



Planning & Zoning Commission

7 East Center

Paris, Idaho 83261

Phone: 435-946-2198

PLANNING & ZONING MEETING

April 17, 2019

SCHOOL DISTRICT BOARD ROOM

PARIS, ID.

ATTENDANCE: CHAIRMAN RON JENSEN
ALBERT JOHNSON-VICE CHAIRMAN
STEVE HARDY
KRISTY CRANE
KAY BECK
SEAN BARTSCHI
DEVIN BOEHME
MITCH POULSEN, ADMINISTRATOR
WAYNE DAVIDSON, SECRETARY

Welcome by Chairman Jensen at 7:01pm, and he thanks the board and people from community for their attendance.

The pledge of allegiance is led by Kay Beck.
There are no changes to the agenda.

- **Motion** to approve agenda is made by Albert Johnson, seconded by Kristy Crane, all in favor.

Brian Hirschi Rezone

The subject matter is; Brian Hirschi wants to rezone a one-acre piece of ground on the East shore of Bear Lake to commercial so he can rent water craft. This was tabled last meeting to get more information. Mitch gives report using notes he made from last meeting. Lots of work done in the back ground since last meeting. Mitch spoke with the attorney who said if everything goes through Mitch then no problem with public meeting laws. Stephanie Bonnie, the attorney, said that if they approve the rezone request then the commissioners should have another hearing to approve the new things talked about. One example might be a fence or sight fence might be required and included before it goes to the commissioners. When all accepted, the document would have some enforcement abilities. Not sure how it would be enforced.

Mitch Read through a list of requirements that had been suggested to include as conditions to the rezone. Approval would be for watercraft rental only, must maintain parking space and keep all parking on the property. Must provide restrooms for employees, and patrons. Access must be as spelled out according to ordinance, (from County Road Dept). Must provide 20 ' wide fire lane tough enough for a fire truck. If it's on the South side, then provides fire break as well. A fire break was required by the fire marshal. Beach access

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is limited to the width of the lot. Must have handicapped access. Must operate within reasonable hours. Army Corp of Engineers and Idaho Lands must be contacted, and any permits or permission obtained. Will need an access permit from road and bridge for work done in the county right-of-way. This conditional use runs with the land if it's used for same type of business.

Discussion from the board.

Hours of reasonable operation is a vague statement. It might be self-governing by the weather and dark. Think it's unreasonable to put a specific time on it. Privacy fence, what kind? The fire lane is big, for what reason? Potential of traffic backing up onto East Shore rd. Should there be a provision requiring the closing of the gate if they are full. To prevent lines of cars on the road. The board is responsible to provide something to help control the amount of traffic on the road. What if someone provides a lot to park on their land? is it commercial, will someone shut it down? Who will be the enforcer? Who enforces the conditional use permit?

At one point during the conversation, Brian Hirschi said that if the board doesn't approve his rezone, then he might just open the gates to the public and let anyone cross his land to access the beach.

Commissioners will have to have a public hearing before any of this becomes law. Things the board have agreed on are; Parking must me on premises until the lot is full. They must do something to prevent back up. Can't block the road. After much discussion it's decided generally that the intent of allowing a rezone of this nature is to allow Brian Hirschi to rent watercraft to people and allow them to get to the water's edge and disgorge themselves on the beach to access the watercraft. People could drive to the water's edge within the width of Hirschi's lot. No motorized lateral movement either direction on the beach is allowed. The board is aware that anyone leaving the Hirschi's property on the lake side are then on State property, and the board has no authority what happens on that land. But the intent is to allow Hirschi to operate a business without causing excessive annoyances to the neighbors.

It's agreed that people can walk laterally on the beach. Motorized beach access is limited to water craft rental patrons. Vehicles on Idaho lands must meet requirements of Idaho Lands. The Hirschi's land should be marked at the water's edge to show width. Question. How long will they have to put up the site fences? Answer. Should be in place by the end of the first season.

