

**ELMORE COUNTY  
PLANNING AND ZONING COMMISSION**

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**MINUTES**

**Wednesday, January 20th at 7:00 pm**

Chairperson Nettleton called the meeting to order. Members of the Elmore County Planning and Zoning Commission present were Chairperson Nick Nettleton, Vice Chairperson Patti Osborn, Debbie Lord, Al Sobotzak, KC Duerig, Sue Fish, and Betty Van Gheluwe. Also present were Attorney of Record Phil Miller, Director Alan Christy and staff members Beth Westerwelle and Kacey Hultenius.

Nettleton established a quorum.

Pledge of Allegiance

**Schedule a public hearing** for Franklin "Bud" Corbus to contest the revocation of the Preliminary Plat Phases 2, 3 and 4 for Driftwood Subdivision.

Westerwelle gave some background information on this project.

Bud Corbus is the owner of the Subdivision. He stated that he has requested an extension on the Preliminary Plat.

The Commission members scheduled this public hearing for April 7<sup>th</sup>, 2010.

**Schedule a public hearing** for Tim Healy to contest the revocation of a Conditional Use Permit for Coyote Run Subdivision.

The Commission members scheduled this public hearing for March 17<sup>th</sup>, 2010.

**NEW BUSINESS**

**FCO's and MINUTES**

**FCO for Gary Bermensolo Case # LOI-2009-03**

Sobotzak moved to approve this FCO with the change that states "No parcel shall be sold, developed, or building permits issued prior to their annexation into the City of Mountain Home".

Osborn seconded.

Motion carries unanimously.

**Minutes from January 6, 2010 Public Hearing**

Osborn moved to approve with one correction

Lord seconded.

Motion carried unanimously.

**INFORMATION ITEMS**

Christy stated that the Growth and Development Office has received another round of appeals on LOI's that were previously denied. They are not scheduled but the Board of County Commissioners will set a date on those.

Christy stated that originally the Board of County Commissioners requested that members of the Planning and Zoning Commission be present at the appeal hearings. He stated that after talking with Miller, the Elmore County Prosecuting Attorney and the County Civil Attorney determined that was a bad idea. No Planning and Commission members are required to be at the appeal hearings.

An Ordinance Revision Workshop Meeting was scheduled for March 10, 2010 at 6:30 pm at the American Legion Hall.

### **ORDINANCE REVISION WORK SESSION**

Christy stated that he has started a draft amendment to the Comprehensive Plan. Lord asked Christy why there was no plan for Heavy Industrial near airport subdivisions. Christy stated that it is more of a hazard area and there are severe restrictions to height in those zones and generally they are a bit closer to towns, basically to protect airport and airstrips. Christy stated that there are quite a few airport sub zones in Elmore County. Osborn stated that that the draft stated that Heavy Industry will not be located "in or near" airport sub zones. Osborn wanted clarification on what "near" means as that definition may vary from one person to another. Miller stated that it is vague. Christy recommended changing the word "near" to adjacent. Commission consensus was to think on it for now. Duerig stated Areas of Critical Concern are not addressed. Nettleton stated they will address these items at a later workshop.

Christy moved on to discuss the ordinance outline that the Commission members have been working on these past few months. He stated that he is still pulling together accurate data from the City of Glenns Ferry and the City of Mountain Home on overlay zones and incorporating them in to the zoning map. He stated that this is taking longer than anticipated but plans on having this information by the next Ordinance Revision Workshop Meeting for review.

Christy stated that he has attached ordinance amendment drafts to the outline. He stated that the first one deals with Commercial Subdivisions. He stated that it is straight forward and does not anticipate any problems on this.

The next item was for Boundary Line Adjustments. Christy stated the he added some language and that Council should look at this when Boundary Line Adjustments can be addressed for adjustments greater than 60 percent of the property width or length.

Christy moved on to discuss Subdivision Setbacks. He stated that setbacks in an Agriculture Zone are 50 feet with the adoption of the new Ordinance. He stated that he is proposing smaller setbacks.

Christy moved on to discuss adding short plats to the ordinance. He stated that short plats would be the combining of the preliminary and final plats. He stated that he thought it would be easier to just add

language to the process section for plat applications. He stated that in looking at some of the older plat applications that this was allowed.

The next item was lot coverage in different zones throughout the County in Recreation Zones and Rural Residential Zones. Christy stated that he increased this to 25 percent. He stated that as of now there are very few properties zoned Rural Residential and none zoned Recreation.

The next item was auto repair and service shops. Christy stated that he made changes to read that they are allowed in certain zones and will not differentiate between a major and a minor repair shop.

Christy stated that there have been questions regarding how much notification should be required from applicants to property owners for neighborhood meetings and what happens if they do not follow through with the neighborhood meeting or notify everyone on their list. Commission consensus was for notification to be 10 days prior to the meeting date. Westerwelle recommended that the applicant mail a copy of the notification back to the Growth and Development office so that they are aware of when notice was sent out. The Commission members agreed. Westerwelle asked what the consequences may be for the applicant if all that were required to be notified were not. Christy stated that what they have been running into with this is that there are some people who know that they are going to get some objections and are not notifying certain people. Miller stated that it is not required constitutionally that people be given information about an application prior to the application being submitted so there is really nothing that can be done to ensure this process.

Christy handed out a copy of the Planning and Zoning by-laws. He asked them to look over the by-laws to make sure that they are in conformance with Chapter 7. He stated that Chapter 7 that there can be up to 12 members on the Planning and Zoning Commission and the bi-laws say 9. He stated that this also needs to be compared to Idaho Code. He stated that they may need to change the by-laws or the Ordinance.

## **MEETING ADJOURNED**

Approved

Approved

Nick Nettleton, Chairperson

Date:



2-3-10

Attest:  
Alan Christy,  
Director



2-3-10

Date: