



REGULAR MEETING OF THE BOISE COUNTY
PLANNING & ZONING COMMISSION

August 18, 2016
Public Safety Building
3851 Hwy 21
Idaho City, ID 83631

Present: Vice-Chair Dan Gasiorowski, Commissioner John Jauregui and Commissioner Rosemary P. Ardinger. Chair Mitchel Tain absent.

Staff Present: Planning & Zoning Administrator Rora A. Canody, P&Z Asst. Brenda Wood, P&Z Asst. Malynda Turner, and Attorney Steven Meade.

Roll Call: Vice-Chair Gasiorowski requested the roll call; three (3) of the four (4) P&Z Commission members were present.

Establish a Quorum and call the meeting to order:

Vice-Chair Gasiorowski declared a quorum was present and called the regular meeting to order at 6:30 p.m.

Review Agenda: No changes were made to the agenda.

Swear-In Mitchel Tain: Chair Tain was not present, tabled to the next regular meeting.

Approve Minutes: Commissioner Ardinger made a motion to accept and approve the minutes of 7/18/2013 regular meeting, 7/14/2016 special meeting, 7/28/2016 regular meeting and 8/08/2016 special meeting as written and presented; seconded by Commissioner Jauregui. All ayes, motion carried.

Review and approve Finding of Fact, Conclusions, Conditions of Approval and Order for Mercury Towers CUP #2016-007:

Commissioner Ardinger made a motion to accept and approve the Findings of Fact, Conclusions, and Order for Mercury Towers-Horseshoe Bend CUP #2016-007 as written and presented; seconded by Commissioner Jauregui.

Roll call vote: Commissioner Ardinger: Aye Commissioner Gasiorowski: Aye
 Commissioner Jauregui: Aye

Motion carried.

Public Hearing: Lowman Hitching Post Conditional Use Permit #2016-008

Vice-Chair Gasiorowski opened the public hearing at 6:34 p.m. Vice-Chair Gasiorowski requested the staff report for the application from the Planning & Zoning Administrator Canody.

Planning and Zoning Administrator Canody stated that the entire Planning and Zoning Department file is now made part of the record, the staff report had been emailed out to the Commission and the applicant; Administrator Canody made a correction that Exhibits 12, 13 and 14 were missing from the staff report; and, proceeded with the supplemental visual PowerPoint on the application. Rick

Pergande, the applicant, is seeking Conditional Use Permit approval to operate a general store and fuel service. The subject property is located at 7263 Hwy 21, Lowman, Idaho, 83637, on parcel RP09N07E278700. Commissioner Ardinger asked regarding the phases being done at the same time or if there would a timeline allotted to have phases done. Administrator Canody answered that no timeline is being presented for the phases; but, they could be approved all at once. Commissioner Jauregui requested that in the proposed site specific conditions #13 that the word "wide" be added to "twenty-foot access lane", to clarify the proposed condition.

Vice-Chair Gasiorowski called upon applicant, Mr. Pergande, to present his testimony. Mr. Pergande presented his application with a PowerPoint presentation and answered questions from the Commission. Mr. Pergande presented to the Commission that the store/fuel service had been there and closed in 2008 and he wanted to reopen and build new structures, including recreational storage. Vice-Chair Gasiorowski had questions regarding backup power source and the new building slope handling snow load. Mr. Pergande answered that backup generators would be necessary for fuel pumps, coolers and lights; the building is designed for the snow load in that area. Vice-Chair Gasiorowski suggested that the overhang for the building be wider to accommodate for the snow.

Vice-Chair Gasiorowski called upon the public that wished to speak. Those who gave testimony in support of the application were: Bruce Lund, Henry Glauser, and Scott Pergande. No one appeared to give neutral testimony on the application. Those who gave testimony in opposition of the application were: Rock H. Jones.

Vice-Chair Gasiorowski called upon the applicant for his rebuttal testimony. Mr. Pergande responded to further questions from the Commission regarding the access to the property. Mr. Pergande stated that he is working with ITD for an approved access from Hwy 21 and will continue to use access from Sand Hill Lane. Vice-Chair Gasiorowski asked if Sand Hill Lane is a private road to a subdivision and stated he thought it should be brought to county standards per the ULO.

Vice-Chair Gasiorowski closed the public hearing and the issue was deliberated by the Commission. Commissioner Ardinger asked staff to clarify if the prior conditional use permit for the property is closed; and, questioned use of the Sand Hill Lane access. Administrator Canody advised the Commission that the prior CUP is null and void.

Vice-Chair Gasiorowski requested that site specific condition #20 be added to include that Sand Hill Lane be brought up to county standards, if it is a public road. Attorney Steven Meade advised the Commission to continue the hearing to determine the status of the road prior to adding condition #20. Administrator Canody requested the Commission consider that proposed site specific condition #4 be changed to 18 months, as presented by the applicant, instead of one year; and, on condition #11 that screening be changed to read "where appropriate". All Commissioners agreed to the change in proposed condition # 4 to eighteen (18) months to build a new building and with the change to proposed site specific condition #11 to read "where appropriate".

After further discussion, Vice-Chair Gasiorowski, with full agreement from the Commission, continued the Lowman Hitching Post CUP application #2016-008 to the next regular Planning and Zoning meeting to be held on September 15, 2016 at 6:30 p.m. in Horseshoe Bend at the Ladies Club Hall; in order to obtain clarification of the ownership of Sand Hill Lane and the applicant's right to use the street; at which time the Commission will either make a decision or continue the application.

Vice-Chair Gasiorowski recessed the meeting for ten (10) minutes.

Vice-Chair Gasiorowski called the meeting back to order at 7:55 p.m.

Comprehensive Plan review with Citizen Committee:

The Commission and Citizens Committee reviewed Chapters 9-12 and requested revisions and corrections. The next meeting was scheduled for September 14, 2016 at 10:00 a.m. at the Centerville Fire Station.

ULO amendment review Flood Section:

Administrator Canody presented to the Commission that the IDWR Model Flood Ordinance and Boise County current ULO Flood section have the same information; however, the State's model has a better readability to it. The Commission agreed to have Administrator Canody use the State's model with the current ULO formatting. Another review of the changes will be done on September 14, 2016 after the Comprehensive Plan Committee meeting.

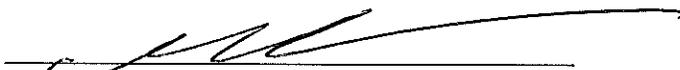
Next regular meeting: The next regular meeting will be held on September 15, 2016 at 6:30 p.m. at the Ladies Club Hall, 121 W. Boise Street, Horseshoe Bend at 6:30 p.m.

Adjourn:

Having no further business on the agenda, Commissioner Jauregui moved to adjourn the meeting; seconded by Commissioner Ardinger. All ayes, motion carried.

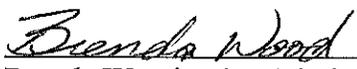
Vice-Chair Gasiorowski adjourned the regular meeting at 9:00 p.m.

Approved by the Commission this 15 day of September, 2016.



Vice-Chair Dan Gasiorowski

Attest:



Brenda Wood, P&Z Administrative Asst.