



**CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, May 17, 2018 6:30 P.M.**

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

Commissioners Present: Richard Hall, Chairman
Sandi Levi, Secretary
Rick Fried, Commissioner
Rod Garrett, Commissioner
Patrick Williamson, Commissioner

Staff Members Present: Patricia Nilsson, Director
Debbie Root, Planner
Jennifer Almeida, Planner
Dan Lister, 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.

OLD BUSINESS:

ITEM #1 Joe Rodriguez

CASE: PH2018-5

Joe Rodriguez is requesting a Rezone of approximately 9.00 acres from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone. The subject property, parcel R32703010 is located approximately 681 ft. east of Farmway Rd., at the end of the cul-de-sac for Buckaroo Circle, in a portion of the SW ¼ of Section 9, T3N, R3W, BM, Canyon County, Idaho.

Case PH2018-5 has been withdrawn.

ITEM #2 Maverick Towers

CASE: PH2018-17

The applicant, Maverick Towers, is requesting a Conditional Use Permit to allow the installation and operation of an unmanned telecommunications co-location facility which includes a 110 foot monopole tower. The property is located at 22245 Can Ada Road, Star (Parcel R34007), also known as the portion of the SE quarter of Section 12, Township 4N, Range 2W, BM, Canyon County, Idaho.

MOTION: Commissioner Williamson Moved to adopt the revised Findings of Fact, Conclusions of Law, Conditions of Approval and Order and deny Case CU-PH2018-17, to allow the installation and operation of a telecommunications co-location facility on parcel R34007 located at 22245 Can Ada Road, Star Idaho. Seconded by Commissioner Levi. Voice vote, motion carried.

NEW BUSINESS:

ITEM #3 Samuel McDowell

CASE: PH2018-18

Samuel McDowell is requesting a Conditional Rezone of R33403010A from "A" (Agricultural) zone to a "CR-R-R" (Conditional Rezone-Rural Residential) zone. The request also includes a Development Agreement which will restrict the development of the property to one two (2) acre parcel for a residential homesite and the balance of the subject property west of Fran Ln. will not have a residential building permit available. The subject property, R33430010A, is located on the south side of Hoskins Rd., approximately 1860 ft. east of the intersection of Ruby Ln. and Hoskins Rd. in the NE ¼ of Section 18, T3N, R4W, BM, Canyon County, Idaho.

Planner Jennifer Almeida, reviewed the staff report for the record.

Chairman Richard Hall, affirmed the witness to testify.

Testimony in favor:

Samuel McDowell – 524 3rd St So #185 Nampa ID 83651 – Applicant

- After consulting with staff we decided this would be the best option for us to build a home on this property.

Testimony in neutral: none

Testimony in opposition: none

MOTION: Commissioner Fried moved to close public testimony on Case PH2018-18, seconded by Commissioner Williamson. Voice vote motion carried.

MOTION: Commissioner Garrett moved to approve Case PH2018-18, and adopt the Findings of Fact, Conclusions of Law, and forward our recommendation to the Board of County Commissioners. Seconded by Commissioner Williamson. Roll call vote, 5 in favor and 0 opposed.

ITEM #4 Trace Leighton

CASE: CPR-PH2018-23 & 24

Trace Leighton is requesting a comprehensive plan future land use map amendment from commercial to residential on portions of parcels R33994 and R33992010 and agriculture to residential on a portion of parcel R34054, of Section 11&14, Township 4N, Range 2W, BM, Canyon County, Idaho. Concurrently the applicant is requesting to rezone parcels R34054, R33994, and a portion of R33992010 from "A" (Agricultural) to "RR" (Rural Residential). The subject properties are located on Trigger Ranch Lane (formerly Goldie Lane) approximately 1682 feet east of the intersection of Hwy 44 and Kingsbury Road on the south side of Hwy 44, Star, Idaho.

Planner Debbie Root, reviewed the staff report for the record

Chairman Richard Hall, affirmed the witness to testify

Testimony in favor:

Matt Durr – 6611 Greenwood, Garden City ID 83714- Applicant representative in favor

- The ponds will be a site amenity for building lots. Road maintenance will be managed by an HOA. The property to the east is a mine facility, the property to the west is farmland. The mining is almost completed and reclamation will begin. There has not been a flood

event on the property and development will be done in accordance with flood control agencies.

Testimony in neutral: None

Testimony in opposition: None

MOTION: Commissioner Fried moved to close public testimony on Case CPR-PH2018-23 & 24, seconded by Commissioner Garrett. Voice vote motion carried.

MOTION: Commissioner Garrett moved to approve Case CPR-PH2018-24, and adopt the Findings of Fact, Conclusions of Law, and forward our recommendation to the Board of County Commissioners. Seconded by Commissioner Fried. Roll call vote, 4 in favor and 1 opposed.

MOTION: Commissioner Garrett moved to approve Case CPR-PH2018-23, and adopt the Findings of Fact, Conclusions of Law, and forward our recommendation to the Board of County Commissioners. Seconded by Commissioner Fried. Roll call vote, 4 in favor and 1 opposed.

