

City of Ashton Minutes Planning and Zoning Commission

**Thursday, January 16, 2025
7:00 p.m.**

In Attendance: Danya Liebert, Audrey Tibbitts, Rosie Owens and Trenna Howell.

Also, in Attendance: Administrator Sara Bowersox, Rex Baum, La Dawn Baum, Tom Cluff, Addison Coffelt & Deputy Clerk Jan Warnke

Chairman Owens welcomed everyone and opened the meeting at 7:00 pm. Each commission member introduced themselves.

1. Approve Minutes from October 24, 2024: ACTION ITEM

Commissioner Liebert made a motion to approve the minutes. Commissioner Owens seconded the motion. The motion passed.

2. Administrator's Report – Sara Bowersox

Administrator Bowersox explained that at this time of year permitting is slow. There are no new permits.

3. Public Hearing – Request for Zone Change, 82 N 7th St: ACTION ITEM

Chairman Owens, the hearing officer, began the hearing. The purpose of the hearing is so that the Commission may receive public comments and testimony concerning an amendment to the City of Ashton's official zoning map. The location of the amendment is 82 North Seventh Street, Ashton, Idaho.

Chairman Owens asked Administrator Bowersox if the hearing notice was published. Administrator Bowersox replied yes, the hearing notice was published, and the commission does have proof of the notice and proof of publication in their packets.

Next the chairman asked if any of the commissioners had a conflict of interest? No one had a conflict of interest. The chairman then asked the administrator to give her report on the proposed change. Administrator Bowersox told the commission that the city received this request to do a rezone at the property at 82 North Seventh Street. A few years back, some previous owners had requested a zone change from community core, which is a commercial district, to low density residential so that they could renovate the building and live in it. That all went through the process, and the rezone change was approved. And then subsequently, in the interim, they sold the building. The current owners have used the building as a residence with a home business in it. Then somewhere in that time frame, the City of Ashton passed a new ordinance for the community core district, that said you could have a residence on the back half of a commercial operation, and so the current owners believe that's a better fit for what they want to do with that building, so they have made the request to change the zoning back to community core.

This public hearing is being held today so that you as a commission can recommend to the city council whether to make the zone change or not make the change. The administrator then asked the commission if they had any questions for her and they did not have any.

Chairman Owens stated that since there were no questions for the administrator they would now hear from the applicant, La Dawn Baum.

Mrs. Baum thanked the commission for their service and appreciated their time. She and her husband are requesting a change for the classification of this property from residential to commercial. They lease the property to their daughter, Lynette for her shuttle business, Yellow Sally River Shuttle. They believe that this change is not

City of Ashton Minutes Planning and Zoning Commission

only beneficial to Yellow Sally Shuttle but also aligns with the broader goals of the community. The property is situated within an area that is already designated mostly commercial zoning. Operating the Yellow Sally Shuttle from this location has been very advantageous for the business, and its many employees. There are many employees of different ages that benefit from the income they receive as shuttle drivers. The shuttle business provides a vital transportation for fishermen, for the guide shops and other airport shuttles. They shuttle from Bozeman, West Yellowstone, Jackson Hole and Idaho Falls. Anybody who needs a shuttle, they're ready. The Yellow Sally River Shuttle encourages community interaction and tourism.

Changing the properties classification would create a more cohesive and functional commercial area. It's a quiet little business by operating a shuttle service. It helps promote sustainable tourism practices, and it reduces the environment and impact of travel to and from the river. Lynette estimates fishermen would be driving twice as many vehicles on the local roads to travel from the takeout back to where they put in upstream. Twelve people can fit in her vans. So, when it's really, heavy, the vans will move 12 vehicles per stop. My daughter's business operates in a manner that respects the needs and concerns of the residents. She wants it to look nice, she wants it to be respectable. She wants it to help as many people as she can. She's helping them, they're helping her, and I don't think it really affects any of the residents to the north. We just thought it'd be best to have it back into its proper form. Thank you.

Chairman Owens thanked Mrs. Baum and asked the commissioners if they had any questions for Mrs. Baum. Commissioner Hill asked, "I just wanted to know a little bit more about what's motivating the change. If you've received any notices to cease and desist doing business, or if you've received complaints from neighbors that you're conducting business in a residential zone. Is there going to be a renovation of the building, or some sort of other thing that would require the zone change?"

Mrs. Baum answered by telling the commission that Lynette is going to eventually buy the location for a business, because she outgrew her place on the farm, because she has so many vehicles and vans etc. The business is so busy that Mrs. Baum didn't think there would be anything else going on there. There was a lot of damage to the apartment caused by two floods, so we had no choice but to repair the damage in the back part of the building that was caused from spring runoff. We weren't told there was damage when we bought it, but we found out when the monsoon rain came a couple of years ago.

Commissioner Hill asked if there was anyone dwelling on the property?

Mrs. Baum stated that there was no one living there at this time because they had been working on it trying to get it back into some sort of shape.

There were no other questions from the commission and no one from the public had signed up to testify.

Chairman Owens asked the commission if they had any questions for the administrator. Commissioner Hill asked if the administrator is for or against the zone change. The administrator did not give a specific recommendation. However, since the city code community core zone was changed to allow residential usage on the ground floor, in the back half of buildings, this is a more logical zone for this operation than a residential zone with a home business.

