

# City of Ashton Minutes Planning and Zoning Commission

**Thursday, September 28, 2023  
7:00 p.m.**

**In Attendance:** John Finley, Rosie Owens, Dallas Hill and Trena Howell

**Also, in attendance:** Administrator Sara Bowersox and Deputy Clerk Jan Warnke

Chairman Hill welcomed everyone and opened the meeting at 7:01 pm

## **1. Approve Minutes from August 17, 2023: ACTION ITEM**

Commissioner Rosie Owens made a motion to approve the minutes as submitted. Commissioner John Finley seconded the motion. The motion passed unanimously.

Each speaker will be allowed a maximum of 3 minutes unless repeat testimony is requested by the P & Z Commission

## **2. Public Hearing for HCZD Code Changes: ACTION ITEM**

Deputy Clerk Warnke was the hearing officer. She explained that the purpose of the hearing was for the Commission to receive public comments and testimony concerning an amendment to the Ashton City Code. Deputy Clerk Warnke asked Administrator Bowersox if the hearing notice had been published. Administrator Bowersox replied that the hearing notice had been published and the proof of publication was given to the commission.

Deputy Clerk Warnke asked the commission if any of them had a conflict of interest. No one did so she asked Administrator Bowersox to present her report on the proposed changes.

Administrator Bowersox explained that while working on updating the Comprehensive Plan she and Commissioner Finley had noticed that the Highway Commercial Zoning District (HCZD) specifically calls out Highway 20. The commission felt that for the future of the city, the code did not need to be that specific. It should refer to highways in general. The administrator has made a proposal to change the HCZD term of Highway 20 to any State or US Highway so that it is broader than just Highway 20. The second change she has proposed is to add a note in the buffers section of the code to indicate that within the HCZD a twenty-foot buffer would be required where a new commercial operation would be built adjacent to a residential property that existed in the HCZD before the zone was created. She explained that they will vote on the proposed changes and if they all agree with the changes then they would recommend to the city council to adopt these changes.

Deputy Clerk Warnke asked if the commission had any questions for the Administrator. Commissioner Hill asked how she arrived with the twenty-foot buffer. The Administrator told him that the twenty-foot buffer is the standard that is already in the City Code. The code has provisions of how the buffers can be mitigated or reduced with fences, berms, and plantings etc. but twenty feet is standard. Hill then asked if any of these changes influence other discussions that they have had on Highway 32 and 47 and the

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Impact Zone. The administrator told him that these changes have no impact on anything that is currently zoned Highway Commercial. There were no other questions from the commission.

No citizens attended the hearing, so the public hearing was closed, and time was turned back over to the commission for discussion. Commissioner Owens liked the proposed changes. Commissioner Finley stated that it was straight forward and right to the point. Chairman Hill asked the commission if they needed more time to discuss or if they were ready to decide on what was presented to them.

**Commissioner Rosie Owens made a motion to recommend to the Ashton City Council to approve the HCZD changes to the code. Commissioner Trenna Howell seconded the motion. The motion passed unanimously.**

The administrator informed the commission that there wasn't enough time to have the CUP published for the October city council meeting so it will have to be placed on the November city council meeting.

### **3. Next Steps for Changes to Impact Area Zone – Sara Bowersox ACTION ITEM**

The Administrator reported that on September 14, 2023, she had an open house to collect input from the people who own property in the area of impact that the commission had been discussing and considering some changes. This was not a formal meeting and there wasn't a quorum at any point. She noticed that three of the commission did attend at separate times at the open house. The administrator asked the commission what their thoughts were after the open house. Commissioner Owens replied that during the time that she was at the open house, the people didn't seem to like the idea of having 500 feet of HCZD along Highway 47 and 32. They wanted a lot less. She also felt that they didn't understand that nothing would change with the property that they owned unless they wanted it changed. Commissioner Howell said that there needed to be a lot more of those types of meetings before there should be any decision on this topic. There was only a small gathering, and she feels that as the property owners speak to their neighbors and friends that there would be a better attendance at a future meeting. Commissioner Hill felt that there was a lot of indecisiveness. Most of them wanted to keep it zoned residential. Commissioner Hill got the impression that some would like to move it to highway commercial. Administrator Bowersox said that the one person, and his contractor, that wanted to put in some storage units didn't come to the open house. There wasn't anyone from the public that came to provide input that liked the idea of the change. Commissioner Hill thought that one person wanted the change, but he was corrected, as it was her son that wanted the change not her.

