



CANYON COUNTY PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
Thursday, September 21, 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  
   Matt, Dorsey, Commissioner

Staff Members Present:        Sabrina Minshall, Director of Development Services  
   Tom Crosby, Building Official  
   Eric Arthur, Code Enforcement Supervisor  
   Deb Root, Planner  
   Michelle Barron, Planner

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

**Acting Secretary Sheets** read the first item on the agenda.

➤ **Commissioner Training/Workshop**

Workshop: Topics:

1. Canyon County Building Division: meet Building Official, Tom Crosby
  - Responsibilities and authorities of the Building Division
  - Trends and Challenges
    - Questions and Answers

Tom Crosby introduced himself and proved his work background. He discussed the process for obtaining a building permit. A lot of his day to day is looking for minimum code and training the public and inspectors. Right now, there is a decline in single family residence permits. Homeowners are getting creative and either looking to expand or add on or building accessory structures. Some of the challenges he faces is educating the public in the process, new builders learning the jurisdiction, and because interest rates being higher homeowners are trying to do their own work, so they often need assistance. Questions were answered regarding homeowners doing their own work without a licensed contractor. It was explained with all the correct permits homeowners are able to do practically all their own work. There was a discussion about sheds being converted to tiny homes and if it is considered an RV, secondary home, or primary home what are the conditions that apply, and what conditions could restrict the size of the dwelling we would allow.

2. Canyon County Code Enforcement Division: Meet Code Enforcement Supervisor, Eric Arthur
  - Responsibilities and authorities of the Code Enforcement Division
  - Trends and Challenges
  - Importance of enforceable conditions
    - Questions and Answers

Eric Arthur introduced himself and presented his work background. He provided a brief description of the Code Enforcement team. Eric Arthur provided picture examples of code violations. He then explained the process of trying to get a violation to compliance. Voluntary compliance is ideal and his team is willing to work with the property owner. Questions were answered regarding the parameters allowed with taking pictures of properties. The options after voluntary compliance doesn't work were explained. Mr. Arthur discussed the process with Certificate of Noncompliance, misdemeanor reports, and abatements. Questions were answered regarding observations that occur, how law enforcement gets involved. A challenge faced by the Code Enforcement Team are when a property owner lives in a different county, city, etc. and how we go about proceeding. Another challenge is witnessing illegal behavior and not being able to enforce. A trend Code Enforcement is seeing due to the housing market is more people living in occupied RV's. Eric discussed a situation in which open sewage was on the property. The number of complaints and open cases have increased about 20% from last year. Eric Arthur thinks conditions need to be reviewed or changed to streamline the process more. Bullet points or checklists were brought up to help Eric enforce the conditions. Eric is going to draft one and provide it to staff. There was discussion in regard to conditions that are specific to 3<sup>rd</sup> parties, such as fire district, health district, State, etc. without getting into specifics that are outside of their expertise. Eric explained the importance of having enforceable conditions, for example requiring a dog to have a bark collar, we can't be for sure that the dog wasn't wearing a bark collar when barking but having a condition that the kennel is sound proof is enforceable. Conditions need to be measurable and achievable. Sabrina Minshall stated that a balance needs to be achieved because each case is so different. This may get better as the land use matrix and definitions are improved.

3. Sabrina Minshall, DSD Director
  - Discussion about meeting management and ideas for streamlining
  - Decision criteria and evidence
  - Proactive planning updates and priorities: private roads, third party agency conditions, conditional rezone vs rezone, land use matrix
    - Questions and Answers

Sabrina Minshall began with asking the Commissioners how we can be more streamlined and effective. She stated the Board of County Commissioners are on board with the Planning and Zoning screening and filtering items before they get to them. The Board is reading FCO's and Minutes for items that come before them. Director Minshall discussed a case in which the applicant said in their presentation that the Commission did not discuss conditions and the case was remanded back. What is proposed to be done is having a discussion of conditions, if the conditions are not going to mitigate concern, state that for the record and minutes. FCO's should document the analysis and evidence so making sure you put all the evidence in the FCO, is important. Also, going through criteria in deliberation and then motion, if need be, wordsmithing after the deliberation. Director Minshall asked what commissioner's thoughts and concerns were. The level of detail that is wanted was a concern for the level of burden. Director Minshall clarified it is the specificity than quantity that is needed. Discussion ensued about how specific FCO's need to be and the amount of time that needs to be put into them. Director Minshall discussed the Board's process for going through each criteria. Chairman Sturgill

proposed having staff's proposed FCOs on screen and adding to them, if necessary. Director Minshall stated that could be a solution provided that evidence is cited and the additions were not based on feelings. There was discussion in regard to bringing back FCOs at the next meeting when modifications are made to the findings, unless the changes are very minor. The burden does go to staff to wordsmith the decision, but, the rationale must be documented. There was further discussion regarding being more streamline vs free flowing and the benefits of both. Discussion regarding deliberation and criteria ensued. For example, criteria one and two doesn't need any discussion, criteria three, four, and five needs discussion and at the end saying "based on our discussion we move to deny or approve based on criteria three, four and five". Discussion ensued about real-life scenarios and creating findings. Director Minshall asked if there were any questions regarding the proactive planning updates and priorities.

There was discussion regarding the ability to listen to previous Board hearings. The audio and presentations are available on the Board of County Commissioner's page. On October 5<sup>th</sup> from 1:30pm-2:30pm is a meeting with Highway District 4 and at 2:30pm is the second workshop for private roads.

**ADJOURNMENT:**

**MOTION:** Commissioner Dorsey moved to adjourn, seconded by Commissioner Williamson. Voice vote, motion carried. Hearing adjourned at 10:21pm.

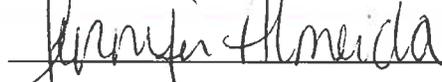
An audio recording is on file in the Development Services Departments' office.

Approved this 2nd day of November, 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 black ink, appearing to read "Jennifer Almeida", is written over a horizontal line.

Jennifer Almeida, Office Manager