



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, January 19, 2023
6:30 P.M.

1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATION BUILDING

Commissioners Present : Robert Sturgill, Chairman
 Brian Sheets, Vice Chairman
 Patrick Williamson, Commissioner
 Ron Amarel, Commissioner
 Harold Nevill, Commissioner
 Miguel Villafana, Commissioner

Staff Members Present: Sabrina Minshall, Director of Development Services
 Dan Lister, Planning Official
 Samantha Hammond, Planner
 Madelyn Vander Veen, Planner
 Michelle Barron, Planner
 Bonnie Puleo, Recording Secretary

Chairman Robert Sturgill called the meeting to order at 6:30 p.m.

Commissioner Villafana read the testimony guidelines and proceeded to the first business item on the agenda.

MOTION: Commissioner Nevill moved to approve & sign the revised Findings of Facts, Conclusions of Law and Conditions of Approval for Case CU2022-0004/Michael Rawden. Motion seconded by Commissioner Sheets. Voice vote, motion carried.

MOTION: Commissioner Nevill moved to approve & sign the revised Findings of Facts, Conclusions of Law and Conditions of Approval for Case RZ2022-0011 & SD2022-0034/Sierra Vista Properties-Mint Farms Estates. Motion seconded by Commissioner Williamson. Voice vote, motion carried.

- **Case No. CR2022-0026/Stacy Woodruff:** The applicant, Stacy Woodruff, is requesting a Conditional Rezone of parcel R38194010, approximately 3.98 acres, from an "A" (Agricultural) zone to a CR-R-1 (Conditional Rezone - Single-Family Residential) zone with the intent to split the lot into three residential lots. The subject property is located at 24822 Harvey Rd, Caldwell, ID; also referenced as a portion of the NW¼ of Section 35, T5N, R3W, Canyon County, Idaho.

Declaration: Commissioner Amarel disclosed that he knew the applicant, Stacy Woodruff and has worked with him in the past but has not discussed this case with him. When asked by Commissioner Sheets if his relationship with the applicant would prevent him from making an unbiased decision in this case, he said no.

Planner Samantha Hammond reviewed the Staff report for the record.

Chairman Robert Sturgill affirmed the witnesses to testify.

Testimony:

Stacy Woodruff – Applicant (Representative) – IN FAVOR – 24856 Harvey Road Caldwell ID 83607

Mr. Woodruff wanted to provide his personal story behind the parcel of land. Mr. Woodruff, his two daughters and their husbands bought the parcel together after looking at the 2020 and 2030 Comprehensive Plan, anticipating they could split it into a total of three parcels. The house on the property was built in 1971 which they have remodeled and he said their intentions are in line with what the planner stated. They will follow all agency requirements. Their neighborhood meeting did not have a big turnout but he personally went around to most of the neighbors to get to know them. Most of the neighbors have been appreciative as the property was a wreck when they purchased it and they have spent time cleaning it up. He wanted to clarify that they were not part of that prior parcel split; they bought the parcel as the 3.9 acre parcel. Commissioner Villafana asked about the small triangle of land at the top of the parcel and if he maintained it. Mr. Woodruff stated they thought of approaching the landowner of that piece and offering to buy it; there is no easement for it. Mr. Woodruff said it is kind of 'no man's land' and the person who owned it before used it for pasture/grazing. Commissioner Villafana said if they don't want to sell it, it would be important to maintain it as it could be a fire hazard. Commissioner Williamson asked why the land was considered "not farmable". Mr. Woodruff said that "unfarmable" might be a bit of an overstatement; he clarified that they wouldn't be able to make any money off it. Commissioner Nevill asked about the piping of the ditch and if they had talked to the Irrigation District about it. Mr. Woodruff said no, they hadn't but they will. He said it is a 3-foot wide canal that runs through the south of the property with an easement on both sides of it. He thinks the Irrigation District may be more concerned about the canal where it goes under Harvey Road. Commissioner Nevill felt they might be more concerned about piping the ditch to protect it and so that kids don't fall in. Commissioner Nevill asked about the firefighting plan for the three houses. Mr. Woodruff said before they can get a building permit, they will have to talk to the Fire Department and see what is required. He doesn't know what they will want but will align with them on it. Mr. Woodruff said they will also have plenty of space on the third parcel for a fire truck to be able to turn around. When asked, Mr. Woodruff said they do not have any surface water rights but they do have an irrigation well with ground water rights for the parcels. They will make sure they have an agreement in place to handle those water rights. The land will be used primarily for pasture for animals.

