



**CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, August 16, 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
Rod Garrett, Commissioner
John Carpenter, Commissioner
Rick Fried, Commissioner
Patrick Williamson, Commissioner

Staff Members Present: Patricia Nilsson, Director
Jennifer Almeida, Planner
Kyle McCormick, Planner
Kathy Frost, Recording Secretary

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

Commissioner Patrick Williamson arrived at 6:34 p.m.

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

OLD BUSINESS- ACTION ITEMS

Robin & Michael Walker, Case CU2018-0007 - Robin Walker, dba Jukebox Party Express, are requesting a Conditional Use Permit to operate a staging area on approximately 6.42 acres. The subject property, parcel no. R30748012, is located at 6536 Cherry Ln., Nampa, Idaho, in a portion of the SW ¼ of Section 1, T3N, R2W, BM, Canyon County, Idaho.

Planner Jennifer Almeida, reviewed the staff report for the record, including late exhibits 24, 25, 26, 27, 28, 29, 30, 31

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

MOTION: Commissioner Sturgill moved to reopen Case CU2018-0007, seconded by Commissioner Carpenter. Voice vote, motion carried.

Michael Walker – Applicant in favor – 6536 Cherry Ln Nampa ID 83687

- Mr. Walker reviewed the steps that have been taken to mitigate concerns, including removing multiple truckloads of trash and vehicles not related to the business. The back field has been mowed and the storage containers have been painted. We have obtained a quote from a construction company to build cover for equipment and gravel has been placed to control weeds. We have put together a 90 day plan to have the property in compliance, including containment of the trailers used for the attractions, site obscuring fencing on the west side. We will have a paved apron for the approach to the driveway.

Robin Walker – Applicant in favor – 6536 Cherry Ln Nampa ID 83687

- Business is increasing due to Michaels marketing skills, we are working together to make our business successful.

MOTION: Commissioner Garrett moved to close public testimony on Case CU2018-0007, seconded by Commissioner Williamson. Voice vote motion carried.

MOTION: Commissioner Garrett moved to approve case CU2018-0007 and adopt the Findings of Fact, Conclusions of Law and Conditions of Approval and Order including the conditions recommended in the staff report, specifically exhibit 3, 26, 30, the 90 day plan. Direct staff to bring back revised FCO's as modified by Commissioners on 9/6/2018. Seconded by Commissioner Sturgill. Roll call vote, motion carries with 5 in favor and 1 in opposition.

NEW BUSINESS- ACTION ITEMS

Refugio Vidales, Case OR2018-0007, & RZ2018-0008: Refugio Vidales is requesting a Comprehensive Plan Map Amendment to change the designation of parcel no. R33161 & R33161011 from "Agriculture" to "Residential." Also requested is a Rezone of R33161 and R33161011 that total approximately 20.30 acres from "A" Agricultural to "R-R" (Rural Residential) zone. The subject property is located at 20298 Lonkey Ln., Caldwell, ID, in a portion of the NE ¼ of Section 3, T3N, R4W, B.M., Canyon County, Idaho.

MOTION: Commissioner Williamson moved to table Case OR2018-0007 & RZ2018-0008 to a date certain of September 20, 2018. Seconded by Commissioner Garrett. Voice vote, motion carried.

Jeremy Eaton, Case RZ2018-0012: Jeremy Eaton is requesting a Rezone of approximately 4.96 acres from an "A" (Agricultural) zone to an "R-1" (Single Family Residential) zone. The subject property is located at 13026 Purple Sage Rd., Caldwell, ID, in a portion of the SE ¼ of Section 26, T5N, R3W, BM, Canyon County, Idaho.

Planner Jennifer Almeida, reviewed the staff report for the record

Chairman Richard Hall, affirmed the witnesses to testify

Jeremy Eaton – Applicant in favor – 13026 Purple Sage Rd Caldwell ID 83607

- There is a shared access that will be widened and improved with an asphalt apron, requiring little maintenance beyond that there will be two driveways. I was unaware of opposition to this project. Our intent is to rezone and sell parts of the property for a developer to build nice homes. There is 5 acres of water for irrigation, lots will pump out of the drainage ditch.

