Area of Impact Planning & Zoning Commission Meeting

March 27, 2024

Salmon, ID

The Commission opened the Area of Impact Planning and Zoning meeting at 7:00 p.m.

Those in attendance: County: James Malcolm, Ty Cole, Cody Settles and Jeff Nofsinger

 City: Kristin Foss, Wayne Talmadge, Kristin Hayden and Breann Green,

 County Planning & Zoning Staff: Polly Anderson and Lisa Olson

Members of the commission introduced themselves.

**Consent Agenda**

**James** calls the meeting to order. Asks a motion to be made to amend agenda to add the minutes from February 23, 2022. **Cody** makes the motion to amend the agenda, **Jeff** seconds. All are in favor with a vote of aye**.**

**Stokes Amended Subdivision**

**James** asks for any communications, **Lisa** verifies there aren’t any. **James** explains the procedure of the hearing; presentation by the applicant, written correspondence will be addressed at that time then testimony in favor, testimony uncommitted, testimony opposed and rebuttal by the applicant. After that the hearing is closed and we have up to 35 days to make a decision.

Does anyone have a conflict of interest? **Kristin** and **Cody** both excuse themselves citing conflicts.

My name is **Seth Tonsmeire,** I’m at 3 Goodman Lane. I am proposing to split a lot into 2 parcels in the Stokes Subdivision-asks them to see the plat map provided. I had it surveyed and was considering using city sewer and water. I already have a well and septic on the existing building. I’m building a new building on what is Lot 15b and for that I was hoping to annex into the city and hook up to city water. **James**-How close are you to the city water? **Seth**-It’s right on the highway there so it runs right by the property. My neighbor to the south is already in the city. **James** asks him to go through the Performance Standards. **Seth**-read the whole thing top to bottom? **James**-yes. **Seth**- Amending Stokes Subdivision, developer Wilderness River Properties, LLC Seth Tonsmeire. The proposal is to request an amendment of lot 15 Stokes Subdivision recorded in plat book 2 page 5, November 1962. The amendment will divide lot 15 into lot 15a and 15b. Stokes subdivision lies within Lemhi County in the area of City Impact of Salmon. Chapter 5 Types of Development. Development Defined- Does not apply to this application for the subdivision amendment on a small-scale development. Only 2 lots, not more than 5. This application is for a subdivision amendment not a Special Use Permit. Mixed Use- this is the best category for this application’s use which is a mix of commercial and residential. Neither of the lots will involve a home occupation. Division 2 Development Locations- Subdivision is not located in an airport approach surface, a special flood hazard area, wetlands nor on a slope in excess of 30 degrees. Chapter 6 Performance Standards for All Developments- Current buildings meet the setback requirements. Both lots fall within the lot size requirements. Building heights have met the Building Department’s requirements. There are no questionable soils. There are no slopes in excess of 30%. The subdivision will continue to comply with all State and Federal air quality regulations. The subdivision will continue to comply with all State and Federal water quality regulations. Division 2 Ensuring Adequate Provisions of Facilities.

 Chapter 7 Additional Performance Standards for a Specific Zoning District. Division 1-Subdivision does not lie within the Airport Zoning District. Division 2-Subdivision lies within the Area of City Impact therefore Chapter 8 and Chapter 21 respectively apply which will be addressed in Appendix A. Division 3- The subdivision is not in Elk Bend or Gilmore. Chapter 8 Additional Performance Standards for Specific Use. Division 1 Home Occupations- subdivision does not have a home occupation at this time. Division 2 Short Term Vacation Rentals- neither lot will have a short term or vacation rental at this time. Division 3 Recreational Vehicle Living Quarters- neither lot will have a recreational vehicle living quarters at this time. Division 4- Salvage and Junk Yards- neither of these lots will have a salvage or junkyard. Division 5- Confined Animal Feeding Lots- neither of these lots will have an animal feeding lot. Division 6-Manufactured or Mobile Home Parks- neither of these lots apply. Division 7- Amended Stokes Subdivision will comply with all the standards set forth by Division 7. Both lots are fully developed at this time with electric, power, telephone connections, an existing business on lot 15a and a building in development on lot 15b. Lot 15a is subject to an ingress/egress utility easement for the benefit of lot 15b known as Goodman Lane. No portion of lot 15 lies within a special flood hazard area. Division 8 Buffering, Screening and Landscaping Special Uses does not apply as this is not a Special Use Permit. Division 9 Lighting Standards-subdivision will comply with all lighting standards set forth in this division. Division 10 Off Street Parking and Loading- subdivision will comply with all off-street parking and loading standards. Division 11 Signs- subdivision will comply with all sign standards. Chapter 9 Required Improvements does not apply as the 2 lots are being used in a commercial setting and no major improvements to the site are anticipated currently beyond the existing building permit. Appendix A Developments within the Area of City Impact- Proposed amendments to lot 15 lies in area C-Commercial Zone of the Area of City Impact and the existing proposed activities comply with the activities permitted. Appendix B Design Standards for Roads-No proposed road developments as access is established from Highway 93 North and Goodman Lane. Appendix C Development in the Special Flood Hazard Area- No portion lies within the flood hazard area per FEMA Map panel 1600920540A.

