated that the area between Fall River Electric and the Hess Museum would be designated as commercial.

Mr. Hibbert explained where the commercial area would be on the map.

Group discussed the agricultural use land and the commercial use land around that area and that they would change their land to commercial/industrial use but they can keep farming it if they want to.

Mr. Pinther stated he thought it would be better to protect the area around the museum by keeping it agricultural use.

Mr. Pond stated he does not see how they can make the decision for the Hess's.

Mr. Pinther stated that was the request, to help the Hess's but if that is what they want then we'll put a truck stop there too.

Mr. Pond stated that you are trying to put things into what they didn't say.

Mr. Pinther stated no, he is saying that the Hess's should have the opportunity to do their commercial operation but they should protect the property around them.

Mrs. Miller stated the North and West property around them is still farm land.

Mr. Hibbert stated they need to refer to map for motion

**MR. DERRICOTT MOTIONED THAT THE PARCELS DISCUSSED INCLUDING THE HESS PROPERTY WILL BE DESIGNATED AS INDUSTRIAL/COMMERCIAL ON THE LAND USE MAP. MR. NEDROW SECONDED. VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

Mr. Hibbert stated a lot of the comments where about the development code which will be looked at later.

Mr. Chase stated that Mr. Reinke talked about the supporting policies related to protection of agriculture economy and that they should be written in a positive way instead of a negative way. He read from new Policy 17.3 where the language was changed to reflect that recommendation.

Mrs. Lookabaugh stated that she liked it.

**MRS. MILLER MOTIONED TO ACCEPT THE CHANGES TO POLICY 17.3. MR. KYNASTON SECONDED.**

Mrs. Lookabaugh stated that the policy says the "Development Code will permit..." and that the CP is not the place for regulatory language.

Mr. Hibbert stated that will be taking care of that and removing the regulatory language in the CP.

Mr. Nedrow stated that there was another suggestion to change productive crop land to productive agriculture land so that it includes range land, pasture land and any thing else considered agriculture. Stated he would like to see that language changed in the CP to reflect that. He asked if they could include that in this motion.

Mr. Pond questioned if we are reviewing all the comments for Policy 17 or just some of them.

Mr. Mackert stated that the only thing that he could see was changing productive crop land to productive agricultural land.

Mr. Pond stated that this is one that a lot of people have problems with and you have to go back to the beginning of the document where it talks about property rights and this document only encourages these things and does not demand them.

**VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

Mr. Chase stated that Bob Reily commented on the LESA system and that he had said that the LESA is not part of the CP it is an ordinance. The policy does talk about limiting residential development, but he does not have any recommendations.

Mr. Hibbert stated that is a code issue.

Mr. Chase stated that Mr. Riley recommended that you require more access for water and streams as new developments are proposed, but Policy 18 (recreation) addresses that issue already. It protects existing accesses and encourages new ones.

Mr. Pinther questioned if we had to have something in the code about the stream bank easements. Can they get it into the code without having it in the CP?

Mr. Hibbert stated that it is in the access policy. It says to encourage that right now. They can deal with the specifics when they get to code.

Mr. Pinther stated that he suggested stream easements (20 feet) which he thought would be a good idea and is different than historical access.

Mr. Hibbert stated that comes down to the staff's take on the greenbelts and the master trails plan for the county and the master open space plan which they do not have yet and in both of those cases, it comes down to an acquisitions plan. It is hard to exact when they do not have a plan.

Mr. Pinther questioned if it is in our recreation policy to encourage greenbelt trail systems.

Mr. Chase stated it is addressed in Policy 18.

Mr. Pinther stated it is a good plan and he has always been a big supporter of that.

Mr. Mackert stated to look at Policy 18, sections 3 and 4.

Group read policies.

Mr. Hibbert stated that he thought it was covered there and they could move ahead.

Mr. Chase questioned if it addresses that concern.

Mr. Kynaston stated that he had heard that the state has passed a law that the fisherman can walk along the stream now.

Mr. Hibbert stated that usually you can walk through a flooded area but paths could not be made through a flooded area unless they are under a bridge which is flooded for a few months out of the year. There are a few regulations that allow people to get out of the water.

Mr. Chase stated that Mr. Riley had made a comment on different ways to give more power to personal property rights and he did not see a specific way to accomplish that. The same goes for TDR's. There were also recommendations made by Lola K. Mace.

