

**JEROME COUNTY RECREATION ZONE COMMITTEE MINUTES
MARCH 31, 2021
THE JACK NELSEN CONFERENCE ROOM, JEROME COUNTY COURT HOUSE**

CALL TO ORDER

Facilitator: Art Brown

Present: Bill Baker, Oscar Carranza, Becky Dean, Brett Thompson, and John Reed

Staff Attendees: Nancy Marshall, Administrator; Kacie Buhler, Assistant Administrator; and Julie Lehmann, Administrative Assistant

OPEN DISCUSSION

Facilitator Art Brown called the meeting to order at 2:06 p.m. The Committee discussed the Minutes from the March 24, 2021 Meeting.

M/S/C John Reed motioned to accept the Minutes as written. Oscar Carranza seconded the motion. The motion carried unanimously.

The Committee discussed the Watercraft definition submitted by Bill Baker. Mr. Baker explained that he chose Watercraft as he was trying to be all inclusive. Mr. Baker explained that slips have one open end and the boat slips inside and is usually lifted up out of the water. He said docks have three open sides and that they can be used to launch small watercrafts. Mr. Reed said he thought a slip was like the area down in Centennial Park that a person can put their kayak on the concrete slip and then push themselves off. The Committee agreed that would be more like a dock or a ramp. Mr. Reed asked if they should set standards that address the size of the watercraft. Mr. Baker read a definition for boathouse as a shed at the edge of a river or lake used for housing boats. Mr. Brown suggested that maybe it should be required to get a Special Use Permit if the structure is constructed on land but may not require one if it is only on the water. Mr. Brown said they may not need to require anything more than a Building Permit. Mr. Thompson stated his reservations were that with slips, docks, or ramps; they are level with the ground whereas a boathouse may be ten feet tall. Mr. Reed agreed with Mr. Thompson because if someone built a boathouse, it may block the view. Mr. Carranza suggested they change the definition to specifically read "boathouse". Mr. Brown suggested they use the term building instead of house. Mr. Thompson suggested they add a colon after Watercraft as watercraft pertains to a watercraft dock, watercraft house, etc. The Committee agreed to the definition submitted by Bill Baker for Watercraft Dock/House/Ramp/Slip, adding the colon and "Watercraft" in front of dock, house, etc. throughout the definition. The Committee agreed to allow the Use as Permitted in Rec 1 and require a Special Use Permit in Rec 2 and 3 and to create Standards for the Use.

Mr. Brown discussed the email he sent to the Committee and the process of a rezone and possible standards and requirements to allow the rezone. He said the Commission should look at if the rezone matches the Comprehensive Plan but he thinks they should consider additional standards that the rezone would have to meet. Mr. Brown stated that the main objective of the Comprehensive Plan is to protect Agriculture Land.

Mr. Brown gave a quick review of where the Committee left off last week on their discussion of residential density. Mr. Brown speculated that they probably do not want the land to be split in Rec 3. Mr. Thompson said property owners would need to rezone to Rec 2 if they wanted to divided their property. Mr. Brown said that is correct. Mr. Thompson suggested residential density at one house per four acres; Permitted in Rec 1, allowed by Special Use Permit in Rec 2 , and not allowed in Rec 3. Mr.

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Baker said he would prefer ten houses per forty acres, to allow the developer to potentially create cluster subdivisions. Mr. Thompson asked if they could do that but say the house parcels must be one acre. Ms. Marshall displayed the Special Sites section on Pages 63 and 64 of the Comprehensive Plan on the projector and suggested the Committee review that section. Mr. Brown said this really leans towards cluster subdivisions. Mr. Reed stated that he agrees with Mr. Brown, they need to preserve agriculture land. Mr. Reed said he leans more towards allowing four houses per forty acres. He said most farmers he has spoken to would prefer to divide off one acre lots along the outskirts of their properties and continue to farm without having to go around houses. Mr. Thompson stated that he does not think four per forty is enough. Mr. Reed stated that maybe in Rec 1 they allow more but then in Rec 2 allow less. Mr. Brown said it would then be up to the property owners to apply for a rezone if they wanted to increase density. Mr. Thompson suggested ten houses per forty in Rec 1 and allow four or five per forty in Rec 2 and none in Rec 3. Mr. Brown stated that if they are going to allow these cluster subdivisions and are going to allow half acre parcels, they will have to establish buffers. He said an easement will have to be created to be able to put the septic systems on separate parcel.

