



Planning & Zoning Commission  
30 North Main Street  
Paris, Idaho 83261  
Phone: 435-946-2198

**PLANNING & ZONING MEETING**  
**October 18, 2023**  
**Paris Courthouse Commissioner's Room**  
**PARIS, ID.**

ATTENDANCE: CHAIRMAN ALBERT JOHNSON  
KRISTY CRANE -VICE CHAIRMAN  
SEAN BARTSCHI  
DEVIN BOEHME  
TODD TRANSTRUM  
PATRICK REESE  
ERIC BOMSTA  
MITCH POULSEN, ADMINISTRATOR  
WAYNE DAVIDSON, SECRETARY

Chairman Johnson welcomes everyone at 7:10pm in the courtroom because of the size of the crowd was too large for the commissioner's room.  
Pledge of allegiance was led by Chairman Albert Johnson.

- **Motion to approve the agenda** is made with item #4 eliminated by Devin Boehme, seconded by Patrick Reese, all in favor.
- **Motion to go into hearing for the David Longfellow conditional use permit** is made by Eric Bomsta, seconded by Kristy Crane, all in favor.

David Longfellow is asking for a conditional use permit. He wants to put up a storage unit 135' x 45'. Has other storage units there now. Questions by the board. Part of the property is in the city limits. This meets the ordinances.

- **Motion to go out of David Longfellow hearing** is made by Kristy Crane, second by Todd Boehme all in favor.
- **Motion to accept the David Longfellow Conditional Use Permit application** is made by Todd Transtrum, seconded by Devin Boehme, all in favor.

Jacob and Devin Skinner final plat on Lower Bern Rd. Devin explains what they did to complete the preliminary plat. He talked to DEQ, they work on best practices Why was he asked to have 300 from the river in the previous meeting? The ordinance is 20 feet for a house? They plated 40 feet and thought that would be enough. Septic system questions, they think they have enough room for them, the health department has cleared them and had an engineer approve. They have enough room. Question, has everything they needed been addressed? County can assign addresses to the lots. Reads the list of things required by P & Z, there are 7

## Page 2- Planning & Zoning October 18, 2023

requirements most are done. Board would approve contingent on the list being fulfilled. Board will allow the setback to be 40 feet from creek/river.

- **Motion to approve the Jacob & Devin Skinner final plat** contingent on the board finding the reason they first required a 300 ft setback from the river. If there is not a reason the motion stands approved by Kristy Crane, seconded by Eric Bomsta, all in favor.

Chairman Johnson explains in a hearing we want to hear real information about why they have feelings about the subject in hand. Keep the emotions out of it.

- **Motion to go into hearing for the Short-Term Rental Ordinance** is made by Sean Bartschi, seconded by Devin Boehme all in favor.

### Who is in favor of the STR ordinance?

Kyle Sullivan, resident in Paris, sees the problems in the cities, not against STRs but would like rules to help regulate. Burden on cities, sewer and water stresses the systems. In favor of property rights but needs rules.

Dallas Keetch in favor of ordinance wants some restrictions on them. The rental property increases the number of people around. STR people picked up his dog. Wants the distance from the STR for phone number to be more than 150 feet, 150 feet not a lot of space in the county.

Stacey Transtrum past winter, large rentals near them, what kinds of provisions are there in an emergency, heat, etc?

Alan Michaelson in the city they have an ordinance, thinks the county should have something. Mitch has someone on zoom Dave agrees regulations are needed, growing fast, increases property values. Not opposed but needed.

The board has received many letters and has considered them.

### Those not in favor of the ordinance

Loyal Hulme representing a large group of subdivisions and homeowners. Opposed to the proposed ordinance but thinks they can do it better. Thinks the proposed ordinance is not legal. Look at the building codes. Wants a good quality ordinance because there is lots of money involved. Retroactivity is a problem people built on the current laws going back can create county liability. The number of occupants is a concern, how will they figure it? Look at IBC for number of people per square feet. They have formed a group to try to address the problems they see and will try to control them from their side.

Spencer Bailey the owner of Luxury Rentals support regulation on STRs. Wants it to be good. They have a large rental business. Sees under representation on the board of those in the STR business. They make up 35% of the income in the valley. He would support a square footage approach for number of occupancy. They are less than 20% of homes in the area. But pay more property tax than normal homes. Did a lengthy study of the water usage in large homes. They determined they use about 20% of the water allowed. Incentives for people to come back. Limiting occupancy would cause financial impact. People would start building smaller homes and have lots of them just to get a good review. In the valley there are large families having groups already they want to be treated the same. What about a specific schedule for fines when rules are broken? Didn't see it. How large can they get? Alliance supports the free market and as long as they meet code then they like it. The size is increasing now averaging 47 people from 34. Some things self-govern by the reviews. If there are restrictions it will restrict large families. What is the line from commercial to residential. Whatever the free market will tolerate.



### Page 3- Planning & Zoning October 18, 2023

Aaron Nielson has a home in Bloomington and thinks regs are good. Family homes have lots of people in a home and not used as a rental. Some areas limit the size of a building commercial or residential

Garth Coil in FH, sent letter to board. Emergencies can be responded better if separate. Investment in the valley is good. Let us regulate ourselves. They already do regulate themselves.

