**COMMUNITY DEVELOPMENT SERVICES**  
**STUDY SESSION**  
**MINUTES**

**DATE:** November 20, 2006

**COMMISSIONERS PRESENT:** Chairman David Bowen, Vice Chairman Alan Crankovich, Chairman Perry Huston

**CDS STAFF PRESENT:** Director Darryl Piercy, Assistant Director Allison Kimball, Administrative Assistant Mandy Weed, Planner Scott Turnbull

**OTHERS PRESENT:** Cheri Varnum, Chad Bala, Chuck Cruse

| TOPIC: | 1. Vesting of nonconforming uses  
| 2. Alteration of nonconforming lots through Boundary Line Adjustment  
| 3. Development of County Code Revisions  
| 4. Planning Commissioner Resignation |

**DISCUSSION:**

1. Piercy stated that vesting of nonconforming uses is on the agenda per Commissioner Bowen's request. Piercy said there are a number of nonconforming uses and the owners are coming in to the county to see if they can stay that way as they received letters 20 some years ago stating that they are grandfathered in and now people want this back in place. Piercy questioned if a single family residence also qualifies if the structure are gone for a year. Commissioner Huston said if the structures are gone for year then they are no longer vested. Piercy said it seemed real clear to him but he wanted to clarify it with the board.

2. Piercy stated alterations of nonconforming lots through BLA are on the agenda as he wants to clarify the code with the board. He stated we have a BLA in Forest & Range on a 5 acre parcel that the owner is wanting to BLA into a 3 acre piece and a 2 acre piece. Piercy said that the code reads you can’t BLA and create a smaller lot and this is one of the steps we are trying to eliminate to get rid of the shuffle. Cruse said it is in pre application status now and if the cluster isn’t approved for any reason then these parcels would go back to there original sizes. Cruse stated that he doesn’t want to see this as being contradictory to the code; he is hoping to see a little bit of flexibility, not a code deviation. Commissioner Huston said the code says what it says and that’s why there are appeal hearings. Piercy said he doesn’t think there is any conflicting language, he believes it is pretty clear. Commissioner Bowen stated that at this time he would agree with Piercy’s interpretation by looking at the code.

3. Piercy stated that he wanted to discuss how the code revisions fit into the overall work plan for next year. Piercy said that there will be very little direct code changes from the comp plan itself, but he has heard a number.
of suggestions and thinks we could put something together that identifies those and bring those forward to the board. Commissioner Huston said to him, this is following impacts. Piercy said that the point he is trying to make is this could be a very simple process or it could be a lot of work. Commissioner Bowen said what he would like to do is talk to the developers and try and eliminate a hearing and see what is different between contract rezones and the non-project rezones and why we can’t look at all of the non-project ones at once for the cumulative impacts. Commissioner Huston said we need to designate those areas at the comp plan and use an overlay for the county. Piercy said we can do an analysis on rezones that look at the impacts. Commissioner Huston said we are better off to look at impacts at the comp plan level and we need to go back to the fundamental issues. Piercy said he is thinking of putting together a 3 year work plan and even thought he isn’t big on hiring consultants, the sub area plan may be a good area to use one to get this task accomplished. Commissioner Huston stated that we should kick the watershed planning off to the conservation district.

4. Piercy stated that he wanted to make sure that the board was aware that Doug Harris resigned from the Planning Commission and we may have 2 more resignations which will potentially make having a quorum impossible for the next several meetings. Commissioner Huston said that if we are going to have a Hearings Examiner then he wouldn’t worry about it. Commissioner Bowen said we should put a RFQ together to get this going. Piercy stated that there are some processes that we need to go thru first. Commissioner Crankovich asked if we can tie the road standards back to the Planning Commission. Commissioner Huston stated that we could. Piercy stated that there is no reason we couldn’t use a Hearings Examiner for that too. Commissioner Huston stated that he might have someone that would be interested and we need to figure out if we want to contract with someone or if we want to make them an employee. Commissioner Bowen said he was thinking we would contract. Piercy said that he will set a hearing for the 5th. Commissioner Huston stated that we can do a notification under professional services and then we wouldn’t need to do a RFQ. Piercy stated that he doesn’t think we will have a problem filling the position and that we should continue to provide the clerk for the position as we do now. Commissioner Bowen said that he agreed we should provide the clerk rather then hand the whole thing over to an agency.

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