

# MINUTES

## ADAMS COUNTY PLANNING & ZONING COMMISSION

### **Regular Meeting**

**September 17, 2018, Adams County Courthouse**

**7:00 p.m.**

**Members Present:** Royce Bauer, Julie Burkhardt, Rich Laine, Dennis Nau, Mark Peterson, Joe Warner; Al Becker joined the meeting at 7:07.

**Members Absent:** None

**Others Present:** P&Z Administrator Wendy Green

**Public Present:** Jeff Batten, Environmental Health Specialist with Southwest District Health

1. **Call to Order:** Chairman Rich Laine called the meeting to order at 7:02 p.m.
2. **Review Agenda:** Julie Burkhardt moved to approve agenda as presented; seconded; passed.
3. **Approval of Minutes:** Dennis Nau moved to accept the minutes of the August 20, 2018 Regular Meeting with corrections; seconded; passed.
4. **New Business**

Wendy Green gave a brief explanation of the two requests for Conditional Use Permits and asked the Commission to set a date and time for a public hearing for each application. Green reminded Commission of the requirement to publish notice at least 15 days prior to any public hearing, in addition to mailing notice to affected landowners and posting a sign at the subject property. The Commission discussed the most expeditious way to schedule hearings to handle applications in a timely manner and treat applicants and affected landowners fairly, with ample time for appropriate public notice and comment. The discussion concerned not just the two current applications, but the hearing schedule in general. Commissioners agreed that it may make sense to hold public hearings at locations other than the county courthouse, such as in New Meadows. In that case, the Administrator will make sure we have the ability to record audio of the meetings. Royce Bauer moved to establish the first Tuesday of each month as an additional hearing date and authorize the Administrator to schedule hearings on the first Tuesday evening on an as-needed basis, beginning in November 2018; seconded; passed.

Royce Bauer moved to schedule the public hearing for the Parker Conditional Use Permit for an Air Bed & Breakfast on October 15<sup>th</sup>, 2018, at 7:15 p.m.; seconded; passed.

Dennis Nau moved to schedule the public hearing for the Kesler Conditional Use Permit for a third septic system on one parcel for October 15<sup>th</sup>, 2018 at 7:45 p.m.; seconded; passed.

**Review Board of County Commissioners' revisions to Articles of Agreement & Bylaws:** Wendy Green explained the Board's edits to the Bylaws to make removal from the Commission due to missing three consecutive meetings more lenient by changing the wording to "more than three consecutive meetings." The Board also revised the Articles of Agreement to clarify that the Commission may

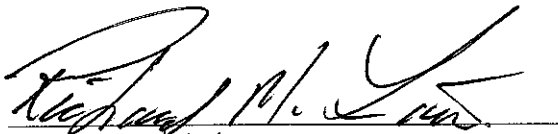
make recommendations to the Board for receiving and expending funds and contracting for services, but the decision-making authority rests with the Board. Likewise, the Commission may recommend amendments to the Articles and Bylaws, but any changes must be approved by the Board of County Commissioners. Dennis Nau moved to accept the revised Bylaws and Articles of Agreement as presented; seconded; passed.

5. **Items from the Public:** Jeff Batten, Environmental Health Specialist with Southwest District Health, introduced himself to the board and gave an overview of his areas of responsibility. He asked to be notified of any applications that may require inspections, permitting or analysis by SWDH. Batten added that he will review subdivision proposals and Conditional Use Permit applications and be prepared to testify at relevant public hearings. He will contact Parkers and Kesler regarding their current CUP applications. Batten noted that he has been working with the engineer for Brundage on the Goose Creek/Creekside project, and a nutrient pathogen study has been completed on the subject parcel. The Commissioners and Administrator asked Batten to expand on or clarify some items, including the relationship between SWDH subdivision review and the specific requirements of Adams County's Preliminary Plat process. Chair Laine thanked him for his time and expertise. Batten departed the meeting at this time.
6. **Items from the Planning & Zoning Administrator:** Wendy Green provided Commissioners with copies of Idaho Statutes 67-6539 and 63-1802 relating to regulation of short-term vacation rentals and noted the relevance to the pending application for a bed and breakfast. The Commission discussed the challenge of complying with the Statute, given its conflicting language prohibiting regulation of short-term rentals but allowing implementation of "reasonable regulations."

Green presented the new forms for Land Change Request and Subdivision Change Request. She explained that land transactions have been recorded with the Clerk, only to discover that they did not conform to County zoning ordinances. The Assessor, Clerk, Treasurer and P&Z staff worked together to create these forms and implement a process for avoiding non-conforming splits. The Board had reviewed and approved the forms at its September 10<sup>th</sup> meeting.

In response to last month's request for a simplified version of Roberts Rules of Order or other acceptable guide to conducting meetings, Green provided a written copy of the Idaho Falls Public Meetings Handbook to Chair Laine and told the Commissioners where they could access the handbook online at <https://www.idahofallsidaho.gov/DocumentCenter/View/86/Public-Meetings-Handbook-PDF?bidId=>. She also recommended they watch Jerry Mason's tutorial videos on public hearings, available on the Association of Idaho Cities website: <https://idahocities.org/page/PandZ>.

7. **Items from or Questions for the Prosecuting Attorney:** None
8. **Items from the Planning & Zoning Commission:** None
9. **Upcoming Meetings:**  
Next Regular Meeting: October 15, 2018 at 7:00 p.m., to include:  
Public Hearing: Parker CUP application for bed and breakfast business in their home, 7:15 p.m.  
Public Hearing: Kesler CUP application for third septic system on one parcel, 7:45 p.m.
10. **Adjournment**  
Meeting adjourned at 8:15 p.m.

  
Rich Laine, Chairman

10-15-2018  
Date

