

**Fremont County Planning  
& Zoning Regular Meeting Minutes  
September 16, 2009  
6:00 pm  
County Annex Building**

The Fremont County Planning & Zoning Commission met in a regular meeting on September 16, 2009. They met in the County Annex Building. **Members in attendance were:** Glen Pond (Chairman), John Nedrow (Vice-Chairman), Sam Davis, Jim Gerber, Larry Singleton, and Steve Trafton.

**Staff and others present:** Kurt Hibbert (Administrator), Joshua Chase (Planner), Lisa Benson (Planner)

1. Welcome

The chairman called the meeting to order at 6:01 pm.

2. Minutes

Mr. Davis pointed out on the last page the minutes needed fixed on the adjourn motion.

**MR. SINGLETON MOTIONED TO APPROVE THE MINUTES  
WITH THE CHANGE MADE ON THE ADJOURN MOTION ON  
LAST PAGE ON AUGUST 19, 2009. MR NEDROW SECONDED.  
VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

3. Public Hearing – Crapo Storage Units – David Crapo

Mr. Hibbert deferred to Joshua Chase to talk about application.

Mr. Chase stated that this was a Class II application for storage unit. Any questions?

Mr. Pond questioned if there was anything that needed to be addressees.

Mr. Chase stated that no there was not.

Mr. Gerber asked if there had been traffic study done.

Mr. Chase stated that yes it was done instead of a large scale development and it came back with no impact on the roads.

Mr. Pond asked if there was anything else that need to be added.

Mr. Chase stated that he would have the developer talk with the Public works director in understanding the standards of improving the access.

Mr. Singleton asked if this was located in the same place as the previous application that Mr. Crapo had applied for.

Mr. Crapo stated that yes it was the same.

Mr. Pond asked if proper notice were made for the public hearing.

Mr. Hibbert stated that yes they had.

Mr. Pond opened the public hearing for comment.

Mr. Chase stated there were no comments.

Mr. Pond asked if there was any one present who would like to make a comment. There were none.

**MR. DAVIS MOTIONED TO CLOSE THE PUBLIC HEARING FOR CRAPO STORAGE UNITS. MR. GERBER SEONDED MOTION: ALL IN FAVOR. MOTION PASSED.**

Mr. Pond opened the board for discussion and comments.

There was no discussion.

**MR. DAVIS MOTIONED TO APPROVE THIS PROJECT AND ALLOW IT TO GO FORWARD WITH CONDITION TO WORK WITH MARLA VIK ON ACCESS. VOTE TAKEN: ALL IN FAVOR. MOTION PASSED.**

#### 4. Ordinance Amendments

Mr. Pond stated that he spoke with Kurt before hand and will turn the time over to him.

Mr. Hibbert stated that were quite a few ordinance that are going to be talked about tonight. There have been major improvements done on the Development Code. Some of things that are being added that has not been in the past is tradition zoning. Kurt pointed out the zoning map and the different colors and what they stand for.

Rural living zone will be right were impact areas will be or immediately adjacent to them. There has not been any rural infill zone due to the definition states that is inside the City impact zone but it could be placed in the Island Park Zone. The other two zones are the rural business zone and the rural industrial zone. Under each zone there is a usage shown.

Mr. Hibbert explained that Joshua and himself had put together the zone table.

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Passed out the table for the commission.

Pointed out the different areas on the map.

Mr. Gerber asked what the green was called.

Mr. Hibbert pointed out that there were two different types of green. One being public land and one being rural conservation zone, Mr. Hibbert stated that most of the County was in the rural conservation zone. Pointed out that in red it is showing the commercial uses in the county and that will be going away. The yellow is showing the subdivisions and on the new map it will just show rural conservation. Stated that the grand majority of zones in the County will be rural conservation.

Mr. Davis asked about the limited recreation use.

Mr. Hibbert stated that we are not in control of this but that we didn't want a Lagoon out there and would allow what is going on now but not get into high end recreation.

Mr. Davis asked so that there would have to be a permit.

Mr. Hibbert stated it is so people have uses by right and don't have to have permits for certain things. But that there is a graduated scale for other uses that would require permits.

