



**CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, August 17, 2017 6:30 P.M.**

**1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATION
BUILDING**

Commissioners Present: Richard Hall, Chairman
David Scheuerer, Vice Chairman
Sandi Levi, Secretary
Shannon Carrell, Commissioner
Gary Duspiva, Commissioner
Rod Garrett, Commissioner
Rick Fried, Commissioner

Staff Members Present: Director, Patricia Nilsson
Planner, Debbie Root
Planner, Kyle McCormick
Planner, Dan Lister
Kathy Frost, Recording Secretary

OLD BUSINESS

ITEM # 1 Bert & Hailey Wyatt **CASE: PH2017-23**

Bert and Hailey Wyatt are requesting a Conditional Use Permit to allow a recreational vehicle (RV) storage use in a "C-1" (Neighborhood Commercial) Zoning District. The properties are addressed at 22710 Lansing Lane, Middleton; also known as tax parcels R23934, R23934022, R23934023, R23934024 and R23934025 and located in a portion of the NW quarter of Section 10, Township 4N, Range 2W, BM, Canyon County, Idaho.

MOTION: Commissioner Scheuerer moved to table case PH2017-23 to date certain September 21, 2017. Seconded by Commissioner Carrell. Roll call vote, motion carried.

NEW BUSINESS

ITEM # 2 Daniel Uranga **CASE: PH2017-37**

Daniel Uranga is requesting a Conditional Rezone of approximately 13.16 acres from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone. Also requested is approval of a Development Agreement which would restrict the development of the subject property into two (2) residential parcels. The subject property, R33648-010D is located at 25090 Applewood Rd., Wilder, Idaho, in a portion of the NE ¼ of Section 2, T3N, R5W, BM, Canyon County, Idaho.

MOTION: Commissioner Scheuerer moved to table case PH2017-37 to date certain September 21, 2017. Seconded by Commissioner Carrell. Roll call vote, motion carried.

ITEM #3 Dennis Pruett **CASE: PH2017-48**

Dennis Pruett is requesting a Conditional Rezone and Development Agreement to conditionally

rezone the subject parcel (Tax Parcel R37255-013, approximately 5 acres) from an "A" (Agricultural) zone to an "RR" (Rural Residential) zone. The vacant property is located at 0 Fargo Road, Wilder, ID, adjacent to 18786 Fargo Road, in the NW ¼ of Section 34, T4N, R5W, BM, Canyon County.

MOTION: Commissioner Scheuerer moved to table case PH2017-48 to date certain September 7, 2017. Seconded by Commissioner Carrell. Roll call vote, motion carried.

ITEM # 4 MS & MB Farms LLC (Blue Barn Produce) CASE: PH2017-42 & 43

MS & MB Farms LLC (Blue Barn Produce) is requesting a Comprehensive Plan Map Change to change the Future Land Use Designation of parcel no. R34600, approximately 7 acres, from "Agriculture" to "Commercial". Also requested is a Rezone of the same parcel, parcel no. R34600, approximately 7 acres from an "A" (Agricultural) zone to a "C-2" (Service Commercial) Zone. The subject property is located at 16356 Hwy 20 26, Caldwell, ID, in the SE ¼ of Section 08, T4N, R3W, BM.

MOTION: Commissioner Scheuerer moved to table case PH2017-42 to date certain September 21, 2017. Seconded by Commissioner Carrell. Roll call vote, motion carried.

ITEM # 5 Ooda Loop LLC – Kodiak Subdivision CASE: SD-PH2017-31

A request by Ooda Loop LLC represented by Mason & Stanfield Inc. for approval of a Preliminary Plat, Final Plat and Irrigation & Drainage Plan for Kodiak Subdivision. The development consists of five lots (4 residential, 1 road lot). The subject properties are zoned Single Family Residential (R-1) and located at 0 Star Road, Nampa ID. They are further described as a portion of the NW¼ of Section 8, T3N, R1W, BM, Canyon County, ID.

Commissioner Levi is recused.

Planner Kyle McCormick, reviewed the staff report for the record, no late exhibits.

Chairman Richard Hall, affirmed the witness to testify.

Testimony in favor:

William Mason – 826 3rd St So Nampa ID – Applicant representative in favor

- There are four lots that are buildable, we are requesting waivers from the City of Nampa regarding curbs, gutters and sidewalks.
- Exhibit 9, item 1 from the City of Nampa, states that the private lane servicing all 4 lots be paved, we would like to specify that the road be paved up to 375 feet, but the driveways be gravel once it is determined where they will be.
- Exhibit 9, Item 4 from the City of Nampa, regarding fencing along the Kennedy lateral, we would like the requirement for fencing be waived. The fencing requirement indicates gates or gaps in order to access the Kennedy lateral.

Testimony in neutral: None

Testimony in Opposition: None

MOTION: Commissioner Duspiva moved to close public testimony on Case SD-PH2017-31 seconded by Commissioner Scheuerer. Voice vote, motion carried.

