Planning & Zoning Commission Meeting

November 15, 2023

Salmon, ID

The Commission opened the regular Planning and Zoning meeting at 7:07 p.m.

Those in attendance were: County: James Malcolm and Jeff Nofsinger

County Planning & Zoning Staff: Chris Horton and Lisa Olson

Members of the commission introduced themselves.

**Consent Agenda**

Approval of minutes from October 18, 2023

A motion was made to approve the minutes of October 18, 2023. All voted aye and the motion carried.

**James** voiced the need to amend the November 15 Agenda, **Jeff** made the motion to amend the agenda to allow Mike England and Teresa Wade to speak. **James** seconded the motion. All voted aye and the motion carried.

**James** asked for any communications, there were none. No Public Hearing

**Unfinished Business**-

**James** states the Concerns over the 60’ Road Easement and invites Mike England to speak.

**Mike England**, 20 Heart E, North Fork, 83466. Mr. England did a lot split with his sister giving her one acre. When the issue of an access came up, they needed a 60’ easement. He brought up the fact that he was a logger and Emergency services driver and was surprised they were requiring this amount on a private lane. When he asked Polly about 60’ easement at the building department no one seemed to know where it came from, done about 10 years ago. The fact that the easement needed to be that wide for Emergency vehicles was brought up which he said was way too excessive. On private ground 30-35 feet is more than sufficient. Mentioned that if there’s a 60’ easement, then setbacks, this doesn’t leave much for a buildable area. Thanked the board members and retired to his seat.

**James** and **Mike** discuss the width of the easement and **James** agrees that if there’s no need for something there’s no use having it. There should be a regulation but there has to be a reason why that regulation is.

**Mike** also states that he spoke to Curt at Road & Bridge and Mike Warner and they all agreed that the width is too much. **James** asks Jeff if he has any questions. **Jeff** brings up the point that public and private could be clarified with different applications of width. **Chris** brings up the fact that the edge of road right of way is for a public road.

**James** invites Teresa Wade up to the podium to speak.

**Teresa Wade** 1538 Hwy 28, Salmon, ID 83467. She and her husband Don are trying to put an easement through a property and are finding the 60’ really infringes on the property because it goes right through the center. Thinks that maybe the 60’ was from way back when the properties were large ranch land and back then this wasn’t a lot. Recently it’s more of an issue because the parcels being created are smaller. This could create issues with being able to build with terrain, setbacks and septic and the 60’ there’s not much left.

**Jeff** talks about modifying the code and putting a definitive on getting code from somewhere else. Around 2000 everyone had to come up with zoning laws so they borrowed or used other counties codes as a template. Every so often we go back and change the code and make it reasonable. We get complaints or concerns over a code and determine how to fix or change it as needed. Jeff then talks about varying widths of roads throughout the county and how some fences are right on the highway.

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**Jeff, James, Lisa and Chris** talk about the procedures that follow. The board discusses the issue at hand then determines the need for a public hearing which is posted in the newspaper two weeks before. After the public hearing it is brought before the Commissioner’s for them to pass.

**James** said they need more information on the matter and will decide at a later date. The differences between public and private roads, with mainly private being addressed.

**Discussion:**

**Chris** researched Fire Code -IFC book which states 26 feet width. He spoke to the Fire Chief, Road and Bridge, Treva from EMS and the Sheriff. The Fire Department knows the most about width requirements for life safety. Road termination is also a factor. Definitions of private and public roads also need to be looked at.

More discussion follows on road widths. **Jeff** asks if there is a minimum road bed for a private road in the code and **Lisa** informs him it is 24 feet. (In table on page 99 of the Development Code).

**Chris** comments that the 60’ easement is a requirement on a plat, but the person is not required to build it to 60’ so why is it on the plat? **Jeff** questions, is it the county’s determination to stipulate the road width on a private road?” **James** responds, yes to some degree because of Emergency vehicles but agrees 60’ is ridiculous. Every situation is going to be different and we need to figure out how to fix the language to address as many as possible.

**Jeff** talks about combining utilities and EMS for easements and varying widths making it more reasonable.

**Chris** mentions using a base model of 30’ as an example and using language that would allow for interpretation of terrain or water obstacles, etc… something that allows for a deviation in those circumstances. **James** agrees this would help because almost every situation will be different. **Jeff** thinks 26’ is plenty. Talks about wide roads with single lane bridges. **James** also mentions the possibility of future development situations. **Jeff** goes on to say as soon as you go into a subdivision the whole process changes and this is just splitting a parcel in two.

**James** wants another meeting to be more specific.

**New Business**-none

Meeting adjourned at 7:56 pm

Respectfully, Lisa Olson

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