MOTION: Commissioner Nevill moved to close public testimony on Case CR2022-0026 seconded by Commissioner Sheets. Voice vote, motion carried.

DELIBERATION:

Commissioner Sheets said after reviewing the application and hearing the testimony, he thinks the real issue is will two additional homes on that property be more appropriate? Based on the code, the Comprehensive Plan and the character of the surrounding area, he is not opposed to having two additional homes on that parcel.

Commissioner Nevill said when he initially heard the staff report, because he has seen too many of these, it is an area that should be platted because it is going into the middle of what will become a future residential area. But after hearing testimony from the applicant, he believes Mr. Woodruff has thought it through and has plans for everything Commissioner Nevill would be concerned about so he is in support of the case.

MOTION: Commissioner Williamson moved to approve Case CR2022-0026 including the Findings of Facts, Conclusions of Law and Conditions of Approval, forwarding the recommendation to the Board of

Canyon County Commissioners. Motion seconded by Commissioner Villafana. Roll call vote: 6 in favor, 0 opposed, motion passed.

- **Case No. CU2022-0038/Manuel Gutierrez:** The applicant, Manuel Gutierrez, is requesting a conditional use permit for a Staging Area located on parcel R30792. The requested use includes storage of landscaping materials and equipment for use off-site. The applicant has proposed 8 employees. The parcel is zoned "A" (Agricultural). The subject property is located at 17087 N Franklin Blvd, Nampa; also referenced as a portion of the SE¼ of Section 5, Township 2N, Range 1W; BM; Canyon County, Idaho.

Planner Madelyn Vander Veen reviewed the Staff report for the record including one late exhibits.

Chairman Robert Sturgill entered the late exhibit into the record and affirmed the witnesses to testify.

Testimony:

Manuel Gutierrez – Applicant (Representative) – IN FAVOR – 17087 N. Franklin Blvd Nampa ID 83688

Mr. Gutierrez is the owner of the property and is also the son of the owner of the business. He is there on behalf of the business and said he is hoping to be able to stage in that location. This is not a place of business, it is a place of storage. The employees show up in the morning and go. They store their plants and trees for the (landscaping) business in the back of the property and they try to keep it neat and respectful to neighbors and traffic passing by. The property is covered by trees. They have some small machinery; mini excavators and skid-steers. Regarding the pallets, Mr. Gutierrez said they come and go. They are not there anymore. They use them for the landscaping business to move blocks and plants. He said usually there aren't that many. They haven't had any complaints from their neighbors and have even done landscaping work and snow removal for them. They have also repaired Amy Lane, the road they all use and have filled the divots with road mix to keep it clean and level as a favor to their neighbors. Commissioner Sheets clarified with the applicant that he owns the property. Commissioner Nevill said staff proposed eight conditions and asked if he agreed with all eight. Mr. Gutierrez replied, yes. He was asked if this conditional use permit was not approved, would it shut down the business. Mr. Gutierrez said no, but they would need to find another place to use as a staging area. He said he hopes they don't have to. Commissioner Williamson said he wanted to propose a condition to Mr. Gutierrez: if there is a change in the owner of the business, is he okay with having the conditional use permit expire? Mr. Gutierrez said yes, if they sold the property or business, he would agree that it should expire. He said they moved there at the end of 2020. He was asked if he has trucks delivering materials there and Mr. Gutierrez said they go out and get the materials; there are no deliveries to the property. Chairman Sturgill asked Mr. Gutierrez about some items in the photographs and if they are used for the business. Mr. Gutierrez said yes, they were used for the business and explained what the items were. Commissioner Amarel asked about the pallets. He asked if Mr. Gutierrez had a plan for tidiness of the property? Mr. Gutierrez said that pallets come and go; some are rented and the business returns those. The pots shown in the photographs are used for their plants.