Mr. Chase commented that the recreational use was considered in the Comprehensive Plan and identified that our code right now had not considered a lot of recreational uses that might be regulated – camp grounds, and things. The Comprehensive plan added a new policy that encouraged the recreational uses.

Mr. Hibbert stated that we are going to go over this table and find out what we may want to add and what you might want to take away.

Mr. Singleton asked if we there is still going to be 1 per 40 acre like there is today.

Mr. Hibbert stated that it was not well defined in our code.

Mr. Gerber stated that he was hoping that we would get ride of the 40 acre limit.

Mr. Chase stated that someone could divide the 40 acres with very little regulation with out going through the full subdivision permit.

Mr. Hibbert stated that was a used designated by right. Asked if 1 in 40 acres a real problem for anyone.

Mr. Hibbert stated that we need to talk about the definitions right now. The zoning table and the table of uses need to sync with the land use table.

Mr. Davis asked about the agricultural range land uses on private land.

Mr. Hibbert stated that there is a state statute that regulates that not us.

Mr. Davis stated that we need to determine what we want to do as a County.

Mr. Chase stated that if you look at the table it is something that we don't want to regulate.

Mr. Hibbert stated that it is permitted and that we don't even want to talk to them. And that is why we want zoning to have property rights but at the same time protect each other from each other.

Mr. Hibbert read through each item that was on the zoning table. Asked if there were any questions on the table. Passed out information on what the county can regulate and what the state can.

Mr. Davis asked what the point was here tonight since they were not going to approve anything tonight. Asked about ag structures and if you have 500 acres and want to build a shed why would you need a permit.

Mr. Chase stated that Idaho Code exempts ag structure from the building code requirements but might still have to meet setbacks. That we have a permit for those right now that makes it so they don't have to meet building code requirements.

Mr. Nedrow stated that they need a permit now.

Mr. Hibbert talked about the Crapo's that got an ag permit and then decided to do it commercial so that in case in wants to make it commercial later.

Mr. Davis asked if there was a cost for a Class permits.

Mr. Chase stated that yes there is Class I permits is \$210 and Class II all come before you. So if there is something that you don't think that you want to review than it can be removed.

Mr. Hibbert stated we only put on there what we thought that you wanted. The Class I permits are one that you will never see they are only done administratively.

Mr. Chase stated that historical any commercial or industrial uses had to come before the board.

Mr. Hibbert stated that he was personally struggling with this table and would like to see more P's on the table.

Mr. Chase stated to think about what the public or neighbors have a right to be notified about.

Mr. Pond asked what the procedure to change the table is.

Mr. Hibbert stated that you would just make a motion to change it and make a new amendment.

Mr. Pond stated that this was going to be a changing thing and we just need to know that this is something that we can change.

Mr. Davis questioned how they will know when a Class I permit is offensive.

Mr. Hibbert stated that we all review the permit and it is based on the standard of the code.

Mr. Davis questioned would it be brought to us if there is a complaint.

Mr. Hibbert stated that if there was a complaint than we take it and investigate it. The code its self states what we can and can't do.

Mr. Hibbert stated that all the Class I permits are pretty simple.

Mr. Nedrow stated that it is just for public safety issues.

Mr. Hibbert stated it is a commercial use. Stated that the process of approving this to go to public hearing would be to get the zones, maps, and table adopted in Fremont County so that we can actually say that we have zoning in the County. Then the subdivision's can go forth.

Mr. Pond stated that the quicker we can get to the public hearing then the better off we will be. The public will come forth and want to make changes rather than wait around for 6 more months.

Mr. Hibbert stated that if they would state the changes that are needed and get if coming forth for the public hearing.

Mr. Pond stated that he is sure that it will be different than it is now and that it is needed to go the public.

Mr. Hibbert stated he would like everyone to get up and look at the maps and look at their areas of interest. Talked about the commercial zoning and how not to have them on the maps and make each parcel come forth for commercial zoning in the County. We are

asking that we submit these maps with out commercial zoning. That way what is commercial is grandfathered and any thing new would come before the board.

Mr. Trafton asked what the advantages of doing it the other way were.

Mr. Hibbert stated that it would be done in just one swept motion. That it was considered in the commercial nodes but after traveling the county he would not recommend that. Need to remember that when you give commercial zoning to an area it is not just for the one use it is for all uses.

