



REGULAR MEETING OF THE
BOISE COUNTY PLANNING & ZONING COMMISSION

February 18, 2010
Idaho City Court House
419 Main Street
Idaho City, Idaho

ORIGINAL

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

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

Roll Call was taken; five of the six members were present. Chairman J Bart declared a quorum was present and called the meeting to order at 6:33 p.m.

Review and Approval of the January 21, 2010 Regular Meeting Minutes

Vice Chairman J Cottingham made a motion to approve the minutes of the January 21, 2010 regular meeting, as written; seconded by Commissioner J Kane. All ayes, motion carried.

Deputy Prosecuting Attorney Cheresse McLain read to the audience the standards from the Boise County Zoning & Development Ordinance in which the Planning & Zoning Commission can either approve or deny a Conditional Use Permit application.

Idaho X-Sports Conditional Use Permit Application

Chairman J Bart declared the public hearing convened for the Idaho X-Sports Conditional Use Permit Application and requested the staff report be presented. Chairman J Bart read the power point presentation for record: the subject property is located off Banks Lowman Road approximately mile post 11, Section 26 T09N, R04E. The applicants, Tammy and Blake Oseen, are requesting approval of an ATV/Snowmobile Rentals & Repairs, Part Sales, Snow Removal, Trailer/Toy Storage and Minor Automotive Repair. If the Commissioners approve Idaho X-Sports, the staff recommends 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 not start any additional activity or construction other than what is applied for without applying for an Amended Conditional Use Permit or Building Permit. 3. 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. 4. Applicant shall follow BCZDO if a sign is to be installed: a sign permit will be required, with applicable fees paid within ten (10) working days of approval; and, any on-site signage shall comply with BCZDO, Chapter 9; specifically Sections 3-Procedures; 4-Standards; and 5-Land Use Standard for Signage. 5. Applicant shall establish work hours, not to exceed, 8:00 a.m. to 6:00 p.m. daily, or by appointment during those set hours. 6. Applicant shall comply with BCZDO, Chapter 6, Section 6-6(f) (lighting and glare) shall be used throughout the facility and for all exterior lighting (6.2.7). The applicant shall provide documentation to the Planning & Zoning Administrator for any exterior lighting fixtures showing they are designed and located so as to minimize glare and direct light to adjoining properties and Banks Lowman Road. 7. Applicant shall comply with the Off-street parking requirements within BCZDO, Chapter 7 for commercial development. 8. Applicant shall demonstrate Best Management Practices (BMP) employed to meet IDEQ requirements as they apply to air, water, waste and the overall environment. 9. Applicant shall comply with all federal, state, and local applicable laws.

Blake Oseen appeared before the Commission and gave public testimony regarding his application for Idaho X-Sports Conditional Use Permit.

No public testimony was received.

Chairman J Bart declared the public hearing closed. After Commission deliberation, Chairman J Bart entertained a motion regarding action on the Idaho X-Sports Conditional Use Permit application. Vice Chairman J Cottingham made a motion that the Commission approve the Idaho X-Sports Conditional Use Permit Application 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 not start any additional activity or construction other than what is applied for without applying for an Amended Conditional Use Permit or Building Permit. 3. 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. 4. Applicant shall follow BCZDO if a sign is to be installed: a sign permit will be required, with applicable fees paid within ten (10) working days of approval; and, any on-site signage shall comply with BCZDO, Chapter 9; specifically Sections 3-Procedures; 4-Standards; and 5-Land Use Standard for Signage. 5. Applicant shall establish work hours, not exceed, 8:00 a.m. to 6:00 p.m. daily, or by appointment during those set hours. 6. Applicant shall comply with BCZDO, Chapter 6, Section 6-6(f) (lighting and glare) shall be used throughout the facility and for all exterior lighting (6.2.7). The applicant shall provide documentation to the Planning & Zoning Administrator for any exterior lighting fixtures showing they are designed and located so as to minimize glare and direct light to adjoining properties and Banks Lowman Road. 7. Applicant shall comply with the Off-street parking requirements within BCZDO, Chapter 7 for commercial development. 8. Applicant shall demonstrate Best Management Practices (BMP) employed to meet IDEQ requirements as they apply to air, water, waste and the overall environment. 9. Applicant shall comply with all federal, state, and local applicable laws; seconded by Commissioner R P. Ardingner.

Roll Call: Chairman J Bart – y, Vice Chairman J Cottingham – y, Commissioner J Kane – y, Commissioner R P. Ardingner – y, Commissioner L K. Murphy – y. All Ayes, Motion Carried.

