



A BOISE COUNTY AMENDMENT TO ORDINANCE #2004-02,
CREATION OF THE PLANNING AND ZONING COMMISSION, AMENDING SECTION 6-
1-2 MEMBERSHIP AND SECTION 6-1-5 MEETINGS-RULES OF PROCEDURE.

BE IT ORDAINED, by the Board of County Commissioners of Boise County, Idaho:

The passage of this ordinance amendment repeals Section 6-1-2(A) and Section 6-1-5(F) of Boise County Ordinance #2004-02.

SECTION 6-1-2 MEMBERSHIP SHALL BE AMENDED TO READ:

Section 6-1-2 MEMBERSHIP

- A. The Commission shall consist of an odd number of members being no fewer than three (3) and no more than seven (7) voting members, each appointed by the Chairman of the Board and confirmed by a majority vote of the Board. A Commissioner must have resided in the county for two (2) years prior to their appointment and must remain a resident of the county during his/her service on the Commission. Commissioners serving when this ordinance is adopted shall continue to serve the terms for which they were appointed, subject to the right of the Board to remove any Commissioner, for any reason, at any time. To the extent possible, the commission members shall geographically represent the county. The term of office for commission members shall be four (4) years. No person may serve for more than two (2) full consecutive terms; unless reappointed by a two-thirds (2/3) concurrence of the Board. One (1) partial term of appointment may be served in addition to the two (2) full consecutive terms allowed; see I.C. §67-6504.

SECTION 6-1-5 MEETINGS-RULES OF PROCEDURE

F.1 Any decision or action may be appealed as set forth in this Ordinance. The appellant shall be an affected person as defined in Idaho Code §67-6521(1) (a). Any request for reconsideration or appeal must be filed on an application as provided by the P&Z Department. A request for reconsideration or appeal must identify specific deficiencies in the decision for which reconsideration or appeal is sought, and must otherwise comply with Idaho Code §67-6535(b).

F.2 Appeal of Administrative Decision:

- F.2.a An affected person aggrieved by a final administrative decision or action of the Administrator that was made pursuant to the provisions of a Boise County land use ordinance may appeal to the Board. However, before any affected person can appeal to the Board, they must first seek reconsideration of the final decision by the Administrator within fourteen (14) calendar days. Such written request for reconsideration by the Administrator must identify specific deficiencies in the final decision for which reconsideration is sought.

Upon reconsideration, the Administrator's original decision may be affirmed, reversed or modified after compliance with applicable procedural standards. A written decision shall be provided to the applicant or affected person within sixty (60) calendar days of receipt of the request for reconsideration.

- F.2.b A request for reconsideration or appeal shall be filed with Planning and Zoning Department within fourteen (14) calendar days after the date of the final decision or reconsidered final decision. If the deadline for filing an appeal falls on a weekend or Boise County holiday the appeal deadline is automatically extended to the next workday.
- F.2.c For an appeal, the Board shall hold a public hearing to consider the decision of the Administrator and any additional evidence that may be offered by the public, applicant or Administrator.
- F.2.d The Board may affirm, reverse or modify, in whole or in part, the Administrator's decision.

F.3 Appeal of Planning and Zoning Commission Decision:

- F.3.a An affected person aggrieved by a decision of the Commission that was made pursuant to the provisions of a Boise County land use ordinance may appeal to the Board. However, before any affected person can appeal to the Board, they must first seek reconsideration of the final decision by the Commission within fourteen (14) calendar days. Such written request for reconsideration by the Commission must identify specific deficiencies in the final decision for which reconsideration is sought. Upon reconsideration, the Commission's original decision may be affirmed, reversed or modified after compliance with applicable procedural standards. A written decision shall be provided to the applicant or affected person within sixty (60) calendar days of receipt of the request for reconsideration.
- F.3.b A request for reconsideration or appeal shall be filed with the Planning and Zoning Department within fourteen (14) calendar days after the date of the Findings, Conclusions and Order were signed by the Commission or the Findings, Conclusions and Order were reconsidered and a final reconsidered decision is made.
- F.3.c For an appeal, the Board shall hold a public hearing to consider the decision of the Commission and any additional evidence that may be offered by the public, applicant or Administrator.
- F.3.d The Board may affirm, reverse or modify, in whole or in part, the Commission's decision.

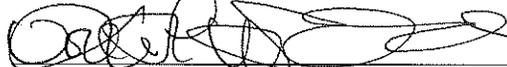
F.4 Appeal of Board of County Commissioner Decision:

An affected person seeking review of a written decision of the Board may appeal within twenty-eight (28) calendar days after all remedies have been exhausted under Boise County ordinances in order to seek judicial review as provided in Idaho Code §67-6521(d) and §67-6535(b), or as amended. Before any affected

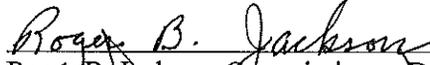
person can appeal to the District Court they must first seek reconsideration of the final decision by the Board within fourteen (14) calendar days. Such written request for reconsideration by the Board must identify specific deficiencies in the final decision for which reconsideration is sought. Upon reconsideration, the Board's original final decision may be affirmed, reversed or modified after compliance with applicable procedural standards. A written decision by the Board shall be provided to the applicant or affected person within sixty (60) calendar days of receipt of the request for reconsideration.

APPROVED and ADOPTED in open session this 31st day of MARCH, 2015.

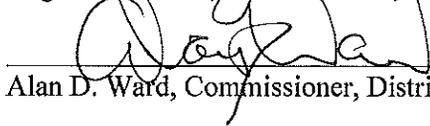
BOISE COUNTY COMMISSIONERS



Vicki L. Wilkins, Chair, District III



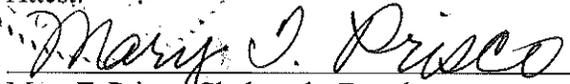
Roger B. Jackson, Commissioner, District I



Alan D. Ward, Commissioner, District II



Attest:



Mary T. Prisco, Clerk to the Board