

**CITY OF DRIGGS
PLANNING AND ZONING COMMISSION
MEETING MINUTES
March 13, 2024
6:00 PM**

City of Driggs Planning and Zoning Commission met on March 13, 2024 at 6:00 pm. Commission members present were: Carol Barker (Vice Chair), Mitzi Van Arsdell, Ken Kirkpatrick (Chair), and Guyon Moseley. City staff present were Planning & Zoning Administrator – Leanne Bernstein, and Planning & Building Coordinator—Carly Andersen.

1. Call to Order, Roll Call

Commissioner Kirkpatrick called the meeting to order at 6:00 pm.

2. Action Item: Approval of minutes from January 10, 2023 and February 13, 2024

Commissioner Van Arsdell motioned to approve the minutes from January 10, 2023. The motion was seconded by Commissioner Kirkpatrick. Commissioners Barker and Moseley – aye. Motion passed all in favor.

Commissioner Barker moved to approve the February 13, 2024 minutes, Commissioner Moseley seconded the motion. Commissioners Kirkpatrick and Van Arsdell – aye. The motion passed all in favor.

3. Action Item: Public Hearing – Area of Impact Update

a. Public Hearing and Recommendation

Commissioner Kirkpatrick opened the hearing at 6:02pm and called for any conflicts of interest. No conflicts were noted by the Commissioners.

There were 27 citizens present in the Chambers, and 36 attendees on Zoom.

The staff report was presented by Ms. Bernstein. Ms. Bernstein opened by reminding the public that the staff report and map were located online.

Ms. Bernstein explained the general process for the AOI negotiations between the County and the City, she also recapped what the process for the negotiations had entailed up to the point of the current hearing.

Ms. Bernstein reviewed the map contained in the staff report and explained the recommended changes in the AOI boundary. Ms. Bernstein then explained the zoning districts for the attending public's understanding.

Ms. Bernstein addressed the commission, and explained the possible outcomes for this hearing. The Commission has the option to table, continue or send a recommendation to City Council.

Commissioner Barker stated that the majority of written comments from the public that the Commission had received focused on the Transportation Plan and asked for the history of the Transportation Plan, and more specifically details regarding the construction of Legrande Pierre Rd. Ms. Bernstein obliged and additionally stated that Legrande Pierre was slated for construction sometime between 2028 and 2030.

Commissioner Kirkpatrick inquired about the County zoning that was adopted and the county zoning that was proposed to be removed – such as foothills zoning due to the fact that we do not have foothills. Ms. Bernstein obliged with an explanation that those would be removed.

Commissioner Barker asked for an explanation of areas in Driggs that are on the future annexation list. Ms. Bernstein explained that areas on that list are connected to city utilities and areas that are reasonably expected to be annexed in the future. Ms. Bernstein elaborated that the city would work toward eventually annexing these areas, and the timing of that was dependent upon growth.

Commissioner Kirkpatrick asked impacts to the wildlife overlays. Ms. Bernstein responded that the immediate zoning decreases density potential and that items currently on the transportation plan potentially impact wildlife. The proposal is to use the county's wildlife and natural resources overlay.

At 6:38pm Commissioner Kirkpatrick opened the public comment portion of the meeting.

Commissioner Kirkpatrick called for comments in favor of the proposal.

Carrie Wolnar spoke on zoom. However, she asked a question regarding the AOI Zone code rather than making a public comment. Ms. Bernstein directed her to the City Webpage.

Rosa Rosoff spoke on zoom. However, she asked a question regarding the industrial research zone. Ms. Bernstein directed her to the City Webpage.

Chuck Patton spoke on zoom. However, he asked a question rather than speaking in favor. Ms. Bernstein directed him to reach out to County staff for the answer to his question.

Kelly McDonald spoke on zoom. However, she asked a question rather than making a statement in favor. Ms. Bernstein directed her to the airport master plan or to contact the airport manager for the answer to her question.

Andrew McCullough spoke. However, he asked a question regarding ADU's and limiting acreage rather than speaking in favor of the proposal. Ms. Bernstein noted his question and stated she would look into it after the public hearing.

