

1 Fremont County Planning  
2 & Zoning Meeting Minutes  
3 July 17, 2023  
4 County South Bridge Street Meeting Room

5  
6 The Fremont County Planning & Zoning Commission met in a scheduled meeting on  
7 July 17, 2023. They met in the County South Annex Building. **Members in Attendance were:**  
8 **Loy Schroeder, Mike Lawson, Cathy Koon, Tiffany Marez, and Jim Jorgensen.**

9  
10 **Members not present, Dennis Forbush.**

11  
12 **Staff and others present:** Tom Cluff (Admin), Karen Daw, (Sec.); Greg Newkirk (GIS); Ben  
13 Simmons (Admin.)  
14

15  
16 **Call to Order, Welcome, and conflicts in agenda, ex-parte communications**

17 Mrs. Schroeder welcomed members of the commission and public. Proper notice has been  
18 provided, (it was). She asked if there was any ex parte, she asked if all electronic devices be  
19 silenced. There was no need for a Sargent at Arms tonight since there wasn't any public hearing.  
20 She asked if anyone had any conflict of interest with agenda tonight. (there was none)

21  
22 **Approval of minutes-April 24, 2023.**

23 Mrs. Schroeder stated we have the minutes from April 24, 2023 to approve tonight.

24 **Mr. Jorgensen made a motion to approve the Minutes from the April 24, 2023 Meeting.**

25  
26 **Mrs. Marez seconded.**

27  
28 **Motion passed unanimously.**  
29

30  
31 **3. Plats:**  
32 **3.1 Short Plat – Jeffrey & Lisa Rowe – Table Mountain View Ranch (#23-**  
33 **034) – Action Item.**

34  
35 3.1 – Short Plat – Jeffery & Lisa Rowe – Table Mountain View Ranch (#23-034).  
36

37 Mr. Newkirk showed the property location on the wall map. They are taking the one property  
and making 3 lots out of it. Mr. Newkirk show how it would be split on the map. The map is  
configured from east to west. All of the open space is on lot 2.

Mrs. Schroeder asked about the road going through a neighbor's property.

38  
39 Mr. Newkirk explained how the road will be. ITD has indicated to buy that certain piece for the  
40 alignment for the new off ramp. Mr. Newkirk explained that to the commission. He shows it is  
41 by the Chester exit. That effects the plat and that is why it is drawn with the right-of-way  
42 included with lot 1, that ITD intends to purchase.

43  
44 Discussion about the map and property.

45  
46 Mrs. Schroeder asked if there were any problems with water on that property, like irrigation.

47  
48 Mr. Newkirk stated he hasn't asked him if has water rights but he doesn't believe he does. He  
49 hasn't been farming the property, he just bought it with his house. He is doing property line  
50 adjustment with the neighbor and taking care of a line. It is a tight knit group there.

51  
52 Mrs. Schroeder asked if there were any questions.

53

**4. Sketch Plan:  
4.1 – Sara Bowersox, Ashton City Planning & Building Administrator –  
discussion about possible changes to Ashton's Area of City Impact –  
Action Item.**

54  
55 4.1 – Sketch Plan – Sara Bowersox, Ashton City Planning & Building Administrator –  
56 discussion about possible changes to Ashton's Area of City Impact.

57  
58 Mr. Cluff showed the city of Ashton on the map and where the area of impact is located there.  
59 The state has a statue that says cities and counties can negotiate an area of impact around a city,  
60 where the city says, the intention is this is where the city is going to grow. In that the city and  
61 the county can make arrangements so that special sets of rules can be in place in order to help  
62 prepare for the growth of the city. The cities ability to annex property is limited, in certain  
63 circumstances, depending on that area of impact. If they don't have one, there's some kinds of  
64 annexations they can do. In about 2005ish, the city and the county negotiated this area of  
65 impact, as the boundary of impact. We made arrangements of what kind of zoning would be in  
66 place and it has worked so far. Mrs. Bowersox is here to talk to you about some changes that the  
67 city of Ashton is wanting to do. He will have her explain rational behind that. Later we will talk  
68 about area of impact in a little more general terms and hopefully answer any questions that you  
69 might have about what this means.

