Commissioner Minutes
August 27, 10:39 a.m. – 11:26 a.m.
MEETING WITH DSD FOR GENERAL BUSINESS AND TO CONSIDER ACTION ITEMS
Commissioners Leslie Van Beek, Brad Holton, and Zach Brooks
Director of DSD Jay Gibbons
Assistant Director of DSD Joshua Johnson
Principal Planner Dan Lister
Additional members of the public

Deputy Clerk Diana Hoffman_____

MEETING WITH DSD FOR A GENERAL BUSINESS AND TO CONSIDER ACTION ITEMS

The Board met today at 10:39 a.m. with DSD for general business and to consider action items. Present were Commissioners Leslie Van Beek, Brad Holton, and Zach Brooks; Director of DSD Jay Gibbons; Assistant Director of DSD Joshua Johnson; Principal Planner Dan Lister; additional members of the public; and Deputy Clerk Diana Hoffman. The action items were considered as follows:

Consider a Resolution Requesting a Refund for Steve and Angie Wensel; Case No. AD2026-0153: Mr. Johnson explained that the applicants submitted the wrong application. A refund was requested within the 7 days. DSD recommends a refund of $318.75.

Upon a motion by Commissioner Van Beek and a second by Commissioner Brooks, the Board voted unanimously to grant the refund in Case No. AD2026-0153 in the amount of $318.75 as presented. (Resolution No. 26-162)

Consider the Final Plat for Roundup Subdivision; Case No. SD2021-0067: Mr. Lister provided the history of the case. He noted that the conditions have been signed.

Upon a motion by Commissioner Holton and a second by Commissioner Van Beek, the Board voted unanimously to consider the final plat as completed and authorize the Chairman's signature on the plat.

A recess was taken at 10:42 a.m. to sign the final plat. The meeting resumed at 10:46 a.m.

General Business: Director Gibbons stated that he wanted to give an update after Mr. Johnson attended a planning and zoning meeting on August 20. There was a large attendance. Mr. Johnson explained that they did not make it through public testimony and that the hearing will continue on November 5. There is overwhelming opposition to the amendment. Some of the opposition could be addressed by clarifying the ordinance. Educating the public could also address some opposition.

Currently, P&Z is interested in a public workshop so that DSD, the public, and P&Z may discuss the proposed changes. This will delay the ordinance coming before the Board until next year.

Commissioner Van Beek requested clarification from the hearing regarding comments received. Director Gibbons noted that the overall intention of the amendment is to establish more consistency in decisions. It is important that there is the opportunity for public input on this. A public workshop was previously held that garnered valuable insight.

Mr. Johnson provided his summary of the public hearing. Removing non-viable agriculture was mentioned as a negative. Ag-only lot size was increased to 40 acres. That was not well received by those in attendance. Removing the non-viable agriculture provision was contentious because it allows for extra splits. DSD was interested in removing it because it is ambiguous. The communication received was that DSD does not understand farming and should not be making such decisions. There was an overall feeling that this would create more red tape and bureaucracy. Opposition was expressed regarding the necessity to notify neighbors about lot splits. The ordinance is attempting to clarify what constitutes a buildable parcel. The ordinance was not specific that potable water and sewer are required for a habitable structure, not a dry ag building. The lack of clarity falls on DSD. There were restrictions listed for an ag-only parcel that is a remainder, including that it would be limited to agricultural development and subject to restricted uses. This caused confusion. This can be clarified better in the presentation portion. Some additional comments and concerns that Mr. Johnson gleaned were:

- Largest takings in Idaho state history
- Government overreach
- Financial impacts on farms
- Opposition to an irrigation agreement if the irrigation crosses multiple parcels
- Allowing farmers who may be aging out the opportunity to remain in their homes while dividing off a portion from the area being farmed

Mr. Johnson explained that some things can be cleared up. To clarify, 162 pages within the packet address the terms “parcel” and “lot” so they are used consistently throughout the ordinance. Discussion was held regarding some of the misinformation that was discussed during the public hearing. Issues regarding zoning were discussed. Reasons why a clearly defined ordinance is needed were provided by Commissioner Holton. Director Gibbons noted that the materials deadline has been extended to 10 days before the November 5 public hearing.

It was proposed that a draft be created for the final ordinance. Mr. Johnson noted that DSD can elaborate on the items needing clarification during rebuttal and through workshops. It was requested that the changes being addressed in the land use matrix be specifically noted. Director Gibbons stated that there will be further updates to the land use matrix when the updated comprehensive plan is implemented.

Upon a motion by Commissioner Holton and a second by Commissioner Van Beek, the Board voted unanimously to adjourn the meeting at 11:26 a.m. An audio recording is on file in the Commissioners' Office.