

**PAYETTE PLANNING & ZONING COMMISSION
REGULAR MEETING
February 23, 2012**

6:00 PM –Planning & Zoning Meeting

ROLL CALL

Members Present: Larry Hogg, Jim Franklin, Cassandra McElravy, Thomas Ladley and Randy Choate

Members Absent: Kevin Hanigan and Gary Youngberg

Staff Present: Mary Cordova, City Clerk and Tiffany Howell, Assistant City Clerk

APPROVAL OF MINUTES

A motion was made by Ladley and seconded by Franklin to approve the regular meeting minutes 01-26-2012as written.

After a unanimous voice vote by the Commission, the motion
CARRIED.

COMMUNICATIONS

None Heard.

PUBLIC HEARINGS

A. An application by Jim Burdick for a Conditional Use Permit to store one aerial lift truck at 1016 North 11th Street, Block 7 Less W 100' of S 100' Payette, Hughes Sub. The property is zoned B-Residential.

Mike Phillips – 926 1st Avenue South; Payette, Idaho 83661

Mr. Phillips stated that he has property by Mr. Burdick. Mr. Phillips wants to know why Mr. Burdick has to have a conditional use permit to park vehicles there. The City will not allow him to have animals in there like its zoned. Mr. Phillips stated that he has to get a city licensed even though he is not working on any trees, and he is a certified arborist. Mr. Phillips stated that before too long we will have to come in and get a conditional use permit to park their RV on their own property. Mr. Phillips thinks it's a shame that he has to get a conditional use permit to operate this type of a business.

The public hearing was closed at 6:03pm.

NEW BUSINESS

A. Jim Burdick – Conditional Use Permit – 1016 North 11th Street

Clerk Cordova stated that she asked Mr. Burdick and he is going to park his aerial lift truck at his residence. Clerk Cordova stated that this is part of his business and it is not part of a home office. Clerk Cordova stated that Mr. Burdick had to get a license to have a tree business and we were told that he is not a certified arborist. Clerk Cordova stated that as far as parking his vehicle in his lot, there have been numerous of cases not only in Idaho, but different states that the court has said this is not an allowed use. Clerk Cordova stated that he might start with one and end up with 4 or 5 in a few years if business goes well. Clerk Cordova stated that this is commercial use in a non commercial zone.

A motion was made by Franklin and seconded by Hogg to approve the conditional use permit for Jim Burdick to store one aerial lift truck at 1016 North 11th Street and that it can be re-visited upon complaints.

After a unanimous voice vote by the Commission, the motion CARRIED.

OLD BUSINESS

A. Gas & Oil Ordinance –

Clerk Cordova stated that she doesn't have anything new, but we need to hold a public hearing soon. Commissioner Ladley asked if Clerk Cordova has seen what the City of Weiser had passed. Clerk Cordova stated yes. Commissioner Ladley asked how Clerk Cordova felt about the ordinance. Clerk Cordova stated that she feels it is very restrictive. Commissioner Choate stated that he likes the idea of an overlay area in industrial zoned areas. Clerk Cordova stated that EPA has to be very neutral in the whole situation. Commissioner Ladley asked how much time we have left on the moratorium. Clerk Cordova stated that the moratorium ends in March.

Commissioner Franklin stated that that we have some good information to work off of. Commissioner Choate stated that when we have the public hearing Commissioner Choate will be extending an invitation to Mr. May. Clerk Cordova stated that Payette County is also working on an ordinance.

A motion was made by Franklin and seconded by Hogg to continue the Oil and Gas Ordinance to the next meeting.

After a unanimous voice vote by the Commission, the motion CARRIED.

PUBLIC COMMENT

None Heard.

ADJOURNMENT

The meeting was adjourned by a unanimous decision at 6:20PM.

Recording Secretary
Tiffany Howell