

PLANNING AND ZONING MEETING APRIL 8, 2009 6:30 P.M. AT THE
COMMUNITY CENTER

PRESENT: Chairman Bruce Case, members; Adrian Beazer, Roy Hobbs, Brad Bateman.

ABSENT: Jared Wight.

VISITORS: None.

Chairman Case welcomed everyone and led the Pledge of Allegiance.

Minutes. Last months minutes were reviewed. P/Z member Beazer made a motion to approve the minutes; P/Z member Hobbs seconded the motion. All were in favor, minutes approved.

Windmills. Chairman Case said he searched online for an example of a windmill ordinance that was not part of a cell tower ordinance and could not find one. Chairman Case said the information he did find regarding windmill use stated that they were not allowed on less than ½ acre due to the fact that most windmills were 65 to 85 feet in height and the windmill had a setback requirement of ½ the distance of its height. P/Z member Hobbs said Bonneville County had a 60 foot height limit. Chairman Case said noise did not seem to be a factor due to improved blade design. P/Z member Bateman said due to the cost of the windmill, it appeared that they would not pay for themselves for many years. P/Z member Hobbs said the knew someone that had a windmill with a battery backup and the electric meter would run backwards which gave the homeowner one or two months of free electricity each year. P/Z member Beazer said it seemed that in order for the windmill to be cost effective, the windmill would need to be fairly large in size. Chairman Case said if the windmill met the height and setback requirements without the use of guy wires for stability, or the windmill was a small roof mounted turbine, then he was not against the use. P/Z member Beazer mentioned setback requirements from power lines. Chairman Case said he did not want to make a decision yet and would like to continue to gather more information. The P/Z members made a list of possible requirements for windmill use and issues to research for discussion at the next meeting. The issues are as follows:

- Height limits
- Lot size
- Setback requirements
- Power line safety
- Permit
- Engineering plans
- Inspection
- Abandonment of windmill use

Dahl Buttars. Dahl Buttars had been invited to discuss possible living quarters for her elderly mother, but did not show up for the meeting. Chairman Case said Ms. Buttars had contacted him asking if she could build a shop on the back of her property that included

livable quarters for her elderly mother. Ms. Buttars said her house had stairs and her mother could not negotiate the stairs. Chairman Case advised her that she could not build separate living quarters on her property for her mother because her property was zoned R-1. Chairman Case told her she could build an addition to her home for her mother and that would be acceptable, but she could not rent the space to anyone else. Clerk Keyes said someone else had called a few months ago asking if they could do the same thing except they did not want a shop only a small studio apartment. Chairman Case said the issue would probably present itself again in the future and perhaps the commission could discuss eldercare.

Right-of-Way regulations. Clerk Keyes said Council member Gubler requested that Planning and Zoning discuss the possibility of right-of-way regulations for future use. P/Z member Hobbs said that he understood the right-of way did not belong to the City and any agreement would be with the utilities companies. Clerk Keyes explained that the concern and question was; can any company that wanted to run a cable through our City just do it? And what about reimbursement of cost for any damages such as water lines. The commission said they will research the subject and discuss it at the next meeting. Chairman Case asked Clerk Keyes to ask the City attorney about reimbursement procedures for such issues.

Chickens in residential areas. Clerk Keyes said that several people had inquired about keeping chickens in their back yard for person consumption of the eggs. The current code did not allow any fowl. Chairman Case said he would not like to live next door to chickens. P/Z member Bateman agreed that chickens could be messy. The commission is not in favor of allowing chickens in residential areas.

Recognize citizens from the floor. Chief Basaraba came in and discussed the property on 50th that was temporarily storing vehicles on their property, which was zoned R1. Chief Basaraba said he could either ask the people to permanently remove the vehicles or suggested they obtain a conditional use permit. Chief Basaraba said a conditional use permit would give the City leverage for enforcement. Chairman Case agreed that a conditional use permit was a good idea. Chairman Case looked up the definition of a home based business in the code book. P/Z member Bateman asked how long the people had lived at the property and had been storing cars there, and was it before the code was written. P/Z member Bateman said if they were there before the code was written weren't they protected under the grandfather clause. Given the current information, it appeared the people had been in the home and transporting vehicles before the code was written. Chief Basaraba said he would do more research on the issue.

Farmers market. Clerk Keyes said a woman had called asking if she could hold a farmers market in the parking lot at the City building on Saturdays during June, and possibly the entire summer. The commission was in favor of the idea and suggested charging a small fee for each vendor. Clerk Keyes said she would call the person back and get more information.

Chairman Case entertained a motion to adjourn. P/Z member Bateman made a motion to adjourn. P/Z member Hobbs seconded the motion. All were in favor. Adjourned 8:15 p.m.