

## BANNOCK COUNTY PLANNING AND DEVELOPMENT COUNCIL

**APPROVED** MEETING MINUTES | October 16, 2024

**BANNOCK COUNTY STAFF PRESENT:** Tristan Bourquin, Assistant Planning Director; Annie Hughes Williams, Zoning Planner; Marj Williams, Management Assistant; and Kiel Burmester, Road and Bridge Director.

Stewart Ward calls the meeting to order at 5:15 p.m.

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

Present Council Members: Stewart Ward will recuse himself from Agenda Items #4 and #5.

Molly Dimick and Krystal Madsen.

Excused/Absent Council Members: Chad Selleneit and Edward Ulrich.

### **2. PRELIMINARY BUSINESS:**

#### AGENDA CLARIFICATION AND APPROVAL

Tristan Bourquin, Assistant Planning Director, for our agenda tonight, because Ward needs to recuse himself from two items, we have a quorum with Ward. We have two options, after talking to legal counsel, the way the bylaws are written, you can move forward with a recusal as long as you start the meeting with a quorum, which you have, if you two feel comfortable moving forward knowing it is your second meeting. The other option is to postpone those two items until the November 20 meeting.

Dimick makes a motion to postpone Agenda Item #4 to November 20 meeting and moving forward with Agenda Item #5 and #6 as outlined. Madsen seconds. All in favor.

### **3. APPROVAL OF MINUTES**

Approval of Minutes for May 15, 2024. Dimick makes a motion to approve minutes as presented. Madsen seconds.

### **4. PUBLIC HEARING ITEM: TRANSFER OF DEVELOPMENT RIGHTS**

Postponed until November 20, 2024.

### **5. PUBLIC HEARING ITEM: SUBDIVISION CONCEPT PLAN – TURKEY HOLLOW SUBDIVISION**

Madsen makes a motion to open public hearing. Dimick seconds.

Stewart Ward, with Dioptra, 4880 Clover Dell, Chubbuck, ID 83202 representing the owner, Brett Robinson. Brett proposes to adjust the lot line as the lot line goes straight North between what is currently Lots 6 & 7 of Coyote Hollow Subdivision, phase one. He wants to adjust that line between those two lots further to the East to give himself more room between some other improvements. He has a well pretty close to the line, given more improvements, and taking more of the open space that is already designated. It is essentially a lot line adjustment, but based on ordinance, lot line adjustments, within a platted subdivision, have to go through the replat process. We are proposing to use the current fire suppression tank, which is down the road to the West that was installed as part of Coyote Hollow Subdivision and we are not changing any of the currently designated open space.

Ward – Any Questions? No questions.

Tristan Bourquin, Assistant Planner Director, as Ward stated this is pretty straight forward. This is a lot line adjustment between two existing subdivision lots.

Dimick asks if anyone is in favor? None.

Dimick asks if anyone is neutral? None.

Dimick asks if anyone is against? None.

Dimick proceeds on to discussion and review of the findings.

1. The proposed tentative **is** in conformance with the Bannock County Comprehensive Plan; **is** in conformance with applicable provisions of this Ordinance, other County Ordinances, and Idaho Code.

Since this is in an existing subdivision and all densities and open spaces will still be met for this proposal, this meets all applicable ordinances. Objective 1.1, 1.4 and 1.5 of the Comprehensive Plan are also met.

2. The proposed roads and bridges **are** designed and constructed according to Section 402 of the Subdivision Ordinance. A design deviation **was not** requested and **was not** granted to equal or exceed these standards for its purpose.

There are no new roads being constructed as part of this development since this is in an existing subdivision and all roads have already been constructed according to Section 402 of the Subdivision Ordinance.

3. The proposed partitioning of land **does not** prohibit the extension of dedicated streets or roads.

This is an existing subdivision and the lots are already facing a public road.

4. The proposed partitioning **will not** conflict with legally established easements or access within or adjacent to the proposed land partition.  
There are no established easements that are conflicting with this proposal.
5. The blocks of lots **are** located and laid out to properly relate to adjoining or nearby lot or parcel lines, utilities, streets, or other existing or planned facilities.  
Due to no change of the lots facing an existing road, these lots are located and laid out properly.
6. The proposed property **is** physically suitable for the type and proposed density of development and **does** conform to existing zone standards.  
There are no deviations from the open space ordinance and there is no deviation to the original density of the development.

