

1 **Fremont County Planning**
2 **& Zoning Meeting Minutes**
3 **March 21, 2016**
4 **County South Bridge Street Meeting Room**
5

6 The Fremont County Planning & Zoning Commission met in a scheduled meeting on
7 March 21, 2016. They met in the County South Annex Building. **Members in**
8 **Attendance were:** Rod Nichols (Chair), Kim Ragotzkie (Vice Chair), Stephen Waite,
9 Kevin Hathaway, Lila Gold, Joyce Edlefsen, and Dale Swensen.

10
11 **Absent:** Patti Crapo

12
13 **Staff and others present:** Tom Cluff (Administrator), Greg Newkirk (GIS), & Lisa
14 Benson (P&Z Planner)

1. Call to Order and Welcome

15 Mr. Nichols called the meeting to order at 6:00 p.m. He welcomed everyone. He asked
16 the commission if any of them had a conflict of interest. There was none.

2. Approval of Minutes

2.1 Approval of Minutes – None

17 None

3. Sketch Plan - None

18 None

4.1 New Business – Presentation of Plats

19 Mr. Greg Newkirk presented a short plat for Barney/Cox. He explained the property
20 owner actually plotted the property and we called them on it, so here it is. He explained
21 what they were proposing and where the property is located.
22

23 Mrs. Gold asked the percentage of open space on the lots.
24

25 Mr. Newkirk said it is about 65% open space, even though this is rural conservation.
26

27 Mr. Nichols asked if there are two homes on the property already.
28

29 Mr. Newkirk stated that yes, but that they could not get a permit to move into the third
30 residence until they get the plat completed.
31

32 Mr. Nichols asked if one of the homes is new.
33

34 Mr. Newkirk said yes.
35

36 Mrs. Gold asked who was involved.
37

38 Mr. Newkirk stated the names.
39

40 Mr. Nichols asked anyone sees any problems with this.

41 Mrs. Gold asked if in his opinion there is anything iffy or doesn't meet the requirements.

42

43 Mr. Newkirk said no, he explained.

44

45 Mr. Hathaway asked to look at the map as to where it is.

46

47 Mrs. Gold asked Mr. Newkirk to explain what a building envelope is.

48

49 Mr. Newkirk explained.

50

51 Mr. Nichols asked if there were any more questions.

52

53 There were none.

54

**4.2 Public Hearing Fremont County Development Code Amendment – Appendix W
- Postponed**

55 None

**4.3 Public Hearing Tim Vollweiler – Zone Change from Commercial Limited Office
to Commercial 1 – file #16-008**

56 Mr. Cluff said if they remember Mr. Vollweiler was in and talked with you last month.
57 He talked with you about his commercial building on Shotgun in Island Park. He wants
58 to add some uses to that building that are not permitted in the limited office zone. He is
59 applying for a zone change to the C1 zone, tonight is the public hearing for that. I don't
60 have additional statements to make about it. It fits with the comp plan and it is up to the
61 P&Z to make the decision, after they have heard all the testimony and evidence. He
62 explained the order of the hearing.

63

64 Mr. Nichols read a letter sent in. (Exhibit A) He invited Mr. Vollweiler to come up and
65 make a statement.

66

67 Mr. Vollweiler said they are trying to promote the area, by adding another business out in
68 the Shotgun area. The Shotgun store has been opened and closed time and time again
69 over the last 4-5 years. We have been on that property for the last 20 years, and we just
70 want to promote to the area.

71

72 Mr. Nichols said the way he sees it, they aren't proposing any change to the structure of
73 the building or expanding it. Aren't you just using the existing facility and going to
74 incorporate the bar and sandwiches into it.

75

76 Mr. Vollweiler said that is correct.

77

78 Mr. Nichols said you have storage units there and have converted two or three of them
79 already.

80

81 Mr. Vollweiler stated that they have converted three of them. He explained that at some
82 point they may want to convert a few more, but for now we are pretty happy with the way
83 it is.

84
85 Mr. Nichols asked what they have in the building currently.

86
87 Mr. Vollweiler said they have offices in two of them for construction companies and of
88 course the bar area and then there are about six storage units.