70  
71 Mrs. Sara Bowersox handed out copies of what they are proposing. A long time ago when the  
72 state started with areas of impact it dictated that the area of impact should be about a mile around  
73 the city limits. She thinks it is changing but she's not looking at changing that right now. Back  
74 when the city of Ashton created all of this, everything outside of the city they did in residential.  
75 So, we had the highway commercial zone along Hwy #20, and everything else except for some  
76 industrial where our city lagoon is for the sewer, everything else was basically done residential.  
77 They did some lower density and some higher density. Her understanding was that the reason

78 they didn't do the higher density to the east, was not to block the view of the Tetons. Hwy 20 is  
79 not the only state highway that touches Ashton, #47 and #32 are there also state highways. It  
80 would make more sense if industry growth would be along those highways, rather than single  
81 family homes with driveways along those highways that ITD isn't going to allow to come out on  
82 the state highways. What they would like to do in the little areas on the handouts, she has  
83 measured out 500 ft back from the road, which is what it is about on Hwy #20, to change it to  
84 highway commercial. To attract or encourage the type of business that need highway visibility.  
85 The second page of the handout is just our purpose for lower density residential, and highway  
86 commercial is., so you can see that. Our P&Z commission has talked about this and are in  
87 agreement. We do have some of the residents who would like to put up storage units. Lower  
88 residential zoning prohibits them from putting up those units. There are single family homes in  
89 this area now, and they would be allowed to stay and allowed to continue on much the same way  
90 the older single-family homes along Hwy #20 were allowed to stay. That is what we would like  
91 to do.

92

93 Mrs. Schroeder asked on Hwy #47.

94

95 Mrs. Bowersox stated 47 and 32. Especially on that intersection.

96

97 Mrs. Schroeder asked if there were any restrictions on height of these buildings.

98

99 Mrs. Bowersox stated 35 feet.

100

101 Mr. Newkirk stated the County is 30 ft.

102

103 Mrs. Bowersox stated the City of Ashton is 35 feet.

104

105 Mrs. Schroeder asked if there were any municipal services to that area.

106

107 Mrs. Bowersox stated no.

108

109 Mrs. Schroeder asked if we change that will it require that they put in municipal services to that  
110 area.

111

112 Mr. Cluff stated no.

113

114 Mrs. Marez asked if any of the residences know about this proposal yet.

115

116 Mrs. Bowersox stated not yet, we have discussed this in our public meetings but there hasn't  
117 been hardly any residence attend our meetings, other than the folks that want to turn some area  
118 into storage units. However, we will definitely have a public hearing.

119

120 Mrs. Schroeder asked what direction is Ashton growing.

121

122 Mrs. Bowersox stated as of now it is not really growing outside the city limits yet. We have a lot  
123 of residential areas to the east. Hwy #47 doesn't really go anywhere. The biggest long term for

124

125 growth is when ITD does the extension of the highway. For that reason, she is not talking about  
126 the west until we know what ITD wants to do. She feels that we will have conservation about  
127 the west someday.

128  
129 Mrs. Schroeder asked if this will change now when ITD go out west.

130  
131 Mrs. Bowersox explained about the speculation of where the roads will be.

132  
133 Discussion about changes with ITD road changes.

134  
135 Mrs. Schroeder asked if there were any questions.

136  
137 Mr. Cluff stated the commission will give her feedback tonight and then it will come back for  
138 public hearing.

139  
140 Mrs. Schroeder asked what is the allowed acreage for the lots out there.

141  
142 Mrs. Bowersox stated in town there is 6000 square ft. She isn't sure about the commercial lots  
143 sizes.

144  
145 Mr. Cluff stated if you have concerns about lot sizes, we will make sure the standards for those  
146 zones are explained at the hearing. You won't be making a decision you will be making a  
147 recommendation when we have the public hearing.

148  
149 Mr. Jorgensen asked what the eventual process, is this coming as an advisement to us?

150  
151 Mr. Cluff explained how the process goes for proceeding with changing the area of impact for  
152 the city. When it is done the county will use the rules and regulations that were accepted.

153  
154 Mrs. Schroeder asked if there are any home in the area now.

155  
156 Mrs. Bowersox stated there are some older homes in the area.