Elbia Gomez – IN FAVOR – 17083 Amy Lane Nampa ID 83687

Ms. Gomez lives next door to Mr. Gutierrez. She said she has never had any problems with them. She is thankful for them, especially when it snows. She has a small car and they plow her driveway and all the other neighbors' driveways with their trucks and are very helpful. She said that is why she is in favor of this; when driving in and out, it gets pretty bad and they fix it with their equipment. She reiterated that she is right next door and has had no problems with them as her neighbors.

Bill Plumb – IN OPPOSITION – 17154 N. Lochsa Nampa ID 83087

Mr. Plumb showed where his house was on the map. He said he is inside the city limits of Nampa and not in the County. He said contrary to how this goes, he wants Mr. Gutierrez to be successful. When this started, the Fire Department sent out a notice in June of 2022, about the staging area and 8 employees. The hours will be 7 am to 7 pm. He said what they started out with is not what they ended up with now; it's something totally different. He had taken some photos of the property and provided those as an exhibit for staff. The photo was taken a little back on Franklin. He said the pallets come and go. His significant concern is for the community. The Sheriff's Department has been called at least 5 times on that property; four times by Mr. Plumb himself because of the noise. Most of the time the noise is loud music; it starts in the morning and goes all day long. It is so loud he can't close his doors and drown it out. He would like to solve the noise issue so they can sit out on their back patio and maybe/maybe not hear the music. He began documenting the number of times he has asked them to turn it down. He said there is no noise ordinance in Canyon County. He said you have until 11:00 pm to make all the noise you want. In the City of Nampa, it is 10 pm. The total lack of concern for the surrounding community is a concern; if the business is allowed to come in now there are employees and equipment. He said his last option is to say he doesn't want it (the staging business). He wants the noise to stop. He said the noise is generally after work hours and is not related to the business per say but it is the business. If they have no respect, up until a few days ago, with this permit approval process coming up and they weren't taking into consideration their neighbors, he has a concern how this will play out in the future. He understands Mr. Gutierrez is a great neighbor and he said we need people like that but he has a right to peace and quiet and the business is disrupting it badly. Mr. Plumb spoke to Mr. Gutierrez the first time in May of last year and has left several messages since then. He no longer bothers and now calls the Sheriff. They can't do anything unless he was willing to charge a misdemeanor and he is not willing to do that, but something has to give. He said it is just music from their garage. There are times when it is the equipment on the weekends. He said if this passes without something to protect the neighborhood, then they don't have to worry about making noise. They can run anything they want from 7 am to 7 pm and there is no recourse. If it is a business, it shouldn't disrupt the neighborhood. When asked about the operating hours for the conditional use permit, he said it would be more acceptable to end it at 5 pm for the overall equipment noise. Commissioner Nevill said this is a staging area, not a repair yard. They have to apply for something different for a repair shop; it is just supposed to be for parking. Planning Official Dan Lister clarified that the code allows vehicle maintenance of the homeowner's or immediate family members' own vehicles and explained the difference between a contractor shop and a staging area. Because it is an Ag area, the landscaping business is allowed. They do not have any definition in the code for a landscaping business. Chairman Sturgill clarified with Mr. Lister that they can craft the conditions of approval for the staging area only not the landscaping business or the single family residence. Commissioner Villafana said the landscaping business can run 7 days a week; the change to the hours of operation would only apply to the staging area. The landscaping business can run until they start using it for other uses (example: retail) and then it would require a conditional use permit. A landscaping business required a conditional use permit before 2012 but now it is an allowed use. Chairman Sturgill asked if there were any other concerns about the use of the property and Mr. Plumb requested that they clean up the property a little bit or organize it better.