Mr. Gerber asked Kurt to show the red area (commercial) on the map

Mr. Hibbert stated that a lot of these commercial areas didn't not have any review for access or anything. When they come in now for their permit than we can review all the access and things to make sure they are following all standards. He states that he believes that this is the right and fair way to do this.

Mr. Gerber stated that it looks like there are 25 or 30 of them now.

Mr. Nedrow stated that they will only come in if it is to change the use.

Mr. Gerber asked if Mr. Hibbert could differentiate between legal and the illegal to save us some time.

Mr. Hibbert stated that we can but that it is necessary to understand the difference between the two. Because we are talking about the difference between legal and non conforming uses within the appropriate zones.

Mr. Davis stated that it would make the cost more realistic.

Mr. Hibbert stated that commercial zoned is worth a lot more when it is zoned.

Mr. Chase stated that a lot of the commercial uses are in the City limits and that is where most the commercial is located.

All looked at maps with discussion.

Mr. Chase stated that we wanted to clarify that the red areas were from the assessor's office and are taxed as commercial.

Mr. Hibbert stated that most of the county is in rural conservation. Asked if there were changes that need to be made so that they could send them to public hearing stage.

Mr. Davis asked if they could have some maps with colors.

Mr. Hibbert stated that yes they could do that and print out this on a smaller scale for the public.

Mr. Davis questioned the brown area on the map and stated that they were settling ponds.

Mr. Chase stated that the brown in rural living zone and changed the settling ponds brown. It doesn't change Parker's interest and stated that we can't change that brown to blue until the City does.

Mr. Hibbert stated that the boundaries were given by the city of Parker.

Mr. Pond asked why you would want to make that rural living area in the settling ponds.

Mr. Davis stated that rural living is a step closer to protection and looking after than the other.

Mr. Hibbert stated that it is a little more intense use than in the other areas of the County.

Mr. Chase talked about the difference between rural living and rural conservation from the handout. Stated that the primary difference is there is a little more density in rural living.

Mr. Hibbert stated that there are other changes noted in this table. Asked Mr. Chairman if he wanted to continue on in this or put it to rest.

Mr. Pond stated that he would like to finish up with this before going and asked if Mr. Hibbert wanted to continue on also.

Mr. Hibbert stated that we could wait for a request for rural infill or could super charge development in on area or have them come in for each one like on the commercial.

Mr. Gerber stated that he would just like to wait on rural infill.

Mr. Pond stated that they would like to have the maps go forth.

Mr. Hibbert asked if they were comfortable taking the table and maps to public hearing.

Mr. Pond stated that he would like to just move them to public hearing

Mr. Nedrow stated that he would like to go through each table and talk about it before they move it forward.

Mr. Hibbert went through each table and discussed. P's are they can do and there is no review and the N's mean that it is not allowed.

- Agriculture
  - Processing and warehousing – Class II permit

- Agricultural structures allowed but not in commercial or industrial
  - Bee Keepers allowed anywhere
  - Feed lot permit in rural conservation and living and would require a Class II permit in rural infill and not permitted in commercial but permitted in industrial
  - Crop production permitted across the board but not in commercial or industrial
  - Dairies needs class II permits
  - Livestock permitted in rural conservation and rural living. Class I permit for rural infill and is not permitted in commercial or industrial
  - Plant or nursery or greenhouse Class I for all zones permitted in commercial and not industrial.
  - Poultry keeping permitted across the board but not in industrial commercial poultry is a use by right and not permitted industrial
  - Plant Stands or Fruit stands permitted in all zones but not industrial
  - Discuss on tree farms – permit need for tree farms
- Residential – permitted in all zones but not in commercial or industrial
    - Building less than 200 feet permitted
    - Fences permitted in all zones not industrial
    - Home Occupation Class I permit in all zones
    - Manufactured home parks in all zones
    - Multi family dwellings not in rural conservation or rural living but would be permitted in rural infill or commercial zone not industrial could allow a caretaker home in the industrial zone – looking into
    - Secondary dwelling, guest house, or mother-in-law home permitted
    - Signs Class I permit needed
    - Single Family Dwelling permitted
    - Small subdivisions with permit – commercial could have small subdivision
    - Regular subdivisions – class II permit in all zones
    - Wind towers class I permit
    - Animals permitted
    - Bed and Breakfast permitted
    - Cabin rental permitted
  - Commercial – permitted but not in residential zones
    - Commercial or industrial subdivisions not allowed in residential require Class II permit in other zones
    - Garden store or landscape allowed in all but industrial zone
    - Gas station or convenience store allowed only in commercial or industrial
    - Medical clinic allowed with Class II in all zones
    - Mixed used development in rural infill and commercial and no where else
    - Hotels and motels require class II in rural infill and commercial not allowed anywhere
    - Guest lodges allowed everywhere but industrial with a Class II permit