ITEM #5 Dawn Schwab

CASE: RZ2018-0003

The applicant, Dawn Schwab, is requesting a rezone of parcel R30087 from "A" (Agricultural) to "R-1" (Single Family Residential, 1 acre average minimum lot size). The vacant parcel is located off Lewis Lane, Nampa; also referenced as the SE Quarter of Section 12, Township 2N, Range 3W; Canyon County, Idaho

Planner Dan Lister, reviewed the staff report for the record, no late exhibits.

Chairman Richard Hall, affirmed the witness to testify.

Testimony in favor:

Dawn Schwab -1025 Meadowbrook Ln Nampa ID 83686 - Applicant in favor

- Requesting this rezone in order to sell the front lot allowing us to build a home on the back lot along with a secondary residence for my mother.

Testimony in neutral: None

Testimony in opposition: None

MOTION: Commissioner Williamson moved to close public testimony on Case RZ2018-0003, seconded by Commissioner Fried. Voice vote motion carried.

MOTION: Commissioner Fried moved to approve Case RZ2018-0003, and adopt the Findings of Fact, Conclusions of Law, and forward our recommendation to the Board of County Commissioners. Seconded by Commissioner Levi. Roll call vote, 5 in favor and 0 opposed.

ITEM #6 Linda & Dana Martenes

CASE: PH2018-25

The applicant, Dana Martenes, is requesting to rezone parcel R33948010 from "A" (Agricultural) to "C-1" (Neighborhood Commercial). The subject parcel is located at 22615 Lansing Lane, Middleton; also referenced as the NE Quarter of Section 9, Township 4N, Range 2W; Canyon County, Idaho.

Commissioner Fried will be recused.

Planner Dan Lister, reviewed the staff report for the record, including late exhibits 7 & 8.

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

Testimony in favor:

Dana Martenes -9053 Hwy 44 Middleton ID 83644 - Applicant in favor

- Requesting this rezone to keep my business on the property and to be available to care for my mother.
- Equipment is placed on platforms for refueling to keep spills off the dirt and prevent contamination.
- The equipment was initially moved onto the property for storage.

Testimony in neutral: None

Testimony in opposition:

Dennis Lapham - 8982 Reflection Ln Middleton ID 83644 - opposed

- My property is directly across the street from the subject property. I request that this rezone be denied. The business was moved on prior to the rezone. We were not invited to the neighborhood meeting.
- There is significant noise and the oils and other contaminants are a concern. Dust is a concern as well.

REBUTTAL:

Dana Martenes -9053 Hwy 44 Middleton ID 83644 - Applicant in favor

- Mr. Lapham's residence is not directly across the street from the business portion of the property it is down the road across from the residence. Mr. Lapham was sent a notice of the neighborhood meeting.
- The business does not generate much traffic, the dust can be mitigated by a chemical recommended by the highway department.

MOTION: Commissioner Garrett moved to close public testimony on Case PH2018-25, seconded by Commissioner Levi. Voice vote motion carried.

MOTION: Commissioner Williamson moved to deny Case PH2018-25, based on Item D, the proposed use will negatively affect the character of the area, and Item C, the proposed use is not compatible with the surrounded land use. Seconded by Commissioner Levi. Roll call vote, 3 in favor and 1 opposed.

ITEM #7 Cindy Greco

CASE: RZ2018-0002

The applicant, Cindy Greco, is requesting a rezone of parcel R25677505B from "A" (Agricultural) to "RR" (Rural Residential). The vacant parcel is located off Red Fox Drive within the Red Fox Estates Subdivision (portion of Lot 6 Block 1), Nampa; also referenced as the NE Quarter of Section 14, Township 2N, Range 2W; Canyon County, Idaho.

Commissioner Levi will be recused.

Planner Dan Lister, reviewed the staff report for the record, including late exhibit 8.

Chairman Richard Hall, affirmed the witness to testify, and entered the late exhibit into the record.

Testimony in favor:

Cindy Greco - 18452 Bernardo Trails Ct San Diego CA 92128 - Applicant in favor

- Summarized the property history. The rezone is needed in order to obtain a building permit and make the property available for sale.

Dorel Antimie - 9901 Salmon Ridge Place Nampa ID 83686- in favor

- This rezone will benefit neighbors and the county, instead of weeds there will be a nice home, and it will generate additional taxes for the county.

Testimony in neutral: None

Testimony in opposition: None

MOTION: Commissioner Williamson moved to close public testimony on Case RZ2018-0002, seconded by Commissioner Garrett. Voice vote motion carried.

MOTION: Commissioner Fried moved to approve Case RZ2018-0002, and adopt the Findings of Fact, Conclusions of Law, and forward our recommendation to the Board of County Commissioners. Seconded by Commissioner Williamson. Roll call vote, 4 in favor and 0 opposed.

ITEM #8 APPROVAL OF MINUTES:

a. May 3, 2018

MOTION: Commissioner Levi moved to approve the Minutes of May 3, 2018, seconded by Commissioner Williamson. Voice vote motion carried.

ITEM #9 COMMISSIONER, DIRECTOR, and PLANNER COMMENTS:

Director Nilsson discussed upcoming employee changes and additions that are coming up in the department, BOCC activity on past cases, and the Comp plan workshop that is coming up.

ITEM # 10 ADJOURNMENT: 9:15 PM

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

Signed this 7th day of June, 2018

Chairman Richard Hall

ATTEST:

Kathy Frost, Recording Secretary