

## **BANNOCK COUNTY PLANNING AND DEVELOPMENT COUNCIL**

**APPROVED** MEETING MINUTES | June 19, 2024

**BANNOCK COUNTY STAFF PRESENT:** Hal Jensen, Planning Director; Alisse Foster, Subdivision Planner; Marj Williams, Management Assistant; Kiel Burmester, Road and Bridge.

Stewart Ward calls the meeting to order.

### **A. ROLL CALL AND DISCLOSURE OF CONFLICTS OF INTEREST:**

Present Council Members: Edward Ulrich discloses that he had a conversation with Mr. Vincent but it won't affect the application. Chad Selleneit, Stewart Ward, David Evans.

Excused/Absent Council Members: Barbara Hill.

### **B. PRELIMINARY BUSINESS:**

- a. Jensen introduces new Planning and Zoning employees: Annie Hughes Williams, Zoning Planner, and Danny Crystal, Building Inspector.
- b. AGENDA CLARIFICATION AND APPROVAL – Jensen recommends approval. Evans makes a motion to approve the Agenda as written. Selleneit seconds. Motion passes unanimously by acclamation.

### **C. APPROVAL OF MINUTES:**

Ward asks for a motion to approve minutes from January 17, 2024. Ulrich moves to approve the minutes as drafted. Evans seconds.

Motion passes unanimously by acclamation.

### **D. PUBLIC HEARING ITEMS:**

None.

## **E. BUSINESS ITEMS:**

4. VARIANCE EXTENSION REQUEST: LOT SIZE AND REAR YARD SETBACKS – Jonathan Vincent requests a variance extension for parcel number RPR4013005704, in accordance with procedures and standards established in the Zoning Ordinance.

Jensen, Staff, notes the finding required for a variance extension and says that if it was not filed with them prior to the expiration, it would not be presented to Council for approval of extension.

Ward proceeds on to discussion and review of the findings.

1. The proposal was filed with the Planning and Development Council prior to the expiration date of the original variance. The variance expired May 15, 2024 and the Applicant applied on May 13, 2024.

Selleneit makes a motion, based on the record and the discussion this evening, to approve the request for variance extension for Jonathan Vincent, as described in the application of materials, as supplemented with the additional information attached in the staff report, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

Ulrich seconds.

Roll call. Ulrich – yes. Selleneit – yes. Ward – yes. Evans – yes. Motion carries 4-0.

5. PRELIMINARY PLAT APPROVAL: WE THE PEOPLE ESTATES – Jose Nava, 1290 Mountain West Drive, requests preliminary plat approval for tax parcel RPR4471005406, in accordance with procedures and standards established in the Subdivision and Zoning Ordinances.

Ward asks the Applicant if they have concerns with the three recommended conditions.

1. Nava thought the restriction was for developable parcels that are going to be built on and didn't think it would apply. Ward notes that if the definition or use of open space changes in the future ordinance, it's clear as of today that it's restricted.
2. Ward asks where the name Devils Creek Road came from. Nava thinks he pulled it from Google Earth, so it will be changed to Old Malad Hwy.
3. Nava asks if the access easement needs to go back to Lot 3. Ulrich confirms.

Nava received an email from Zack Hill (Downey/Swan Lake Highway District) saying he would prefer two accesses. Jensen says that recommendation was made to comply with ordinance as opposed to the highway district. The subdivision ordinance says all lots will be served from an interior road.

Selleneit asks who the open space will be deeded to. Nava says it's part of the subdivision and it's a lot that can be farmed on, etc, but not developed. Ulrich says once it's deed restricted and the deed is labeled as restricted, it can't be built on at all.

Ward proceeds on to discussion and review of the findings.

1. The Preliminary Plat is in conformance with the Bannock County Planning and Development Council's approved Concept Plan, all applicable provisions of the Bannock County Subdivision Ordinance, other County Codes and Ordinances, and Idaho Code. This is an open space subdivision and has not changed from the concept plan. It meets the requirements for density and the open space requirements of the subdivision ordinance.
2. The street plan for the proposed subdivision will permit its development in accordance with the Bannock County Subdivision Ordinance. There is no street plan. Lots will be accessed off of Old Malad Hwy, Old US Hwy Route 191 with a shared access easement.
3. The street plan for the proposed subdivision will permit the development of adjoining land by providing access to that land by right of way dedicated to the County, or a developed street to the property boundary. Access to all adjoining land will come off of Old Malad Hwy, Old US Hwy Route 191. There is no street plan because of that reason, so therefore no access is being restricted. There is no street plan because it's an open space subdivision with two buildable lots and an already state-owned highway.
4. Lot lines and roads relate to land shapes and existing development. It's flat ground, lots are centered in the property, and there is no adjoining development.

Evans makes a motion, based on the record and the discussion this evening, to approve the request for the Preliminary Plat of WE THE PEOPLE ESTATES, as described in the application of materials, as supplemented with the additional information attached in the staff report, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair with the following conditions:

1. Plat shall state the "R" is restricted to preserve natural drainage/wetlands and depicted in the legend.
2. Road name shall be updated to Old Malad Hwy, Old US Highway Route 191, unless documentation is provided showing Devils Creek Road as the county approved name.
3. A note shall be placed on the plat stating that access for lot 3 is restricted to the shared access easement.

Selleneit seconds.

Roll call. Ulrich – yes. Selleneit – yes. Ward – yes. Evans – yes. Motion carries 4-0.

**F: ITEMS OF INTEREST:**

- a) Update on recommendations to Commissioners – None.
- b) Discussion of upcoming hearing items
  - i. There will be a right-of-way variance, a driveway variance, and a subdivision concept plan for three lots in Lava.
- c) Announcements – None.

**G. CITIZEN COMMENTS:**

None.

**H: WORK SESSION:**

None.

Meeting is adjourned.

The public meeting was held in the Planning and Development Conference Room, 5500 S 5<sup>th</sup> Ave, Pocatello, ID 83204. Due to limited seating in the conference room, the meeting was also available via web-conference and telephone.

Respectfully Submitted,

*Marjorie Williams*

Marjorie Williams  
Management Assistant