- Professional offices and businesses permitted with Class II permit in commercial and not allowed anywhere else
  - Restaurant and bars permitted with Class II permit in commercial and not allowed anywhere else
  - Retail sales permitted with Class II permit in commercial and not allowed anywhere else
  - Signage Class I permit for commercial and industrial
  - Storage facilities permitted within rural infill, commercial and industrial
  - Vehicle repair businesses Class II permit in commercial and industrial doesn't mean that it can't be done as a home based business just at a smaller scale
  - Veterinary Clinic Class II permit in rural conservation not in the other 2 residential zones allowed in commercial and industrial
  - Wind tower commercial Class II permit in the country and not allowed anywhere else
  - Add car dealership to be permitted with Class II and re-zone
- Industrial Uses – all Class II permits
    - Fertilizer (chemical) facilities not allowed in commercial zone
    - Animal operation (feed lot) only allowed an industrial use and would have to rezone
    - Construction materials manufacturing (batch plants, etc.) not allowed anywhere but industrial zone and could have to rezone
    - Gravel extraction Class I for small and Class II permit for large extraction allowed in all the zones
    - Manufacturing (heavy) Class II permit and only in industrial zone
    - Recycling facility Class II in rural conservation, and commercial and use by right in industrial – change to industrial with class II
    - Auto wrecking Class II permit only in industrial zone – needs added to table
    - Saw Mill (large) Class II in industrial zone
    - Add agricultural items for sell permitted with Class II and zone change
- Utilities and institutional facilities -
    - Animal impoundment permitted in industrial zone allowed in rural conservation with a Class II permit
    - Churches Class II in residential zones not allowed commercial or industrial zones
    - Electric facilities Class I permit – only for tracking – all zones
    - Emergency facilities class II permit allowed in all zones
    - Schools allowed in all rural zones but not in commercial or industrial
    - Telecommunication facilities allowed in all zones with a Class II
    - Underground utilities permitted in all zones – no permits
    - Wastewater treatment facilities permitted – no permits regulated by state
    - Waste transfer stations not allowed anywhere but industrial with a Class II permit and zone change

- Recreation, conservation and other uses
  - Conservation easements and nature preserves are a use by right in rural zones not allowed in commercial or industrial
  - Camp grounds personal use – permitted in all zones except industrial and commercial – Commercial camp grounds Class II permit not allowed in commercial or industrial zones
  - Domestic game farms permitted in rural zones not allowed in commercial or industrial
  - Equestrian facilities permitted in rural conservation with Class II in rural infill and living not permitted in commercial or industrial - change to all rural Class II permit
  - Golf course Class II permit in rural conservation and living – add commercial zone also not allowed in industrial
  - Hunting preserve Class II permit in rural conservation not allowed anywhere else
  - Outfitter Guide facilities with out housing facilities permitted in all zones but not industrial zone
  - Outfitter Guide facilities with permit housing Class II permit in rural conservation and living and commercial zone but not allowed in industrial zone
  - Public parks permitted anywhere
  - RV parks Class II permits in all zones not allowed in commercial or industrial
  - Shooting range Class II permit in industrial or commercial

**MR. DAVIS MOTIONED TO MOVE FORWARD TO PUBLIC HEARING WITH CHANGES MADE ON TABLE. MR. NEDROW SEONDED MOTION: ALL IN FAVOR. MOTION PASSED.**

Mr. Pond adjourned for break for 5 minutes.

Mr. Hibbert stated the manufactured home placement code has made it that any mobile home will have to put in a foundation. This is stating that they have a choice now and took out the multi section size requirement. If the board is comfortable with this then we would like to move this to public hearing.

