



CANYON COUNTY PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
Thursday, March 16, 2023  
6:30 P.M.

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1<sup>ST</sup> FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATION BUILDING

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

Staff Members Present:        Sabrina Minshall, Director of Development Services  
   Zach Wesley, County Attorney  
   Dan Lister, Planning Official  
   Deb Root, Planner  
   Michelle Barron, Planner  
   Bonnie Puleo, Recording Secretary

**Chairman Robert Sturgill** called the meeting to order at 6:30 p.m. and administered the oath to Commissioners and staff.

**Commissioner Villafana** read agenda item number 1A: Case Number RZ2021-0061 - AG Development LLC. The application has been postponed due to access and traffic issues. The applicant is working with Idaho Transportation Department. The case will be rescheduled and re-noticed.

**Commissioner Villafana** read agenda item number 1B: Case Number CU2022-0041 - Randy Reams/Dobro LLC. The application has been postponed as the property owner is pursuing an administrative land division. The case will be rescheduled and re-noticed.

**APPROVAL OF MINUTES:**

**MOTION:** Commissioner Williamson moved to approve the amended minutes from 2/2/2023 with an update to include the case name and number for the tabled item, seconded by Commissioner Villafana. **Chairman Sturgill abstained from the vote.** Voice vote, motion carried.

**MOTION:** Commissioner Nevill moved to approve the minutes from 2/16/2023, seconded by Commissioner Sheets. **Commissioner Villafana abstained from the vote.** Voice vote, motion carried.

➤ **Commissioner Workshop/Training**

Zach Wesley, an attorney with the County introduced himself and provided a little background on his experience. Discussion in the workshop encompassed:

- Ex Parte Contact and Ethics in Government including expectations around ex parte communication and site visits. There was discussion on acceptance of gifts, disclosure rules, recusals and conflicts of interest. Discussion on the Ethics in Government Act and the need for disclosures on the record.
- Importance of Building the Record; focus on FCOs and the decision criteria. Mr. Wesley reviewed an example of decision criteria and stressed that it is important to create a record with robust decision criteria that is defensible in court.
- Role of Planning and Zoning Commission versus the Board of County of Commissioners. Director Minshall and Mr. Wesley discussed who has the final authority on decisions. There were additional discussions about using evidence to make specific findings or changing findings.
- Role of Partner Agencies. Mr. Wesley discussed the role of outside agencies and conditions they may impose on decisions. There was additional discussion about how to make informed decisions, tabling or denying a case when agencies don't respond with comments or how to weigh agency comment letters when it seems they are trying to influence specific decisions. Planning Official Dan Lister discussed the new notification process and the number of times the Planning Department reaches out to agencies to request for comment. The Commission and staff debated how 'substantial change' to an application was defined and when a decision could be rendered versus when an application should be tabled.

**ADJOURNMENT:**

**MOTION:** Commissioner Nevill moved to adjourn, seconded by Commissioner Villafana. Voice vote, motion carried. Hearing adjourned at 8:37 pm.

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

Approved this 6th day of April, 2023



Robert Sturgill, Chairman

ATTEST



Bonnie Puleo, Recording Secretary