157  
158 Mr. Jorgensen stated that is his biggest concern, on Hwy #32, if he is envisioning this, he really  
159 only thinks of two homes, that are really going to be impacted.

160  
161 Discussion about what homes will be impacted.

162  
163 Mrs. Schroeder asked where the high school is.

164  
165 Mrs. Bowersox showed her on the map.

166  
167 Mr. Jorgensen is concerned if a tire store is going to be next to a home.

168  
169 Mrs. Schroeder stated she is concerned about the same thing.

170

171 Mrs. Bowersox stated she will check into these areas and get details.  
172  
173 Mrs. Schroeder stated there is space between the homes where something could be built.  
174  
175 Mrs. Bowersox stated those homes have acreage and have a buffer.  
176  
177 Mrs. Marez asked if she knew what the traffic counts are.  
178  
179 Mrs. Bowersox stated she didn't.  
180  
181 Mr. Cluff stated is question is, do you want to see that inclination and talk about it again before  
182 we have the public hearing, or are you ok with it if she gathers the information and brings it to  
183 the public hearing.  
184  
185 Mrs. Schroeder stated there will probably be some of the same questions from the people that  
186 will be at the public hearing.  
187  
188 Mrs. Schroeder asked about the Marysville area, are they the next group outside the impact area.  
189  
190 Mrs. Bowersox showed her that area.  
191  
192 Mr. Jorgensen stated so where we're going to change the impact are is kitty-corner from the  
193 Marysville development.  
194  
195 Mrs. Bowersox stated that is where she has it drawn now, they are asking to build storage units  
196 there.  
197  
198 Discussion about the corner of Hwy#32 impact area is.  
199  
200 Mrs. Schroeder asked about the area around the HS.  
201  
202 Mrs. Bowersox explained the area to her. (she showed more homes on the map).  
203  
204 Mrs. Schroeder asked if there were any other thoughts. She stated we can move on.  
205

**Old Business:**  
**5.1 – Discussion of St. Anthony Area of Impact Changes.**

206  
207 5.1 – Discussion of St. Anthony Area of Impact Changes.  
208  
209 Mr. Cluff stated about a year and half ago the City of St. Anthony came to us and said they  
210 wanted to change boundaries of the area of impact. They showed what they wanted to do, the  
211 city did what they wanted and changed the boundaries and we didn't. We have to have a public

212 hearing to do this. He showed on the wall map what was included. He showed what was  
213 extended and what was taken out. They want to add in some ground on the south end of town. It  
214 is the where the new car dealership is. They want to annex them into the city where they  
215 extended services to them. When P&Z talked about it before, they recommended that was all  
216 fine, the city acted on it and they said he never got that back before our planning commission  
217 could have a hearing on it. The county now has an ordinance ready to go and we need to have a  
218 hearing on it and that your next meeting will have a hearing on this change. The interesting part  
219 about this change, when we adopt an area of impact agreement with the city we adopt this map  
220 that says, here's the boundary. We also adopt the zoning for that area of impact, it says here's  
221 what the rules are going to be. The zoning ordinance that is in place for the area of impact could  
222 be something different. This area of impact where the boundaries are changing, the zoning will  
223 remain county zoning. The current area of impact with the city of St. Anthony has city of St.  
224 Anthony zoning in place for the area of impact. But they said for this extension, we don't  
225 necessarily need to have city zoning, we just want the ability to annex it when it is time to annex  
226 it. Our agreement with them is that it stays County zoning, we are not applying city zoning to it.  
227 Some of this will be annexed fairly soon and it will be part of the city. That will bring you up to  
228 date. You will see this at the public hearing.

229  
230 Mrs. Schroeder asked about the zoning there.

231  
232 Mr. Cluff stated there are several zones there. He showed and explained it on the map.

233  
234 Mrs. Schroeder asked what does it get changes to when it is annexed.

235  
236 Mr. Cluff stated whatever the city decides to change it at the time of annexation. They have to  
237 pass an ordinance that says what the zoning is going to be.

238  
239 Mrs. Schroeder stated low density or high density.

240  
241 Mr. Cluff explained that to the commission and showed them on the map.

242  
243 Discussion about city and county rules.