Mr. Gerber asked if this is stating that you can't put a mobile home in.

Mr. Hibbert stated that mobile homes by Idaho code may only be located in mobile home parks. So this is a big shift.

Mr. Chase stated that there is no change on this part of the ordinance

Mr. Hibbert stated that it is now allowing you to do this temporary use permit.

Mr. Gerber asked why we would prevent homeowners from putting a mobile on their lot.

Mr. Chase stated that the board of county commissioner adopted this and they said that. They gave our staff the recommendations to change this and that was not one of them.

Mr. Hibbert stated that what they are trying to take care of the temporary living arrangements. This would be on removable residents.

Mr. Gerber stated that he didn't have a problem with that but with private property rights. Stated that he would not tell someone that they couldn't put a mobile home on there lot.

Mr. Hibbert stated that the County Commissioners past the document that is how it has been. The commissioners had not asked for that changed so it had not been made on this document and if they wanted to send the recommendations to the board than they could.

Mr. Pond stated that he thinks it would be flushed out in a public hearing.

Mr. Chase stated that it is important to understand that that is the status quo for now.

Mr. Pond stated it is a good change and a motion would be good.

Mr. Davis asked if there was a problem with multi sectional homes or if it needed to be described.

Mr. Hibbert stated that right now we are not looking at manufactured housing not be eligible for that it is something that we need to address at the public hearing.

Mr. Davis asked what the point was for a 1 year permit.

Mr. Hibbert stated that it was to make sure that they people understood that it was temporary. We did put in there that it could be renewing for an additional 2 years and it is something that might need to be discussed.

Mr. Nedrow asked how bulky the Idaho code section is is and should it be in input in this ordinance.

Mr. Hibbert stated that we should have that available for the public hearing and that it is not that intense. But what it shows is that it is blocked and strapped down so that they don't have to pour concrete every time they install a mobile home.

**MR. DAVIS MOTIONED TO MOVE FORWARD TO PUBLIC HEARING. MR. GERBER SEONDED MOTION: ALL IN FAVOR. MOTION PASSED.**

Mr. Hibbert stated that we needed a lot of input from the board on lot splits. Would like Joshua Chase to explain how splits have been processed in our county in the past.

Mr. Chase stated that the original parcels started in March 11 of 1992. Then the definition of subdivision is the division of that original parcel more than once. There is a division of the land that can be done administratively 1 time through a Class I permit. 5 acres was the maximum that can be split. Historically that is how it has been done. It can be done with record of survey and it does not come to this body. Gave example of the cell tower and 35 acreage. We have not really defined what a parcel is. It is separate ownership through deed. Mr. Chase explained that people can go and record deeds they might record them one at a time or a whole bunch at once. Then the assessor maps and divides the land for taxes reasons. We are than notified and try and follow up with them to get a permit. Our ordinance requires that they get a permit.

Mr. Hibbert stated that most everyone knows what the states definition of a subdivision and what the County does. Those are called a defacto subdivision that the county is making. The assessors map may be completely different than what a tax map is and what a parcel map is. The question is what is the definition of a parcel – turn to page 3 -

Asked what good is the subdivision ordinance if you can create it with a deed. The bottom line is that is ridiculous. Our development code is local law. Tonight we need to talk about how in the future – to make this easy to administer for everyone. Everyday we receive questions on what we can do on this parcel. Ag exempt lot splits – the state says you can go down to 5 acres our county lets you go to 20 acres. State has language on Ag splits. Read state language on ag splits and definitions for small and large subdivision. A small subdivision would be between 2 and 5 lots, a regular subdivision with more than 6 will be a regular subdivision. In a rural conservation zone the definition would be the same.

Asked if anyone on this board was concerned of 1 home being on a 20 acre lot. Our thinking is that if we could call 20 acres track a small subdivision and 1 lot would need to be a conservation lot, would we be able to define subdivision than? Needing some ideas on what to give to the commissioners and how to administrate this in the future. The issues with the sistes in the paper are just the same here. How do we administer this? The thought would be that if you have any of these with 20 acres we have so many non conforming lots now so how do we develop something that is non conforming environment.

Mr. Davis asked what we called these small subdivisions.

Mr. Nedrow stated that it was called short plats.

