Planning & Zoning

Agenda

January 17, 2024 6:30 p.m.

1. Meeting called to order -

2. Minutes –

3. Old Business -
   Meet with the City to discuss the Area of Impact

   Work on Zoning Maps

   Work on Zoning Ordinances

4. New Business -

5. Board Member Report -

6. Meeting Adjourned -

Planning & Zoning
Minutes
January 17, 2024 – 7:00 p.m.

Attendees: Randy Purser, Scotty Allen, Mike Hansen, Matt Nelson, Hayes Jensen and Jody Harrington.

Guest: Mayor Grady Parsons, Danny McCurdy, Maribell Calahan, Ben Tessmer, Tony Chisham, Amanda Darland, Bobbie Reece, Tim Snyder, Lindsey Snyder and Rebecca Lange

The meeting was called to order by Randy Purser at 7:01 p.m.

There were no minutes from our October, November, or December board meetings as we have not been able to have a quorum. Therefore, our last Board meeting was in September. Minutes from September were approved by Mike Hansen and second by Matt Nelson, everyone was in favor of minutes.

This board meeting consisted of meeting with members from the City of Arco. We met to discuss the Area of Impact as we had not met for over 14 months.

Mayor Parsons brought in a large blown-up map of the Area of Impact that we had last discussed. It matches the map that we have in the planning and Zoning office. He stated that the City wanted to make sure that we agreed on the map that we both had copies of and see where we needed to go from here.

We had discussed in a later meeting that there was some land that Planning and Zoning discussed removing because there is not a lot of water out in that area.

Ben stated that they wanted to get this project put to bed. They have their comprehensive plan done and there is an addendum, based on the passing of the map and the Planning and Zoning Board, we could go to the commissioners, and the City would do to the commissioners. We would all then meet with the commissioners and sign the agreement between the County and City for the Area of Impact, having it be for approximately 20 years.

Ben made it very clear that this would not be in stone for 20 years. The City made it very clear that they want to be able to meet with the Planning and Zoning Board often, to make adjustments as needed so that we will remain on the same page for the growth of our County. We would be able to discuss how things are growing in the county and how things are growing in the city.

It was mentioned that this map was the one that we, the Planning and Zoning Board, and the City of Arco had come up with together. Nothing has changed since May of 2023. Ben stated that he had Kurt Hibbert add some lines and adjust some of the boundaries as they were BLM property. Ben also stated that he had Eric Smith, the map designer, add some addresses of roads and streets so that it was easier to understand.

Ben clarified some areas that we were unsure of, and they were land that was owned by Dean Moncur, and also BLM land that could never be part of the Area of Impact. It was established that the Area of Impact would end right in the area of Danny Siler's property. There was already a boundary line of property that was the stopping point heading toward Butte City.

Ben asked if we had read the actual agreement that would be signed between the City and the County concerning what they want to do. I did not have a copy of the contract present, but do have a copy and it is actually a new ordinance that will be signed between both the County and the City. It will be available at the next meeting on the 6th of February, 2024.

This contract is supposed to state that the City and the County will meet to decide on any building that will take place in the County that is in the Area of Impact This way both sides are in agreement on the plans and how they will work within the Area of Impact. This meeting would be between the County and the City, The Commissioners have the opportunity to be present as well if they want to be a part of the meeting. It would consist of approximately 9 members, (9 members are currently in the contract, this can be adjusted if we cannot get 9 people). The "decision-making board/review board" would consist of either 4 or 5 City Planning and Zoning members and 4 or 5 County Planning and Zoning members, as well as a couple of people who are in the Area of

Impact, to make these decisions. This would provide the opportunity to decide if someone on the "decision-making board/review board" is in disagreement with the decision. This contract also will cover what we would require for subdivisions. This contract will only cover Planning and Zoning and building ordinances. This contract will also include a copy of the Area of Impact map once it is finalized.

It was mentioned that this felt like Deja Vue, as it feels like we have been here before.

Ben mentioned that they are ready to get this done and put it to bed so that we can move on to the next part and start updating ordinances. They are wanting to change the City's subdivision ordinance, as well as their building ordinances. They would like to be able to come up with a set of ordinances that would benefit both the City and the County so that we are not butting heads in the future and that we can all be on the same page.

We realistically are at a spot in this process where we need to agree on the map and the new contract. If there are changes that need to be made then we want to get them done as soon as possible.