Recess: 2:58

Reconvene: 3:03

Mr. Brown said that it comes back to the buffer as easements will need to be created if lots are less than one acre. He said the Comprehensive Plan states they need to keep it close to the Special Site. Mr. Thompson said that makes him think they should be allowed by Special Use Permit in Rec 1 and 2 because it will require a lot more details that need to be discussed by the developer. Ms. Marshall informed the Committee that Land Divisions no longer require a Special Use Permit. She said a Subdivision Permit comes in front of the Planning and Zoning Commission with the preliminary plat. She said a Land Division is an Administrative Permit and is issued if they meet the density and other requirements. Ms. Marshall said they could not accomplish clustering with a Land Division Permit. Mr. Reed stated that he does not agree with the clustering. He said many people move to the country so they do not have immediate neighbors. He said someone may want a five- or six-acre parcel, not just one acre. Mr. Brown stated that it goes back to the buffer he was talking about but keeping it close to the Special Site. He said it does not mean the developer will need to establish one acre lots.

Mr. Baker said he thinks they need to take a step back, he is a visual person, and he thinks they need to look at the land and what is available in the areas they are considering Rec Zone. Ms. Marshall put the BLM Website on the projector to display the BLM National Data Map. Mr. Baker directed the Committee to look at the Wilson Lake Map he submitted. The Committee discussed private land versus BLM ground. Mr. Baker said there isn't a square forty available around Wilson Lake. The Committee reviewed the Hansen Bridge Map. Mr. Baker discussed development potential along the canyon rim. Mr. Reed stated that someone may want to develop that farm ground just above the canyon rim that is currently agriculture. Mr. Baker said the Comprehensive Plan states they need to protect agriculture. Mr. Thompson said they talked about not drawing lines through properties so it may include the entire forty acres above the rim. Ms. Marshall said it may be supported if it meets the classification of a Special Site and may be able to be pulled out of agriculture as the Comprehensive Plan also recognizes development around Special Sites. She gave examples on how the forty acres may be divided and where cluster homes could potentially be developed along the Special Site. Mr. Thompson said this is exactly what he has been trying to describe. Ms. Marshall explained Special Site listed on Page 67 is in the Commercial section whereas Pages 63 and 64 is in the residential. Mr. Reed clarified that when a developer or builder brought in plans, the County would need to ensure the development would be taking advantage of the Special Site.

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Ms. Dean stated that if a subdivision is required, then the developer has to figure out the access, irrigation, etc. and it prevents problems down the line. Ms. Marshall stated that they can develop a Recreational Subdivision with whatever requirements they would like to impose. Ms. Marshall gave the example of Country Club Estates and said not everyone is along the river but there is a golf course and all lots have access to the river. She said they are less than one acre lots but there is a one [residence] to one [acre] ratio. Mr. Brown said it also allows a commercial developer to divide into the sizes they may need while maintaining the subdivision requirements. Mr. Thompson asked Ms. Marshall to show the definition of a Minor Subdivision on the projector. The Committee agreed they liked Mr. Reeds verbiage of “taking advantage of the Special Site.”

The Committee discussed the definition of a Minor Subdivision. Mr. Brown said they need to define Special Site. Mr. Thompson stated that rather than saying clustering, they say it must take advantage of the Special Site. Mr. Reed said some of these parcels may be able to develop five residences. Mr. Reed stated in Rec 1, they should allow ten houses per forty acres. Mr. Thompson clarified that in ten acres, there could be four houses. He said if you have five acres, you could have two houses, and if you had thirty-nine acres, you could have nine. Mr. Thompson stated that in Rec 2, you could have five per forty. He emphasized that it maximizes taking advantage of the Special Site while maximizing the farm ground.

