



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, June 1, 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
Harold Nevill, Commissioner
Miguel Villafana, Commissioner
Geoff Mathews, Commissioner
Matt Dorsey, Commissioner

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

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

Commissioner Villafana proceeded to the first business item on the agenda.

APPROVAL OF MINUTES:

Commissioner Nevill made a one word change to the 5/4/23 meeting minutes. Hearing Specialist stated she would correct the minutes to use the word "postpone" versus "table" in Commissioner Nevill's motion to postpone the agenda item.

MOTION: Commissioner Nevill moved to approve the minutes from 5/4/2023 as amended, seconded by Commissioner Williamson. **Commissioner Villafana, Commissioner Dorsey and Commissioner Mathews all abstained from the vote.** Voice vote, motion carried.

➤ **Commissioner Training/Workshop**

Planning Official Dan Lister introduced the two new Commissioners, Geoff Mathews and Matt Dorsey. Mr. Lister said the purpose of the meeting is to review the training on the application process and the roles of the Planning and Zoning Commission.

Mr. Lister reviewed the Canyon County Development Services application and notification process and schedule.

- There was additional discussion on accepting late exhibits and the criteria that should be weighed to postpone hearing the case because of newly introduced information or material.
- Chairman Sturgill asked to see the Planners' checklist for projects. Mr. Lister explained how the planners use that checklist to determine if the applicant's case is ready for hearing. Planning Official Dan Lister said that is why they developed a worksheet for the Commissioners: to help them review the findings, decide if they were complete or if there was anything the Commissioners wanted to add.
- Planning Official Dan Lister discussed the difference between the Comprehensive Plan, Comprehensive Plan amendments and Zoning Maps and Zoning Ordinances. The Comprehensive Plan Map is the "leader" and the Zoning Map is the "follower". A Zoning map can catch up to the Comprehensive Plan but can't go past it without amending the Comprehensive Plan. The Comprehensive Plan sets the vision, goals and policy guidance; the Zoning Code contains regulations and standards that we must evaluate and apply as facts. One is a guidance document and one is adopted law.
- Findings and Evidence: the Commissioners are provided with a staff report, highlighting the major points and describes the results of the analysis and the recommendation/conclusion. The Findings of Fact, Conclusions of Law and Order is the legal document at the end which explains the criteria and standards, the rationale for the decision, the applicable code, plan, principles and facts of that record.

County Attorney Zach Wesley reviewed the law and policy on Ethics, Conflicts of Interest and provided definitions and examples. He further explained disclosure rules and Local Land Use Planning Act 67-6506.

County Attorney Wesley also reviewed:

- Compensation for past official behavior / Receiving gifts
- Using public position for personal gain
- Local Land Use Planning Act
 - Site visits: communal or solo are discouraged due to laborious legal requirements.
 - Ex parte contacts/communication which is people reaching out to Commissioners outside the normal case process. There was discussion on the length of time a case takes to conclude (including court challenges), and the need to avoid discussion on cases even after the Planning and Zoning or Board of County Commissioners' hearing.
- Discussion on the roles of Partner Agencies
 - Does the agency have jurisdiction of their own, separate from County responsibility?
 - Is the information relevant to the decision before the Commission?
 - Is this condition enforceable by the County?

DIRECTOR, PLANNER, COMMISSION COMMENTS:

There was discussion about the process of receiving hearing packets and what is included in them, the Hearing Specialist's responsibilities and what assistance she can provide to the Commissioners.

Planning Official Dan Lister talked about discussions with the Board of County Commissioners on concurrent applications (rezone along with a subdivision plat) and separating those items to allow the rezone to be heard if the plat is not completely ready for hearing. Staff also discussed rezones versus conditional rezones with the Board of County Commissioners who requested that Development Services staff look at the entire conditional rezone process to potentially change it. They will start with a

workshop and research what other jurisdictions are doing.

ADJOURNMENT:

MOTION: Commissioner Williamson moved to adjourn, seconded by Commissioner Nevill. Voice vote motion carried. Hearing adjourned at 8:54 pm.

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

Approved this 6th day of July, 2023

A handwritten signature in blue ink, appearing to read "Robert Sturgill", is written over a horizontal line.

Robert Sturgill, Chairman

ATTEST

A handwritten signature in blue ink, appearing to read "Bonnie Puleo", is written over a horizontal line.

Bonnie Puleo, Hearing Specialist