

**MINUTES OF A SPECIAL MEETING
OF THE CAREY PLANNING AND ZONING
COMMISSION CAREY, IDAHO**

March 4, 2024

COMMITTEE MEMBERS IN ATTENDANCE: Adam Lichuk, Landon Knowles, and John Crowder

CITY STAFF IN ATTENDANCE: Kurt Eldredge, Brandi Hennefer, Tess Cenarrusa, Gunner Thompson, Schuyler Thompson

- 1) **CALL TO ORDER:** Meeting was called to order at 7:02 p.m. by Adam Lichuk.
- 2) **PLEDGE OF ALLEGIANCE:** Led by Chairman Adam Lichuk.
- 3) Adam made a motion to amend the agenda to add a short presentation by the mayor after the approval of the minutes. Landon Knowles 2nd. Passed
- 4) **APPROVE CONSENT AGENDA ITEMS:**
 - a. Minutes of December 11, 2023, regular meeting & January 3, 2024, regular meeting Adam Lichuk made a motion to approve and Landon Knowles 2nd. Passed
 - b. Mayor Mecham short presentation about the combined meeting the Commission and Council had in January. The council have discussed the direction they would like to go, and they are sitting down this month and talking about a vision they would like to have for the City of Carey. Then we want to take a step back and talk about what we want to be when we grow up. She wants the commission to start becoming familiar with the comp plan and they will be hiring someone to help the city through this process. She directed the commission to not change meeting schedules unless they absolutely must and if there is an application then you need to try and finish the process with that application and not set an adjournment time and end if not finished with the application. Then Council would just like to Thank the commission for there hard work.
 - c. Set time of adjournment:
Adam Lichuk made a motion to have the meeting adjourn no later than 10:00 p.m., Landon Knowles 2nd motion. Passed
- 5) **New Business:**
 - a) Swear in Jesse Saili by Mayor Mecham
 - b) Vote for New Commission Chair and Vice Chair – Jesse nominated Adam Lichuk to be Chairman and John Crowder 2nd. Passed. John Crowder nominated Landon Knowles as Vice Chairman and Adam Lichuk 2nd. Passed

- c) Hill Subdivision Final Plat: Ashlee (Contract Planner) presented application: In December this Preliminary plat went in front of the commission and there was a public hearing at that time and P&Z recommended approval for the 3- lot subdivision. It then went to the City Council and the City Council supported the recommendation that P&Z made so it was approved.

After that the applicants updated the plat to meet the conditions of approval then submitted for final plat approval. So, this is the last and second step of the review. I put together the findings for approval and how it complies with code criteria and how it complies with the preliminary plat. She said she did make a few conditions that she is recommending on the Final plat with a few amendments just on the plat notes and signature block. She recommended a motion on the second page of the staff report to amend the owners certificate to replace the statement that water will be provided by the City's water distribution system and instead state that water will be provided by individual wells, including a signature block for the P&Z Commission, and including a space for the City Council meeting date to be referenced with the signature.

If the applicant has anything. They said those conditions are fine with them and they sent those conditions to their engineer to make those amendments.

John Crowder made a motion to approve the Hill View Estates with these Conditions: amend the owners certificate to replace the statement that water will be provided by the City's water distribution system and instead state that water will be provided by individual wells, including a signature block for the P&Z Commission, and including a space for the City Council meeting date to be referenced with the signature. Adam Lichuk 2nd. Passed

5. Public Hearing: Blaine Tingey – Short Plat - The Purpose of the hearing is to consider a 3-lot on a 69.13-acre parcel in the A/RL- Agricultural/Residential Low Zone. The subject property is parcel #RPC1S210273940 and located at 227 Foothill Rd Carey, ID 83320. Applicant Blaine Tingey and owner.

- a. Adam explained the Procedure for Public Hearing.
- b. Brandi presented the Tingey Short Plat – This is a 3- lot sub located in AR/L with the smallest lot being 1.35 acres. There haven't been any written comments sent to me. They have talked to Kurt about hooking up to water and their sewer will be a septic. There is a recommendation I had for the staff report to be added or changed on the plat. I talked to the Tingey's about these things, and I have also talked to their engineer. These conditions are:
 1. The Plat note is added for the nuisance waiver reading: "Every owner of each lot within this subdivision hereby acknowledges that said real property is located within a zoning district in which agricultural uses and activities are permitted and every such owner hereby waives any and all claims for nuisance against lawfully established and operating agricultural uses and activities.
 2. Include a plat note: They will need to make the easement a private drive with a name for address and add a plat note stating: "Private Drive - The purchaser and/or owner of

this lot or parcels understand and agrees that the private road construction, maintenance, and snow removal shall be the obligation of the owner, his successors in interest or homeowner's association and the city is in no way obligated to accept, maintain, or improve this road until the road is brought up to City standards, dedicated and accepted by the city. Each owner shall notify in writing any successor in interest of these facts. (Name of Private Drive) is hereby irrevocably offered for dedication to the City of Carey, Idaho for a public street to access adjoining real property. In future, the City may accept in its sole discretion this dedication by recordation of a resolution of the Carey City Council accepting this offer of dedication.