Basin Rock Conditional Use Permit Application:

Chairman J Bart declared the public hearing convened for the Basin Rock Conditional Use Permit Application and requested the staff report be presented. Planning & Zoning Administrator P Burke presented a power point presentation for record: the subject property is located off Hwy 21 on Blue Heron Road, Section 34 T06N, R05E. The applicants, Tom Nelson and Marie Tolliver, are requesting approval to operate a rock processing plant. If the Commission approves the Basin Rock Conditional Use Permit the staff recommends the following conditions: 1. 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. No additional activity or construction other than that applied for may commence without application for an Amended Conditional Use or Building Permit. 3. If this application is approved and applicant intends to install a sign, a sign permit will be required, with applicable fees paid within ten (10) working days of approval; and, any on-site signage shall comply with BCZDO, Chapter 9; specifically Sections 3-Procedures; 4-Standards; and 5-Land Use Standard for Signage. 4. Compliance with BCZDO, Chapter 6, Section 6-6(f) (lighting and glare) shall be used throughout the facility and for all exterior lighting (6.2.7). The applicant shall provide documentation to the Planning & Zoning Administrator, if there is exterior lighting fixtures are designed and located so as to minimize glare and direct light to adjoining properties. 5. Applicant will ensure that the crushing equipment is either under cover or shielded as much as possible from the public view; via natural or man-made materials. 6. Hours of operation Monday through Friday, 7:00 a.m. to 6:00 p.m. between March 1st and October 31st for no more than 460 hours per year. 7. All possible measures for noise mitigation occur prior to beginning the crushing. The noise level reaching any neighbors homes should be 65 decibels or less. The work site has many acres between the operation and the neighbors so this should not be an issue. Dust abatement shall be addressed as needed. 8. Comply with all federal, state, and local applicable laws.

Applicant Tom Nelson and Cecil Dallman appeared before the Commission and gave testimony regarding the Basin Rock Conditional Use Permit application. Cecil Dallman presented a photo of the rock crusher that will be used in the operations; the photos were entered into the record as exhibit nineteen.

Public Testimony was received from: Linda Huempfer and Stephanie Juszczak who spoke in opposition; Jackie Moore, Idaho City Mayor Jackie Bridwell, Rhonda Rice, Judi Bettys, John Holt and Oscar Baumhoff were neutral; and, Mitchell Tain in favor.

Tom Nelson and Cecil Dallman were given the opportunity to give further comments regarding the issues raised by the public testimony.

Chairman J Bart declared the public hearing closed. After Commission deliberation, Chairman J Bart entertained a motion regarding action on the Basin Rock Conditional Use Permit application. Chairman J Bart made a motion to approve Basin Rock Conditional Use Permit application 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 not start any additional activity or construction other than that applied for without first applying for an Amended Conditional Use Permit or Building Permit.
3. Applicant shall follow BCZDO if a sign is to be installed: a sign permit will be required, with applicable fees paid within ten (10) working days of approval; and, any on-site signage shall comply with BCZDO, Chapter 9; specifically Sections 3-Procedures; 4-Standards; and 5-Land Use Standard for Signage.
4. Applicant shall comply with BCZDO, Chapter 6, Section 6-6(f) (lighting and glare) shall be used throughout the facility and for all exterior lighting (6.2.7). The applicant shall provide documentation to the Planning & Zoning Administrator, if there are exterior lighting fixtures. These must be designed and located so as to minimize glare and direct light to adjoining properties.
5. Applicant shall ensure that the crushing equipment is either under cover or shielded as much as possible from the public view; via natural or man-made materials.
6. Applicant shall establish hours of operation as Monday through Friday, 8:00 a.m. to 5:00 p.m. between the months of March 1st and October 31st for no more than 460 hours per year.
7. Applicant shall take all possible measures for noise mitigation prior to beginning the crushing. Applicant shall keep the noise level at 65 decibels or less from the edge of the applicant's property boundary; and, dust abatement shall be addressed as needed.
8. Applicant shall comply with all federal, state, and local applicable laws; seconded by Vice Chairman J Cottingham.

Roll Call: Chairman J Bart – y, Vice Chairman J Cottingham – y, Commissioner J Kane – y, Commissioner R P. Arding – y, Commissioner L K. Murphy – y. All Ayes, Motion Carried.

