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3 **PLANNING & ZONING**
4 **COMMISSION MEETING**

5 January 12th, 2017

6 7:00 p.m.

7 Meeting Minutes

8 **Call to order: Vice Chairman Belk**

9 **Roll call: Adm. Hathaway**

10 **Comm. Belk- Present**

Comm.- Moore- Absent

11 **Comm. Bennett- Absent**

Comm.- Treasure- Absent

12 **Comm. Ellsworth- Present**

Comm. Warner- Present

13 **Comm. Chairman Finlayson- Present (telephone)**

Comm. - Open

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15 **Vice Chairman:** Belk will chair the meeting. The meeting was called to order at
16 approximately 7:15 p.m.

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18 **Determination of Quorum-** Following the roll call, **Chairman Belk** declared there was
19 a quorum present and there were no “ex parte” communication or conflicts with the
20 commission.

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22 In addition to the commission members in attendance, **Rigby City Councilmen**
23 **Datwyler, Thomas and Burke** were in attendance. **Jefferson County P & Z**
24 **Administrator Foster, and County P & Z Chairman Michael Clark** also attended the
25 meeting.

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27 **Approval/amendment of the minutes from the November 10th, 2016 meeting.**

28 **Comm. Warner** made a motion to approve the meeting minutes as written, seconded by
29 **Comm. Ellsworth** from the Nov. 10th, 2016 meeting. Vote was unanimous in the
30 affirmative, to accept the minutes as written.

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32 **Chairman Belk:** Reviewed the agenda items for discussion at this meeting.

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34 **Administrator Hathaway** requested that **County Administrator Foster, and County**
35 **P&Z Chairman Clark** be allowed to go first, so they did not have to stay for the entire
36 meeting. They were welcomed to stay, but this was an additional meeting for them.

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38 **Chairman Belk** agreed to adjust the agenda order and to let them go first.

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40 **Adm. Hathaway** thanked them for taking the time to meet with the P & Z Commission
41 and discuss the proposed “Area of Impact Zone” map. Preparatory remarks recounting
42 the work done on the map to this point. **Adm. Hathaway** asked if the county p&z
43 members had been able to review the map. **Adm. Foster** said she had distributed copies
44 to the county p&z commission members, but they had not been able review it in depth, or
45 discuss it yet. **Adm. Hathaway** asked **Adm. Foster** to recount the concerns that some of
46 the county P & Z members had brought up. Some of the concerns were with the size of

47 the ACI map, and whether the city would be able to extend infrastructure to the areas
48 shown on the map.
49 **Comm. Warner** asked then if this should be tabled until next month or March, to go any
50 further with the review. **Chairman Clark** then stood and **Comm. Warner** and
51 **Chairman Clark** discussed the map. Generally, the questions were pertaining to why it
52 was so large of an area, and if the city would be able to provide services to the area when
53 growth occurs. **Comm. Warner** explained why the city was proposing the size and
54 configuration for the map. The reasoning was that the area needed to include areas most
55 likely to grow in the twenty-year life span of the map. There is already significant growth
56 in both the north and south corridors of the map area. **Comm. Warner** also stated that the
57 city had extended infrastructure east and west of the city already. If the county had any
58 other ideas, we were open to them, and if the county had any ability to provide utility
59 (sewer and water) service to the areas proposed in the map area. **Chairman Clark** said
60 they did not, but it was in the interest of both the city and county to have more of a
61 developed look to attract new business. **Comm. Warner** stated that we wanted to be
62 ready to move forward in conjunction with the county, when a company is ready to build
63 and the opportunity arises. **Comm. Clark** felt better after the discussion and that the
64 discussion provided clarification of the proposed map area. A suggestion to provide a
65 copy of our meeting minutes to the County P & Z, for their review was made by **Comm.**
66 **Warner**. They are public documents after being reviewed and accepted. It was also
67 mentioned that it may be a good time for three members of the City P&Z, and the County
68 P&Z to meet and have a discussion like tonight's, at the next County P&Z meeting.
69 **Chairman Clark** thought that would be productive to do and told the commissioners that
70 the next meeting would be on Feb. 2nd, 2017 at 7 p.m. at the Jefferson County
71 Courthouse.

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73 **Councilman Burke** was asked to take a few minutes to discuss what the city is doing to
74 increase the water needed to grow. He also recounted the current grant applications in the
75 works to increase our capacity and provide for future growth. **Comm. Warner** stated that
76 some of the cities in the region are not supportive of growth, but that is not the case for
77 the City of Rigby. He continued and asked if the tax rates would increase for properties
78 added in the impact zone. **Adm. Foster** stated that they would not be affected until the
79 properties were annexed, and, at that time, the tax rate would be based on what the parcel
80 was used for, not the zoning.