Viki Purdy – in opposition – PO Box 11 Caldwell ID 83654

- Mr. Eaton was informed that we were not in favor of the project. We are not in favor of R1 zoning and are not interested in making our driveway a public road. The property is in weeds now and it would be nice to see it cleaned up. We would be more open to a less dense zoning. There is high ground water in the area, flooding could be a problem. 5 additional septic's and 5 additional wells could cause problems.

Robert Blum – in opposition – 13198 Purple Sage Rd Caldwell ID 83607

- Opposed to an R-1 zone, this was expressed to Mr. Eaton. Concerned about additional water usage, possible flooding and additional traffic, we are not interested in sharing our driveway or sharing maintenance costs. We would not be opposed to less dense use.

REBUTTAL: Jeremy Eaton – Applicant in favor – 13026 Purple Sage Rd Caldwell ID 83607

- Clarified the shared access point, we can put the driveway on the other side of the property if necessary. Mr. Blum and his wife did not express opposition to the project. The amount of increased traffic is not going to be extreme. In the three years I have lived on the property I have not seen standing water. Purple Sage will be widened and improved in the future due to the growth in the area.

MOTION: Commissioner Fried moved to close public testimony on Case RZ2018-0012. Seconded by Commissioner Carpenter. Voice vote, carried.

MOTION: Commissioner Garrett moved to approve case RZ2018-0012 and adopt the recommended Findings of Fact, Conclusions of Law and Conditions of Approval as written, and forward our recommendation to the Board of County Commissioners. Seconded by Commissioner Carpenter. Roll call vote 2 in favor and 4 in opposition, motion failed.

MOTION: Commissioner Sturgill moved to recommend denial to the Board of Commissioners on Case RZ2018-0012 based on Item B that the proposed zone change is not more appropriate than the current zoning designation, Item C that the rezone is not compatible with surrounding land use and Item D it will negatively affect the character of the area. Commission recommends an “R-R” zone over an “R-1”. Directing staff to bring revised Findings of Fact and Conclusions of Law to the Commission on September 6, 2018. Seconded by Commissioner Williamson. Roll call vote 4 in favor and 2 in opposition, motion carried.

Honey Bee Acres Case SD2018-0009: A request by Kelley Dick for approval of a Preliminary Plat and Final for Honey Bee Acres Subdivision, a replat of Lot 18 Block 1 of Greenview Acres Subdivision. The development consists of 2 lots and is accessed from Honey Bee Ct. 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, including late exhibits 12, 13, 14.

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

Carrie Dick – Applicant in favor – 22915 Honey Bee Ct Middleton ID 83644

- We started building the home as a secondary residence and near the end of the process the bank made it a requirement to divide the parcel into two parcels as a condition of approval for the loan.

Kristin Fendel - opposed - 22838 Bumble Bee Ln Middleton ID 83644

- Secretary/ Treasurer of the Greenview Acres Road Association. Concerned about the sub-standard point of access. The road should be widened before an additional home is added.

REBUTTAL: Carrie Dick – Applicant in favor – 22915 Honey Bee Ct Middleton ID 83644

- We are a part of the road user agreement, and we personally paid to have a paved apron installed at the entrance. We are in favor of improving the road and feel that the expense should be shared by all users.

MOTION: Commissioner Garrett moved to close public testimony on Case SD2018-0009. Seconded by Commissioner Carpenter. Voice vote, motion carried.

MOTION: Commissioner Carpenter moved to recommend approval of case RZ2018-0009 and adopt the recommended Findings of Fact, Conclusions of Law and Conditions of Approval as written, and forward our recommendation to the Board of County Commissioners. Seconded by Commissioner Sturgill. Roll call vote 6 in favor and 0 in opposition, motion carried.

APPROVAL OF MINUTES:

- August 2, 2018

MOTION: Commissioner Sturgill moved to approve the Minutes from August 2, 2018 as written, seconded by Commissioner Garrett. Voice vote, motion carried.

COMMISSION, DIRECTOR, & PLANNER COMMENTS: Director Nilsson updated the Commissioners on recent cases before the Board of County Commissioners, area growth and possible city impact decisions.

ADJOURNMENT: 9:15 pm

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

Signed this 6th day of September, 2018

Chairman Richard Hall

ATTEST:

Kathy Frost, Recording Secretary