Daniel Schwen spoke on zoom. However, he asked a question rather than speaking in favor of the proposal. The question was regarding the zoning for parcels that are platted. Ms. Bernstein responded that any lots currently platted could be built as platted.

Commissioner Kirkpatrick called for Neutral comments

Arne Carter of Driggs stated that he and his business partner, Andrew McCullough own Sweetwater Phase 2 and stated that the ADU situation should be considered. Mr. Carter stated that he wants to keep ADU's to provide affordable housing.

Evan Howard of Driggs stated that he owns land in Sweetwater and that the ADU potential was the determining factor in buying the property.

Commissioner Kirkpatrick called for comments from those Against the proposal

Bruce Carlisle of Driggs stated that completing LeGrande Pierre would have a negative impact on the wildlife gateway and wintering grounds. He also stated that he has City water at his home in Miller Ranch, but they need a pump in order to get it to pressure.

Elaine Morraine of Driggs spoke against the road extension of LeGrande Pierre due to impacts on Wildlife.

Rachel Gray of Driggs spoke against the road extension of LeGrande Pierre due to the negative impacts on wildlife.

Russell Weaver of Ski Hill Ranch in Driggs asked about annexation and whether he would be required to connect his property to City utilities. Ms. Bernstein stated that the city would be able to provide services to areas that are annexed including water, sewer, and road maintenance.

Kelly Von Stroh of Durango, CO spoke on zoom against the proposal. Ms. Van Stroh stated that she owned property on Rainbow Loop in Ski Hill Ranch and has chosen not to build on the property because of the wildlife corridor. Ms. Von Stroh stated she was against the proposal.

Eugene Fillios asked why the land uses were all being put together. Ms. Bernstein stated that the scope of the AOI is defined by statute, and explained that the adopted plans pertinent to the negotiations include both the Transportation Plan and the Land Development Plan.

Andrew McCullough commented again, this time against the proposal. Mr. McCullough stated that the ADU code should clearly state that it applies to parcels under 2.5 acres, and stated the code should be clear. Mr. McCullough stated that he believed that the proposed code severely limits the lots that could be added to his development.

Russel Weaver spoke, however he asked if citizens could vote on annexation. Ms. Bernstein stated that citizens do not vote on annexations.

Dan Thoms of Idaho Falls spoke on behalf of one of his clients. He stated that he believed the proposal favored particular entities and not the citizens.

Commissioner Kirkpatrick called for the applicants rebuttal. Ms. Bernstein did not have a rebuttal.

Commissioner Kirkpatrick closed the public comment portion of the hearing at 7:33pm

The Commission deliberated and discussed the bullet points located in the staff report. After deliberations, the Commission was in agreement.

Commissioner Kirkpatrick motioned to recommend approval:

Having found that the following conforms with Idaho State Statute and will encourage orderly development, I move to recommend the adoption fo the following provision in the Driggs Area of Impact: the AOI Boundary and Zone map included as Attachemtn B, the Land Development Code as edited in Attacment D an including Appendix A: Design Review Standards and Guidelines, the Driggs Transportation Plan as adopted in 2019, the Teton County Idaho Comprehensive Plan as adopted in 2012, and the Driggs Airport Overlays as shown in the Airport Master Plan adopted in 2022.

Commissioner Van Arsdell seconded the motion, Commissioner Bark – aye, Commssioner Moseley – aye. The motion carried all in favor.

The public hearing ended at 9:00pm

4. Staff Items: City Business and Project Updates

There were no project updates. Ms. Bernstein stated for the Commission that there had been some discussion about updating the Comprehensive Plan. Ms. Bernstein stated she was in the process of researching a consultant for that update.

Commissioner Barker stated she would need to attend the April and May Commission meetings via Zoom. Commissioner Moseley stated he would attend the April and May meetings via Zoom as well.

5. Adjourn

Commissioner Moseley motioned to adjourn the meeting. Commissioner Kirkpatrick seconded the motion. Commissioner Van Arsdell – aye, Commissioner Barker – aye. The meeting adjourned at 9:03pm