Mr. Hibbert stated there have been several task forces recommended for different things such as TDR's and open space issues for the county. He asked if a recommendation is needed to allow for the use of TDR's.

Mrs. Miller questioned if it would then be a recommendation to the County Commissioners.

Mr. Mackert stated yes it would be.

**MRS. LOOKABOUGH MOTIONED THAT A TDR TASK FORCE BE ESTABLISHED BY THE COUNTY TO STUDY DIFFERENT TYPES OF TDR'S AND IMPELMENTATION STRATEGIES. MR. NEDROW SECONDED.**

M. Nedrow questioned if it would be up to the P&Z to establish that task force or if it would be up to the Commissioners.

Mr. Hibbert stated that he would like to see it be up to the P&Z to make the recommendation and then the Commissioners could decide how they could fund that.

Mrs. Miller stated that it would be good that the Commissioners are aware that this is something that is needed.

**VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

Mr. Chase questioned if they wanted to deliberate on the recreation plan.

Mr. Hibbert stated that would be a component of the recreation plan and the recommendation would be that they could include that open space and green belt

trail system as part of that plan. He questioned if they had already deliberated on the recreation plan.

Mr. Chase stated yes and they do have a policy calling for a county recreation plan.

Mrs. Lookabaugh stated she thinks they have that covered.

Mr. Chase stated that Lola K Mace had made comments on the wildlife human entry/closure area, and that the county had already protected the area north of Parker. That is already an ordinance that the County has adopted but it is unclear what it means in terms of development in that area.

Mr. Miller stated that others had brought up that issue as well.

Mr. Hibbert stated that Jeff Crapo supported that very strongly.

Mr. Mackert stated that Jeff Crapo had a different idea.

Mrs. Lookabaugh stated that we need to have an advisory committee for the sand dunes area.

**MRS. LOOKABAUGH MOTIONED TO HAVE AN ADVISORY COMMITTEE PUT TOGETHER TO MAKE A MASTER PLAN FOR THE SAND DUNES AREA. MRS. MILLER SECONDED.**

Mrs. Miller stated the advisory committee and the master plan they work on would take into account wildlife and recreation and everything else including the closure area.

Mr. Hibbert stated there is so much data available from the BLM and the Idaho Fish and Game.

Mrs. Miller stated they are not just dealing with their land; they are also looking at private land.

**VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

Mr. Chase stated that Dave Reidalch expressed concerns about development on Henry's Lake Flats and the potential impact with irrigation and water resources but there were no recommendations. Greg Stoddard supported changes to the plan but he stated that the county was not looking far enough into the future and encouraged them to look at and reconsider the industrial and commercial areas looking 10-20 years into the future. He did not make a specific recommendation

on how to modify it. He recommended that the Preferred Land Use Map identify areas in Ashton and Island Park that show commercial and industrial uses. Both areas do have that done already. He also made a recommendation that a gravel mine overlay map be made so residents can be made aware of where the surface mines will be located.

Mr. Mackert stated his concern is for the funding needed to decide where these surface mines will be located. It does not seem feasible.

Mr. Hibbert stated NRCS does have a gravel map which does show most of the lower valley as being potential for gravel pits.

Mr. Chase stated Mr. Stoddard also recommended that the responsibility for buffering should fall to the gravel mining operations as well as to the developers for residential uses near those identified gravel mining resources.

Mr. Mackert stated he does not like that.

Mrs. Miller stated she does not like it either.

Mr. Nedrow stated that if there is already an existing gravel pit and there is a developer that wants to put in a subdivision, they should be the ones that have to put in the buffering.

Mrs. Lookabaugh stated that the developer should have to deal with that in some fashion.

Mr. Chase stated there was a comment about lot split development code issues. Chan Atchley spoke in reference to the property rights and his recommendation was to maintain language that refers to enhancing property values. State legislation changed that code, but they did add in language that speaks of the P&Z's responsibility to try and make sure a number of things do not negatively affect property values. They did try to put it back in a different context.

Mrs. Lookabaugh stated that we don't want to put any ideas that anyone could say they are in conflict of 6765-02 or they will be in court over it and it will cost the county money. Stated she is strongly opposed to it and she does not want to be in conflict with 6765-02.

Mr. Hibbert stated that planning should have nothing to do with enhancing the property values.

Mrs. Lookabaugh stated this is not applicable in the CP. They do not want to turn the CP into ammunition for someone to use against the county.

