



**CANYON COUNTY PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
Thursday, June 7, 2018 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  
Rob Sturgill, Vice Chairman  
Rick Fried, Commissioner  
Rod Garrett, Commissioner  
Patrick Williamson, Commissioner  
John Carpenter, Commissioner

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

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

**Vice Chairman Rob Sturgill** proceeded to the business items on the Agenda.

**OLD BUSINESS:**

**ITEM #1 Linda & Dana Martenes**  
Sign Revised FCO's

**CASE: PH2018-25**

**MOTION:** Commissioner Garrett moved to adopt the revised Findings of Fact, Conclusions of Law & Order, and recommend denial of Case PH2018-25, and forward the recommendation to the Board of County Commissioners. Seconded by Commissioner Williamson. Voice vote, motion carried.

**ITEM: #00 Richard Dunning**

**CASE: RZ-PH2017-68**

**MOTION:** Commissioner Carpenter moved to table case RZ-PH2017-68 to date certain 9/20/2018. Seconded by Commissioner Garrett. Voice vote, motion carried.

**NEW BUSINESS:**

**ITEM #2 Mike & Linda Dutton**

**CASE: SD PH2018-19**

A request by Mike and Linda Dutton for approval of a Preliminary Plat, Irrigation & Drainage Plan for Dutton Subdivision. The property is zoned "R1" (Single Family Residential) and the applicants are requesting a four (4) residential lot development on 4.7 acres. The subject property is located at 5525 E. Orchard Ave., Nampa, ID.

**Planner Debbie Root**, reviewed the staff report for the record, and explained changes to condition #4

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

**Mike Dutton – 17237 N Cody Ave Nampa ID 83687 – Applicant**

- Enter Exhibit 7, regarding the water user agreement. Will stand for questions.

**Testimony in neutral: none**

**Testimony in opposition: none**

**MOTION:** Commissioner Sturgill moved to close public testimony on Case SD-PH2018-19, seconded by Commissioner Williamson. Voice vote motion carried.

**MOTION:** Commissioner Williamson moved to approve Case SD-PH2018-19, and adopt the Findings of Fact, Conclusions of Law, and Conditions of Approval as amended, and forward the recommendation to the Board of County Commissioners. Seconded by Commissioner Garrett. Roll call vote, 6 in favor and 0 opposed. Motion carried.

**ITEM #3 The Stadium Subdivision**

**CASE: SD-PH2018-2**

A request by J.A.P.S. of Idaho, LLC and Glen Olsen for approval of a Preliminary Plat, Final Plat and Irrigation Plan for The Stadium Subdivision. The development consists of 4 lots and is conditionally zoned Rural Residential (CR-RR) subject to Development Agreement 17-001. The property within proposed Lot 1, Block 1 (222.817 acres) will be developed further as a residential subdivision in accord with DA17-001 with a subsequent plat. Parcels R37887-022, R37887, R37887-024, R37887-024B and R37887-024A are located on the north side of Goodson Road approximately ½ mile west of the intersection of Goodson Road and Wagner Road, Caldwell, Idaho, in Section 18, T5N, R3W, BM.

**Commissioner Fried is recused**

**Planner Debbie Root**, reviewed the staff report for the record, including late exhibit #7

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

**Testimony in favor:**

**T J Wellard – 21851 Upper Pleasant Ridge Rd Caldwell ID 83607- Applicant representative in favor**

- Presented details of the development, clarifying specific lots and how they will be developed. Lot 5 is the road lot which is currently an easement and will not be developed but deeded to the neighbors using the road. Agencies have been notified and have given approval.

**Jay Gibbons – 10167 Willis Rd Middleton ID 83644 – Applicant in favor**

- There are two authorized access points one to the east 550 feet from the Olson property line and one to the west directly across from an access point to a residential area.
- Run off will be maintained on each lot.

**Testimony in neutral:**

**Jack Bish – 27104 Serenity Ln Caldwell ID 83607 – in neutral**

- The road easement was created for seven parcels on Serenity Lane. Not opposed to this proposal, but would like to be assured that Serenity Lane will not be used as an access point for any further developments.

**Teri Ottens – 17949 Goodson Caldwell ID 83607 – in neutral**

- This proposed project has been going on for 13 years and is always changing.
- There should be a Transportation study before further development happens.

**Testimony in opposition: None**

**Rebuttal: T J Wellard – 21851 Upper Pleasant Ridge Rd Caldwell ID 83607**

- Until plat is finalized lot 5 cannot be deeded over to the residents on Serenity Lane as there are considerations in question that have to be agreed upon prior to a transfer of ownership. We are not prepared at this time to sign off on any transfer of ownership of the road. This will take place when the agreement is completed and agreed upon by all parties.

**MOTION:** Commissioner Sturgill moved to close public testimony on Case SD-PH2018-2, seconded by Commissioner Carpenter. Voice vote motion carried.

**MOTION:** Commissioner Garrett moved to approve the Preliminary Plat, Irrigation & Drainage Plan for Case SD-PH2018-2, and adopt the Findings of Fact, Conclusions of Law, and forward the recommendation to the Board of County Commissioners. Seconded by Commissioner Williamson. Roll call vote, 5 in favor and 0 opposed. Motion carried

**ITEM #4 Jake Fullmer**

**CASE: OR2018-0001 & RZ2018-0001**

Jake Fullmer is requesting a Comprehensive Plan Map Amendment to change the designation of parcel no. R29627012 from Agriculture to Residential. Also requested is a Rezone of parcel R29627012 (approximately 12.23 acres) from "A" (Agricultural) to "R-R" (Rural Residential). The subject property is located on the north side of Lake Shore Dr. approximately 1130 ft. east of the intersection of Dearborn Rd. and Lake Shore Dr. in a portion of the NW ¼ of Section 17, T2N, R2W, BM, Canyon County, Idaho.