Mr. Baker asked to go back to the map. Ms. Marshall said the Committee will need to clarify and say one house per four acres in Rec 1, instead of ten per forty as not everyone will have forty acres. They clarified that it would be one house per eight acres in Rec 2. Ms. Marshall informed the Committee that she put one house per parcel in Rec 3 because if the land is privately owned, they cannot deprive them of that right. Mr. Brown stated that if there is an existing home, they need to grandfather the Use in for Rec 3. Mr. Brown instructed the Committee to discuss setbacks from the canyon rim. Mr. Baker stated that if the water cannot be seen, it is no longer part of the Special Site. Mr. Carranza stated that he disagrees with Mr. Baker because they may not be able to see the water in the canyon but they may be able to see the waterfall coming off the side or some other attribute. Mr. Reed and Mr. Thompson stated that it can also be enjoying that area and the attributes of the area.

Recessed: 3:59

Reconvene: 4:03

Mr. Brown said anything more than 500 to 1000 feet is pretty far back from the canyon. Ms. Dean stated that she wants to allow a public access path along the canyon rim. Mr. Brown said one of the issues with that is a property owner may be liable if someone is hurt on their property. Mr. Brown stated that unless someone is going to develop and maintain a trail, they should not enforce that. Mr. Reed asked if they could enforce an easement. Mr. Brown said that could be a standard or a condition. Mr. Baker said that he does not support that. He said there is no way to build a path along the north side of the County like they did on the south, Twin Falls side. He said the canyon is so split up and cracked, the trail would have to be too far back. Mr. Reed said he does not think they have the right to tell property owners they have to build a trail. He said he thinks they should require an easement so if the possibility should arise, it could be developed. Mr. Thompson asked if that could be in the Rec Zone standards. Ms. Marshall stated the only way the County can enforce the easement is if the property develops into a Subdivision. Mr. Thompson asked what about when a property is rezoned. Ms. Marshall read from the Comprehensive Plan and stated that Fish and Game may support an easement but it would have to be during development. She said it says right in the Comp Plan, “attention should be given to the environmental section so as to ensure the scenic areas are not unduly saturated.” She said

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Fish and Game would support an easement from the canyon rim due to protecting the raptors. Mr. Brown agreed with Mr. Baker that they should not enforce private property owners to allow the public on their property. He said they could require the easement and then later on down the road, if that changes, the easement will be there. Mr. Thompson asked about easements with agencies. Reed stated that the Canal Company has an easement on his property. Mr. Brown said the trail in Twin Falls was developed because Twin Falls bought the ground. Mr. Reed stated the developer of the trail would need to negotiate with the property owners. Mr. Thompson suggested requiring a public access point in a Subdivision. Mr. Brown said then it becomes more of a requirement of the developer. Ms. Marshall stated that the County cannot require a Home Owner's Association and cannot require CC&R's. She said we cannot require a road but we can require they have access. She said all we can do is set a developer on the correct path but we cannot follow-up year after year to make sure it is still being enforced. Mr. Brown said they can require an easement and a setback to protect wildlife and could require a public access point in a Subdivision. Mr. Thompson stated that if they are going to require an easement, now is the time to do it. He said even if it never gets developed, they need to require an easement. The Committee agreed to take some time to think about the issue before making any decisions on easements and setbacks along the canyon rim.

Ms. Marshall stated that many lending companies will not finance on a forty-acre parcel and the property owner is required to divide their land into something smaller for financing purposes. She explained that in A1, the parcel without the residence then becomes unbuildable and it is noted on the property deed. She said they will need to allow a Land Division for financing but not to increase residential density. Ms. Marshall said she was going to put the X's in the chart indicating Land Divisions are allowed in the Rec Zones but is making a note that it is treated like A1. Mr. Baker stated that they should put X's in all three zones for Events indicating they are handled through the Board of County Commissioners.

Mr. Brown asked about the maps. He asked if the Bureau of Reclamation owned a lot of the land in the east. Mr. Baker confirmed. Mr. Baker stated that if BOR ground is sold, it goes back to BLM and then they can decide if they want to sell the land to a private owner.

The Committee discussed the upcoming meeting and the calendar. They agreed to cancel the meeting next week as Mr. Carranza and Mr. Reed will be gone. The next meeting will be April 14, 2021. Mr. Thompson agreed to look at Subdivision requirements and standards. Ms. Dean volunteered to assist as well.

M/S/C Bill Baker motioned to adjourn. Becky Dean seconded the motion. The motion carried unanimously.

The meeting was adjourned at 5:01 p.m.

Respectfully Submitted,

Kacie Buhler, Assistant Administrator