

PLANNING AND ZONING COMMISSION MAY 13, 2009 6:30 P.M. AT THE
COMMUNITY CENTER

PRESENT: Chairman Bruce Case, Members; Roy Hobbs, Adrian Beazer, City Clerk
Robyn Keyes, Chief Basaraba

ABSENT: Jared Wight, Brad Bateman

VISITORS: Paul Meng, Lara Meng, Michael Taylor, Jade Taylor, Misty Taylor, Heidi
Knighton, Jerry Coon, Doug Hansen, Jeremy Cutts, Stacy Cutts, Larry Call, Terry Call,
Julia Hansen, Allen Hansen.

Chairman Case welcomed everyone and led with the Pledge of Allegiance.

Minutes. The minutes from last month were reviewed. P/Z member Hobbs made a
motion to approve the minutes. P/Z member Beazer seconded the motion. All were in
favor, motion carried. Minutes approved.

Public Hearing 7:00 p.m. backyard chickens. See appendix A

Public Hearing 7:50 p.m. Call conditional use permit. See appendix B

Windmill issue. Tom Stears from Switchback Energy attended the meeting to help
answer questions regarding windmill construction and placement upon properties.

P/Z member Beazer asked if the windmills needed to be at least 100' tall in order to be
effective. Mr. Stears said new technology has allowed 35' residential windmills to be
effective for the homeowner. Mr. Stears said Bonneville County will allow a 35'
windmill provided it is in the center of the property so if it falls, it will not fall across the
property line. P/Z member Hobbs said the information he received did not recommend
installing a windmill on less than ½ acre. Mr. Stear said some windmills are designed to
go next to a house attached to a foundation similar to a light pole.

Chairman Case said he is having difficulty finding code information regarding windmills.
Mr. Stears said the national electrical code article number 690 has valuable code
information.

Chairman Case asked about ice buildup on the blades. Mr. Stears said the blades are
designed to slough off any buildup of ice.

Chairman Case asked how long the life span of a windmill typically is, Mr. Stears said
they function well for about 20 years then they begin to require some maintenance.

Chairman Case said he is concerned about abandonment of the windmills. Mr. Stears said
some areas have a stipulation that if the windmills are not in use for three years, they
must be torn down.

P/Z member Beazer asked how the roof mount turbines were attached. Mr. Stears said
they go 4 or 5 feet into the attic and attach to a joist.

Chairman Case asked Mr. Stears if he knew why Idaho Falls would not allow windmills,
Mr. Stears said he did not know.

Mr. Stears suggested that the City install a windmill on the well pump on the hill to help with the cost of electricity up there.

Chairman Case thanked Mr. Stears for his time.

P/Z member Hobbs said he had conducted some research with another company and received the same information as Mr. Stears gave.

Chairman Case asked if the commission wanted to move forward and allow windmills, or continue to not allow them. P/Z members Beazer and Hobbs agreed they should be allowed with limitations. P/Z member Beazer suggested that the lot size dictate the tower size. Chairman Case asked P/Z members Hobbs and Beazer to begin drafting ideas for an ordinance for the next P/Z meeting. They said they would. The issues to address are as follows; limitations on lot size and tower size, inspections, and issues allowing towers next to a house.

Public right of way. The commission discussed the issues of public right of way regulations and use. They determined that the issue was not a land use issue and they were unclear as to what the council wanted them to do.

P/Z member Beazer made a motion to adjourn. P/Z member Hobbs seconded the motion. All were in favor.

Adjourned 9:30

Appendix A

Public hearing 7:00 p.m. backyard chickens.

PRESENT: Chairman Bruce Case, Members; Roy Hobbs, Adrian Beazer, City Clerk Robyn Keyes, Chief Basaraba

ABSENT: Jared Wight, Brad Bateman

VISITORS: Paul Meng, Lara Meng, Michael Taylor, Jade Taylor, Misty Taylor, Heidi Knighton, Jerry Coon, Doug Hansen, Jeremy Cutts, Stacy Cutts, Larry Call, Terry Call, Julia Hansen, Allen Hansen.

P/Z chairman Case welcomed everyone and went over the procedures for a public hearing. Chairman Case explained that currently, chickens were not allowed in R-1 zoned areas of Iona, and read the code for R-1 areas regarding farm animals. Chairman Case also explained that the reason there was a hearing was because several homeowners that had chickens would like the code changed to allow chickens in R-1 zones. Chairman Case invited anyone in favor of having chickens in R-1 zones to speak. Michael Taylor said he was in favor of having chickens, and upon asking his neighbors, no one minded that he had chickens. Mr. Taylor said the chickens were a good responsibility for his children. Chairman Case asked Mr. Taylor how long he had lived in his house he said 2 years, and he did not know that chickens were not allowed.

