



**CANYON COUNTY PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
Thursday, November 16, 2017 6:30 P.M.**

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**1<sup>ST</sup> FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATIVE  
BUILDING**

**Commissioners Present:** Richard Hall, Chairman  
Sandi Levi, Secretary  
John Carpenter, Commissioner  
Rod Garrett, Commissioner  
Rob Sturgill, Commissioner  
Rick Fried, Commissioner

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

**Chairman Richard Hall** called the meeting to order at 6:30 p.m.

**Secretary Levi** proceeded to the business items on the Agenda.

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**OLD BUSINESS**

**ITEM # 1 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 Garrett moved to table Case PH2017-42 & 43 to date certain, 1/18/2018. Seconded by Commissioner Fried, Voice vote, motion carried.

**ITEM #2 EJ Lewis **Sign revised FCO's** CASE: PH2017-60**

EJ Lewis Trust is requesting a Comprehensive Plan Map Change to change the designation of parcel no. R34493 from "Commercial" to "Residential" Also requested is a Rezone of R34493, approximately 19.71 acres from an "A" (Agricultural) zone to a "R-1" (Single Family Residential) zone. The subject property is located on the east side of El Paso Road, approximately 865' north of the intersection of State Hwy 44 and El Paso Road, Caldwell, Idaho, in the SW ¼ of Section 3, T4N, R3W, BM, Canyon County, Idaho.

**MOTION:** Commissioner Garrett moved to recommend denial of Case PH2017-60 to the Board of Canyon County Commissioners and accept the revised Findings of Fact, Conclusions of Law, Conditions of Approval and Order. Seconded by Commissioner Levi. Roll call vote, 3 in favor, 1 opposed.

**ITEM #3 Ordinance Amendment**

**CASE: ZOA-PH2017-15**

An ordinance amending Canyon County Code, chapter 7, section 07-02-03 to add a definition of aliquot, to modify the definition of original parcel and to add a definition of nonconforming property; to amend section 07-10-21(2) to add a note to table 2 providing for a calculation of lots in cases where public dedications are made when subdividing property and to provide a decrease of up to 15% of the required average minimum lot size when public dedications are provided when subdividing or through an administrative land division; and to delete section 07-01 and replace it with standards for the regulation of nonconforming properties, structures and uses.

**Director Patricia Nilsson**, reviewed the staff report for the record.

**Chairman Richard Hall**, affirmed the witness to testify.

**Testimony in favor:**

Todd Lakey – 141 E Carlton Ave Meridian ID 83642 – in favor

- Mr. Lakey discussed the details of a highway district or other public entity requesting a dedication of property from a land owner and how that would affect the land owner regarding lot size, if they choose to give up the requested land.

**Testimony in neutral: none**

**Testimony in opposition: none**

**MOTION:** Commissioner Garrett moved to recommend approval of case ZOA-PH2017-15, including Findings of Fact and Conclusions of Law, adding a phasing note with the Development Agreement language. Seconded by Commissioner Fried. Roll call vote, 6 in favor 0 opposed, motion carried.

**ITEM #4 SELECT A VICE CHAIRMAN:**

**MOTION:** Commissioner Levi move to nominate Commissioner Fried to be Vice Chairman. Seconded by Commissioner Sturgill. Voice vote motion carried.

**ITEM #5 APPROVAL OF MINUTES:**

a. November 2, 2017

**MOTION:** Commissioner Garrett moved to approve the Minutes of November 2, 2017 as written, seconded by Commissioner Levi. Voice vote motion carried.

**ITEM #6 ZACH WESLEY – LEGAL REVIEW**

- Zach Wesley, attorney for Canyon County reviewed basic laws relating to the Planning and Zoning Commission, including conflicts of interest, bias and ex parte communications.

**ITEM #7 BY-LAWS REVIEW**

- Director Nilsson led discussion on By-laws and possible amendments.

**ITEM #8 DISCUSSION ON “MINIMUM AVERAGE LOT SIZE”**

- Discussion took place during presentation of Item #3, Ordinance Amendment.

**ITEM #9 ADJOURNMENT: 9:37 PM**

**MOTION:** Commissioner Garrett moved to adjourn, seconded by Commissioner Carpenter. Voice vote Motion carried.

**Signed this 7th day of December, 2017**

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Rick Fried, Vice Chairman

**ATTEST:**

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Kathy Frost, Recording Secretary