



**CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, June 21, 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
Kyle McCormick, Planner
Jennifer Almeida, 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.

NEW BUSINESS:

ITEM #1 Tapestry Subdivision table to 7/19/2018

CASE: SD2018-0001

MOTION: Commissioner Williamson moved to table Case SD2018-0001 to date certain July 19, 2018. Seconded by Commissioner Fried. Voice vote, motion carried.

ITEM #2 Kelley Dick

CASE: RZ2018-0005

Kelley Dick is requesting a rezone of parcel R22365-517, approximately 5 acres from Agricultural (A) to Rural Residential (RR). The subject property is located at 22911 Honey Bee Ct., Middleton, ID 83644, further described as a portion of the Northwest quarter of Section 10, Township 4N, Range 2W, Canyon County, ID.

Planner Kyle McCormick, reviewed the staff report for the record.

Chairman Richard Hall, affirmed the witness to testify

Carrie Dick – 22911 Honey Bee Ct Middleton ID – Applicant in favor

- Last year we applied for a building permit, after construction was underway and we attempted to lock in our interest rate and were told by the lender that we could not get a loan on a secondary residence. In order to obtain a loan we have to split the property and put the home on a separate parcel.

MOTION: Commissioner Williamson moved to close public testimony on Case RZ2018-0005, seconded by Commissioner Fried. Voice vote motion carried.

MOTION: Commissioner Garrett moved to recommend approval of Case RZ2018-0005, and adopt the Findings of Fact, Conclusions of Law, and forward the recommendation to the Board of County

Commissioners. Seconded by Commissioner Fried. Roll call vote, 5 in favor and 0 opposed. Motion carried.

ITEM #3 Monarch Holding LLC

CASE: RZ2018-0004

Leroy Atwood with Monarch Holding LLC is requesting a rezone of parcel R32985-010, approximately 22 acres from Agricultural (A) to Single Family Residential (R-1). The subject property is located at 0 Smith Avenue, Nampa, ID, further described as the Southwest quarter of the Southeast quarter of Section 24, Township 3N, Range 3W, Canyon County, ID..

Planner Kyle McCormick, reviewed the staff report for the record.

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

Leroy Atwood – 2663 NW 4th Fruitland Idaho- Applicant representative in favor

- Monarch Holding LLC purchased this property in 2008 or 2009, with the intent to complete this process. Interest went up and building stopped so we farmed the property until now. We intend to develop into a 15 lot residential subdivision.
- Exhibit # 6 entered into the record, the site plan for the project. Noise, lighting and access have been addressed in the plans.

Gary Blecha – 12502 Smith Ave Nampa Idaho – in opposition

- My irrigation goes through the proposed property, this is a concern. I have been assured my water will be delivered to me, but I don't know how that will work. The gophers are a problem with the property not being farmed.
- We were assured when the park went in that we would not have problems, however we have had many issues with parking from sporting events.

Scot Edwards – 12507 Smith Ave Nampa Idaho – in opposition

- My property is on the west side. My concern is the water rights to our property, the ditch our water is delivered from is on their property, and we have not been told how that will work regarding us getting our water.
- When the survey crew was out we were told that there was a discrepancy on the property line, showing that our property line is in question.

Rebuttal: Leroy Atwood – 2663 NW 4th Fruitland Idaho- Applicant representative in favor

- Our intent on the irrigation delivery is to deliver it via tile, separate from our system. Our system will not interface with the current system. We are not taking water from people.
- We were not aware of a gopher issue, however we have since called gopher control and will work to solve that issue.
- If the neighboring property line is an issue we will give the property to the current property owner, it is 4 feet of property and we will not take that property.

MOTION: Commissioner Garrett moved to close public testimony on Case RZ2018-0004, seconded by Commissioner Levi. Voice vote motion carried.

MOTION: Commissioner Garrett moved to approve Case RZ2018-0004, and adopt the recommended Findings of Fact, Conclusions of Law & Order, and forward the recommendation to the Board of County Commissioners. Seconded by Commissioner Fried. Roll call vote, 4 in favor and 1 opposed. Motion carried.

ITEM #4 Vance Edwards

CASE: RZ2018-0006

Vance Edwards is requesting a **Rezone** of approximately 5.00 acres from an “A” (Agricultural) zone to an “R-R” (Rural Residential) zone. The subject property, parcel no. R37499012 is located at 8978 Purple Sage Rd., Middleton, ID in a portion of the SW ¼ of Section 27, T5N, R2W, BM, Canyon County, Idaho. The subject property, parcel no. R37499012 is located at 8978 Purple Sage Rd., Middleton, ID in a portion of the SW ¼ of Section 27, T5N, R2W, BM, Canyon County, Idaho.