Mr. Mackert questioned if they need to leave it as is or do they need to make a motion.

**MRS. LOOKABAUGH MOTIONED TO IGNORE THE RECOMMENDATION AND LEAVE THE LANGUAGE AS IT WAS CHANGED AND NOT AS IT WAS WRITTEN IN. MR. POND SECONDED. VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

Mr. Chase stated that there were comments on rental homes and that is a development code issue. There was also discussion about Policy 10 (water resources) and they had a specific recommendation to tighten language in the policy so that no development will affect water quality.

Mrs. Lookabaugh stated that is regulatory code language.

Mr. Pinther stated that he wanted to talk about the rental policy. They are going to need to be able to address the rental issues in the CP.

Mr. Chase stated that Policy 13 talks about compatible land uses and that is what they could use.

Mrs. Miller stated that was something that we can refer too as they deal with the rental cabins.

Mr. Hibbert asked everyone to look under Policy 13.2.

Mrs. Lookabaugh stated that this was adequate.

Mr. Pinther stated that it does allow home and individual lodges and addresses the issue both ways.

Mr. Chase stated that Policy 12 (visual resources) was mentioned by Mr. Atchley and that TDR's should be emphasized. Stated that has been addressed with the motion for initiating a TDR task force. The other comments were relating to Policy 12 and that language needs to be changed to non regulatory language.

Mr. Hibbert stated that the language should be modified.

Mrs. Lookabaugh stated she liked the use of the word "may" better.

Mr. Chase stated that this policy talks about developing a TDR system and that the task force would address that.

Mr. Chase stated that Tom and Linda Howell made recommendations for making a clear definition for agricultural lands by size. That is a code issue, and they will get into that later. They also recommended that rural/rural infill be better defined in the plan. This could be accomplished on the Preferred Land Use Map, and is a good recommendation.

Mr. Hibbert stated he agrees and this is part of the zoning process.

Mr. Chase stated that Jeff Raybold spoke in support of Policy 10 but questioned how they would discourage the development of productive crop land. The Policy currently limits density and speaks of using the TDR system. Stated that Jeff had questioned what effect the wildlife closure area would have on agricultural land uses. That does need to be clarified. He also recommended that the southern boundary line of the winter closure area be reconsidered.

Mr. Mackert questioned if that request was to move that line out of his property.

Mr. Hibbert stated they should revisit all the boundary lines for the closure areas. They need more specificity of those boundaries into the plan. If they create a Sand Dunes master plan it will be taken care of in that process.

Mr. Chase stated currently that is an ordinance that is independent of the CP.

Mr. Hibbert stated that he thinks that is a part of the sand dunes master plan which can be incorporated into the CP when it is finished.

Mr. Chase stated that Tom Atchley had questioned Ashton city impact area and the P&Z commission had responded to him about the process and how that was established. It is something initiated by the city or the Board of County Commissioners. He stated that Brent Stohl referred to 2 items: 1. reimbursing land owners for property value loss and reimbursing land owners for property if it is designated as a wildlife area. This is addressed by Policy 4.

Mr. Hibbert stated Mr. Stohl's other concern was for property rights for agricultural value and prices for agriculture.

Mr. Chase stated he was not sure how to address that in the CP. The CP does not designate land or restrict land to farming use. He just wants to be sure that he didn't miss any issue. The comments from Mr. Roberts gave support for the plan and there were no recommendations from him. He stated that Mr. Deverl Stoddard re-emphasized the need to obtain rights for public access for recreation/water resources.

Mr. Hibbert questioned if these were the recommendation from the 1<sup>st</sup> meeting.

Mr. Chase stated that yes, and asked if they were ready to move on to comments from the next meeting. He is also discussing the written comments that were turned in.

Break

Mr. Chase stated that there were a number of written comments that were read into the record during the public hearing on July 28, 2008. He stated that Laura Pickert made the recommendation about the Chester area and also commented on the commercial area which was addressed earlier tonight. She also commented on the Salem Highway which was not identified as a future growth area and it should be. There was discussion about that area by the advisory committee. She did not recommend any specific boundaries.

Mrs. Miller stated that she has wondered about this area and now questions if we should do the same with the Salem area as we have in the Chester area. They do not want that area to grow any more that it already has.

Mr. Pond stated that he agrees.