MOTION: Commissioner Scheuerer moved to recommend approval to the Board of County Commissioners, including the Findings of Fact, Conclusions of Law and Conditions of Approval for Case#PH2017-31, amending Item #2-a, to require that the private driveway be paved prior to issuance of a Certificate of Occupancy for Lot 3 or 4. Seconded by Commissioner Carrell. Roll call vote, 6 in favor 0 opposed. Motion carried.

ITEM # 6 MIB Newby Family Trust

CASE: CR-PH2017-40

Todd Lakey, Borten-Lakey Law, on behalf of MIB Newby Family Trust is requesting to conditionally rezone approximately ten acres from "A" (Agricultural) to "CR-RR" (Rural Residential) subject to a Development Agreement restricting the property to one (1) residential lot. The purpose of the conditional rezone is to obtain a building permit for the ten acre parcel, R33459010A. The subject property is located in a portion of the NE quarter of Section 22, Township 3N, Range 4W, approximately 1330 feet south and west of the intersection of Apricot Road and State Highway 55.

Planner Debbie Root, reviewed the staff report for the record, no late exhibits.

Chairman Richard Hall, affirmed the witnesses to testify.

Testimony in favor:

Todd Lakey – 12905 Venezia Ct Nampa ID – Applicant representative in favor

- Seeking a rezone of a ten acre parcel for the purpose of building one residence, currently the land is used as pasture and will continue to be used as such with the exception of one home. The character of the land will not change, and fits within the Comprehensive plan.
- Access will be taken from Highway 55 and is approved by ITD. If access were to be taken from Nancy lane in the future, we would make improvements to it as required by ITD.

Testimony in neutral: None

Testimony in opposition:

Jeff Forsberg – 14601 Sunnyslope Rd Caldwell ID in opposition

- Not in opposition to the building of a residence, my concern is about the junk on the south end of the property that borders my property. There is a lot of stuff stacked there and I am concerned that as the property is further developed that more will accumulate. I would like the development agreement to state that it is either cleaned up or that a solid fence be constructed to block the view of the items stacked out there. I am concerned that if it remains as it is my property value will decrease.

Rebuttal:

Todd Lakey – 12905 Venezia Ct Nampa ID – Applicant representative in favor

- After a brief conversation with Mr. Forsberg, we agree to build a solid site obscuring fence, from the corner to the edge of the storage area, approximately 190 feet, prior to obtaining a Certificate of Occupancy.

MOTION: Commissioner Carrell moved to close public testimony on Case CR-PH2017-40, seconded by Commissioner Scheuerer. Voice vote, motion carried.

MOTION: Commissioner Scheuerer moved to recommend approval of Case SD-PH2017-40, to the Board of Canyon County Commissioners, as well as the Findings of Fact, Conclusions of Law and Conditions of Approval, adding Condition #7 requiring a site obscuring fence on the southern boundary of the property from the southeast corner, westward 190 feet, plus or minus 10 feet, a cedar fence of six feet in height for site obstruction, prior to a Certificate of Occupancy. Seconded by Commissioner Levi. Roll call vote 7 in favor 0 opposed.

ITEM # 7 Baker Land Management LLC

CASE: RZ-PH2017-41

Scott Baker on behalf of Baker Land Management, LLC is requesting to rezone parcel R29597, approximately 25.378 acres, from "A" (Agricultural) to "C2" (Service Commercial). No specific land use was provided. The subject property is located in a portion of the SE quarter of Section 16, Township 2N, Range 3W, approximately 380 feet west of the intersection of Deer Flat Road and State Highway 45.

MOTION: Commissioner Scheuerer moved to table case RZ-PH2017-41 to date certain September 21, 2017. Seconded by Commissioner Carrell. Roll call vote, motion carried.

ITEM 8: APPROVAL OF MINUTES:

- a. August 3, 2017

MOTION: Commissioner Duspiva moved to approve the minutes of August 3, 2017 as written, seconded by Commissioner Levi. Voice vote motion carried.

ITEM #9 PLANNER & COMMISSION COMMENTS:

Director Nilsson discussed the possibility of a special hearing date on September 28, to hear possible overflow cases, the Ordinance Amendment and a time to discuss the results of some agency workshops that are scheduled.

Star, Middleton, Caldwell, Kuna and Nampa Fire Districts have been working on a comprehensive service plan, to start a conversation on fire impact fees to fund additional services. The County would only be involved to the extent of collecting fees for the fire districts at the time of building permit issuance.

The Parks Department is getting ready to initiate a County Preservation Plan.

ITEM #10 ADJOURNMENT: 9:15 pm

MOTION: Commissioner Carrell moved to adjourn, seconded by Commissioner Scheuerer. Voice vote motion carried.

Signed this 7th day of September, 2017

Richard Hall, Chairman

ATTEST:

Kathy Frost, Recording Secretary