Manuel Gutierrez – Applicant (Representative) – REBUTTAL – 17087 N. Franklin Blvd Nampa ID 83688

Mr. Gutierrez said he understood where Mr. Plumb was coming from but he felt like the noise complaint was irrelevant to what they were speaking about that night. The music could be coming from other people in the house or anywhere else. He said that Mr. Plumb was correct; the police have come multiple times to the property. They have spoken to the police and they are fine with the music. The police agreed that there is nothing wrong with it and they are free to express noise as long as it is not after 10 or 10:30 pm.

They have not broken that rule. They listen to music in their backyard. There have been times that the police have come and the noise has not been coming from them; their neighbors play music as well. They live in an agricultural area and there is animal noise and people mowing lawns. They do sometimes operate their machinery and move trees on the weekend but they do it at a respectful time; not early in the morning or late at night. They are not trying to cause a disturbance. He agrees with Mr. Plumb on the music; they are not trying to be disrespectful. It is not disrespectful music. It's a big area and sounds echo. Mr. Gutierrez feels it is irrelevant to the business. He said they do work on equipment in the garage; it is him or his father replacing tires or working on a lawnmower. They don't contract with outside people and it is a very small space. He feels they are keeping the property organized; their trucks and trees are in line. They have fencing all around the property and it is lined with tall trees. It is distant from the road. Even their pile of wood is stacked. They try to keep it up and make it presentable. Commissioner Nevill asked if the music was related to the business or to the family living there. Mr. Gutierrez said it is related to the people who are living in the home. He and the employees are gone during the day. No employees live there. Commissioner Nevill said one of the suggestions was to end the day at 5 pm. Mr. Gutierrez said changing the hours to 5 pm would be hard to do because it would be a much earlier end to the day for them. Even compromising at 6 pm, it would be hard during the summer because it doesn't get dark until 10 pm. He agrees with 7 pm because that is the hours for their employees. Commissioner Williamson asked if this would be the only staging area and Mr. Gutierrez said yes. There was some discussion about the definition of the staging area versus what the normal landscaping business would allow. Mr. Gutierrez said he understood that they couldn't stage trees or plants over the weekend in the staging area. Mr. Gutierrez, in response to some of the photos shown, said the property looks different now. He said the complaints were only about the music and it was only one person filing the complaints. It was the same police officer who came to their property to discuss the issue most times and he said if they had to lower it by law, they would. But the police officer said he was just delivering the message that they received the complaint and there was nothing he could do. It is something they have always done (playing the music) and they have never had any complaints in the past. It's nothing obnoxious and it echoes. The music is coming from the household: they have someone living with them who loves music. He said again that he feels like the music has nothing to do with the business.

MOTION: Commissioner Williamson moved to close public testimony on Case CU2022-0038 seconded by Commissioner Nevill. Voice vote, motion carried.

DELIBERATION:

Commissioner Nevill's concern was that he didn't want to put them out of business but he doesn't know what to do about this. He said he doesn't think they can do anything about the noise as it was not related to the business, it was from the family. He doesn't think they can put conditions on the noise, as it is from a single family dwelling. They could condition the hours of operation for things related to the staging area. He said he thinks they should decide whether they are going to add the condition that once the business is sold, the conditional use permit expires. On condition #4, he would be willing to change the time.

Commissioner Villafana would be willing to change the hours on condition #4 but would want it to be seasonal. Winter and Spring would be 7 am – 6 pm; Summer and Fall would be 7 am to 7 pm.

Commissioner Amarel said he understands they can't limit personal music; but the business says they want to be friendly and a good neighbor but they aren't willing to turn down the music. That doesn't seem to be an option.

