REGULAR MEETING OF THE
BOISE COUNTY PLANNING & ZONING COMMISSION
December 16, 2010
Horseshoe Bend Court House Annex
383 Hwy 55
Horseshoe Bend, Idaho 83629

Commissioners Present: Chairman John Bart, Vice Chairman Jack Kane, Commissioner Clint Evans, Commissioner Rosemary P. Ardinger, Commissioner Lois K. Murphy and Commissioner Dan Gasiorowski.

Staff Present: Planning & Zoning Administrator Patti Burke, Administrative Assistant Rora Canody and Deputy Administrative Assistant Mindy Dorau.

Roll Call was taken; all six of the members were present. Chairman J Bart declared a quorum was present and called the meeting to order at 6:40 p.m.

Review and Approval of the November 18, 2010 Regular Meeting Minutes
Commissioner L. K. Murphy made a motion to approve the minutes of the November 18, 2010 regular meeting as written; seconded by Commissioner Dan Gasiorowski. All ayes, motion carried.

Subdivision Ordinance – Public Hearing
Chairman Bart gave a brief history of the work performed by the P&Z Commission and staff on the draft of the proposed revision to the Boise County Subdivision Ordinance #2006-02.
Chairman Bart closed the regular meeting and called the public hearing to order on the proposed revision draft of the Boise County Subdivision Ordinance.
Laren Bailey, LEI, Engineers, Surveyors & Planners, on behalf of Potlatch, appeared before the Commission to give comments on the proposed revision. Mr. Bailey reviewed four (4) points with the Commission stating his concern is the timing of the criteria, not the criteria: 1. Potable well drilling, 2. Stormwater management, 3. Erosion control, and 4. Road plans. Mr. Bailey explained to the Commission his concerns. After discussion between the Commission and Mr. Bailey regarding his concerns the Commission requested that Mr. Bailey provide written comments to the staff regarding the proposed language changes; and, informed Mr. Bailey that the Board of County Commissioners would have the final vote on the final Subdivision Ordinance revision.
John Cottingham appeared before the Commission and reviewed two points he felt needed to be included in the Subdivision Ordinance revision: 1. Minor Subdivision applications should be required to hold a community meeting; and 2. Development Permit definition and language needs to remain in the revision. The Commission, staff and Deputy PA Cherese McLain discussed these two points with Mr. Cottingham. The Commission requested that Deputy PA

Cherese McLain and Mr. Cottingham work together on proposed language for the next P&Z meeting.
Doug Bergey appeared before the Commission and provided his comments on page 4 A, page 5 B-b, page 6 Lot Line Vacation-not sure we should do this per Idaho Code, and page 7 Forty Acre Split, language regarding aliquot parts. Chairman Bart requested that Mr. Bergey work with staff on the proposed language for the next P&Z meeting.

Chairman Bart closed the public hearing at 7:24 p.m.

The Commission discussed how to proceed with the draft revision to the Boise County Subdivision Ordinance with Deputy PA McLain. Commission Evans made a motion that the P&Z Commission table their decision on the proposed draft of the Boise County Subdivision Ordinance until the January 2011 regular meeting on the third Thursday; seconded by Commission Ardinger. All ayes, motion carried.

Steamboat Gulch Recreation Area - Conditional Use Permit Application:
Chairman J Bart called the public hearing to order for Steamboat Gulch Recreation Area - Conditional Use Permit application, and requested the staff report.
Before the staff report was given Commissioner Lois K. Murphy disclosed for the record that she had attended a fund raising dinner for the applicant, Mores Creek Recreation Foundation (MCRF), but felt she could represent the interest of Boise County fairly. Deputy PA Mclain informed the Commission that Commissioner Murphy's disclosure was good. P&Z Administrator Patti Burke disclosed that she has been an ex-officio advisor to the MCRF.

Planning & Zoning Administrative Assistant Canody appeared before the Commission and gave the following staff report for Mores Creek Recreation Foundation application for the Steamboat Gulch Recreation Area; represented by Terry Day. MCRF is requesting a Conditional Use Permit to operate a recreational sledding/tubing hill at Steamboat Gulch. The subject property is owned by Idaho Department of Lands and is leased to MCRF, and is located off Hwy 21 and Pine Creek Road in the Idaho City area, in Section 36 T6N R5E. The Staff recommended the following conditions if the Commission approves the request by MCRF for the Steamboat Gulch Recreation Area to operate a recreational sledding/tubing hill: 1. Applicant shall comply with BCZDO Chapter 3, Section 3-9 Conditional Use Approval: If an allowed conditional use is abandoned for more than twelve (12) month it (the CUP) shall expire. 2. Applicant shall be granted the CUP for a "sledding/tubing hill" only, including the services of plowed access from Highway 21 to the site; plowed parking area; portable toilets; trash dumpster and trash receptacles; designated fire pits; food vendor to sell snacks, non alcoholic beverages and firewood; and safety fencing to control access to the sled landing area. No additional activity or construction other than what existed or applied for may commence without application for an Amended Conditional Use Permit. 3. Applicant shall meet all conditions of the IDL Land Use Permit; failure to do so will cause commencement procedure for the revocation of this CUP. 4. Applicant shall provide to the P&Z Department a copy of their Business Liability Insurance, yearly, in an amount that is practical for this industry. 5. Applicant shall apply for a sign permit, if they intend to install a sign, with the applicable fees paid within ten (10) working days of approval. Any on-site signage shall comply with BCZDO Chapter 9. 6. Approved hours of