We would need to have a Public Hearing, which could be a joint hearing with both the City Council and the County Planning and Zoning present. We would then have to deliberate separately, as two different entities. Any additional or necessary adjustments would be made and then the County would present it to the County Commissioners, and then the City would meet with the County Commissioners. The County Commissioners would have the final say with the Area of Impact map as well as the Ordinances.

We are at a point, where we need to discuss this with the rest of the Planning and Zoning Board, so we have scheduled another meeting for the 6th of February, 2024 at 6:30 p.m. This meeting will be to discuss the Area of Impact Map and also go over the contract, to see if we are all in agreement. Jody will reach out to all the Board Members and let them know that this next meeting will be a very important meeting to attend.

The Planning and Zoning board did discuss, having Jody send the contract to the board members via email. Comments or questions, could be posted there to end up with a paper trail, but after more discussion, we did not want to violate the Open Meeting laws. Jody will attach the contract to these minutes and send them out via email, for everyone to look over and come up with their questions and comments, and have those questions and comments ready for discussion at the next meeting on the 6th of February.

We did discuss a possible date for a Public Hearing, for the Area of Impact, and will finalize that date, after our next meeting with the City on the 21st of February. Jody will try to get a map made up that does not show any color so that the City limits are clearly defined, as well as the Area of Impact.

The concern was brought up that there may be people in the proposed Area of Impact that want to know why they have to be part of the Area of Impact. This will be one of many questions that will be asked at the Public Hearing. We need to make sure that we have the answers, for all of the possible questions that will be brought up at the Public Hearing.

Jody mentioned a concern for part of the property that is in the Area of Impact. With the turnout from our KOA/100 homes Public Hearing, several people made it clear that they did not want more building, therefore I see pushback for including this area in the Area of Impact, not to mention that there is already an issue with a lack of water.

It was mentioned that we need to educate the Public on the WHY for the Area of Impact. The WHAT and the WHY will need to be made clear to the Public. We need to make sure that we keep in mind that we are listening to the Public and not just making decisions on what WE want to do and not considering their input. We need to make sure that the Public knows that if they are in the County, they will still be able to come to Planning and Zoning and obtain a permit, but with a developer, we need to be on the same page so that they know what we are all about and they cannot come in and do whatever they want to do.

People in the Area of Impact will still get their permits from Planning and Zoning, and we will be in agreement with the City, so that 20 years down the road, the City does not have to go in and make major changes for it to become part of the City later in the future.

It was clarified that at the Public Hearing, both the County Planning and Zoning board and the City Council/Planning and Zoning Board would all be upfront, and it was mentioned that Randy would conduct the meeting. The City agreed that it would be an honor to have Randy conduct the Public Hearing.

The concern for electricity was briefly mentioned as Lost River Electric Co-Op covers the County and Rocky Mountain Power covers the city. It will be a concern when the Area of Impact is annexed into the City, but Lost River Electric and Rocky Mountain Power will have to make those changes.

After the City left the meeting, we decided that we would work on zoning maps at our next meeting, as well as update the ordinances. Jody has not had time to update the ordinances with the different changes that have been discussed in the past due to being busy in the office, and with working for the County Clerk.

We discussed how to educate the Public. It was mentioned to have a presentation ready to go, that would be like 10 minutes long. It was mentioned to maybe have an opportunity for the County to answer questions, as well as have the City answer questions as well as explain the benefits for what is going on, and why. Our goals need to be the same. We want to avoid what happened with the KOA/100 houses Public Hearing, as there were quite a few concerns that the Public did not feel were addressed. We need to be prepared for the changes that will eventually come this way. The property owner right now, may or may not be around when the Area of Impact is annexed into the City, and this way we are prepared for what will happen in the future.

We discussed having the Public Hearing in a different location other than the Business Center Conference room so that we can accommodate a larger crowd. This will give us plenty of space for the two boards, as well as giving the Public room, instead of

standing in the hall and not being able to hear. The High School was a suggestion.

We discussed the different codes that are required in the Area of Impact. Having the Codes available for the Public to see during the presentation was suggested. We will have the map available for the Public Hearing notice, as this will allow the Public to attend versus, not having a map, and then the Public does not feel like we are keeping any information from them. It will be in the paper as well as on the County website. We also discussed that the presentation needed to include the reasoning behind a "decision-making board/review board" that would be meeting in the future to make decisions regarding the building that would be done.

We discussed the "decision-making board, or review board" to be 3 board members that live in the Area of Impact as well as 3 members from the City that are in the Area of Impact, not the City limits, to be on that board as a default, in case we are not able to put together a board of other members of the Public.

Motion to adjourn by Scotty and Hayes second it, The Meeting adjourned at 8:03 p.m.