



**CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, March 1, 2018 6:30 P.M.**

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

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

Staff Members Present: Patricia Nilsson, Director
Jennifer Almeida, Planner
Dan Lister, Planner
Kathy Frost, Recording Secretary

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

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

OLD BUSINESS:

ITEM #1 Richard Dunning

CASE:RZ-PH2017-68

Richard Dunning has requested to rezone parcel R33843, approx. 3.96 acres from "RR" (Rural Residential) to an "R1" (Single Family Residential) zone for the purpose of creating three (3) residential lots on the acreage. This property contains greater than 10% slope. The subject property is located at 8571 Latimore Drive, Middleton, Idaho and is further described as being a portion of the northwest quarter of Section 03, Township 4N, Range 2W, BM, Canyon County.

Commissioner Sturgill, will be recused.

MOTION: Commissioner Garrett moved to table Case RZ-PH2017-68 to date certain 3/15/2018. Seconded by Commissioner Williamson, voice vote motion carried.

NEW BUSINESS:

ITEM #2 Jose Osuna

CASE: PH2018-1

The applicant, Jose Osuna, is requesting a Conditional Use Permit to allow staging area and contractor shop uses within an "A" (Agricultural) Zoning District. The subject property is located at 3406 Homedale Road, Caldwell, ID (Parcel R32728010); also referenced as the NE Quarter of Section 11, Township 3N, Range 3W, Canyon County, Idaho.

Planner Dan Lister, reviewed the staff report for the record, including late exhibits #10, #11.

Chairman Richard Hall, affirmed the witnesses to testify and entered late exhibits into the record.

Testimony in favor:

Jose Osuna – 2807 Colfax Dr Nampa ID – Applicant in favor

- Staging area is for business supplies and for employees to come on site and pick up work vans and supplies. Employees leave their personal vehicles while they are out at job site, no work is done on-site.
- All equipment, supplies, and company vehicles are inside the shop. There are no deliveries to the site.

Cynthia Smith - 16871 Lake Ave Caldwell ID – in favor

- My property borders Mr. Osuna's property, there have been no problems associated with the business. They have improved the property since moving in.

Testimony in neutral: none

Testimony in opposition: none

MOTION: Commissioner Garrett moved to close public testimony on Case PH2018-1, Seconded by Commissioner Williamson, voice vote motion carried.

MOTION: Commissioner Garrett moved to approve Case PH2018-1, including the Findings of Fact, Conclusions of Law and Order and Conditions of Approval. Seconded by Commissioner Sturgill. Roll Call vote, motion carried 7 in favor 0 opposed.

ITEM #3 Serenity Hill Ranch

CASE: PH2017-79

Case No. PH2017-79 – Serenity Hill Ranch (William & Dione Nancolas) is requesting a Conditional Use Permit for a special events facility parcel no. R37886010. The subject property is located at 17010 Goodson Road, Caldwell, Idaho, in a portion of the SE ¼ of Section 18, T5N, R3W, BM, Canyon County.

Planner Jennifer Almeida, reviewed the staff report for the record, including late exhibits # 16, 17, 18, 19, 20, & 21.

Chairman Richard Hall, affirmed the witnesses to testify and entered late exhibits into the record.

Testimony in favor:

Dione Nancolas – 11786 Big Foot Rd Nampa ID – Applicant in favor

- Was not aware that a CUP was needed to operate the business, since being aware of the need for a permit, we have been trying to get into compliance.
- Many of the neighbors have helped us with building.
- There have been no events past 10:00 pm. We have had 7 clients and they have been good people who are interested in having a quiet location. There were two of those clients that did let the music get out of hand. I have not had very good boundaries and rules up to this point, and have learned that we need to have better boundaries in place.
- Some of the neighbors have voiced concerns and we are trying to work with them.
- We are planning to move onto the property and will make sure the property is well maintained. We will do all that we can to make the neighbors happy.

Eric Rose - 26991 Wagner Rd Caldwell ID - in favor

- An adjacent property owner, have not seen any problems on the property during events.
- The property is not suitable for farming.
- They are bringing jobs to local people, and they have improved the property.

