

**SPECIAL CITY COUNCIL MEETING  
NOVEMBER 9, 2016  
SALMON, IDAHO**

**Mayor Leo Marshall** opened the special City Council meeting at 5:30 p.m. Those in attendance were:

**COUNCIL MEMBERS:**           **Jim Baker**  
   **Jim Bockelman**  
   **Russell Chinske**  
   **Ken Hill**  
   **Rob Jackson**  
   **Neal James**

**CITY ATTORNEY:**       **Fred Snook**

**Decisions/Action Items**

- 1) Council passed a motion to go forward with the January 11<sup>th</sup> public hearing to be held at 5:30 p.m. to present the proposed City of Salmon Zoning Map and Development Code.

The City Council met with Gary Goodman, Planning and Zoning Administrator and Teresa Morton to review the proposed Development Code.

Gary said there have been a lot of changes to the code. The message they got was that the document should be simplified and downscaled to fit a small community of our size. Idaho publishes a model ordinance that has a format that works well. They rearranged the chapters to match that format and took on the task of simplifying our Development Code by going through and comparing it to what we had versus state law. They tried to look at what does come up and why while revising the code. They then tried to eliminate what doesn't come up in the Salmon area and addressed what does with a catchall phrase that will handle anything else that comes along. The code has that and has had since 1992. It basically says that anything that is not permitted by the code is explicitly prohibited unless a conditional use is granted by both the Planning and Zoning Commission and the City Council.

They engaged the Planning and Zoning Commission on all the changes that were made.

Council member Baker asked Gary to explain, because he is the Planning and Zoning.

Gary said he is just the administrator. The Commission makes the decisions. He provides the facts and information and asks questions, but they are the body that makes the decisions.

The easiest change to explain is setbacks. They were very confusing and conflicting in the document. They simplified it so that hopefully any layperson can understand it. There were a number of small changes that were brought to the attention of the Planning and Zoning Commission that were not in concert with state law. Once they read state law and looked at what was being proposed they agreed that changes needed to be made.

At the open house that was held there were no changes to the Development Code, but there was a request from an individual to change one of the zones. The property was 1/3 Industrial and the other 2/3 was Transitional. The property owner has been operating as Industrial for many years and the Commission decided to make it Industrial. There were a couple of people that suggested leaving the zoning at Transitional but let the property owner continue operations as usual. The Commission discussed it and determined that it should be zoned the way it is being used.

They did get compliments on the proposed document.

There was a group of citizens outside of the City boundary that did not want any duplexes in the City. Planning and Zoning agreed with that because there was no testimony indicating otherwise. They put in the Low Density Residential Zoning area that duplexes were not allowed. Since then a citizen has come forward and stated that she feels duplexes are important in the LDR zoning district. Gary passed out the letter that was submitted at City Hall. He said Council could certainly consider her request when they have their public hearing and make their decision as to whether they will move the proposed code forward.

Council member Bockelman said when Council was discussing duplexes they were not going to allow duplexes in the bar hill area but would allow them in the lower area of town. He was one that wanted to allow duplexes in the bar hill area. His concern was parking requirements for the duplexes. He felt that there may be more cars than parking spaces.

Gary told Council that there are some lots that have always been weed patches on the bar hill. The owner would like to put in some duplexes. That would really improve that area. Duplexes require 10,000 square feet. The number could be increased to address Mr. Bockelman's concern but generally most duplexes aren't big structures. Very few are over 2,000 square feet per side.

Gary recommended that Council go to public hearing with the proposed Plan. See what input they get from the community. If there is a lot of input, then they will need to work on it, otherwise they can keep it moving forward. There is a process that has to follow a specific sequence. They will have to do a map, which is a separate ordinance, and the Development Code.

If one topic becomes a hot issue, and is considered a major change it will go back to Planning and Zoning and start all over. You could pass it as is and immediately ask Planning and Zoning to work on the one piece. That way you get the bulk of the good changes in there.

Council member Bockelman asked; if someone were to build right now, the current code is what they go by? Gary said yes, that is correct. We cannot allow things based on what we think might happen; we have to approve things based on the current law that is in place.

Council member Baker said the change he sees in the zoning map; there is apparently a difference from the way the areas were originally zoned, in particular the Island Park. It is proposed to be zoned commercial.

Gary said that is correct. There is a lot of commercial activity that takes place there. It was originally Highway Commercial. When the Planning and Zoning Commission revisited the map, they did away with a lot of different zones. They felt like there were too many zones for such a small community. They went to fewer zones with broader allowances and got rid of several. There was some concern because of the publicly owned zone. There are a lot of problems in doing that. If the City ever bought a piece of property then you would have to go through a rezone. The City would become the applicant to apply for a rezone for their own project. You just don't do that. They did a public overlay that shows public property but it is not a zone. Whenever the City buys or sells property there is a process you go through which involves the public. Based on what the City perceives their needs are and the people want, you get to choose whether or not you will buy or sell the property. You should not have to jump through any more hoops.

Council member Baker asked how big the change is in Shafer's property. Gary said he had a strip of Industrial that covered about 1/3 of his property. The Commission felt that since he had a grandfathered right to Industrial, his whole property should be Industrial.

Gary said he would like Council to authorize the proposed map and Development Code to move forward. He recommended having the public hearing on a night that they are not doing other business. January 11, 2017 was suggested for the public hearing.

Council member Baker said if there is a public hearing and they have the public asking questions where do the answers come from. Gary stated that at a public hearing it is okay to take questions and answer questions based on clarification only. This is not about a debate; they are here to tell you what they think of the document. Council's or staff's opinions should not be given at the hearing.

Council member Jackson said if they go through a public hearing and then had changes would they have to have another public hearing? Gary said yes, it will have to go all the way back and start over. Council member Jackson said, so if we want changes now then we would need to do it now before the public hearing. Gary said if you make what is considered a substantial change at this point in time then it goes back to the Planning and Zoning Commission and starts over.

Council member Baker asked; what if I have questions? Mayor Marshall said if he has questions he should go visit with Gary, he would like the Council to go to him with their questions. Council member Baker said the problem with that is he benefits from discussion with council. Council member Jackson said he agrees.

Council member Bockelman said he would have thought that if he had questions he would have presented them to Gary to take to the Planning and Zoning to come back with answers instead of waiting for something to happen. It has been going on for a long time. If we still have questions we are not doing our jobs.

Council member Baker said they are just getting the document; have only had it for two months, just starting to review the document. Would it be beneficial to discuss it one more time?

Council member Chinske said they should keep the January 11 meeting. On January 4<sup>th</sup> they could put it on the agenda to answer questions with the idea that the January 11 meeting will go forward.

Council member Bockelman said he recommends the questions go to Gary now. Council member Chinske agreed.

Council member Chinske said he wants to stick to the January 11 plan. He said no offense but he doesn't want to be as old as council member Baker when it finally goes.

Gary Goodman said bring all your concerns. If they have an idea that needs a change or something different they can certainly talk to other council members but in the interest of getting something adopted it is much easier to do one small piece than to redo the whole document.

Council member Chinske made a motion to go forward with the January 11<sup>th</sup> public hearing to be held at 5:30 p.m. to present the proposed City of Salmon Zoning Map and Development Code to the public. All voted aye and the motion carried.

**Adjournment**

The meeting was adjourned at 6:15 p.m.

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**Mayor, Leo Marshall**

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**City Clerk, Mary Benton**