**MRS. MILLER MOTIONED TO LEAVE THE SALEM AREA AS A RURAL AREA AND NOT AS A RURAL INFILL AREA. MR. DERRICOTT SECONDED.**

Mr. Pinther questioned if Mrs. Miller thought that Salem would be getting pressure to grow from Rexburg.

Mrs. Miller stated she thinks it will pick up growth from the Rexburg area, but if they keep it rural, they will not have ½ acre lots out there. It is a growth area, but they do not want it to have a higher density than it does now.

Mr. Hibbert stated our land use map does not show growth areas, but the entire county is growing.

**VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

Mr. Chase stated that Kip Martindale spoke in favor of the CP and had made no recommendations. Bob Rosenberg also spoke in support of the CP. Peter Young had several recommendations and he had sent copies of his written comments to the P&Z members to look over so they can discuss them. He had recommended changing the language in the vision statement from “democracy” to “republic”.

Mrs. Miller stated that she felt that his comments were attacking and his tone was very degrading to the P&Z. He called us “communists”.

Mrs. Lookabaugh stated that Mr. Young has a philosophical difference in the way he thinks that government should be run. Although they can respect his right to voice his opinion and some of what he said had a bit of truth in it, they should not take his recommendations because they are not in keeping with the way government is run in this country and Fremont County. He is opposed to any and all government and he would be the first to tell you that. Everything he says is therefore clouded by that view and they can not seriously consider those recommendations he made.

Mr. Chase stated he would say that they have already addressed to some degree the Policy regarding the billboards and you have changed some of the language in that policy. Are there any other issues they want to address from Mr. Young?

Mr. Nedrow stated he agrees with Mrs. Lookabaugh and they should move on.

Mr. Chase stated that Tom Atchley was nervous because of all the agreements. Marv Hill wants to continue to farm and have the right to develop his land as well. John Steele supported the Policy changes. Chan Atchley reiterated his support of the vision statement and noted other supporters of the CP from Smart Growth Solutions. Jan Brown made a number of comments. She spoke about Policy 2 and recommended they look at changing Island Park to full time use and that they look at the impact on the seasonal use on the infrastructure. She also recommended they look at Policy 5 and West Yellowstone's application for an airport.

Mrs. Lookabaugh questioned if we needed to form an advisory committee to study Island Park issues like recreation, education, transportation, and infrastructure?

Mr. Pinther stated that Jan Brown had mentioned that Island Park, being a summer use area, had a different use than what is typical. They do not have anything in the CP that addresses that. There is a high use of law enforcement and EMS. It is different usage than just regular.

Mr. Hibbert stated that we have a section in the code that supports the development and implementation of area specific plans. Mrs. Lookabaugh's comment is well founded. They have not had the funds to specifically study infrastructure needs in some of the areas in the county. They are trying to make up for it with sporadic Large Scale Development Studies. The problem is they never get a cumulative look about what is going on in the area as a whole.

Mrs. Lookabaugh stated that they could form a volunteer group to do the study and get the information they need. .

Mr. Hibbert stated that he thinks that there is a lot of money available if we have a specific purpose and program. There are several conservation monies available to fund ways to plan and conserve the environment. He explained different ways they could do this. The CP does support that type of a program.

Mr. Pinther questioned if this would be a task force? There are drastic differences between recreational use vs. single-family use as well as major differences with the impacts of those uses.

Mr. Hibbert stated they will get into a lot of these issues when they get into the zoning phase which is where they address the rules and regulations.

Mrs. Lookabaugh stated she is recommending that they set up a committee to look at the Island Park area and the recreation use.

Mrs. Miller questioned if they want to look at only recreational use?

Mrs. Lookabaugh stated they need to narrow it. There are those who want a full time school in Island Park. They county will not pay for that, so they do not need to discuss that at this time.

Mr. Hibbert stated that we are a long ways away from this right now, but there are a lot of infrastructure issues. They are trying to get together and discuss a capital improvements plan. He discussed how Madison County established one and started charging impact fees for recreation and later added impact fees for transportation, roads, etc. They do need to study those infrastructure needs and know where they are headed as well as the true costs associated with that infrastructure so that when a developer comes before this board, the P&Z can pull out their capital improvements plan and know exactly what they need to get from that developer. Teton County is going to implement impact fees this year.

Mr. Pond stated that is a costly process which is why it is so difficult for counties to do a capital improvements plan.

Mr. Pinther questioned if Mr. Hibbert is recommending that they do a capital improvements plan. It must be addressed in the Comprehensive Plan.