Given that there is no one asking to put a commercial operation in that area and the commission was just trying to make a long-term change for the benefit and growth of the community, the administrator's opinion is that it is not something that they should pursue at this time. If a property owner from that area wants to do something commercial, then they would have to pursue changing the zoning. As the commission discusses the Comprehensive Plan, which is the vision of what the area may look in fifteen to twenty years, they might want to include the concept that Highway 47 and 32 would be the right place to encourage commercial growth. The commission agreed with the administrator.

**Commissioner Dallas Hill made a motion to postpone further actions regarding changes to the impact area. Commissioner Rosie Owens seconded the motion. The motion passed unanimously.**

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## **4. Administrator's Report – Sara Bowersox**

The administrator informed the commission that the Ashton City Council approved Kirk Teske's Conditional Use Permit for storage units. He is not planning to start the project until next year. He knows that he will have to go through the building permitting process when he is ready to start.

There has been a permit for a covered porch and some permits for fences. There is another Conditional Use Permit Public Hearing at the regularly scheduled Planning and Zoning meeting on October 19, 2023. Because it is a site-specific application, and the commission is sitting in a Quasi-Judicial setting the administrator will send them the information to them the week of October 3<sup>rd</sup>.

The administrator handed out the Planning & Zoning and Annexation booklet that were printed out from the Association of Idaho Cities which shared them since the last meeting.

## **5. Comprehensive Plan Updates**

The administrator asked the commission if they would like her to bring in the information gathered from the town hall meetings that were held a couple of years ago concerning the Comprehensive Plan. The commission wanted to see what had been done and talked about.

Administrator Bowersox explained to the commission that a couple of years ago some people from Idaho Rural Partnership helped with a community review. They had several committees and comprehensive town hall meetings to gather input. The input that was gathered from the community was a good basis for providing information for the Comprehensive Plan. The administrator has three copies of the final report for the commission to look at. Deputy Clerk Warnke took one of the reports and made a copy for each commission member.

The administrator displayed the posters, that were made for the town hall meetings, with parts of the Comp Plan. The commission at that time placed these posters on the walls around the room for the towns people that came to the meetings to read and add their ideas, with sticky notes, to the posters. The commission looked at some of the ideas that were placed on the posters.

Commissioner Howell brought up a concern that she has been hearing about Airbnbs. The administrator said that it could be added to an agenda but that it is bigger than just Planning & Zoning. This is something that has been looked at by the state legislators and cities and counties across the state. The State of Idaho law says that a short-term rental and/or vacation rental is a residential usage and cannot be prohibited in a residential area. They can be regulated but the regulations must be something that can be enforced. One thing that can be enforced is requiring someone that can respond to an issue within a certain time frame. Another way of enforcement could be charging Airbnb's more for sewer usage.

The commission turned their conversation back to the Comp Plan. Commissioner Hill thinks that it may be a challenge to take the ideas that were gathered at the town hall meetings and add the ideas into the Comp Plan. The administrator added that as policy makers, the commission can make sure that the existing policies aren't discouraging businesses. Commissioner Howell asked if there were any grants or help from Urban Renewal, that could help someone bring one of the buildings on Main Street up to code or fix it up. The administrator told her that she believes that grants and Urban Renewal cannot help a private enterprise do something. They can help with things like infrastructure costs.

(Commissioner Owens was not feeling well so she left the meeting).

Administrator Bowersox told the commission that the Comprehensive Plan was a huge project. If the commission feels that they may want some outside help, then they can ask the City Council if that is possible. Commissioner Howell expressed her opinion on her vision for the future. She would like to keep the view of the Tetons. Commissioner Finley wonders how the commission can set something in motion until they know what type of business wants to build in that area. The administrator answered that the Code has a broad range so when someone comes in with a permit application, they need to show what kind of usage it is. Then the Administrator looks through the code to see if it is an allowable usage in that

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zone. The administrator went on to say that there is guidance on how to do a Comp Plan and she will bring that to the next meeting. She feels that it may be a good idea to bring a consultant in to help them. It should be someone that knows the town and area, and not a stranger. The administrator has already done some markup editing to show the changes in the demographics. She would like to figure out how that information can be added to the plan as an appendix so the whole plan doesn't have to be redone. The commission will go through the section that they were assigned and bring their ideas to the next meeting of what they each think needs to be changed.

Chairman Hill likes what has been discussed and would like to discuss more at the next meeting. Then they can work on what is most important and go from there. Commissioner Howell wants to take the information suggested at the town hall meeting and use it where they can.

The meeting was adjourned.

The next Planning & Zoning meeting will be on October 19, 2023, at 7:00 pm.

Minutes respectfully submitted by Deputy Clerk Jan Warnke