**James**-Anything else you’d like to add? **Seth**- No, I’d be happy to answer any questions.

**Kristin**- I just have a question about annexations in general. Does the property owner bear the cost of bringing the utilities to the property or does the city? **Breann**-To the range of the property line and then after that it’s the owner’s cost. **Wayne**-My only question is you’ve got city services to the front building and will additional services to lot 15b what kind of impact is that going to have on the water/sewer system for the city. I don’t know if the city sewer goes out that far, is it to the adjacent property or does it come out in front of your property? **Seth**-It goes beyond my property. **Breann**-Yeah, it will hook right into the sewer and the water pressure is very high down there. It’s as high as it gets there. **Ty**- what does the easement look like as far as meeting setbacks, issues with the current road and existing building? **Polly**-It’s an existing building and an existing road. Discussion follows on the easement, building and road all being existing so it won’t affect anything. **James**-Any more questions? **Ty**-Yes and this one may be for Polly. In Chapter 8 Performance Standards for Specific Uses-Home Occupation, Vacation Rentals; Is that something that he would have to come and petition to have? **Polly**- He does not as he is in commercial zoning. **James**-Any other questions?

**James**-Any testimony in favor of the application? No one comes forth. Uncommitted to the application?

**Uncommitted**

My name is **Kristin Hayden,** 39 Sleeping Beauty Drive, Salmon, Idaho**.** I helped Seth with this application and the survey for this plat to be a neutral not in favor of or against. Yes, the intent is to ask for an annexation of lot 15b into the city. We have to split the lot to create 15b before we can request annexation. The city boundary runs right along the south of the Stokes subdivision. So, 15b is adjoining city property so that will allow for the annexation request. As we were working on this, we decided a 10 foot water and sewer easement would be beneficial for lot 15b to be along the north boundary. So, when the annexation request is approved then the city will put water and sewer right to the right of way line because that’s where they own. Then it will be the property owner’s responsibility to then take it across to 15a that 436.27 feet to the point where 15b begins and then you would have a water and sewer easement of 10 feet if the annexation request was approved. So, then we would have an easement through there for the water and sewer line. In the process of getting the application approved we do have a letter from Charlie Cockrell that says that the city is able to serve lot 15b with water pressure. I don’t believe that at this time sewer is requested. Both I think are ok. We also have a letter from IDWR for the irrigation entity on Norton ditch stating that they have no problems with this amended subdivision application. **Wayne**- It seems to me that the plat that we have here and the one you sent out Breann is updated and it showed that easement for sewer and water, that ten feet. **Polly**- They could not submit anything seven days prior to the public hearing so we had to rescind that. **Kristin**- That is why I am advising that this should be part of the final plat, the 10 foot water and sewer easement across the north boundary for approval of the annexation request we will already have that in on 15b and we won’t have to do any other recording.

**James**- Any testimony opposed to the application? No one comes forward. No rebuttal. We do have 35 days to respond to this but I think we can get through it tonight. **Close the hearing.**

**James-** Any discussion? **Jeff**-I make a motion to approve the Amended Stokes Subdivision. **Ty** seconds. **James** moves and seconds to approve the application for the Stokes Amended Subdivision. All respond with aye to approve. None opposed.

**No Unfinished Business**

**Jeff** makes a motion to adjourn the meeting. **James** seconds. All in favor signified by saying aye.

Meeting adjourned at 7:23pm

Respectfully, Lisa Olson