Gold Hill Reclamation and Mining Conditional Use Permit Application

Chairman J Bart declared the public hearing convened for the Gold Hill Reclamation and Mining Conditional Use Permit Application and requested the staff report be presented. Planning & Zoning Administrator P Burke presented a power point presentation for the record: the subject property is located off Granite Creek Road, Section 9 & 10 T07N, R04E. The applicant, Gold Hill Reclamation and Mining, is represented by Ryan McDermott. Owner of the property is Quartzburg Holding Company is requesting approval to load and transport mine dump material offsite for processing. If the Commission approves the Gold Hill Reclamation and Mining Conditional Use Permit application, the staff recommends the following conditions:

1. 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. No additional activity or construction other than what is applied for may commence without application for an Amended Conditional Use or Building Permit.
3. If this application is approved and applicant intends to install a sign, a sign permit will be required, with applicable fees paid within ten (10) working days of approval; and, any on-site signage shall comply with BCZDO, Chapter 9; specifically Sections 3-Procedures; 4-Standards; and 5-Land Use Standard for Signage.
4. Compliance with BCZDO, Chapter 6, Section 6-6(f) (lighting and glare) shall be used throughout the facility and for all exterior lighting. (6.2.7) The applicant shall provide documentation to the Planning & Zoning Administrator, that the exterior lighting fixtures are designed and located so as to minimize glare and direct

light to adjoining properties. 5. Comply with all federal, state, and local applicable laws. 6. Comply with the work schedule of Monday through Friday, 8:00am to 6:00pm. 7. 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. 8. Applicant shall adhere to industrial building site setback requirements from the property lines for any storage, loading and unloading of material.

Applicant's representative, Ryan McDermott President of Gold Hill Reclamation and Mining Company, appeared before the Commission and gave public testimony regarding the Gold Hill Reclamation and Mining Conditional Use Permit application.

Public Testimony was received from: Idaho City Mayor Jackie Bridwell, Oscar Baumhoff, Idaho City Forest Ranger Barbara Levesque, Danny Martin and Ray Johnston, who were neutral but had concerns.

Applicant's representative, Ryan McDermott, was given the opportunity to give further comments regarding the issues raised by public testimony.

Chairman J Bart declared the public hearing closed. After Commission deliberation, Chairman J Bart entertained a motion regarding action on Gold Hill Reclamation and Mining Conditional Use Permit application. Vice Chairman J Cottingham made a motion to approve the Gold Hill Reclamation and Mining Conditional Use Permit application 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 not start any additional activity or construction other than what is applied for without applying for an Amended Conditional Use Permit or Building Permit. 3. Applicant shall follow BCZDO if a sign is to be installed: a sign permit will be required, with applicable fees paid within ten (10) working days of approval; and, any on-site signage shall comply with BCZDO, Chapter 9; specifically Sections 3-Procedures; 4-Standards; and 5-Land Use Standard for Signage. 4. Applicant shall comply with BCZDO, Chapter 6, Section 6-6(f) (lighting and glare) shall be used throughout the facility and for all exterior lighting (6.2.7). The applicant shall provide documentation to the Planning & Zoning Administrator that the exterior lighting fixtures are designed and located so as to minimize glare and direct light to adjoining properties. 5. Applicant shall comply with all federal, state, and local applicable laws. 6. Applicant shall establish a work schedule of Monday through Friday, 8:00am to 6:00pm. 7. 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. 8. Applicant shall adhere to industrial building site setback requirements from the property lines for any storage, loading and unloading of material. 9. Applicant shall have a maximum number of four (4) trucks or four (4) trips per week. 10. Applicant shall meet with the Placerville Fire District and Medical/Ambulance Unit to discuss access and services. Applicant shall provide a letter of agreement between Applicant and Placerville Fire/Medical/Ambulance to the Planning and Zoning office. 11. Applicant shall maintain posted signs on the Centerville Road stating "trucks entering roadway", or similar language, to notify the traveling public of the truck traffic; seconded by Commissioner L K. Murphy. Roll Call: Chairman J Bart - y, Vice Chairman J Cottingham - y, Commissioner J Kane - y, Commissioner R P. Ardinger - y, Commissioner L K. Murphy - y. All Ayes, Motion Carried.

Tom's Service Conditional Use Permit Application

Chairman J Bart declared the public hearing convened for the Tom's Service Conditional Use Permit Application and requested the staff report be presented. Planning & Zoning Administrative Assistant R Canody presented a power point presentation for the record: the subject property is located off of Hwy 21, approximately mile post 38. The applicants, Nancy Holbert & Gary Secor, are requesting approval to operate a Soil Transfer Station. If the Commission approves the Tom's Service Conditional Use Permit application, the staff recommends the following conditions: 1. 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. No additional activity or construction other than what existed or applied for may commence without application for an Amended Conditional Use Permit. Stockpiling of soils/gravel/ore materials for