How will the board revoke the permit? It will come down to Mitch and or the code enforcement officer. Mitch reads the changes he captured to his first draft from the board.

- **Motion** to approve the Hirschi rezone from Lake Shore Zone, to Commercial Zone with the conditions Mitch captured is made by Albert Johnson, seconded by Sean Bartschi, a roll call vote; Chairman Jensen, Albert Johnson, Sean Bartschi, Kristy Crane, Devin Boehme, Kay Beck in favor. Steve Hardy against. Motion carries.

Jared Barney Rezone, This is concerning some property in the Sharon area. Back in January we had a hearing but some of the neighbors weren't contacted in time. The hearing was canceled with the thought the hearing could be rescheduled. In the meantime, the Commissioners asked Mitch to go out and measure the road in question since there was concern the road accessing the land wasn't built well enough to support the traffic that would be coming if the rezone was approved. He found different widths of drivable surfaces. He checked with Greg Skinner from the County Road & Bridge Department and verified the construction of that road. Greg said the road is soft and won't hold up to the traffic of four homes which were purposed if the rezone was allowed. Greg said the alternative would be to build a better road.

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- **Motion** to reject this application for the Jared Barney Rezone based on inadequate road construction is made by Kristy Crane, seconded by Devin Boehme, all in favor.

Work meeting "Meetings done Right Seminar" Kristy, and some others were there, it was two months ago. Trying to remember. Many good ideas were brought up. Board has been informal, and it has been working pretty good over the years. They have evolved to be reasonable. A bylaw correction to allow the chairman to vote should be made.

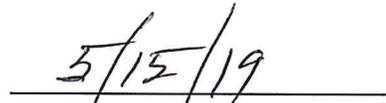
Minutes from last month were discussed. Albert suggests a change. When the motion was made last month to keep the current chairman acting as chairman, it was also intended to include the vice-chairman.

- **Motion** to approve the March minutes with the change to the last page which should read **Motion** to reinstate Ron Jensen as Chairman and Albert Johnson as Vice-Chairman by acclamation made by Albert Johnson seconded by Sean Bartschi all in favor.
- **Motion** to adjourn is made by Devin Boehme, seconded by Kay Beck, all in favor at 9:30pm.

APPROVAL OF MINUTES:



Ron Jensen, Chairman



Date



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7 East Center
Paris, Idaho 83261
Phone: 435-946-2198

MEMORANDUM

TO: BEAR LAKE COUNTY PLANNING & ZONING COMMISSION
Albert Johnson, Vice-Chairman, Bear Lake County Planning & Zoning Commission
Kristy Crane, Bear Lake Planning & Zoning Commission
Steve Hardy, Bear Lake Planning & Zoning Commission
Sean Bartschi, Bear Lake Planning & Zoning Commission
Kay Beck, Bear Lake Planning & Zoning Commission
Devin Boehme, Bear Lake Planning & Zoning Commission
Adam McKenzie, Bear Lake County Attorney
Bear Lake County Board of Commissioners

FROM: Ron Jensen, Chairman, Bear Lake County Planning & Zoning Commission
DATE: Tuesday, April 10, 2019
RE: Bear Lake County Planning and Zoning Meeting

The Bear Lake County Planning & Zoning Commission will hold its regular scheduled meeting on Wednesday, April 17, 2019 at 7:00 pm at the Paris Elementary Board Room located at 39 S. Fielding Street, Paris, ID.

Action Items

1. Approval of Agenda
2. Brian Hirschi/ Rezone
3. Jared Barney/Rezone
4. Work meeting
 - Discussion of "Meetings Done Right Seminar"
5. Old Business
6. Approval of minutes
7. Adjournment

If you need an accommodation under the Americans with Disabilities Act, contact the Bear Lake Planning & Zoning Commission at 435-946-2198. Please allow three working days for a response.