operation will be from 10:00 a.m. to 7:00 p.m.; daily, from November 1 to April 1 of each year. 7. Applicant shall comply with BCZDO Chapter 6, Section 6-6 (f) Glare & Lighting: all lighting or illumination units or sources shall be hooded or shielded to prevent glare on adjacent properties. 8. Applicant shall comply with BCZDO Chapter 7-Off-Street Parking Requirements for a commercial-recreational business. 9. Applicant shall demonstrate Best Management Practices (BMP) employed to meet IDEQ requirements as they apply to air, water, waste and the overall environment. 10. Applicant shall comply with all federal state, and local applicable laws.

Applicant's representative Terry Day, as well as Idaho City Mayor Jackie Bridwell, appeared before the Commission and gave testimony regarding the application and answered questions from the Commission.

Public testimony was received in support from John Cottingham and Doug Bergey.

Chairman J Bart declared the public hearing closed and the application was discussed by the Commission. Commissioner C Evans moved the Commission approve the Conditional Use Permit Application for Mores Creek Recreation Foundation for the Steamboat Gulch Recreation Area, to operate a recreational sledding/tubing hill with the following conditions: 1. Applicant shall comply with BCZDO, Chapter 3, Section 3-9 Conditional Use Approval-If an allowed conditional use is abandoned for more than twelve (12) months it (the CUP) shall expire. 2. Applicant shall be granted the CUP for a "sledding/tubing hill" only, including the services of plowed access from Highway 21 to the site; plowed packing area; portable toilets; trash dumpster and trash receptacles' designated fire pits; food vendor to sell snacks, non alcoholic beverages and firewood; and safety fencing to control access to the sled landing area. No additional activity or construction other than what existed or applied for may commence without application for an Amended Conditional Use Permit. 3. Applicant shall meet all conditions of the IDL Land Use Permit; failure to do so will cause commencement procedure for the revocation of this CUP. 4. Applicant shall provide to the P&Z Department a copy of their Business Liability Insurance, yearly, in an amount that is practical for this industry. 5. Applicant shall apply for a sign permit, if they intend to install a sign, with the applicable fees paid within ten (10) working days of approval. Any onsite signage shall comply with BCZDO Chapter 9. 6. Approved hours of operation are from 10:00 a.m. to 7:00 p.m.; daily, from November 1 to April 1 of each year.ths of March 1st and October 31st for no more than 460 hours per year. 7. Applicant shall comply with BCZDO Chapter 6, Section 6-6 (f) Glare & Lighting: all lighting or illumination unites or sources shall be hooded or shielded to prevent glare on adjacent properties. 8. Applicant shall comply with BCZDO chapter 7-Off-Street Parking Requirements for a commercial-recreational business. 9. Applicant shall demonstrate Best Management Practices (BMP) employed to meet IDEQ requirements as they apply to air, water, waste and the overall environment. 10. Applicant shall comply with all federal, state, and local applicable laws.
Motion was seconded by Commissioner R. P. Ardinger.

Roll call vote was taken: Chairman Jon Bart - yes, Commissioner Cline Evans – yes, Vice Chairman Jack Kane – yes, Commissioner Rosemary P. Ardinger – yes, Commissioner Lois K. Murphy – yes, Commissioner Dan Gasiorowski – yes.

Chairman Bart read the following into the record: Pursuant to Boise County Zoning & Development Ordinance #2001-07, Chapter 3 (page 32), a decision of the Commission may be appealed to the Board of County Commissioners providing an appeal is filed within twenty-one (21) days of notice of the commission's decision. The applicant may begin use of the Conditional Use Permit upon passage by the Commission. However, if an appeal is filed, work must cease until such time as the appeal is decided upon, at which time it will be determined whether work may continue or not.

ATV Idaho – Conditional Use Permit

Chairman Bart stated for the record that Eric Faull, applicant for ATV Idaho, requested the application be tabled until the regular P&Z meeting in June 2011. The Commission agreed to table the ATV Idaho CUP application until the regular meeting in June 2011.

Having no further business, Chairman Bart adjourned the meeting at 7:58 p.m.

Approved by the Commission this 20th day of January, 2011.

Chairman J Bart

Attest:

Mindy Dorau, Deputy Administrative Assistant