Mr. Hibbert stated that what he is trying to get across is that there is no more lot splits and any split is a subdivision or short plat.

Mr. Davis asked if the cost is there or if it is going to be fairly easy.

Mr. Hibbert stated that there would be no public hearing it would come before the board and than they would make their recommendations to the BOCC.

Mr. Davis asked why Class II.

Mr. Hibbert stated that because it comes before the board and it is not approved by staff.

Mr. Davis asked that if the 20 acre criteria is approved than why come before them.

Mr. Hibbert stated that he is not threatened by being able to subdivide by 20 acres and that it should be a use by right to divide the down to 20 acres. But anything below 20 acres we want to see the short plat or small subdivision.

Mr. Davis stated that it would depend on the area or parcel.

Mr. Hibbert stated that yes it could work that way. What he wants to see is something that we can take to the commissioners to fix this problem. The whole idea about the ratios and the zones are a big shift and want to make sure everyone is comfortable with them.

Mr. Gerber stated that he didn't have a problem dividing the 20 acres into the 4 five acre lots.

Mr. Hibbert stated that yes you are going to get 6 lots from the 20 acres with the 80% conservation left. Let them design and have a chance to change it around.

Mr. Gerber stated that he had a problem with the 20% to have lots in and he would rather see 30%.

Mr. Hibbert stated that is true and what they are trying to do is not scare the general public. However, most of what we see in the county is the small subdivisions not the large areas like Lamont Village.

Mr. Gerber asked if you have 20 acres than 20% of that is your lots and you design the size of them as long as the other 80% is in conservation.

Mr. Hibbert stated that you design the lots that would work for you. The open space could be used for the drain fields so that it would encumber your property.

Mr. Gerber asked if you are dividing it between your children and you needed more lots than what.

Mr. Nedrow stated that would be were you would do the larger subdivision you wouldn't get the short plat if you have more than 5 kids.

Mr. Hibbert stated you would want to just do a PUD

Mr. Gerber asked what the purpose of the 5 lots is.

Mr. Hibbert stated to stay really close to what the state allows and to try and keep it simple and that is giving them 1 more lot than what the state gives.

Mr. Gerber asked if that was giving them 5 development lots.

Mr. Hibbert drew the example on the white board with 20 acres and leaving 80% in open space and 20% for development.

Mr. Davis stated then you would have 5 you can sell and 1 you can't.

Mr. Hibbert stated that the lot would be an open space and the others would be development.

Mr. Davis stated that than you would only get 4 of them and not 5.

Mr. Hibbert stated that it all depends on the size of the lots and as long as they stayed under the 6 lots than it is still a short plat. Gave example of the gentlemen who brought in the 5 lot subdivision and changed the way it was developed. It is cheaper to develop and nicer.

Mr. Gerber stated that he could see how this is good and a big advantage to what we have now.

Mr. Hibbert stated that is a larger density than what we allow in the County now.

Mr. Gerber stated the 70/30 could be better.

Mr. Hibbert stated that he has never seen an ordinance that is more than 75 but he would make some graphs to show the difference.

Mr. Trafton stated that there is huge flexibility with those numbers.

Mr. Singleton stated that you have to let the roads come out of that 20%.

Mr. Hibbert stated that we have to develop rules and let some of the roads come out of the 80%, if we could get the certain utilities and roads in that road way.

Mr. Davis questioned if the minimum begin parcel needed to be the 20 acres.

Mr. Hibbert stated that he didn't know if that was the right number but that was what was historical in the County and that we have been giving building permits on them. It hasn't been legal but it is what is happening. Stated that he wanted to tell the commissioners something so that they can better service the residents and if we are making it easier for them than we might see more conforming than non-conforming. Stated that if the fees

were smaller for short plats that people would be incentivized to quite doing the platting by deed.

Mr. Nedrow questioned that the 80/20 is in the rural conservation zone do you want 50/50 than do you have to rezone to rural living.

Mr. Hibbert stated that you would have the ability to re-zone. Asked for the thoughts of the commission.

Mr. Singleton stated the roads have to come out of there than they need to come out of that 80%.

Mr. Hibbert stated that he was fine with that if they were. We can right it that way.

Mr. Nedrow stated that if they wanted to put 2 roads right down the middle than don't let them take it out of there 80%.