Bart McDonald representative within 30 min. It's a financial thing.

Beth Coleman people come to their home, the ones they rent to are more respectful because of the credit card. Property rights are important for both sides. The fees proposed by this are high. Can they do a transit room tax? Mitch says the county does. County gets 2%. She thinks a yearly inspection feels like an invasion of privacy. Maybe an initial inspection to start, then owner safety list they do themselves.

Merrill Kunz rents his small place out. In favor of individual liberty. Thinks the ordinance is picking on a small group of people.

Mike Robison lives in Dingle against the occupancy limits per room. Need a better way. In favor of some things like parking and other things. Wants to have RVs allowed, or why not. Spoke with property managers in other counties they have a 3-year renewal.

Bill Stock in 2017 HB 216 passed for short term rentals. Cannot prohibit the STR of a place. An ordinance cannot specifically target STRs. Going through the proposed ordinance, much is for public safety. How is it regulated? How much is needed for safety? Mentions more house bills. If it's not for public safety, then it can't be a rule. Thinks everything in the proposed ordinance is illegal, no one has read the laws.

Jane Simson in favor of regs. But thinks this one is excessive overreach. Would they have the staff to handle all the rental applications. She wants an education period to learn the new ordinance.

Noel Erasmus says costs have increased and he doesn't make any more money. Property managers take a cut. Keep costs down.

Jonnie Hansen noise ordinance, 9pm is too early for the summer.

Richard Spencer lives in Paris; Idaho has a fee per standard law. The fee must be connected to enforcement.

Travis Burbank these STRs are businesses, they need other business to survive. We have this STR as a resource to make a living, working in and supporting them. Consider the economy and those trying to make a living.

Mandee Stevens built a larger dwelling. If it's not profitable they will sell and flood the market and devalue all homes.

Rubin Cleavland doesn't want to see his friends lose their homes or business.

#### Page 4- Planning & Zoning October 18, 2023

Dallas Arnell wants them to take care of their garbage, take it home.

Karen Alan doesn't have parking at her place, will need time to put it in. Asks for a timeline to make the improvements the board may require.

Kathi Izatt asks what is the line between a hotel and STR? the board is in charge of that. The P & Z already made zoning that hotels or commercial can't be on the lake. People already do crazy things and have done crazy things. Must learn to share.

Mark Ipson STRs are a thing we have to live with. Need regulations, fox guarding the chicken house may not be the best. If we let no regs continue it will continue a little crazy.

The question of 2% business tax for district 5 is several million, but the county gets about \$50,000 now.

Tim Wright question on P & Z need robust workforce. What is the P & Z doing to help people stay in the valley?

Spencer Bailey thinks the 30-minute time to respond is too small in the heavy traffic. The insurance should have a minimum of \$1 million. He has seen lawsuits. Would like to have the alliance as part of the future discussion. He wants to work with the board. Maybe put a committee together. The board says we have been meeting on this for several months, but no one came to the meetings.

People online were given the opportunity to speak. Nothing new was offered.

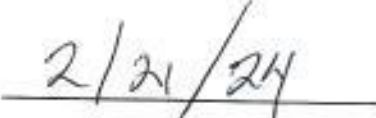
- **Motion to set occupancy of STR** at 1 person per 100 square feet of living space is made by Kristy Crane seconded by Sean Bartschi all in favor.
- **Motion to go out of hearing** is made by Sean Bartschi seconded by Devin Boehme all in favor.

Work Meeting discussion on the STR Ordinance. Many changes were made. These will be brought to another P & Z hearing. No decision or motion was made on the proposed STR Ordinance.

- **Motion to accept the minutes from last month** is made by Kristy Crane, seconded by Patrick Reese, all in favor.
- **Motion to adjourn** is made by Eric Bomsta, seconded by Sean Bartschi, all in favor at 11:17pm.

#### APPROVAL OF MINUTES:

  
Albert Johnson, Chairman

  
Date





# *Bear Lake County*

Planning & Zoning Commission

30 N Main Street

Paris, Idaho 83261

Phone: 435-946-2198

TO: **BEAR LAKE COUNTY PLANNING & ZONING COMMISSION**  
FROM: Albert Johnson, Chairman, Bear Lake County Planning & Zoning Commission  
DATE: Tuesday, Oct 10, 2023  
RE: Bear Lake County Planning and Zoning Meeting

**The Bear Lake County Planning & Zoning Commission will hold the regularly scheduled meeting on Wednesday, October 18, 2023 at 7:00 pm At the Bear Lake County Courthouse 30 N. Main Paris, Idaho.**

### **Public Hearings:**

David Longfellow/ Conditional Use Permit for storage units at 139 North Beach Rd.  
Short-Term Rental Ordinance

### **Action Items**

1. Approval of Agenda
2. David Longfellow/ Conditional Use Permit for storage units at 139 North Beach Road
3. Jacob & Devin Skinner/ Bear River Estates Final Plat-1000 Lower Bern Road
4. Frank Addante/ Glampground Concept Plan
5. Short Term Rental Ordinance
6. Work meeting
7. Old Business
8. Approval of minutes
9. Adjournment