



CITY OF BLACKFOOT
PLANNING & ZONING
Meeting Minutes
157 N Broadway Street, Blackfoot
February 28, 2023

Meeting called to order:

The meeting of the Planning and Zoning Commission of the City of Blackfoot was called to order at 7:00 PM on February 28, 2023, at the City of Blackfoot Council Chambers by Chairperson Deborah Barlow. This meeting was also made available to the public for viewing by way of the Zoom application.

Pledge of Allegiance

Commissioner Roll Call:

Those present: Chairperson Deborah Barlow, Commissioners Curtis Cannon, Butch Cornell, Merv Dolan, JoAnne Thomas,

Absent: Commissioner Scott Stufflebeam

City of Blackfoot Staff Present:

Garrett Sandow, City Attorney, Julie Conan, Planning & Zoning Administrator and Misty Myler, Planning & Zoning Secretary

Approval of the January 24, 2023 and February 16, 2023, Meeting Minutes:

Commissioner Cornell moved to approve the January 24, 2023 meeting minutes with the addition and the February 16, 2023 meeting minutes. Commissioner Thomas moved to second the motion and the minutes were approved.

Consent Agenda:

All of the commissioners had been provided with the Finding of Facts prior to the meeting for review. Commissioner Cornell moved to accept the consent agenda apart from agenda item B. Commissioner Cannon seconded the motion. The vote was unanimous. Motion passed.

Regarding Agenda Item B under the Consent Agenda:

Attorney Sandow explained that this is not a revote but simply a clarification of the vote on January 24, 2023 for the Zone Change from LDR1 to LDR2 – RP1322703 Wootton Way requested by Jon Gregory:

Commissioner Cannon: Recused

Commissioner Cornell: No

Commissioner Dolan: No

Commissioner Stufflebeam: Yes

Commissioner Thomas: Yes

Tiebreaking vote by Chairperson Barlow: Yes

The vote was 3 to 2. Motion passed.

Commissioner Thomas moves to approve the Finding of Facts for the Zone Change from LDR1 to LDR2. Commissioner Cornell seconded the motion. The vote was unanimous. Motion passed.

Report on Conflicts of Interest/Ex parte of Communication:

There was none to report.

Public Hearing - Action Items:

a) Conditional Use Permit for Home Occupation Blacksmithing Business – 286 Rice St – Brandon Steele:

Brandon Steele, applicant, of 286 Rice Street joined the meeting via Zoom. He presented the business intention is to make small blacksmith items. He will not be using large noisy machinery and only mineral oils and beeswax. Commissioner Cornell asked about noise during business hours. Brandon Steele stated he intends to only work within normal business hours, no later than 8:00 PM.

Chairperson Barlow inquired about the disposal of the mineral oil and beeswax. Mr. Steele said an inert floor drying formula is used for the oil disposal and then the oil is transported to the Pocatello landfill where such chemicals are accepted. The beeswax is only used for finish work to polish the metal. Chairperson Barlow asked about the flammability of mineral oil. Mr. Steele confirmed that there is a minor oil flash when the hot metal enters the oil but it is not explosive. Chairperson Barlow questioned how the safety of oil flash is handled. Brandon Steele stated he has a fire extinguisher, a bucket of water, and a bucket of sand at the ready for safety.

Planning and Zoning Administrator, Julie Conan, presented the Public Works staff report.

Chairperson Barlow opened the hearing to the public at 7:18 PM.

Testimony in favor of: None

Neutral: None

Opposition: None

Chairperson Barlow closed the hearing to the public at 7:18 PM.

There was minimal deliberation. Commissioner Dolan asked if Brandon Steele was intending to use larger machinery in the future. Branson Steele said that he has no intention to do so in this space, he will use nothing more than a hammer he can lift by himself.

Commissioner Dolan moved to approve the Conditional Use Permit. Commissioner Thomas seconded the motion.

Commissioner Cannon: Yes

Commissioner Cornell: Yes

Commissioner Dolan: Yes

Commissioner Thomas: Yes

The vote was unanimous. Motioned passed.

b) Residential Zoning Code Adoption:

Chairperson Barlow explained that the codes changes being adopted had been thoroughly reviewed during the Work Meeting on February 14, 2023.

Chairperson Barlow opened the hearing to the public at 7:27 PM.

Testimony in favor of: None

Neutral: None

Opposition: None

Chairperson Barlow closed the hearing to the public at 7:27 PM.

There was minimal deliberation. Commissioner Thomas asked how the “no roosters” portion of the code is followed up on. Attorney Sandow confirmed that it is a complaint based follow up through the police department. There was discussion of a “chicken at large” regulation.

Commissioner Cannon moved to approve the Residential Zoning Code Adoption including the Amended Schedule of Residential Dimensional Standards Table and the Animal Rights Amendment for Domestic Hen Chickens within City Limits. Commissioner Thomas seconded the motion.