Mr. Hibbert stated state law also says they must have a capital improvements plan before they can implement impact fees.

Mrs. Lookabaugh questioned if they have this in our CP.

Mr. Chase stated that we do not have it in a policy, but they do have it in the implementation section and it recommends to the board that it needs to happen.

Mr. Hibbert gave examples of how other places are using impact fees and the capital improvements plan. He also gave examples of how it can back fire and the county could loose out on other things developers would be willing to give to mitigate their development.

Mr. Pinther stated they way do it now is through Large Scale Development Studies. They do not have the data to adequately do that. They do not have legal grounds to collect the money after they do the study.

Mr. Hibbert stated that is the biggest problem they have. The study should be able to clearly identify comprehensively what is needed instead of asking if there is anything that is needed and not having an answer to that question.

Mr. Pinther stated they do not have the means to collect those fees and the Large Scale Development study is always a joke.

Mr. Hibbert stated they can legally exact a lot of the health safety requirements from the developer and require them to get it done before they give approval to the development.

Mr. Pinther and Mr. Hibbert discussed the Steven's Ranch road.

Mr. Pinther questioned if Mr. Hibbert wanted a capital improvement plan.

Mr. Hibbert stated yes.

Mr. Chase questioned if they had completed the discussion about whether they need to look at a task force for Island Park infrastructure.

Mr. Mackert stated that we need to look at this and more information needs to be gathered on that area.

Mr. Chase stated that the land use committee didn't identify any infill areas in Island Park.

Mr. Mackert stated they need to look at water quality, trail systems, transportation, recreation, and different seasons of recreation; all of that plays into Island Park.

Mr. Chase stated that we do have some work being done right now with the water studies.

Mrs. Miller stated that Joette's recommendation was for recreation. She questioned if they should expand on that.

Mrs. Lookabaugh stated they should have an Island Park study group that looks at all of those issues. They could probably get a very good volunteer committee.

Mr. Mackert asked if they were going to put too much on their plate.

Mr. Chase stated the committee can address all the trails and Island Park issues. Jan Brown had also recommended they keep development out of the flood plains and encouraged the county to look at federal land exchanges and to identify where that would make sense.

Mr. Pinther questioned if that was addressed in Policy 9.

Mr. Chase stated that Policy 9 says that the county should be a watch-dog when there are proposed federal land exchanges to insure that critical lands are kept as public lands and that the exchange makes sense.

Mr. Pinther stated that she also suggested that we should be looking at acquiring lands in Island Park.

Mr. Chase stated that the committee can look at all of that. She also had recommended the county require water metering which is outside our jurisdiction. She also recommended that fish and wildlife look at all species of concern not just threatened species. The Policy does not specifically identify species and he does not think they could do that as it is regulatory. Mrs. Brown supported Policy 12, and talked about the need for a school in Island Park. She also talked about Bio-fuel development. The do not have a policy that looks at protecting cultural and historical resources.

Mrs. Lookabaugh questioned if they should look at making an additional policy addressing that.

Mr. Hibbert stated they have been contacted by environmental review agencies doing studies on federal communication towers in the county. They are required by federal law that they coordinate with the local planning commissions. He always responds by recommending that they coordinate with the state historical preservation office. In many of these areas they do not know what is there. They always recommend they look at having an archeological expert walk through. He gave examples of how this works.

Group discussed historical sites in our area.

Mrs. Lookabaugh questioned if the staff should draft another policy?

Mr. Hibbert stated this is a regulatory issue and this is something that an ordinance would do. He thinks that they are covered here as it says “protect cultural and historical resources.”

Mrs. Lookabaugh questioned if that is in the development code?

Mr. Chase stated that the CP encourages a study to be done on those resources.

Mr. Mackert asked if there is any mapping or inventory of what the county has right now.

Mr. Chase stated those resources are largely documented in the national register of historical places and are usually held in the cities.

Mr. Hibbert stated SHIPO has that.

Mr. Mackert stated he would like to see something included.

Group discussed different historical sites in the county.

Mr. Mackert questioned if we need to have a motion now?

Mr. Hibbert stated they can do that when we get into the development code.

Mr. Pinther stated that he would like to talk about more comments that Jan Brown had made. We should be looking for sites for schools, community centers, etc. They should be looking into the future for the betterment of the community and the needs for the future. Some of the best areas for schools would be in some of the old forest service areas. Can we have that on the map?

