



ORIGINAL

SPECIAL MEETING/JOINT WORKSHOP OF THE
BOISE COUNTY PLANNING & ZONING COMMISSION
and the BOARD OF COUNTY COMMISSIONERS

Thursday, May 1, 2014
Miner's Exchange Building
420 Main Street, Idaho City, Idaho 83631

Present: P&Z Commission: Mitchel Tain, Tom Faull, Rosemary Ardinger, Dan Gasiorowski, and Jayne Reed. Commissioners: Jamie Anderson.
Absent: John Jauregui.

Also present: P&Z Admin Staff Rora Canody and PA Ian Gee.
Public present: None

Call to Order the workshop:

Chair Tain called the special meeting/joint workshop to order at 4:12 p.m. and asked for a roll call. P&Z Admin Staff Rora Canody called the roll, five of the six Commission members, one County Commissioner and the PA were present.

Chair Tain began the workshop by discussing the lack of "nuisance" being addressed in the draft ULO. PA Gee responded by stating the Idaho Code has specific law regarding nuisance and the ULO has specific language regarding "junkyards"; and the Board of County Commissioner could adopt an ordinance regarding nuisance.

Ms. Canody began review of the draft ULO and the work group discussed the slight changes made to the draft. The work group agreed that the name of the final document would be "Committee draft 1.0".

A discussion of a revised timeline for legal review and final work group meeting PA Gee stated that he would submit the Committee draft 1.0 to outside legal counsel, once the final changes and formatting are completed by staff. More discussion will be held after the public hearing at 7:00 p.m.

Having no further business, the Commission special meeting/joint workshop was adjourned at 6:15 p.m. by unanimous consent.

Approved by the P&Z Commission on 26 day of June 2014.



Mitchel Tain, Chair of the Commission

Attest:



Rora A. Canody, P&Z Admin Staff



ORIGINAL

SPECIAL MEETING OF THE
BOISE COUNTY PLANNING & ZONING COMMISSION
May 1, 2014
Idaho City High School Gym
100 Centerville Road
Idaho City, Idaho 83631

Present: Chair Mitchel Tain, Commissioner Tom Faull, Commissioner Rosemary Ardinger, Commissioner Dan Gasiorowski and Commissioner Jayne Reed. Absent: Commissioner John Jauregui.

Staff Present: Planning & Zoning Admin Staff members Rora Canody and Mindy Dorau, and PA Ian Gee.

Roll Call: Chair Tain requested Ms. Canody call the roll. Five (5) of the six (6) P&Z Commission members were present. Chair Tain declared a quorum was present and called the meeting to order at 7:00 p.m.

Approval of minutes:

Chair Tain requested motions to approve the minutes of the regular meeting held March 20, 2014; special meeting/joint workshop held March 24, 2014, special meeting/joint workshop held March 27, 2014; special meeting/joint workshop held April 3, 2014 and the special meeting/joint workshop held April 7, 2014. Commission Tom Faull moved the Commission approve the minutes for the regular meeting held March 20, 2014, as submitted; seconded by Commissioner Gasiorowski. All ayes, motion carried. Commissioner Tom Faull moved the Commission approve the minutes for the special meeting/joint workshop held March 24, 2014, as submitted; seconded by Commission Reed. Three ayes, two abstain-motion carried. Commissioner Faull moved the Commission approve the minutes of the special meeting/joint workshop held March 27, 2014, as submitted; seconded by Commissioner Reed. Four ayes, one abstained-motion carried. Commissioner Faull moved the Commission approve the minutes of the special meeting/joint workshop held April 3, 2014; seconded by Commissioner Reed. All ayes, motion carried. Commissioner Faull moved the Commission approve the minutes of the special meeting and the special meeting/joint workshop held on April 7, 2014, as submitted; seconded by Commissioner Reed. Four ayes, one abstained-motion carried.

Public Hearing: City of Idaho City Area of City Impact Expansion

Chair Tain called the public hearing to order for the City of Idaho City's request for the Area of City Impact Expansion and explained the public hearing process.

Chair Tain requested the staff report. P&Z Admin Staff Rora Canody appeared before the Commission and presented her staff report and entered the entire Planning and Zoning file into the record.

Chair Tain next called upon Idaho City Mayor Obland for his presentation.

Chair Tain called upon those persons who had signed in as “in support” of the proposed area of city impact expansion. No one wished to give oral testimony.