Commissioner Sheets said this is a unique piece of the county. It is an enclave and directly abutting a residential area. When he looks at the code he asks if it would be injurious to the other property in the immediate vicinity or negatively change the character of the area. The code is not asking if it would only be injurious to the County area. They could impose some conditions to remedy some of those injuries. He

understands the music issue and that it's a private residence. If the music is related to the business or being played by employees, they can condition that. If it is related to the residence, that would be a nuisance claim. He would be in support of reducing some of the injuries by reducing the hours and limiting the music related to the business. He would have to think about how to phrase that. Planning Official Dan Lister reminded the Commissioners that they are talking about the staging area; they can't condition the landscaping business or the house. It would only be applicable to the staging area. There was discussion about decibel levels, what would be measurable and how that would be enforced. Commissioner Villafana suggested Nov 1 – March 1: 7 am to 6 pm and March 1 to November 1, 7 am to 7 pm. There was discussion about using daylight savings time versus specific months. Commissioner Williamson said he agreed with Commissioner Amarel. The applicant is being an exceptional neighbor with those he shares the street with, but when a neighbor asks to turn the music down, how that is not possible. He does think they should add a condition #9; if the ownership of the property or business changes, the conditional use permit would expire. He also agreed on the changes to condition #4 (hours of operation). There was extensive discussion regarding the conditions imposed on the staging area and how that overlaps with the running of an allowed business in an agricultural zone which also has a residence onsite. Chairman Sturgill said based on the existing authorized uses, it was already having a negative impact on the immediate vicinity. There is an ongoing compliance issue with the existing uses and the applicant has indicated not granting the conditional use permit would not destroy the business. Under those circumstances, he is not inclined to increase the uses and create any future negative impact on the immediate vicinity.

MOTION: Commissioner Nevill moved to approve Case CU2022-0038 including modified Findings of Facts, Conclusions of Law and Conditions of Approval. Motion seconded by Commissioner Villafana. Roll call vote: 3 in favor, 3 opposed, motion failed.

MOTION: Commissioner Sheets made a motion to table this item for conclusion after the last agenda item. Seconded by Commissioner Nevill. Voice vote, motion passed.

- **Case No. CU2022-0037/Kevin Roberts:** The applicant, Kevin Roberts, is requesting a Conditional Use Permit to allow a Dog Kennel Use within an "A" (agricultural) zone. The dog kennel will have the ability to house a maximum of 30 dogs at a time. The subject property is located at 15368 Mink Rd., Caldwell, ID; also referenced as a portion of the NE¼ of Section 04, T4N, R3W, Canyon County, Idaho.

Planner Samantha Hammond reviewed the Staff report for the record.

Chairman Robert Sturgill affirmed the witnesses to testify.

Testimony:

Kevin Roberts – Applicant (Representative) – IN FAVOR – 15368 Mink Road Caldwell ID 83605

Mr. Roberts and his wife both grew up in the Middleton and Caldwell area. He was excited when they got the property for a dog boarding facility. They dropped down from 40 to 30 dogs because they felt the 3-foot by 10-foot kennels weren't enough so they amended it to 30 dogs and are using 4-foot by 12-foot kennels. The dog runs have guillotine-style doors on a pulley system so the dogs can go in and out. He went door to door to speak to all the neighbors about this project. When they talked to the neighbors, the main concern was dogs barking so the foam was an idea to mitigate the noise. The property is only