Mr. Hibbert stated it is dangerous to do that because of property values and speculation. They do need to keep in touch with the local school district. He gave an example of how a developer mitigated the impact of his development on the schools and gave \$75,000 in computer equipment to them.

Mr. Pinther stated so we don't need to plan for the future of Island Park, then.

Mr. Hibbert stated yes we do need to plan, but we need to plan with them rather than for them. It is dangerous to let any of the public entities go off on their own and to guess where things are going to go in. He gave examples of Madison County. It is very hard to project where those schools etc. are going to be needed.

Mr. Pinther stated that on the other side in 20 years they can still not have green way trails, parks, prisons, schools etc. because they did not plan for them. They can't come in and plan after the fact.

Mr. Hibbert stated that it is a good thing to have trails on the comprehensive map, but school sites are another issue entirely. Even the fire department has a hard time projecting where they will need future fire stations.

Mr. Chase stated that the Island Park task force could look at this issue for schools.

Mr. Mackert questioned if they would need to look at another fire station as they already have three.

Mr. Chase stated that Jan Brown asked if we had enough information on LEAD.

Mr. Hibbert stated that it is a green building code that is voluntary and will always be maintained as a voluntary code. They do not ever want to make that mandatory. In the greater Yellowstone area, Jan Brown led a charge that developed LEAD standards that are specific to our area meeting the weather patterns and the criteria for our area. There is a separate document that was designed for our area. Stated he was on that task force.

Mr. Pinther stated that we have the energy code in Fremont County. The goal is to have 0% energy use in each home 15 years from now.

Mr. Hibbert stated that we do need to get more LEAD information out there.

Mr. Chase stated that Laura Pickard had stated that our previous CP identified that 60% of our economy was based off of agriculture and questioned why that was no longer part of the CP. That information had been removed because it was only information and was not policy. Ben Copley didn't make any specific recommendations. Mr. Hibbert had said that our language in the CP needs to be changed and made less regulatory. The language in the CP has historically used regulatory language, and it is an issue we need to address.

Mrs. Lookabaugh questioned if they were going to change that language.

Mr. Mackert stated they will change it with a recommendation from the P&Z.

**MRS. LOOKABAUGH MOTIONED TO HAVE THE STAFF REMOVE ALL REGULATORY LANGUAGE FROM THE CP. MR. POND SECONDED. VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

Mr. Chase stated they are going to discuss the written comments. The first on they will look at is from Mr. Woodies (Hungry Bear Market). He wishes to have his property made into a commercial lot. He is asking that his property be identified

on the Land Use Map as commercial land. Mr. Chase pulled Mr. Woodies property up on the screen for the P&Z to look at.

Group discussed the location of Hungry Bear Market and surrounding properties and permits given to them. They discussed the historical use of the area.

Group discussed what kind of motion they need.

**MR. KYNASTON MOTIONED TO DENY THE REQUEST TO MAKE THE HUNGRY BEAR PROPERTY COMMERCIAL LAND AND TO KEEP THAT PROPERTY DESIGNATED RURAL. MRS. MILLER SECONDED.**

Group discussed the Arctic Cat dealership and the special permit they have and the location of the city in relation to the Arctic Cat dealership and Hungry Bear. .

Mr. Nedrow questioned if Mr. Hibbert had a concern with that motion.

Mr. Hibbert stated they have a cemetery right next to that and what they are going to do with the other existing use. He questioned if there are any other commercial uses along that area.

Mrs. Lookabaugh stated she agrees with Mr. Hibbert.

Mr. Mackert stated there is not any other commercial use there.

Group discussed what is surrounding that area.

Mrs. Lookabaugh stated all that is before them now, is this letter which they can deny right now. They can have him clean up what he has going.

Mr. Mackert stated he needs to fix what he has done, and they do not need to conform to his problem.

Mrs. Miller stated if he wants to add on all these other things to the market, he has got to move to a commercial area.

Mr. Pinther stated he is in a commercial use area.

Mrs. Miller stated he is not; he has a special use.

Mrs. Lookabaugh stated he wants them to sanction what he is doing and she does not think they should.

Mr. Pond stated that he just wants his land to be called commercial which he thinks it is as it is right on the highway. Whether or not he has the right use for that area is a different story.

Mr. Pinther stated that if you look at compatibility, there are several other commercial operations right in that area. They are historic.

Mr. Hibbert stated that we are going to see is a lot of mixed uses. There was a strict separation of usage for a long time.

Mr. Mackert questioned if that area is designated as visually sensitive.

Mr. Hibbert stated it is.

Mr. Chase stated that looking at the current code he can not explain how this was approved.

Mr. Pinther questioned if all of highway 20 is considered visually sensitive in that area.

Mr. Chase stated yes, but they have some exceptions such as if they are in a designated commercial node or a designated subdivision.

Mr. Derricott stated that we should be careful on this due to the 7 Bar Ranch and the one stipulation that held them back was that they were trying to put a commercial entity in a visually sensitive area. He stated that Mr. Woodies has a whole lot more going on there than what he was supposed to have. It was originally supposed to be just a little county market. He has sprawled out and he also has a truck repair shop and he hides behind the trees to do those repairs. He has a wrecker service, a camp trailer park, and he wants to put in an RV Park. Maybe they do need a study done so others can see what is going on up there. It is true that these services are needed in Island Park, but a man was turned down for a wrecker service just a few miles down the road. All these things don't come out everyday unless you live in Island Park and he is glad someone else seconded that motion so that the two from Island Park don't initiate the motion and second it.

Mr. Pinther stated that he is confused and he did not like the idea of that market going there in the first place. He has said several times that the commercial operations in Island Park should not be visible from the highway and he has had nothing but opposition from everyone on the P&Z saying that those operations should be right there visible from the highway. We should not enlarge the commercial areas on the highway. Now we have this situation here and this is historically a commercial operation and it should meet the visual sensitive requirements for buffering and be made not visible from the highway. It could be

done with out the impact. If he wants to expand his operation, he will have to make sure it does not look as bad as it does now.

Mr. Singleton, Mr. Pinther and Mr. Derricott discussed buffering standards for the commercial areas.

Mr. Hibbert stated the question for the board is simply whether or not this should be a preferred commercial land use area.

**VOTE TAKEN: THOSE IN FAVOR: NEDROW,  
KYNASTON, DERRICOTT, LOOKABAUGH, AND  
MILLER. THOSE OPPOSED: POND AND PINTHER.  
MOTION PASSED.**

Mr. Derricott stated that Mr. Pinther just voted for what he is always complaining about, and it does not make sense to him how he can change his stand and voting in favor of a commercial use area being visible from the highway.

Mr. Chase questioned if everyone had received the Henry's Fork Foundation recommendations in an e-mail. There was one recommended change in this document for Policy 2 and it should be strengthened to strongly encourage or even require the city mayors to be involved with the county processes where appropriate. It is a valid point that the cooperation with the cities has not been as strong as it could have been. They have made efforts to work with the cities and the policy seems sufficient as is. He also makes a recommendation to look at the work of the Upper Henry's Fork Conservation Challenge. They have met with the Commissioners, and he is not sure how the Commissioners responded. They have had several recommendations to look at their work.

Mr. Hibbert stated that he had met with them and doing good work mostly by collecting data and interpretation of that information. This is not to be used as a regulatory tool at all it is information only. They would be consisting of data layers that could be used in the GIS department. They hope that when these layers come in, they can take this core map set and use it to make better decisions. It is expensive data. There is a lot of great information from a lot of different agencies such as the BLM, the Forest Service, and the Sonoran Institute etc.

Mrs. Lookabaugh questioned if there was anything else that we needed to add to our CP to encourage that cooperation without naming a specific group.

Mr. Hibbert stated as the core map is set up we may adopt these maps in the future. They just need to keep communicating with these agencies.

Mr. Chase stated that he thought that the policy needed for this was in place and they need to work more with other agencies.

Mr. Pinther stated we do not need to specifically name the agencies, they can say they will use all current available resources.

Mr. Chase stated he likes the language recommended by the land use committee “regional efforts”.

Mrs. Lookabaugh asked if they have that language in there.

Mr. Chase stated they do not as it is a recommendation from the advisory committee written in a letter that we will go over. He referred to the letter from the Greater Yellowstone Coalition and there were no specific recommendations. He referred to the written comments by Fremont Growth Solutions and there were a few recommendations from them. They recommended that we mention specifically the WUFI map under wild fire hazards. He has found an interface map that would go in the policy. It is a good recommendation.

Mr. Mackert stated they should add the map.

Mr. Chase stated they also recommended that they mention checklists from the appropriate agencies.

Mrs. Lookabaugh stated that is regulatory and does not have place in the CP.