244  
245 **Other Business:**

246 **6.1 – Administrator's Report and (time permitting) P&Z training discussion.**

247  
248 Mr. Cluff stated he has a handout about area of impact. Years ago, the planning commission had  
249 some guidelines. The city makes demands about what the county has to do because of the area  
250 of impact. The county doesn't necessarily agree. The P&Z Commission said this is how we feel  
251 about the areas of impact, they came up with a list of principals of their own, which he was  
252 impressed with. He wrote those down. When people ask about him about areas of impact, he  
253 states this is what our P&Z commission came up with. This is not a policy or ordinance that  
254 been adopted. You don't have to make your decision based on this policy or guideline. But this  
255 is a way what the area of impact is supposed to be based on. We have legacy agreements with the  
256 cities of Ashton and St. Anthony, if we are doing this today and applying these principals, we  
257 might twist their arm and say does all this need to be in their area of impact, or we're not sure we

258 are going to adopt their rules. We have the legacy agreements and they've worked, we don't  
259 necessarily need to change them to fit this guideline, but these principals, you need to look at  
260 them between now and the hearing. They give you good ideas to follow. The area of impact for  
261 the city of Teton, they annexed two different properties. They were not really growing, there is  
262 plenty of land in the city to accommodate to take care of growth. He stated if you can't give us a  
263 reasonable bases for growth then we want it out of the area of impact. They said the same thing  
264 to the city of IP. We need a projection of growth before you come back and talk to us again.  
265 Stepping away from area of impact, if you have questions feel free to email him. He handed out  
266 some graphs. He showed a graph of the residential building permits we have all the way back to  
267 2000. He explained the graphs. The other chart breaks that down building permits. He  
268 explained it. Three months ago, we started lifting off that curve, we are not as busy as 4 years  
269 ago but we are definitely busy.

270

271 Mrs. Schroeder asked where the most residential construction is going on.

272

273 Mr. Cluff stated he hasn't broken that down. He stated 50-70% are in IP. 85-95% of them are  
274 second homes. It is really a challenge for most communities. Most community that has a lot of  
275 absentee ownership usually is a wasteland, it doesn't function as a community at all. IP do it  
276 very well however. He stated he was going to do training but would like to do it when we have  
277 more here.

278

279 The next meeting will be August 7, 2023.

280

281 Mr. Jorgensen asked why we didn't have public hearings tonight.

282

283 Mr. Cluff stated that one of the applicants might not do the public hearing because he might not  
284 do that application at all. It is not ready, he might scrape it. The other one stated he wanted to  
285 do a better job of his application and be better prepared for questions.

286

287 Mrs. Schroeder asked about one of the applicants that didn't have their hearing.

288

289 Mr. Cluff stated the one for the subdivision for employee housing, they followed up on what you  
290 ask and suggested to them, they are really prepared.

291

292 Mr. Jorgensen stated one guy thought he was farther along than he was, he rescheduled it  
293 because of the recording.

294

295 Mr. Cluff stated he didn't understand what needed to be prepared for the public hearing. And  
296 partly because in order to have that hearing today, we would have had to prepare and send out  
297 that notice the very next day. That meeting was the 26<sup>th</sup> and it would have gone to the paper on  
298 the 27<sup>th</sup>. It would have been very difficult. Having it at the next meeting would have been  
299 better. He explained what has to be done to have public hearing and the mailings.

300

301 Mrs. Schroeder stated we have a meeting on August 7<sup>th</sup> and the 21<sup>st</sup>, and September meeting will  
302 be fairly busy.

303

304 Mr. Cluff stated the September meeting will be the 18<sup>th</sup> of September. The 7<sup>th</sup> meeting will be  
305 very busy, the 21<sup>st</sup> will be like tonight, and the September meeting will be fairly busy.

306  
307 Mr. Jorgensen stated there will be two meeting in August.

308  
309 Mr. Cluff stated yes.

310  
311 Mrs. Schroeder stated we are ready for adjournment.

312  
313 **Mr. Lawson made a motion to adjourn.**

314  
315 **Mrs. Marez seconded.**

316  
317 **Motion passed unanimously.**

318  
319  
320  
321 **Dismiss: Meeting adjourned at 6:59 pm.**

322  
323