about 50 feet from the freeway. They are starting with R21 spray foam or padded insulation which should reduce the noise, especially with the freeway noise. If there is a noise issue after that, they will get additional studio foam and put that in the kennels. The kennel floors will be sloped concrete with a trough system that runs through it. That trough system will lead to a separate animal waste septic system at it will be pressure washed twice a day. Any other waste found will be picked up. He showed an aerial photo of the property and indicated where the kennel would be located. He said they may put slats in the back fence to mitigate the view of the neighbor behind them. They want the business to look professional. When asked what the need for a kennel was, he said they also train personal protection and police dogs so they have always been around dogs and in that world. When they moved to this property, he couldn't find a place to board his dogs in Canyon County and all boarding facilities were booked out 6 months. They saw the need. He said this is for people going on vacation, moving or who have visitors allergic to dogs. Commissioner Nevill asked if he had reviewed the conditions of approval; Mr. Roberts said he read them and had a question about condition 9. There was discussion about condition 9 and if the conditional use permit could be transferrable if someone wanted to buy the property and the business. Commissioner Sheets asked if there would be any dog breeding and Mr. Roberts said no. They might add dog training but there will be no dog breeding. Commissioner Williamson asked about the insulation and if would be the same in the walls and the ceiling. Mr. Roberts said he was not the builder but he believed the insulation would be in both the walls and the ceiling. He also said that there would be a separate heating and air conditioning system so the kennel would be a temperature controlled environment. Mr. Roberts said they don't anticipate that the freeway noise will disturb the dogs. The hours of operation would be 10 am to 5 pm for drop off and pick up. The 24 hour operation is so he and his wife can clean up and taking care of the dogs after hours. The dogs will be inside by 10 pm. Commissioner Nevill about the hours of operation if there is an emergency: should they add some verbiage to the conditions regarding that? Mr. Roberts said that he felt that scenario was covered by the fact that it stated employees would be on call 24/7. Commissioner Nevill felt putting language that limited customers to only 10 am to 5 pm could pose a problem if customers come with an emergency drop off. Commissioner Sheets asked if the 6-foot fence alongside the property and the freeway would be tall enough. Mr. Roberts said he believed so as not many dogs can jump a 6-foot fence. They will be having clients fill out questionnaires and if the dog is one that jumps fences, they will be brought outside with an employee. Mr. Roberts showed the photo of the property and showed how the 6 foot fencing will be around the part of the property that houses the dogs. Commissioner Amarel asked about the number of employees Mr. Roberts would have. Mr. Roberts said at first, there will just be him and his wife, but they plan on hiring more people as they bring in more dogs. Commissioner Amarel asked if there was an existing fence separating the property from the freeway and Mr. Roberts confirmed that there was a 6-foot fence in a ditch next to the freeway.

MOTION: Commissioner Sheets moved to close public testimony on Case CU2022-0037 seconded by Commissioner Williamson. Voice vote, motion carried.

DELIBERATION: Commissioner Nevill suggested they change condition #4 to "all fencing around the facility" and condition #6 add "except in an emergency". On condition #9, he suggested they strike "individual" from the condition. Commissioner Williamson said he thought they would need to come in for an amendment to the conditional use permit if it was sold. Commissioner Sheets said he found that this area was more conducive for a dog kennel as it is next to a freeway.

MOTION: Commissioner Nevill moved to approve Case CU2022-0037 including modified Findings of Facts, Conclusions of Law and Conditions of Approval. Motion seconded by Commissioner Williamson. Roll call vote: 6 in favor, 0 opposed, motion passed.

REOPENED: CASE CU2022-0038 / Manuel Gutierrez

Chairman Sturgill opened up the floor for further discussion on this item. Commissioner Sheets asked how this could be potentially injurious to the area. Chairman Sturgill explained his concern was that when the applicant was told that existing uses were injurious to the neighbors, he expressed very little consideration to make modifications to the behavior under the existing uses to accommodate the neighbors' concerns. By increasing the scope of the allowed uses, they might be potentially pushing the envelope and increase the impact on adjacent properties. Commissioner Nevill asked staff, given the enforcement concerns expressed by the Director of Development Services, does it help to give the intent about why he is changing the condition? Director Minshall said the definitions written in the code is what makes it challenging. She said giving intent is always helpful in creating the record as long as they stick to what they can use to make decision criteria. Intent isn't going to help for enforcement purposes because it has to be whatever is specifically in the code but it can help as part of the findings for the decision if there is an appeal to the Board. There was additional discussion with Planning Official Dan Lister about the mitigation of impacts and adding special conditions. He said the focus should be on the conditional use permit; not the landscaping business or the single family dwelling playing the music. Commissioner Nevill said he didn't think they could mitigate the possible damage. Any of the ways they were crafting conditions for this conditional use permit would not provide protection for the neighbors because they can't do anything about the landscaping business, and single family residence was not in their purview. He was not sure he was able to vote to approve it.