## CONDITIONS

With the following conditions of approval:

1. Depict all current and proposed easements and rights-of-way located within the subdivision, on all subsequent plats, including measurements and instrument numbers (when available).
2. 15' utility easement shall be labeled as 15' Public Utility Easement.
3. All subsequent plats shall state "Development on individual lots is restricted by Bannock County Subdivision Ordinance 1997-4, §405 and §409."
4. All subsequent plats shall state "Open Space is within individual lots as separate lots and is deed restricted from further development per Bannock County Subdivision Ordinance 1997-4, §401.C.3.b."
5. All subsequent plats shall state "All stormwater generated on individual lots shall be retained on site per Bannock County Zoning Ordinance 1998-1, §495 and Bannock County Subdivision Ordinance 1997-4, §410."
6. All subsequent plats shall state "Driveways shall be built to meet standards of Bannock County Zoning Ordinance 1998-1, §475.13 and Bannock County Subdivision Ordinance 1997-4, §402.B."

Madsen makes a motion to approve. Dimick seconds.

Roll call. Dimick – yes. Madsen – yes.

Motion to approve passes 2-0.

Dimick closes public hearing at 5:39 p.m.

## 6. BUSINESS ITEMS: PRELIMINARY PLAT APPROVAL – PURSER ACRES SUBDIVISION

Matt Baker requests preliminary plat approval for tax parcel RPR4227002007 in accordance with procedures and standards established in the Subdivision and Zoning Ordinances.

Matt Baker, Sunrise Engineering, 600 E. Oak Street.

Ward, “I know in the concept we talked about adding a cul-de-sac at the north end of parcel two, but now there is a condition to remove that requirement. What can you tell me about that?”

Matt Baker, “I talked with Kiel from Road & Bridge and Alisse Foster, Subdivision Planner and they indicated that per ordinance that was not necessary and it is in their report.”

Tristan Bourquin, Assistant Planner Director, you have had the preliminary plat and staff report in front of you for the last week. There was the cul-de-sac on there, after discussions with Kiel, Alisse, and Hal, we determined that was a requirement that did not need to be there due to sloping. Based on the terrain, it did not make sense to require it to be where it was.

Ward, “it is kind of what I assumed, but I wanted to make sure that I understood.”

Ward, “any questions or comments?” None.

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. There are no changes from the preliminary plat and the concept plan. Apart from the condition of the cul-de-sac, all other conditions have been met.
2. The street plan for the proposed subdivision **will** permit its development in accordance with the Bannock County Subdivision Ordinance. No streets are being dedicated to the public and the easement has given ability for future access and development.
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.

No streets are being dedicated to the county, but there is an existing easement for future access and development.

4. Lot lines and roads **do** relate to land shapes and existing development.

Based on the terrain and topography, the lot lines are laid out accordingly, and are similar to the existing development to the north.

#### CONDITIONS

1. Asphalt approach from Pheasant Drive to be installed by developer at final plat.
2. Remove condition #4 from Concept approval: A cul-de-sac shall be placed within the north end of lot 2 to meet the Highway Standards and Roadway Development Procedures of Bannock County.
3. Road Maintenance Agreement shall be recorded and the instrument number referenced on final plat.
4. Slope analysis shall be completed to determine slope grades and provided at final plat.

Madsen makes a motion to approve. Dimick seconds.

Roll call. Ward – yes. Dimick – yes. Madsen – yes.

Motion to approve passes 3-0.

#### 7. ITEMS OF INTEREST

Tristan Bourquin, Assistant Planning Director, upcoming hearing, we have two in November and none for December. We have one on November 6 and that will have two items. There is an ordinance that we are required to have for our MS4 permitting for stormwater. Conditional use permit for a gravel pit. This will be in the commissioner's chambers.

#### 8. CITIZEN COMMENTS

NONE.

#### 9. MEETING ADJOURNED

The public meeting was held in the Planning and Development Conference Room, 5500 S. 5<sup>th</sup> Avenue, Pocatello, ID 83204.

Respectfully Submitted,

*Marjorie Williams*

Marjorie Williams

Management Assistant