89
90 Mrs. Crapo asked if it is a bar/restaurant

91
92 Mr. Vollweiler explained it is currently serving frozen Digiorno pizzas and hot dogs. We
93 don't have any interest in that at this point, but who knows.

94
95 Mrs. Gold asked if you could buy a gallon of milk.

96
97 Mr. Vollweiler stated he is interested in doing those things, soda pop, wine, and beer to
98 go. We are trying to decide what to put in there.

99
100 Mrs. Gold stated that your application says convenience store. Does Idaho allow liquor to
101 be sold on Sundays?

102
103 Mr. Vollweiler stated that is limited right now, but we would like to expand into that.
104 Beer and wine can be sold on Sunday, and whisky by the drink as far as I know.

105
106 Mr. Nichols asked if they will need a liquor license for this application.

107
108 Mr. Vollweiler said no just beer and wine.

109
110 Mr. Swenson asked if he is doing anything here that would require a permit from the
111 health department.

112
113 Mr. Vollweiler said we already have all of our permits from them for our little bit of
114 pizza preparation and sandwiches.

115
116 Mr. Nichols asked if there were any other questions. He closed the public hearing

117
118 Mr. Cluff stated that he recommended to the commission to approve this application.

119
120 Mr. Hathaway stated that he thinks this an appropriate use for this area.

121
122 Mrs. Crapo stated that she thought so to.

123
124 **Mrs. Crapo made the motion to approve the zone change from commercial**
125 **limited office to Commercial 1 for permit #16-008 Tim Vollweiler. Ms.**
126 **Ragotzkie seconded. All in favor. Motion carried.**

127

128 Mr. Nichols said we recommend to the Board the change on that application.
129

5.1 Development Code Update Discussion

130 Mr. Cluff stated that he has updates for Appendix W that we talked about last time.
131 He passed out information. He explained the changes.

132
133 Discussed animal units in the code and in the state statute. Talked about the advantages
134 of using the wording animal units. Talked about dwellings. Discussed what was added
135 about CAFOs in the code. Was explained what was added to the code. Talked about odor
136 management plans. Explained that they can get a nutrient plan prior to dealing with the
137 state. Discussed this. Explained that now they have to have this plan prior to the
138 application and if waste is contained in lagoons then they have to do an odor management
139 plan also. Talked about the information Ms. Ragotzkie provided about what other
140 counties are doing. Talked about minimum lot sizes. Was asked about advisory teams
141 and what they will do. Discussed this. Talked about what Jefferson County does and
142 what would apply to Fremont County. Discussed the mile radius measurement and where
143 that would be taken from. Talked about revoking permits, void permits, renewals, and
144 about probationary periods. Talked about who approves and denies each step of the
145 process. Discussed the applicant's right to appeal. Talked about the wording of the code
146 and what would work better. Talked about when to send the decisions to the Board and
147 when the Commission should make the decision. Mr. Cluff went to the white board and
148 drew a chart of the breakdown of how the process would work. He explained and the
149 commission discussed it. Decided to change L to C, and the wording to say "if the
150 Commission determines that the deficiencies have not been corrected, it shall refer the
151 permit to the Board." Talked about typos that need changed. Discussed where the 1 mile
152 radius is measured from and where it is measured from for the public hearings. Talked
153 about existing CAFOs and that they are grandfathered in unless they want to expand then
154 they have to get a permit. Talked about fish farms and what the code says about this.
155 Discussed CAFOs in the area of impact of cities. Was asked about the exterior
156 boundaries and the area of influence. Discussed where to have that measured from and
157 how big to make it. Talked about the right to farm act. Discussed removing 1.04.2 from
158 the code. Discussion on removing 1.4.6 – c setback of 300 feet for any fermented feed.
159 Discussion with some people within the audience – clarifying parts of the ordinance.
160 Discussion - clarifying the renewal process and clarifying some aspects of the State
161 requirements. Talked about county advisory boards.

162
163 Mr. Cluff asked if he makes these changes are they okay with this being included in the
164 hearing on the 18th.

165
166 Mr. Nichols said yes.

167

6.1 Administrator's Report

168 Mr. Nichols meeting adjourned 8:01 pm.