



REGULAR MEETING OF THE BOISE COUNTY
PLANNING & ZONING COMMISSION

May 19, 2016

Boise County Public Safety Building

3851 Hwy 21

Idaho City ID 83631

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

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

Public Present: Melinda Norris

Roll Call: Chair Tain requested the roll call; four (4) of the four (4) P&Z Commission members were present.

Establish a Quorum and call the meeting to order:

Chair Tain declared a quorum was present and called the regular meeting to order at 6:31 p.m.

Review Agenda: No amendments were made to the agenda.

Approve Minutes: Commissioner Gasiorowski made a motion to accept and approve the minutes of December 15, 2014 regular meeting, December 17, 2014 regular meeting, and April 21, 2016 regular meeting, as written and presented; seconded by Commissioner Jauregui. All ayes, motion carried.

Approval of Findings of Fact, Conclusions, and Order for Korell Outfitters Case CUP #2016-003: Commissioner Gasiorowski made a motion to accept and approve the Findings of Fact, Conclusions, and Order denying CUP #2016-003 for Chris Korell/Korell Outfitters, as written and presented; seconded by Commissioner Ardinger.

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

Motion carried.

Public Hearing: No public hearings were scheduled.

General Discussion:

ULO proposed amendment review: Planning and Zoning Administrator Canody presented a memo informing the Commission that the Board has hired Steven Meade to work with the P&Z Department on amendments to the ULO. The question was posed if the Commission wanted to participate in the process of amending the ULO. The Commission agreed to participate in the amendment process. The topics reviewed included: Section 2.9 Variances, Section 2.12.C Penalty, Section 5.4.A.1 Lot Line Adjustment and Section 5.5 Subdivision.

Section 2.9 Variances: Planning & Zoning Administrator Canody presented the change from the Commission to the Board for all variance applications. The Commission discussed the change and requested Planning and Zoning Administrator Canody recommend to the Board from the Commission that variance applications be kept at the Commission level with the following reasons:

1. Availability to the public, evening meetings by the Commission.
2. Appeal would be cut in half.
3. Scheduling of public hearings by the Board, they do not meet in the evenings.
4. Relieves the workload of the Board.
5. Would build a better case for greater review.

Mr. Meade's recommendation was the Board hear the variances.

Section 3.7.A: Staff requested an addition to this section for a six (6') foot spacing between buildings, as this had been left out of the current ULO, but had been in the Building Permit Ordinance. The Commission requested the P&Z Dept. contact the State Fire Marshall for input on the six (6') foot distance.

Minor Subdivision Section addition: The Commission reviewed the proposed new section for Minor Subdivision as prepared by Mr. Meade. They agreed to the language; but, requested further language that would identify that a "minor subdivision on a minor subdivision" would not be allowed.

Penalty Section: Mr. Meade presented the proposed change of the penalty section from an infraction to a misdemeanor. The Commission agreed with the change. However, they asked Planning and Zoning Administrator Canody to double-check with previous legal counsel regarding the current ULO infraction rationale.

The Commission agreed to forward to Planning and Zoning Administrator Canody dates they would be unavailable for another meeting to review the ULO amendments. She also agreed to take the Commission's recommendations to the Board at their next regular meeting on May 24, 2016.

Comprehensive Plan Review: Planning & Zoning Administrator Canody informed the Commission that the P&Z staff is working on updating all of the statistical data for the Comp Plan; i.e. population, school student numbers, and subdivision numbers. She also recommended that the table of contents order follow that as listed in Idaho Code 67-6505 and new chapters would be necessary.

The Commission agreed that they would like to have citizens from each community in the county be appointed to the review committee. They asked Planning and Zoning Administrator Canody to discuss with the Board having citizens appointed, ways in which to recruit interested persons, including the county web site and Facebook. Ms. Canody agreed to present the Commission's request to the Board.

By-Laws: Review and decision

Planning & Zoning Administrator Canody presented to the Commission a final draft of the Commission By-Laws, reviewed and proposed by Mr. Meade. The Commission agreed to the proposed By-Laws and suggested that the P&Z Department purchase at least one copy of Robert's Rules of Order Newly Revised.