Heidi Knighton said she was in favor of having chickens, and she did not know they were not allowed either. Chairman Case asked Mrs. Knighton how long she has live in her house and had chickens. Mrs. Knighton said she has lived in her house for about 6 years and has have chickens for the last 4 years. Chairman Case asked if her chickens were enclosed. Mrs. Knighton said they were, and she had not received any complaints from her neighbors about her chickens.

Jerry Coon said he was in favor of having chickens. Mr. Coon said he has had chickens on and off for 20 years and asked when the code had changed. Chairman Case said there was not a code for chickens until 1998. Mr. Coon listed some of the benefits of having chickens such as; they eat bugs, provide good fertilizer for your yard, and they provide fresh eggs. Mr. Coon said that chickens could be controlled, where as dogs and cats run around the neighborhood, and chickens produce less waste than dogs. Chairman Case said he almost ran over some chickens in the road on the corner of Denning and Main Street.

Doug Hansen said he was in favor of having chickens and at one time he had up to 100 chickens and no one complained. Mr. Hansen said he would like the code changed to allow a few chickens.

Allen Hansen said he was in favor of having chickens and said if the pens are kept clean, and there is a limit to the amount of chickens per house, chickens are a good to have.

Jade Taylor said she enjoys raising chickens and is in favor of allowing chickens.

Jeremy Cutts said he bought his house with almost 2 acres so he could have a few farm animals and there was already a chicken coop on his property when he bought it.

Julia Hansen said she has 2 acres and was told when she bought the land it was grandfathered in for farm animals. Chairman Case said the grandfather clause does not attach itself to a property. In other words, it is not a right that can be transferred. Ms. Hansen said she does not have chickens, but is in favor of having chickens.

Chairman Case asked if anyone that was neutral would like to speak. Paul Meng said he was against allowing chickens in residential areas. Mr. Meng said the chickens are only for the benefit of the people that have them. Mr. Meng said that chickens decrease property value, and that chickens do smell when the areas are not kept clean, and can spread disease. Mr. Meng said Iona does not have an animal control officer and asked who would enforce the regulations.

Michael Taylor said chickens kept in confinement can acquire diseases and free range chickens are safer.

Chairman Case said the City received one letter in favor of the chickens and one letter not in favor of the chickens. Chairman Case said there were approximately 500 homes in Iona and the City would like to do what was best for the majority of the community. Chairman Case agreed that enforcement was a big issue and asked for Chief Basaraba's input.

Chief Basaraba said he is steadily making progress with many code issues and violations. The chief agreed that enforcement would be difficult and the county animal control officer did not cover fulltime in Iona.

Chairman Case asked the audience for suggestions about ways to find out what the majority of the community wanted.

Mr. Coon suggested a survey with the water bill. Someone suggested going door to door to solicit opinions. Chairman Case asked if the people in the audience would be willing to do that. They said they would. Chairman Case said they needed to solicit Iona residents only, and get one signature per house with a name and address. The group said they would organize themselves after the meeting.

Chairman Case said that a decision and recommendation would not be made until more information is gathered.

Public Hearing Closed 7:49 p.m.

Appendix B

Public hearing 7:50 Larry and Terry Call conditional use permit.

PRESENT: Chairman Bruce Case, Members; Roy Hobbs, Adrian Beazer, City Clerk Robyn Keyes, Chief Basaraba

ABSENT: Jared Wight, Brad Bateman

VISITORS: none

Chairman Case welcomed everyone and asked Larry and Terry Call if they were familiar with public hearing procedures. They said they were.

Chairman Case asked the men to explain their request. Mr. Call said they wanted to temporarily store vehicles to be taken to the salvage yard, and they wanted to perform light automobile repair.

Chairman Case asked how many cars they wanted to store and for how long. Mr. Call said they would store not more than 15 cars at a time for not more than 15 days at a time. Mr. Call said they had to schedule an appointment to take the vehicles to the salvage yard, and that it was more cost effective to move them all on the same day.

Chairman Case asked what type of repairs they wanted to do. Mr. Call said they would only repair automobiles and they would operate between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday. Mr. Call said they would not store cars outside the shop and the door to the shop would be closed. Mr. Call said they were environmentally conscientious and disposed of oil and parts appropriately.

Chairman Case said that one neighbor had sent in a letter in favor of their request. The neighbor said they kept their property well maintained and were friendly people.

P/Z member Hobbs asked what restrictions the City should put on the permit. Chairman Case read the restriction listed in the code book for home based businesses, and the Call's said they would comply with the restrictions. Chairman Case asked if they were willing to fence in the area. They said they were, and asked to revisit the variance on the fence they wanted to install last summer. Chairman Case said he would have the Public Works Supervisor look at the area in question.

P/Z member Hobbs made a motion to approve the conditional use permit with the conditions that there are no more than 15 cars stored at a time for no longer than 15 days

at a time, and they will operate the engine repair from 9:00 a.m. to 5:00 p.m. Monday through Friday.

P/Z member Beazer seconded the motion.

Hearing Closed 8:20 p.m.