Commissioner Sheets said he would have liked to see the code complaint because he felt it could have helped inform his decision to see what the issues were. He feels the overlay between the landscaping business and the staging area is razor thin. What part of the activity is related to the landscaping business and what is part is the staging business is so fuzzy that it can't be enforced. Without an enforcement mechanism, it has convinced him to change his vote.

Commissioner Amarel said the only thing they can do is limit the time, but the time is for the business and doesn't have anything to do with the staging. He clarified that he meant they could limit the time for access to the facility. Planning Official Dan Lister said the original complaint was in reference to two sheds that were built on the property without building permits and from that, they found the staging area issue.

Commissioner Villafana outlined the difficulties with separating the differences between the business storing items versus the items contained in a staging area.

Planning Official Dan Lister gave some examples of what staging areas have been in past hearings.

Commissioner Williamson wanted to state that it might have been proven that complaints were being made about noise but it wasn't proven that the business associated with the property was making the noise.

Commissioner Villafana wanted to state that even though the business hadn't been operating out of the property for very long, it is an agricultural area. The residential area approached the agricultural area; the Ag zone was there first and the landscaping business is allowed. Even though the residential area has moved in and it is injurious to them, they are operating a business that is allowed. The residential area moved into the Ag area and he felt they needed to think about that more. It is injurious to the Ag zone when residential areas move in and try to change the Agricultural area to try to suit them.

Commissioner Amarel agreed with what Commissioner Villafana said but he felt it didn't fit this case.

Commissioner Sheets felt the applicant didn't need this and without mechanisms to enforce it, he didn't feel it was necessary.

MOTION: Commissioner Nevill moved to deny Case CU2022-0038 including revised Findings of Facts, Conclusions of Law and Conditions of Approval. Motion seconded by Commissioner Amarel. Roll call vote: 5 in favor, 1 opposed, motion passed.

APPROVAL OF MINUTES:

MOTION: Commissioner Nevill moved to approve the minutes from 12/15/2022, seconded by Commissioner Villafana. Voice vote, motion carried.

DIRECTOR, PLANNER, COMMISSION COMMENTS:

Director Minshall discussed the first workshop she had with the Board of County Commissioners. The first thing the Board is interested in is the schedule and process for land use applications and hearings. They discussed concerns, solutions and using the Planning and Zoning Commission at a higher level as a screening body. She will be meeting with the new Chief Operation Officer to find out if they are going to formalize those procedures with the Legal Department and when the processes will change. She said the Development Services Department has already made some internal process changes. They had some good discussions with the Highway District staff about staff report information and turnaround time for comments. There was discussion on the time frame of posting applications online for the public and the possibilities of late exhibits during the hearing itself.

She discussed scheduling joint meetings or workshops between the Planning and Zoning Commissioners and the Board of County Commissioners and the topics of interest that could be covered including standardized conditions of approval to help the Commissioners.

Planning Official Dan Lister provided a personnel update for the Department of Development Services.

ADJOURNMENT:

MOTION: Commissioner Sheets moved to adjourn, seconded by Commissioner Williamson. Voice vote, motion carried. Hearing adjourned at 10:12 pm.

An audio recording is on file in the Development Services Departments' office.

Approved this 16TH day of February, 2023



Robert Sturgill, Chairman

ATTEST



Bonnie Puleo, Recording Secretary