Next regular meeting:

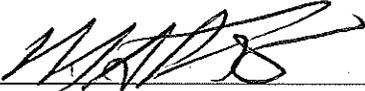
The next regular meeting is scheduled for on June 16, 2016 at 6:30 p.m. in the Garden Valley High School Multi-purpose Room, 1053 Banks Lowman Rd, Garden Valley, ID.

Adjourn:

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

Chair Tain adjourned the Regular Meeting at 8:00 p.m.

Approved by the Commission this 16 day of June, 2016.



Chair Mitchel Tain

Attest:



Rora A. Canody, P&Z Administrator

BYLAWS OF THE BOISE COUNTY PLANNING AND ZONING COMMISSION (ULO #2016-01, Section 2.2)

ARTICLE I

OFFICERS: The general officers of the Boise County Planning and Zoning Commission shall be Chairman and Vice-Chairman, who shall hold office for one year and until their successors are elected. Officers may hold successive terms.

Section 1: Annually, at the first regular meeting of the calendar year, the Boise County Planning and Zoning Commission shall elect a Chairman and Vice-Chairman, who will take office immediately after being elected. Vacancies in these offices occurring during the course of the year will be filled by election at the next regular meeting.

Section 2: The Boise County Planning and Zoning Administrator, or individual appointed by the Zoning Administrator shall serve as the secretary of the Commission.

Section 3: The principal duties of the Chairman shall be to preside at all meetings and to have general supervision of the affairs of the Boise County Planning and Zoning Commission. The Chairman shall make such appointments as may be required, subject to approval of the Commission membership.

Section 4: The principal duties of the Vice-Chairman shall be to discharge the duties of the Chairman in the event of the absence or disability, for any reason whatsoever, of the Chairman.

Section 5: As per Boise County Ordinances it is the responsibility of the County Clerk to be custodian of all public records, ordinances, resolutions and such other papers and documents as may be delivered into his/her custody. All records shall be open to the public, except as noted in Idaho Code Section 9-340.

Section: 6: The Planning and Zoning Administrator, or individual assigned by the Planning and Zoning Administrator, shall give notice of all meetings and public hearings. It shall also be the duty of the Planning and Zoning Administrator to provide the Commission with all essential documentation regarding items under their review.

ARTICLE II

MEETINGS:

Section 1: The Boise County Planning and Zoning Commission shall hold its regular meetings on the third Thursday of each month at 6:30 p.m. If a holiday falls on the Thursday scheduled for the Commission meeting the meeting shall be held on the following Thursday. All meetings shall be open to the public.

Section 2: Special meetings may be called at any time by the Chairman, or by the request of three (3) or more members of the Commission. A written notice stating the time, place and purpose of such meeting shall be posted in three (3) public places at least 24 hours prior to the special meeting. No business shall be transacted except that mentioned in the notice of the special meeting; unless moved and passed by a majority vote of the attending Commission members.

Section 3: A majority of appointed members of the Boise County Planning and Zoning Commission shall constitute a quorum. Once a quorum is established for a public meeting, should a member(s) abstain from a vote, a decision shall be based on the vote of a simple majority of the remaining voting members.

ARTICLE III

PARLIAMENTARY AUTHORITY: The rules contained in the current edition of ROBERT'S RULES OF ORDER NEWLY REVISED shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with these bylaws, any special rules of order the Commission may adopt, or any federal, state, or county ordinances or resolutions applicable to the Commission.

ARTICLE IV

VOTING: A decision is made and a motion passed when a quorum is present and more than half the votes are affirmative. All votes shall be made in open session and duly recorded. Any conflicts of interest shall be disclosed and handled in accordance with Idaho Code §59-701, et seq. A roll call vote shall be held for all decisions related to amending the agenda, land division applications, conditional use permit applications, and variances. Any member may call for a roll call vote for any motion.

ARTICLE VI

AMENDMENT OF BYLAWS: These bylaws can be amended at any regular meeting of the Commission by a two-thirds (2/3) vote, provided that the amendment has been submitted in writing at the previous regular meeting, or included in the agenda of the next regular meeting.