Commissioner Cannon: Yes
Commissioner Cornell: Yes
Commissioner Dolan: Yes
Commissioner Thomas: Yes

The vote was unanimous. Motioned passed.

c) Conditional Use Permit for 4-Plex in MDR1 Zone – RP1273005/Wilson Ave. – Don Bricker:

Planning and Zoning Administrator, Julie Conan, presented the staff report. There was discussion and questions from the commissioners about the “nearby” zoning mentioned in the staff report. A zoning map was displayed to see the surrounding zones.

Don Bricker, applicant, of 80 N 740 W approached the podium and described his proposed project. Chairperson Barlow inquired about the existing ditch and the sidewalk running across the Wilson side of the property. Don Bricker is anticipating a culvert being installed. Commissioner Dolan asked if he had spoken to the ditch company. Mr. Bricker had not spoken to them at this time. Commissioner Thomas asked about the property at 410 S. Meridian that he had begun in 2020. Don Bricker explained that COVID had put a halt to that project but he was intending to complete it. Commissioner Dolan inquired how he intended to maintain the property and snow storage. Mr. Bricker will be hiring a company to move the snow. Commissioner Cornell inquired about the number of parking spaces. Don Bricker confirmed there are 2 spaces per unit plus two additional spaces including an ADA required space. Commissioner Thomas asked about the spaces per unit. Don Bricker restated that there are two spaces per unit, a visitor space, and an ADA space. Commissioner Dolan asked about additional visitor parking and if the tenants can use the parking area for anything else. Mr. Bricker stated that the parking spaces are only for standard vehicles for tenants not for storage of other items. Attorney Sandow confirmed city code only requires two parking spaces per unit.

Chairperson Barlow opened the hearing to the public at 7:56 PM.

Testimony in favor of: None

Neutral:

Cara Fitzgerald, 900 Pendlebury Lane, expressed concern regarding additional parking, the single parking lot entrance and exit, and the snow removal.

Opposition: None

Chairperson Barlow mentioned the two letters received in opposition that had been provided to the commissioners.

Don Bricker rebuttal:

He addressed the snow removal and the irrigation ditch previously discussed. The green space will be a groomed lawn with irrigation. The property will be managed by a management company or himself.

Chairperson Barlow closed the hearing to the public at 8:09 PM.

Commissioner Thomas expressed concern for the designated garbage area. Don Bricker pointed out the garbage area on the site map. Commissioner Thomas asked about a green space for kids. Mr. Bricker pointed out the areas on the site map. Commissioner Thomas asked about fencing the development. Don Bricker had not thought about fencing but stated it could be an option. Commissioner Thomas expressed that she is not satisfied with the parking spaces allotted.

Chairperson Barlow voice her concern about storm water. Don Bricker will use some of the green space in the front of the property as a retention basin with an opening for water to pass from the parking lot to the retention area and the parking lot will be sloped for drainage.

Commissioner Dolan asked if emergency vehicles could access the dwelling. Julie Conan, Planning and Zoning Administrator, said that concern was addressed in the staff report created from the site plan meeting. Commissioner Dolan inquired about the ditch again and suggested the applicant contact the ditch company as soon as possible.

Commissioner Cannon moved to approve the Conditional Use Permit for 4-Plex in MDR1 Zone. Commissioner Cornell seconded the motion.

Commissioner Cannon: Yes

Commissioner Cornell: Yes

Commissioner Dolan: No

Commissioner Thomas: No

Tiebreaking vote by Chairperson Barlow: No

The vote was 3 to 2. Motioned failed.

d) Finding of Facts - Conditional Use Permit for 4-Plex in MDR1 Zone – RP1273005/Wilson Ave. – Don Bricker:

The Finding of Facts for the Conditional Use Permit will be place on public hearing agenda on March 28, 2023.

Administrative Report - City Happenings:

Planning and Zoning Administrator, Julie Conan, approached the podium for this final report.

She states that Pony Express has begun construction.

The representative from Maverik is scheduled to attend the next site plan meeting for discussion of site plans and building plans.

The engineer has sent all the information out for bids for the permanent chlorination of our water treatment and there is a pre-bid conference for that on March 1, 2023.

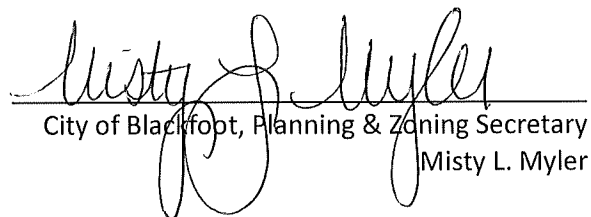
The contractor for the RV dump station over by the Parks and Rec. Department is on site and ready to go. He is just waiting on the weather.

The Street Department is working hard on the potholes. This is the worst year ever on record for potholes.

Chairperson Barlow requested that the commercial parking code be reviewed at a future Planning and Zoning Work Meeting. There was discussion about clarifying the parameters the commissioners use to determine their decision and doing some training at the March Planning and Zoning Work Meeting for the commissioners.

The commissioners discussed nuances in the code.

A motion to adjourn the meeting was made by Commissioner Cornell and seconded by Commissioner Thomas. The meeting was adjourned at 8:53 PM.


City of Blackfoot, Planning & Zoning Secretary
Misty L. Myler