Planner Jennifer Almeida, reviewed the staff report for the record

Chairman Richard Hall, affirmed the witness to testify

TJ Wellard -21851 Upper Pleasant Ridge Rd Caldwell ID 83607 – Applicant Representative in favor

- The Edwards raised their family on this lot, with the kids grown up and Mr. Edwards traveling a great deal, it is difficult for him and his wife to maintain 5 acres. This is the reason for the rezone request, selling some of the land will allow them to easier maintain what is left.

MOTION: Commissioner Fried moved to close public testimony on Case RZ2018-0006 seconded by Commissioner Williamson. Voice vote motion carried.

MOTION: Commissioner Williamson moved to recommend approval of Case RZ2018-0006, and adopt the Findings of Fact, Conclusions of Law and Order, and forward that recommendation to the Board of County Commissioners. Seconded by Commissioner Levi. Roll call vote, 5 in favor and 0 opposed.

ITEM #5 Canyon County

CASE: OR2018-0003 & RZ2018-0009

Parcel No. R34233010 & R34223012A are located on the south side of Highway 20/26 at the southwest and the southeast corner of the intersection of Prescott Ln. and Highway 20/26 in a portion of the NW ¼ of Section 26, T4N, R2W, BM, Canyon County, Idaho and the NE ¼ of Section 26, T4N, R2W, BM, Canyon County, Idaho.

Commissioner Levi is recused

Planner Jennifer Almeida, reviewed the staff report for the record, including late exhibit #20

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

Greg Bullock -504 Bayhill Drive Nampa Idaho 83686 – Applicant Representative in favor

- I am a Realtor for the County, contracted to sell this property, an appraisal has been done and designates this property as transitional ground, meaning that a developer will buy the property at auction and will either sit on it for a number of years or go through approvals for development. The decision has been made to sell, to derive the most financial benefit to the people of Canyon County it is advisable to rezone the property now.

Tim Lowber – 8276 Dearborne Rd Nampa Idaho 83605 – in opposition

- I was on the Fair Board Committee, after years of searching we found this property and purchased it to be a new home for the Canyon County Fair. Due to lack of support from businesses to provide funding, we sought individual funding. We were unable to get the funding needed and the Commissioners decided to stop the project.
- I am opposed to this property being rezoned from agricultural to residential or commercial.

George Crookham – 706 Willow Falls Ct Caldwell Idaho 893605 – in opposition

- The county purchased the property to move the fair onto it, it is doubtful they can get their money back on that. Now they are asking for a rezone to recoup that money. I am opposed to a comp plan change or a rezone, we are not at that point yet. It will set a bad precedent.
- The County made a bad decision to purchase the property and now are trying to make the best of it. The County should hold itself to a higher level and this request does not reflect that.

MOTION: Commissioner Garrett moved to close public testimony on Case OR2018-0003 & RZ2018-0009 seconded by Commissioner Fried. Voice vote motion carried.

MOTION: Commissioner Williamson moved to recommend approval of Case OR2018-0003 (Comprehensive Plan Text Amendment) and adopt the recommended Findings of Fact, Conclusions of Law and Order, and forward that recommendation to the Board of County Commissioners. Seconded by Commissioner Garrett. Roll call vote, 4 in favor and 0 opposed. Motion carried.

MOTION: Commissioner Garret moved to recommend denial of Case OR2018-0003 (Comprehensive Plan Map Amendment), based on the Comprehensive Plan amendment siting Item C that the comprehensive plan amendment is not compatible with surrounding land uses. Request that staff bring revised Findings of Fact and Conclusions of Law and Order back to the Commission on July 19, 2018. Seconded by Commissioner Fried. Roll call vote, 4 in favor and 0 opposed. Motion carried.

MOTION: Commissioner Garrett moved to approve RZ2018-0009 (Zoning Ordinance Text Amendment) and adopt the recommended Findings of Fact and Conclusions of Law and Order and forward that recommendation to the Board of County Commissioners. Seconded by Commissioner Williamson. Roll call vote 4 in favor, 0 opposed. Motion carried.

MOTION: Commissioner Garrett moved to deny case RZ2018-0009 (Rezone) based on Item C that the zoning is not compatible with the area. Request that staff bring revised Findings of Fact and Conclusions of Law and Order back to the Commission on July 19, 2018. Seconded by Commissioner Fried. Roll call vote, 4 in favor and 0 opposed. Motion carried.

ITEM #6 APPROVAL OF MINUTES:

a. June 7, 2018

MOTION: Commissioner Fried moved to approve the Minutes of June 7, 2018, seconded by Commissioner Williamson. Voice vote motion carried.

ITEM #7 COMMISSION, DIRECTOR, and PLANNER COMMENTS:

Director Nilsson: Discussed recent board hearings. Ag committee planning meeting is next week. Discussion on Ag land, regarding future use.

ITEM # 8 ADJOURNMENT: 9:30 PM

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

Signed this 19th day of July, 2018

Chairman Richard Hall

ATTEST:

Kathy Frost, Recording Secretary