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CHRIS YAMAMOTO
CANYON COUNTY RECORDER
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ORDINANCE
CANYON COUNTY COMMISSIONERS

**Canyon County
Recorder's Office
Document
Cover Sheet**



ORDINANCE NO. 20-007
**AN ORDINANCE OF CANYON COUNTY, IDAHO, AMENDING CHAPTER 7,
ARTICLE 1, ZONING REGULATIONS.**

SECTION 1. TITLE: This article shall be known and cited as *CANYON COUNTY SUBSTITUTE NEIGHBORHOOD MEETING ORDINANCE*. (Ord. 10-006, 8-16-2010).

SECTION 2. STRUCTURE: Titles and subtitles of this ordinance are only used for organization and structure and the language in each paragraph of this ordinance should control with regard to determining the legislative intent and meaning of the Board of County Commissioners.

SECTION 3. PURPOSE: The purpose of this ordinance is to amend Chapter 7, Articles 1, Section 15, Zoning Regulations, of the Canyon County Code of Ordinances.

SECTION 4. AUTHORITY: This ordinance amending Chapter 7, Article 1, Section 15 Zoning Regulations, of the Canyon County Code of Ordinances is enacted pursuant to the authority conferred by Idaho Constitution, Article 12, Section 2, and Idaho Code §§ 39-4116, 31-714, 31-715, 31-801, 31-828 and 67-6523.

SECTION 5. FINDINGS: The Board of County Commissioners finds pursuant to Idaho Code § 67-6523 an imminent peril to the public health, safety, or welfare requires adoption of this ordinance without the recommendation of the Planning and Zoning Commission and using the abbreviated notice and hearing requirements permitting immediate operation of a county ordinance found in Idaho Code § 31-715. In accordance with the requirements of Idaho Code § 67-6523 the Board hereby adopts and incorporates herein the Board's 2020 Local Disaster Emergency Declaration of March 19, 2020, and its April 16, 2020, extension. Both Declarations having been recorded with the County Recorder. The protection of the public health, safety, and welfare requires that the Board remove the requirement of a physical presence at a public gathering in order to provide preliminary comments on a proposed zoning amendment.

SECTION 6. Chapter 7, Article 11, Section 15: Neighborhood Meetings is hereby amended as follows:

07-01-15: NEIGHBORHOOD MEETINGS:

(1) Applicants shall ~~conduct~~ provide a 10-day neighborhood meeting comment period for any proposed variance, conditional use, zoning ordinance map amendment, expansion, or extension of nonconforming uses requiring a public hearing.

(2) It shall be the sole duty of the applicant to provide written notice to all property owners or purchasers of record owning property within six hundred feet (600') of the exterior boundary of the property subject to the application. Notice of a neighborhood meeting comment period shall be in addition to, and not combined with, notices already required by this chapter, and shall include the date, time, location and purpose of the meeting information regarding proposed

project, either by a printed enclosure and/or by including a link to a website where the information has been posted, a contact name and phone number to provide verbal comments, and an e-mail address and a physical address to submit written comments. Neighbors shall be provided a 10-day comment period from the date of the mailed notification.

~~—(3) The purpose of the neighborhood meeting shall be to review the proposed project and discuss neighborhood concerns, if any.~~

~~— A. The meeting shall not be on a holiday, a holiday weekend, or the day before a holiday or holiday weekend.~~

~~— B. The meeting shall be held at one of the following locations:~~

~~— 1. On the property subject to the application;~~

~~— 2. At a nearby available public meeting place including, but not limited to, a fire station, library, school, or community center; or~~

~~— 3. At a location with suitable meeting facilities if such facilities are within a one-mile radius of the nearest public meeting place.~~

~~(43) The neighborhood meeting shall be conducted prior to acceptance of the application. The neighborhood meeting comment period shall not be conducted earlier than six (6) months prior to the acceptance of the application, and shall ~~be held~~ end no sooner than ten (10) calendar days from the mailing of the notice of the neighborhood meeting submission of an application.~~

~~(54) Each application for a public hearing shall include a form acceptable to the director, which requires the applicant to provide the starting and ending times of the neighborhood meeting comment period, a copy of the mailed notification and any attachments, and copies of all comments received. ~~And an attendance list, with names and addresses of those who attended the neighborhood meeting.~~~~


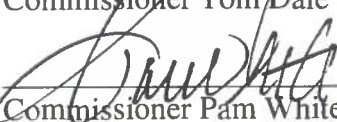
SECTION 7. SEVERABILITY: Should any action or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the article as a whole or a part thereof other than the part declared to be unconstitutional or invalid.

SECTION 8. EFFECTIVE DATE: This ordinance shall be and is hereby declared to be in full force and effect upon its passage, approval and posting in five (5) public places and as provided for in Idaho Code §§ 31-715 and 31-715A. Pursuant to Idaho Code § 67-6523 this ordinance shall be in effect for one-hundred and eighty two (182) days from the date of its posting in five (5) public places.

THE ABOVE SUMMARY IS APPROVED THIS 28th day of April, 2020.

BOARD OF CANYON COUNTY COMMISSIONERS

- Motion Carried Unanimously
- Motion Carried/Split Vote Below
- Motion Defeated/Split Vote Below

| | Yes | No | Did Not Vote |
|--|------------|-------|--------------|
|  _____ Commissioner Leslie Van Beek | _____ | _____ | _____ |
| <u>Unavailable for signature</u> _____ Commissioner Tom Dale | _____ | _____ | _____ |
|  _____ Commissioner Pam White | ✓ _____ | _____ | _____ |

ATTEST: CHRIS YAMAMOTO, CLERK

By: Jenew Koss

Deputy Clerk