3. Access easement should be 60' to conform with City Street standards.

4. Add easement for west canal and locate river channel with easement added.

5. Also add plat note for floodplain including the floodplain platted along the river channel.

Adam gave the applicant time to comment on these conditions and they said no, and they understood what needs to be done and are fine with those things.

No Public Comment was made.

Public Hearing closed.

Brandi made the comment on the Conditions she had they needed a easement on the river channel and she found out that wasn't needed. They just needed to identify the Floodplain and Floodway along with the river channel. Landon asked if that was going to be the same issue as before with the easement and I explained there isn't a easement it is just the Floodplain and Floodway. Then Adam, Landon, John discussed if that was the same issue as they discussed before with the easement on the river channel and I said no the river channel isn't currently on the plat so I am just asking that they locate the river channel and mark the Floodway and Floodplain then the easement is along the west canal that is along the edge of there property and it is a 50ft easement – 25ft from the center out on both sides.

Then Adam asked the reasoning of the 60ft roadway and Gunner said it is what the street standard in Carey is, so we are just trying to keep them uniform. It also gives us space to plow the streets in the winter.

They asked the applicant if they had a name for the private drive. The private drive will be named Tingey Lane.

John Crowder made a motion to approve the plat with the conditions:

1. The Plat note is added for the nuisance waiver reading: "Every owner of each lot within this subdivision hereby acknowledges that said real property is located within a zoning district in which agricultural uses and activities are permitted and every such owner hereby waives any and all claims for nuisance against lawfully established and operating agricultural uses and activities.

2. Include a plat note: They will need to make the easement a private drive with a name for address and add a plat note stating: "Private Drive - The purchaser and/or owner of this lot or parcels understand and agrees that the private road construction, maintenance, and snow removal shall be the obligation of the owner, his successors in interest or homeowner's association and the city is in no way obligated to accept, maintain, or improve this road until the road is brought up to City standards, dedicated and accepted by the city. Each owner shall notify in writing any successor in interest of these facts.

(Name of Private Drive) is hereby irrevocably offered for dedication to the City of Carey, Idaho for a public street to access adjoining real property. In future, the City may accept in its sole discretion this dedication by recordation of a resolution of the Carey City Council accepting this offer of dedication.

3. Access easement should be 60' to conform with City Street standards.

4. Add easement for west canal 50' - 25' out from center line on each side.

5. Also add plat note for floodplain including the floodplain platted along the river

John Crowder made the motion to approve and Adam 2nd. Passed

6. Discussion: Business License

Adam mentioned this is just a discussion and not open for public comment.

Brandi gave a brief presentation: This was brought up in our combined City Council/P&Z meeting in January, so we wanted to start the discussion. I have attached other city ordinances I have found from other cities around us that were willing to share their ordinances and application and their stories of why and why not. City of St. Anthony told me they had some door-to-door sales that tried to press enter a home and this is one thing that got them to put a business license into place. Their business license ordinance is simple and cheap. I have also attached Hailey's, Bellevue's, and St. Anthony. You can always look on the city websites and find most of the applications and ordinances. They all have different costs depending on the city. It would just be something we would have to decide what we want in the ordinance and the cost.

Adam said it would be good to know what businesses are in town and what they offer but I think we need to keep it affordable. Landon said we need to discuss what businesses would be affected by this. Brandi explained in St. Anthony's it is pretty much 20.00 for all businesses, Food truck is 75.00 and door to door sale is 250.00 plus background check. Adam asked the next step. I said we would kind of draft up an ordinance and start with one then add or take out what you don't want and figure out the fee then have the attorney look at it then send it on to city council. It could take as many meetings as we want. So, Landon and John said we need to review what is in the ordinance and what we do and don't want. Landon said we need to review the inspection and make sure we word it correctly. They were questioning the types of fees and what they are. I told them I could ask St. Anthony what that means because I am not sure just looking at this. They mentioned there is a 100.00 fine if you're not in compliance and Landon mentioned that's hard to enforce. I said anything in our ordinance that doesn't have compliance will have a fee and we are working towards getting enforcement for that. Landon asked if someone was forcing into a household, would this really fix that issue. Brandi mentioned St. Anthony hasn't had as many issues since and that this one, dogs and those types of ordinances all fall under health and safety, and we just must decide which ones we want as a city. Landon then asked is this something we currently need or why. Then they started talking about who would be responsible for a business license on like farmers markets and Landon said that the ones that participate in the farmers market are covered by the business that put on the farmers markets. Then what do you do with businesses moving in and out of the city. Would there be a time frame if someone comes into the city for how soon they need to get licensed.

Landon asked why in past meetings we talked about matrix, tiny homes, etc. Brandi mentioned we need to redo the comp plan before we start back through our zoning ordinance and Tess said that your comp plan might change what they were doing and that we are getting public input on that so things might change. Depending on the vision. Tess mentioned adding on a future agenda item with things they want to talk about.

7. NEXT MEETING SCHEDULE:

a. April 1, 2024

6. ADJOURNMENT.

Adam Lichuk made a motion to adjourn, Landon 2nd. Passed
Meeting was adjourned at 8:05p.m.

Adam Lichuk-Chairman

ATTEST:

Brandi Hennefer City P&Z/City Administrator