Commissioner Hill had a question about if the chairman had asked if any of the commission had a conflict of interest? The chairman answered that yes, she had already asked that question.

Commissioner Hill asked if he may address that he might have a potential issue. He went on to say that there were two things he wanted to disclose. He was on the planning & zoning board when they originally changed the zone from Commercial to Residential. He stated that it will not bias his decision, he just wanted to disclose it for the record. The second item that he brought up was that he has had previous business dealings with the Baums as clients, doing some real estate on other properties that are not related to this one. He stated that he does not have a conflict of interest, and it would not affect his ability to decide. He just wanted to disclose that he has had them as clients in the past, so if anyone has a challenge with him voting, he will recuse himself, and he said that it will not affect his ability to make a decision.

Chairman Owens closed the public hearing and asked the commission for discussion. She informed the commission that they may offer changes to the proposal as the administrator presented it, but a decision is not required, although the chairman thought a decision could be made at that meeting. The commission didn't feel that they needed to discuss what was presented.

City of Ashton Minutes Planning and Zoning Commission

Commissioner Owens made a motion to recommend to the City Council to approve the proposed amendment to the City of Ashton official zoning map at 87 N 7th St. Commissioner Tibbitts seconded the motion. Chairman Owens called for a roll call vote. The motion passed unanimously.

4. Comprehensive Plan Meet with Great West Engineering (GWE)- Addison Cosselt

Addison Coffelt from Great West Idaho, introduces the preliminary draft of the city's comprehensive plan and explains the importance of public input and the need for a future land use map and designations. She then discusses the layout of the plan, including the required planning elements and the comprehensive plan framework. Ms. Coffelt asks for input on the logo and any images that represent Ashton, such as the Tetons or silos. She also requests information on community events and any photos from those events that could be included in the document.

Commissioners Liebert and Hill provide information on community events like the American Dog Derby, Spirit of Christmas, and Mesa Falls Marathon. Ms. Coffelt discusses the urban renewal area and the importance of explaining its benefits to the community and suggests including information on how community members can use the urban renewal program. Ms. Coffelt asks for preferences on calling the community objectives, actions or strategies. The commissioners were divided on the terms. Ms. Coffelt reviews with the commission the comprehensive plan chapters, including land use, housing, community design, economic development, and recreation. She then stresses the importance of the future land use map and designations for the plan. Ms. Coffelt asks for community input on the environmental chapter, including natural resources and Mesa Falls. Next the commission reviews the services and infrastructure chapter, including communications, transportation, and public facilities. Ms. Coffelt goes over the implementation chapter and the importance of prioritizing actions. Ms. Coffelt explains the proposed layout for the implementation chapter, including numbered actions, responsible parties, and priority levels. Ms. Coffelt suggests, if the commission felt the need, including a caveat in the narrative to address the dynamic nature of priorities. She then asks for final approval to proceed with the proposed layout and prioritization of implementation actions. The commission agrees to the proposed approach, emphasizing the need for flexibility and responsiveness to changing circumstances. Ms. Coffelt outlines the draft schedule, including an open house in March or April, and suggests piggybacking on community events to increase public engagement. The commission discuss various community events like the Operetta and Distinguished Young Woman, which could be used to gather public input. Some ideas were setting up a booth at community events to collect feedback. They could also consider other forums to reach a broader audience, including the Dog Derby weekend. The commission raised a logistics question about how to handle public input and it was suggested that the feedback could be scanned and reviewed as a commission. The use of social media, such as Facebook, was mentioned to share information and gather input. Ms. Coffelt mentions the importance of incorporating historical pictures from the museum and archives into the document. Administrator Bowersox reiterates the need for regular meetings with the county to ensure clear communication and agreement on growth areas.

5. Area of Impact Area Discussion

The Fremont County Planning and Building Administrator, Tom Cluff, explained the need for the county to pass new Area of Impact Ordinances for every city by the end of the year, emphasizing the importance of justifying growth projections. He highlighted the need for cities to provide a solid basis for their growth projections, including the number of houses and the reasons for growth. The commission brought up the potential for growth to the west, given the expected extension of Highway 20. They also discuss the financial implications of growth, including the need for infrastructure improvements and the potential for developers to fund these. Mr. Cluff notes the historical issues with the area of impact statute and the need for clear justifications for growth projections.

He then explains the new law's requirements for area of impact ordinances and the importance of providing a reasonable basis for growth projections. They then discussed the need to match county zones with the city's growth plans and the potential for creating new county zones if necessary. Mr. Cluff advises the city to work on

City of Ashton Minutes Planning and Zoning Commission

gathering data and justifications for their growth projections over the next few weeks. One commissioner asked about the flexibility of the area of impact line, and Mr. Cluff confirms that it can be adjusted to make sense for the city's future growth. The commission mentions the importance of aligning the area of impact with transportation projects, such as the expected extension of Highway 20. It was suggested that a table should be prepared to match county zones with the city's growth plans.

- **Schedule next Meeting**

The next meeting will be held on February 20, 2025

Minutes respectfully submitted by Deputy Clerk Jan Warnke