Mr. Hibbert stated that now we are making them follow the roads standards it is expensive and people don't want to build them anymore than they have too.

Mr. Hibbert stated that you have in front of you is the original parcel information. Need to make it enforced so that we don't want to use the words lot splits anymore. Need people to understand that they can't plat by deed anymore.

Mr. Pond stated that he is ok to take it to the commissioners.

Mr. Hibbert stated that the 20 acre thing the big key thing. Is it something that we are going to allow?

Mr. Pond stated that the concept is the way to go.

Mr. Davis asked if 10 acres is too small or if we needed to change the percentage on that acreage.

Mr. Hibbert stated that he didn't know how many parcels were less than 5 or more than 5. That is something that he would need to find out.

Mr. Singleton asked on smaller pieces why can't you do it 80/20.

Mr. Hibbert stated that it would give a number of square footage it is all about designs. Bottom line is that it is a balance and is critical and it makes a difference. Teton Valley is an example of poor design. We have good ideas and that we need to make sure that there is a good design on board.

Mr. Davis stated that we need to be careful with what we limit.

Mr. Hibbert stated the main reason is public safety. If they can't put a septic on it than we are going to be concerned about that and they are not going to get there plat signed.

Mr. Pond stated to send it to the commissioners and asked if there was anything else Kurt had.

Mr. Hibbert stated that there was no language on a vacation of a plat so he was asked to come up with language. Add a paragraph on the end of the definition and read it to the board.

Mr. Pond stated that he didn't see how it hurt anything.

**MR. DAVIS MOTIONED TO MOVE FORWARD TO PUBLIC HEARING OF THE VACATION OF PLAT. MR. SINGLETON SEONDED MOTION: ALL IN FAVOR. MOTION PASSED.**

Mr. Hibbert passed out wind tower information to be discussed next meeting.

Mr. Chase passed out documentation on stream corridors. Explained the current code on stream corridor. In the past they have always just done 50 feet. In some subdivisions there has been a problem with the 50 foot setback and not letting them build on the lot by the time they met the 50 foot setback. Riparian Veg. and long streams are part of the floodplain. There are feeder streams and are classed as a class I and when they come together they are a class II. The guide recommends that we look at all streams and that they have some kind of set back. Wetlands are part of the stream corridor that is feed by the river. We have wetlands that are not near the river or stream. The county does have a wetland map and we can identify most of them. Talked about delineate those wetlands so we can tell them what they can do and can protect the wetlands. The resources stream corridors, wetlands, riparian vegetation. It includes setbacks and no improvement zone and buffering.

Page 4-8 based on scientific studies to achieve those goals.

There problems we have created lots within these stream corridors. Water quality there should be at least 30 feet wide.

Page 4-10 historically there is 3 types of buffers we have used the blend. It is a fixed distance but than it has varied. What we are proposing is a fixed blend; larger ones would be 300 feet. Looking at the graph and the binders this is the best way to look at these and they have come up with the right set back. But is this something that we can verify?

The recommendation page talks about getting input from public and agencies. The fish and game recommends a 300 foot setback. Page 3 shows the recommended changes. Instead of talking about all the things that make up these stream corridors we are going to talk about set back and buffering requirements. It was not defined what you can do in the setback areas. F1A tries to add information on what can go through these setbacks. Page

5 talks about the native vegetation buffer which is 100 feet and 200feet is the setback in that setback you can do landscaping and other, But in the larger keeping the riparian vegetation.

Mr. Pond asked what they wanted them to do with this.

Mr. Chase stated that he wanted them to look at it.

Mr. Hibbert stated that this is a simpler way to administer the setbacks in the floodplain. This is a easier way to make sure that it is being done.

Mr. Chase stated that there is a perception that the 300 feet is extreme but there are many that feel that this could work well.

Mr. Gerber asked if the actual riparian is 75 feet wide how do we make them follow those setbacks.

Group discussion

Mr. Chase stated that we had to have provisions and so we set another way so we gave them 30 feet.

Mr. Hibbert stated that the streams that we are talking about are the major fishing streams.

Mr. Chase stated to look at chapter 4 for discussion later.

## 5. Administrators Report

None to report

## 6. Adjourn

Adjourned at 10:00 pm