Chair Tain called upon those persons who had signed in as “neutral” of the proposed area of city impact expansion. Of the ten persons signed in only one gave oral testimony. Oscar Baumhoff appeared and gave oral testimony; stating that he had not had notification of the letter requesting to expand the area of city impact or the public hearing.

Chair Tain called upon those persons who had signed in as “opposed” of the proposed area of city impact expansion. Jon Long appeared and gave oral testimony; asking whether the public hearing was for annexation or expanding the area of city impact. Chair Tain stated the request is to expand the area of city impact only. PA Gee made further comments to clarify the request to expand the area of city impact and the issue of annexation.

Neva Gardner appeared and gave oral testimony, stating that the City of Idaho City’s Comprehensive Plan stated the city sewer would be extended down Highway 21 to The Springs and she did not want her property within the city or have city sewer.

Chair Tain called upon Idaho City Mayor Obland for his rebuttal testimony. Mayor Obland stated that the city should be notified of P&Z applications within the area of city impact and the city is not requesting to annex all of the houses between Idaho City and The Springs; that had not been discussed. Mayor Obland further stated that the proposal is to expand the sewer line down Highway 21 to The Springs, within the road right-of-way, and annex a 10 foot strip of land, the easement for the sewer, into the city.

Commissioner Faull stated he is not certain how the expansion of the city’s area of impact would affect Boise County, what the costs to the county would be. PA Gee stated there would be minimal, or no cost, to the county if the area of city impact were expanded. The county currently notifies the city of any land use application in or outside of the current area of city impact, if the area is expanded then notification would be mandatory, if negotiated. PA Gee further stated that per Idaho Code the area of city impact has to be reviewed every ten (10) years by the county and city, and there is not a lot of extra burden to either the county or city; the Board will make the final decision. PA Gee clarified that the current Boise County ordinances state “Idaho City will not annex property without a request for annexation by the owner of the property in question.” Mayor Obland stated the current Boise County ordinance had been agreed to by others, he had no problem keeping the language as is, but the final decision would have to be made by the city council.

Chair Tain closed the public hearing and the Commission began deliberations. The Commission agreed that they needed more information regarding why the expanded area was needed by the city:

- why a large amount of public lands were being included in the proposed expanded area of city impact;
- why the total amount of land area being proposed in the expanded area of city impact is such a large area, from approximately 6.25 square miles to approximately 36.0 square miles;
- why the city is proposing such a large increase to the area of city impact, yet no city services are planned to be provided within the propose expanded area of city impact;
- Why fire department services would not change for the additional land being proposed in the expanded area of city impact, no plan to expand the fire protection was presented or explained; and

- How would the expanded area of city impact affect Boise County residents; as the Mayor did not offer any mitigation options for the county residents that would be included in the proposed expanded area of city impact?
- How the City would protect its water shed with the expanded area of city impact into the Grimes Creek drainage, no plan of water shed protection was presented or discussed.

Having deliberated, Commissioner Gasiorowski moved the Commission recommend to the Board of County Commissioners denial of the City of Idaho City's request to expand the area of city impact, based upon the six reasons discussed; seconded by Commissioner Faull.

Roll call vote:

Commissioner Tain	Abstain	Commissioner Faull	Aye
Commissioner Reed	Aye	Commissioner Ardinger	Nay
Commissioner Gasiorowski	Aye		

Vote: 3 Ayes, 1 Nay, 1 Abstain: motion carried.

Chair Tain declared a 5 minute break and PA Gee excused himself from the meeting.

General Discussion:

The Commission discussed setting a meeting date to review and sign the Finding and Recommendation to the Board and the timeline for the ULO. It was agreed that a special meeting would be set for Thursday, May 15, 2014 at 5:15 p.m. at the P&Z Dept. office to review and sign the Findings and Recommendation to the Board. Chair Tain stated he would attend in person and all others could call in.

Ms. Canody stated that PA Gee had stated at the workshop that Friday May 23rd would be the date he would request final comment from outside legal counsel on the ULO. The Commission agreed to set a workshop for Thursday May 29th at 10:00 a.m. in the Placerville ambulance building to review the document with PA Gee. The Commission requested that Ms. Canody email PA Gee with the date, time and place for the review, once the use of the building is confirmed.

Having no further business, by unanimous consent, Chair Tain adjourned the special meeting at 9:00 p.m.

Approved by the Commission this 26 day of June, 2014.



Chair Mitchel Tain

Attest:



Rora A. Canody, Planning & Zoning Admin Staff