Mr. Chase stated that next recommendation was for Policy 11 that they specifically name and solicit the use of the maps provided by the Upper Henry’s Fork Conservation Challenge. They have discussed that already and it is not appropriate to address that in the policy.

Mr. Hibbert stated he does not think they can say that until they have seen them.

Mr. Mackert stated if the information is as good as they expect they will definitely use it to make better decisions.

Mrs. Lookabaugh stated she likes the language that Mr. Chase suggested before using “regional resources” rather than naming specific the specific agencies.

Mr. Chase stated the last recommendation was for productive agricultural and crop lands and they have already discussed that issue. The final written comment is from Chan Atchley regarding Policy 15 where he recommended “central facilities” be defined. They have identified what those facilities are during Large Scale Development Studies.

Mrs. Lookabaugh stated that the definition for central facilities belongs in the code and not the CP.

Mr. Hibbert stated it should be in the code.

Mr. Mackert made the recommendation to go over it in the development code.

Mr. Hibbert showed a map from the wildlife study as an example of what they will get with the map set. Group discussed the map.

Mr. Chase stated there is one other advisory committee recommendation. They have come up with a number of maps to be added to the CP. It is his recommendation to integrate their work into the CP.

Mr. Mackert stated he would support that. They are glad for any information that can be used.

Mr. Singleton questioned if that included the flood map.

Mr. Chase stated that it was not integrated but it was discussed. The soils layers were created after the flood.

Mr. Mackert stated that he had brought up the need to include the high nitrate map.

**MRS. LOOKABOUGH MOTIONED TO ACCEPT THE RECOMMENDATION TO INCLUDE THE MAPS INTO THE CP. MR. KYNASTON SECONDED. VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

Mr. Chase stated that the General Land Use Committee had a lot of recommendations. One is that they review the land use map annually and update it every 5 years. They have a policy that addresses that already and it is part of state statute. They have made recommendations for every land use and that we should identify the suitability for these different land uses and suitability maps could be put together to form a Preferred Land Use Map. Technically the Preferred Land Use Map is not the aggregate map of all of the maps. They have already created a Preferred Land Use Map, submitted it to the public, and taken comments on it. They make the point that the map should be compared to each of these land uses which is a good point. He explained their recommendations to remove the commercial/industrial designation shown on the map. He wishes they would have discussed this better with the P&Z.

Mr. Mackert questioned if they are recommending removing that whole area?

Mr. Chase stated yes; removing the designation of the industrial/commercial area. Historically they have had only 6 commercial areas in the county, but 4 were removed.

Mr. Hibbert stated that this is tricky because they have vested commercial rights. When they do zoning, they have to consider that those are commercial zones. They are saying they are safe, but they can not expand and they have the land use rights within their zoning. That was granted to them through the approval process even though they do not have a zoning map right now. In order to keep the county out of court, he would recommend that they acknowledge that these recommendations have been made, but they should defer making decisions until they have a zoning map in place. Once that is done, they can make a decision based on the big picture and maintain the way it is and try not to make changes until they have a foundation.

Mrs. Miller stated they should accept Mr. Hibbert's recommendation.

**MR. DERRICOTT MOTIONED TO RETAIN THE COMMERCIAL NODES THE WAY THEY ARE UNTIL THERE IS A ZONING MAP IN PLACE. MR. KYNASTON SECONDED. VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

Mr. Chase showed the Parker area on the map and that the advisory committee's recommendation was for the green land. He explained their recommendation.

Mrs. Miller stated that she struggled with this because of large section of state ground and the JCC.

Mr. Chase stated that it is not in that area.

Group discussed the map and the impact area and the advisory's recommendation.

**MR. NEDROW MOTIONED TO FOLLOW THE LAND USE COMMITTEE'S RECOMENDATION ITEM 3 TO ADJUST THE AREAS DEFINED BETWEEN THE CITIES OF PARKER AND ST. ANTHONY AND REMOVE THE AREA SOUTH OF THE CANAL. MR. POND SECONDED. VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

Mr. Mackert stated they need to set another date to continue this discussion.

**MR. NEDROW MOTIONED TO CONTINUE THIS DISCUSSION AT THE NEXT MEETING. MR. POND**

**SECONDED. VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

**MRS. MILLER MOTIONED TO ADJOURN. MR. KYNASTON SECONDED. VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

Meeting adjourned at 10:00 pm.