resale from this site has not been considered in this application process. In the future if soil/gravel/ore storing is desired by these owners it will require an amendment to this CUP and shall include ongoing onsite dust abatement treatment process, fencing for increased noise mitigation at a minimum and additional measures to address this location as being in the 100 year Floodplain. 3. Applicant shall adhere to industrial building site setback requirements from the property lines for any soil transfer storage, loading and unloading of material. 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 comply with BCZDO if a sign is to be installed, a sign permit will be required, with applicable fees paid within ten (10) working days of approval; and, any on-site signage shall comply with BCZDO, Chapter 9; specifically Sections 3-Procedures; 4-Standards; and 5-Land Use Standard for Signage. 6. Applicant has requested the general hours of operation to be from 7:00am to 7:00pm, seven days a week. Staff recommends that the approved hours of operation are from 8am to 6pm and only on Monday through Friday. This site has neighbors who live near and listen to the noise from this site. 7. Compliance with BCZDO, Chapter 6, Section 6-6(f) (lighting and glare) shall be used throughout the facility and for all exterior lighting. (6.2.7) The applicant shall provide documentation to the Planning & Zoning Administrator, that if added the exterior lighting fixtures are designed and located so as to minimize glare and direct light to adjoining properties. 8. Comply with all federal, state, and local applicable laws.

Applicant Nancy Holbert appeared before the Commission and gave testimony regarding the Tom's Service Conditional Use Permit application.

Public Testimony received from: Dave Selene, who was neutral with the exception of the noise level.

Nancy Holbert was given the opportunity to give further comments regarding the issues raised by the public testimony.

Chairman J Bart declared the public hearing closed. After Commission deliberation, Chairman J Bart entertained a motion regarding action on the Tom's Service Conditional Use Permit application. Chairman J Bart made a motion to approve Tom's Service Conditional Use Permit Application 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 not start any additional activity or construction other than what existed or applied for without first applying for an Amended Conditional Use Permit. Stockpiling of soils/gravel/ore materials for resale from this site has not been considered in this application process. In the future if soil/gravel/ore storing is desired by these owners it will require an amendment to this CUP and shall include ongoing onsite dust abatement treatment process, fencing for increased noise mitigation at a minimum and additional measures to address this location as being in the 100 year Floodplain. 3. Applicant shall adhere to industrial building site setback requirements from the property lines for any soil transfer storage, loading and unloading of material. 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 comply with BCZDO if a sign is to be installed: a sign permit will be required, with applicable fees paid within ten (10) working days of approval; and, any on-site signage shall comply with BCZDO, Chapter 9; specifically Sections 3-Procedures; 4-Standards; and 5-Land Use Standard for Signage. 6. Applicant shall establish the hours of operation as Monday through Friday from 8:00 a.m. to 6:00 p.m. 7. Applicant shall comply with BCZDO, Chapter 6, Section 6-6(f) (lighting and glare) shall be used throughout the facility and for all exterior lighting (6.2.7). The applicant shall provide documentation to the Planning & Zoning Administrator that any added exterior lighting fixtures are designed and located so as to minimize glare and direct light to adjoining properties. 8. Applicant shall comply with all federal, state, and local applicable laws. 9. Applicant shall not exceed a noise level of 65 decibels at the exterior property boundary. 10. Applicant shall comply with all Idaho DEQ restrictions, rules and regulations; seconded by Commissioner J Kane.

Roll Call: Chairman J Bart – y, Vice Chairman J Cottingham – y, Commissioner J Kane – y, Commissioner R P. Ardinger – y, Commissioner L K. Murphy – y. All Ayes, Motion Carried.

General Discussion:

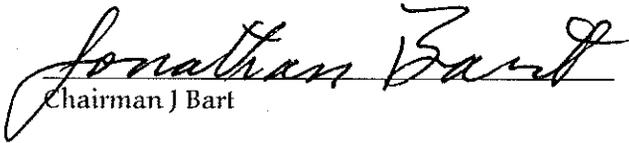
Election of Officers

Vice Chairman J Cottingham moved to nominate and re-elect Jon Bart as chairman; seconded by Commissioner J Kane. All Ayes. Motion Carried. Commissioner J Kane moved to nominate and re-elect Vice Chairman J Cottingham; seconded by Commissioner R P. Ardinger. All Ayes. Motion Carried.

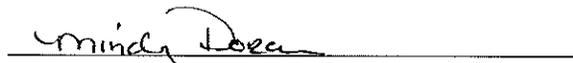
Commissioner J Kane passed out information on the dates, locations and times that the Board of County Commissioners would be holding their public hearings on the Comprehensive Plan.

Having no further business, Chairman J Bart adjourned the meeting at 10:10 p.m.

Approved by the Commission this 18th day of March, 2010.


Chairman J Bart

Attest:


Mindy Dorau, Deputy Administrative Assistant