William Nancolas - 11786 Big Foot Rd Nampa ID - Applicant in favor

- There is fencing bordering the canal, it is a five foot woven wire fence with barb wire on top.

Testimony in neutral: none

Testimony in opposition:

Kristi Adams - 26834 Wagner Rd Caldwell ID - in opposition

- We enjoy the quiet country life, there has been a large increase in neighbors in the area, and we have not had a problem with that. However a business in the area is a concern, I live 1300 feet away from the property. The parking is a concern it is close to neighboring properties, it is a fine dirt that is going to cause a lot of dust issues. Safety is a large concern.

Lew House - 16768 Goodson Rd - in opposition

- Traffic safety is a concern, signage is not adequate. The sign was up and down between events, I feel like they were trying to hide the business. The road is not striped and is very narrow. Noise is a problem and there were laser lights at one event that were disruptive.

Carmen House - 16768 Goodson Rd Caldwell ID - in opposition

- Would like clarification on the number of employees, including the security attendants, and the use and servicing of portable restrooms. Lighting is a concern. The end time should be no later than 10:00 pm.

Dan Hunter - 26834 Wagner Rd Caldwell ID - in opposition

- Event hours might be modified to turn off music by 9:00 pm and the end of event at 10:00 pm. Noise is a concern, cars can be loud. A more realistic estimate is 2 people per car not 5, this will result in more traffic coming and going. Traffic is a safety concern in the area. The CUP should terminate upon change of business ownership.

Rick Munson - 27204 Serenity Ln Caldwell ID - in opposition

- I was not consulted as a neighbor, noise and lighting is a concern, my back yard is against this property. This will negatively impact the enjoyment my family and I have on our property. There will be a negative impact on my property value.
- I was at the meeting and have met Mrs. Nancolas but was not informed or consulted about the business prior to the neighborhood meeting. There is loud music and laser lights after 10:00 pm.

Diana Horsley – 26786 Wagner Rd Caldwell ID – in opposition

- Concerned about additional traffic on Wagner Rd due to the blind spot on the hill at our driveway. There will be more traffic as a result of this business.

REBUTTAL:

Dione Nancolas:

- The sign was removed when events were not happening because it was on hooks that were not secure in the wind, we were not trying to hide anything.
- The laser lights were out of hand and we have placed rules in the contract to prevent that happening again.
- Portable restrooms are leased from a company they will be left onsite for the season and the company comes out and services them weekly.
- I apologize for not meeting personally with Mr. Munson, I will work with the neighbors to keep the peace in the neighborhood.
- I would like to keep the hours as conditioned in the CUP, music ending at 10:00 pm and people offsite by 11:00 pm.
- We will work to mitigate the noise and dust levels.

MOTION: Commissioner Sturgill move to close public testimony on Case PH2017-79, seconded by Commissioner Carpenter. Voice vote motion carried.

MOTION: Commissioner Garrett moved to deny Case PH2017-79 based on Item #D, that the proposed use will be injurious to other properties in the immediate vicinity, directing Staff to bring revised Findings of Fact on March 15, 2018. Seconded by Commissioner Williamson. Roll call vote, motion carried 7 in favor, 0 opposed.

ITEM #4 APPROVAL OF MINUTES:

a. February 15, 2018

MOTION: Commissioner Levi moved to approve the Minutes of February 15, 2018 as written, seconded by Commissioner Sturgill. Voice vote motion carried.

ITEM #5 COMMISSIONER, DIRECTOR, PLANNER COMMENTS:

- Director Nilsson briefed the Commissioners on staff changes being considered in the Development Services Department.
- Discussion on the progress of the Comprehensive Plan changes.
- There is an Ag meeting coming up on March 23, 2018

ITEM # 6 ADJOURNMENT: 10:00 PM

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

Signed this 15th day of March, 2018

Chairman Richard Hall

ATTEST:

Kathy Frost, Recording Secretary