**Planner Jennifer Almeida**, reviewed the staff report for the record, including late exhibit # 15.

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

**Testimony in favor:**

**Sherry Fullmer – 2214 Primrose Ln Nampa ID 83686 - Applicant in favor**

- This is a family owned parcel, we want to divide it into four lots so that each of our 3 sons will have a buildable lot of 2-3 acres each. We are working with engineers and agencies to make sure access and all other conditions are met.

**Josh Daniels – 10812 Lake Shore Dr Nampa ID 83686- in favor**

- In favor of this project. There is a very large Ag well on the property, the irrigation for all lots will come from that well.

**Testimony in neutral: None**  
**Testimony in opposition: None**

**MOTION:** Commissioner Williamson moved to close public testimony on Case OR2018-0001 & RZ2018-0001 seconded by Commissioner Fried. Voice vote motion carried.

**MOTION:** Commissioner Garrett moved to approve Case OR2018-0001, and adopt the Findings of Fact, Conclusions of Law, and forward that recommendation to the Board of County Commissioners. Seconded by Commissioner Fried. Roll call vote, 6 in favor and 0 opposed.

**MOTION:** Commissioner Garrett moved to approve Case RZ2018-0001, 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, 6 in favor and 0 opposed. Motion carried.

**ITEM #5 Bruce & Lorena Holmstead**

**CASE: CR2018-0001**

Bruce & Lorena Holmstead are requesting a Conditional Rezone to change the zoning designation on R37961010 from "A" (Agricultural) to "CR-RR" (Conditional Rezone – Rural Residential). Also requested is a Development Agreement which will restrict the development of the parcel to a total of three (3) residential parcels. The subject property is located at the southeast corner of the intersection of Harvey Rd. and Goodson Rd., in the NW ¼ of Section 23, T5N, R3W, B.M., Canyon County, Idaho.

**Commissioner Fried is recused.**

**Planner Jennifer Almeida**, reviewed the staff report for the record, including late exhibits 26, 27, 28.

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

**Testimony in favor:**

**Bruce Holmstead –11324 Purple Sage Rd Middleton ID 83644 - Applicant in favor**

- We believe that this is a use consistent with the area, we are going to build our home on the parcel and would like to divide that parcel to allow one additional home. 25.3 acres will continue to be used as Agriculture preserving prime farmland.
- We are aware of the dairy and will not have any concerns with odors, flies or dust, and will make sure other owners will not complain about the dairy.
- We were not aware that we could not use Goodson Road as an access point, after consulting with the highway district, however we could use Harvey Road as an access.

**Lorena Holmstead –11324 Purple Sage Rd Middleton ID 83644 - Applicant in favor**

- There is a specific buyer for the proposed lot, they will not oppose the dairy operation and we will include in the sales agreement that they cannot oppose dairy operations or other surrounding Agricultural use.
- We have been on the property almost every day and have not had any issues with the dairy operations. The Vandenberg dairy is an exceptional operation.

**Testimony in neutral: None**

**Testimony in opposition:**

**Katie Vandenberg – 13349 Goodson Rd Caldwell ID 83607 in opposition**

- My family owns the dairy closest to the proposed property, we have been in business for 40 years and this proposal is not consistent with the comprehensive plan, and it is adverse to the Agricultural area. One home is reasonable, two or three homes are not consistent.
- We operate a clean dairy, there are smells, dust and flies associated with dairies, however there are still complaints and hostility from neighbors. A former dairy had so much hostility that it closed down.
- There are six homes near our dairy, none of them were invited to the neighborhood meeting.
- There is a big difference between a small family hobby farm and the large agricultural operations in this area. Continued residential growth in the area will result in loss of an industry that contributes to our schools, employment and the Counties overall economy.

**REBUTTAL:**

**Bruce Holmstead –11324 Purple Sage Rd Middleton ID 83644 - Applicant in favor**

- The neighborhood meeting list was obtained from Canyon County and we made attempts to contact the dairies directly.
- We are not going to be residential we will be mostly agricultural, one additional residence is not significant, this will be a farming operation, I have had 15 years' experience farming a 25 acre farm.

**MOTION:** Commissioner Garrett moved to close public testimony on Case CR2018-0001, seconded by Commissioner Carpenter. Voice vote motion carried.

**MOTION:** Commissioner Carpenter moved to adopt the Findings of Fact, Conclusions of Law & Order, and recommend denial of Case CR2018-0001, and forward the recommendation to the Board of County Commissioners. Seconded by Commissioner Williamson. Roll call vote, 5 in favor, 0 opposed. Motion carried.

**ITEM #6 APPROVAL OF MINUTES:**

a. May 17, 2018

**MOTION:** Commissioner Fried moved to approve the Minutes of May 17, 2018, seconded by Commissioner Williamson. Voice vote motion carried.

**ITEM #7 COMMISSION, DIRECTOR, and PLANNER COMMENTS:**

Director Nilsson discussed the upcoming Agricultural workshop, and the possibility of a summit on the cost of growth in Canyon County and the need for a Historic Site survey. The Commissioners were updated on recent BOCC cases.

**ITEM # 8 ADJOURNMENT: 9:30 PM**

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

**Signed this 21<sup>st</sup> day of June, 2018**

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Chairman Richard Hall

**ATTEST:**

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Kathy Frost, Recording Secretary