81 **Adm. Foster** continued to discuss her perception of the path we needed to take to get the
82 ACI map/ordinance, adopted. The process would be for the city to submit the proposed
83 zoning/ordinance for the county to adopt in those areas of the ACI map. The map would
84 be adopted and the identical ordinances would be developed to be implemented by the
85 city and county jointly. **Adm. Foster** stated that it would be beneficial for the city P & Z
86 members to attend the county P&Z meeting @ 7 p.m. Thursday Feb. 2nd, 2017. Members
87 said that they could make it. **Comm. Warner** said we didn't want to force our
88 attendance, but **Adm. Foster** said it would be good timing, since there was only one other
89 agenda item at this point, for that meeting. Tentative agreement was reached, for the
90 commissions to meet jointly at the Feb. 2nd, 2017 meeting. **Adm. Foster** and **Chairman**
91 **Clark** were thanked for their attendance and contributions to the meeting. They excused
92 themselves at that time, approximately 7:42 p.m.

93
94 The next agenda item was for an update on the city council action on the rezone request
95 for the Crank property on N. 3rd W. One of the Councilmen were asked to update the
96 commission, on the latest action by the city council. **Councilman Datwyler** addressed
97 the commission and stated that there was a procedural question about the sequence of the
98 action taken that resulted in a 4-2 “do pass” vote by the council. The written findings of
99 facts were not submitted for review and ratification when the reconsideration request was
100 acted on. That nullified the action and the vote. The applicant had an opportunity to re-
101 apply for consideration, and **Comm. Datwyler** said they had not received any word from
102 the applicants. **Council President Burke** then added that the request for rehearing and
103 action had been received that day by the city clerk/legal counsel. **Councilman Datwyler**
104 said, that being the case, the issue would come before the council in the next meeting or
105 the one after that. **Comm. Warner** asked if there was anything the P & Z needed to
106 provide to the council for their use at the meeting. **Comm. Datwyler** said not now.
107 **Councilman Burke** added that there were many misconceptions and the time of the last
108 meeting. His impression was that the council made the decision to deny based more on
109 emotion, than based on the facts. Hopefully the upcoming meeting will be more fact
110 based and will provide more clarification on the application, than in past meetings.
111 **Comm. Warner** made a motion for **Adm. Hathaway** to attend the next council meeting
112 when this is discussed. The motion died for lack of a second.

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114 The ACI map was discussed further. Specifically, the “Impact Overlay Map” was
115 discussed. This is the map that will define the growth occurring immediately adjacent to
116 the city limits. **Adm. Hathaway** stated the problems not having the additional “IO” map
117 in place. It is necessary that the overlay area is adopted to control the build out just across
118 the city limit lines. The growth that has taken place to this point has been inconsistent and
119 generally hampers the cities future growth. It is difficult to go into subdivisions, homes,
120 and businesses, that have already built, and compel them to connect to the city
121 infrastructure. This is especially true since some of the subdivisions requested annexation
122 and connection to infrastructure, but were denied by the city at the time they requested.

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124 The best solution to prevent those things from happening again is to provide additional
125 authority to the county, to require connections, etc., on behalf of the city. The logical next
126 step would be for the new developments to request annexation, since hookups/fees are
127 double for nonresident services.

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129 **Adm. Hathaway** requested that the commission members look over the proposed Area
130 of City Impact zone map and indicate their areas that the “Impact Overlay” should
131 encompass. **Comm. Warner** felt that the county already had the authority to require the
132 additional overlay zone members to meet city standards. **Adm. Hathaway** agreed, but
133 that the county would not do it without our development of a plan.

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135 Discussed bringing the maps with their input, for where the impact overlap would
136 encompass. After additional discussion, the commission members agreed to review their
137 maps and **Chairman Belk** asked to add this to next month’s agenda.

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The next P & Z Commission meeting will be held on February 9th, 2017 @ 7 p.m.

The county P & Z meeting will be held on Feb. 2nd, 2017 @ 7 p.m. at the Jefferson County Courthouse.

Chairman Belk motioned to conclude the meeting. Comm. Warner seconded.

Meeting adjourned at approximately 8:12 p.m.

 - Comm. Chairman or Vice-Chairman

 - Attest, Kevin Hathaway- P&Z Administrator

Dated- 3/9/2017