



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

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

Commissioners Present: Richard Hall, Chairman
Sandi Levi, Secretary
Rod Garrett, Commissioner
John Carpenter, Commissioner
Rick Fried, Commissioner

Staff Members Present: Patricia Nilsson, Director
Jennifer Almeida, Planner
Debbie Root, 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 - ACTION ITEMS

TRIPLE CROWN DEVELOPMENT, CU2018-0004
TRIPLE CROWN DEVELOPMENT, CU2018-0005
TRIPLE CROWN DEVELOPMENT, CU2018-0006

MOTION: Commissioner Garrett moved to table Case CU2018-0004, CU2018-0005, and CU2018-0006 to date certain October 4, 2018. Seconded by Commissioner Fried. Voice vote motion carried.

ROBIN & MICHAEL WALKER, CU2018-0007: Adopt and sign revised FCO's

Commissioner Levi will abstain from voting

MOTION: Commissioner Carpenter moved to approve case CU2018-0007 and adopt the Findings of Fact, Conclusions of Law and Conditions of Approval as revised. Seconded by Commissioner Fried. Voice vote motion carried.

JEREMY EATON, RZ2018-0012: Adopt and sign revised FCO's

Commissioner Levi will abstain from voting

MOTION: Commissioner Carpenter moved to adopt the revised Findings of Fact Conclusions of Law and Conditions of Approval for case RZ2018-0012 and forward the recommendation to the Board of County Commissioners. Seconded by Commissioner Garrett. Voice vote motion carried.

TAPESTRY SUBDIVISION, SD2018-0001: DSD has accepted a Preliminary Plat application for Tapestry Subdivision a 16 residential lot subdivision with public roads, individual wells and septic systems, and no surface irrigation water available. The subject property is zoned "R1" (Single Family Residential) with a one acre minimum average lot size. The subject property, Parcel No.

R38224010 is located on the west side of Hartley Lane, at the intersection of Flower Lane and Hartley Lane, Middleton, Idaho, in a portion of the NW ¼ of Section 36, T5N, R3W, BM, Canyon County, Idaho

Planner Debbie Root, updated the Commission on late exhibits 16, 17, & 18.

Commissioner Carpenter moved to reopen public testimony on Case SD2018-001, limiting testimony to the late exhibits 16, 17 & 18. Seconded by Commissioner Fried.

Chairman Richard Hall, entered the late exhibits into the record.

Amy Woodruff – Applicant representative in favor - 422 9th Ave Caldwell ID 83607

- Attended the meeting that Hwy District #4 conducted at the request of the opposition, it was a unanimous decision by the board to take no action. Tapestry Subdivision is in conformance with Canyon County Highway District and the Flower Lane discussion has no bearing on Tapestry Subdivision. The Flower Lane issue is between the Highway district and the people who live on Flower Lane.

Michael Freer - Applicant in favor – 703 N 14th St Mountain Home ID 83647

- The design of Tapestry Subdivision has been modified to meet Highway District #4 requirements.

Shelly Fisher – in favor - P O Box 1147 Donnelly ID 83615

- Spoke with Chris Hopper, of Canyon Highway district #4, and he indicated that Flower Ln is still accessible to the property owners that live there. Tapestry Subdivision meets the current standards of the Highway district.

Gerald Boatman – in opposition - 12027 Fieldstone Pl Middleton ID 83644

- Our subdivision backs up to the proposed Tapestry Subdivision, concerned about the possibility of a roundabout because of the lighting and the traffic pattern.

Jim Corta – in opposition – 24444 Hartley Ln Middleton ID 83644

- My property is across from Flower Ln on the east side, the access point should be moved to a different location on Hartley, due to safety concerns. Also opposed to a roundabout.

Brad Abbott – in opposition -12615 Flower Ln Middleton ID 83644

- Concerned about the proposed road changes, and the section line being on a private road. There is a lot of confusion regarding the road.

Chrystle Fuentes – in opposition – 12667 Flower Ln Middleton ID 83644

- Read a letter from a surveyor that the highway district had hired when our subdivision was platted. We believe this letter states that our road cannot be changed and we do not have to grant an easement. We request that plat maps be studied and considered.

Jerardo Fuentes – in opposition – 12667 Flower Ln Middleton ID 83644

- Concerned about the road being blocked or fenced, I have a construction equipment and merging onto Hartley Ln is not going to work for my business. We have many questions about the road.

Rebuttal: Amy Woodruff – Applicant representative in favor – 422 9th Ave Caldwell ID 83687

- Road access has been approved and determined by Canyon Highway District and cannot be changed. A roundabout is a right of way dedication to Canyon Highway District that was requested by the City of Middleton, and it may or may not happen in the future. The city of Middleton upheld the 40 foot requested right away for Hartley and Flower Ln that was directed by Highway district. The public road will not be barricaded in anyway. The easement currently in place is not going to be taken by this project.

MOTION: Commissioner Carpenter moved to close public testimony on Case SD2018-0001, seconded by Commissioner Fried. Voice vote motion carried.

MOTION: Commissioner Carpenter moved that we approve case SD2018-0001 and adopt the recommended “Findings of Fact, Conclusions of Law, Conditions of Approval and Order” as written and forward our recommendations to the Board of County Commissioners. Seconded by Commissioner Fried. Roll call vote, 4 in favor 1 opposed. Motion carried

NEW BUSINESS- ACTION ITEMS

OBENDORF, Case CU2018-0018

MOTION: Commissioner Carpenter moved to table Case CU2018-0018 to date certain October 4, 2018. Seconded by Commissioner Garrett. Voice vote motion carried.

ANNISSA NISSER, Case CR2018-0005: Annessa Nisser is requesting a **Conditional Rezone** of approximately 10.25 acres from an “A” (Agricultural) zone to a “CR-RR” (Conditional Rezone – Rural Residential) zone. Also requested is approval of a **Development Agreement** that would allow the applicant to construct a single family residence on the subject property. The applicant is not requesting to divide the parcel. The subject property is located on the south side of Locust Ln., approximately 480 ft. east of the intersection of Pump Rd. and Locust Ln., Nampa, Idaho, in a portion of the NW ¼ of Section 11, T2N, R3W, BM, Canyon County, Idaho.

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

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

ANNISSA NISSER– Applicant representative in favor – 3249 W Hwy 52 Emmett ID 83617

- Requesting this rezone in order to build a single family residence on the property. We have a deeded shared easement with the adjacent property and will access there.

MOTION: Commissioner Garrett moved to close public testimony on Case CR2018-0005, seconded by Commissioner Levi. Voice vote motion carried.

MOTION: Commissioner Garrett moved to approve case CR2018-0005, including the Development Agreement and adopt the Findings of Fact, Conclusions of Law and Conditions of Approval as written and forward our recommendations to the Board of County Commissioners. Seconded by Commissioner Fried. Roll call vote 5 in favor and 0 in opposition.

TROY LINDSEY, Case CR2018-0003: Troy Lindsey is requesting a **Conditional Rezone** of approximately 18.48 acres from an “A” (Agricultural) zone to an “CR-R-R” (Conditional Rezone- Rural Residential) zone. Also requested is a **Development Agreement** that would restrict the

development of the property to one (1) homesite on the non-irrigated portion of the property. The remainder of the parcel would remain in agricultural production. The subject property is located on the north side of Sand Hollow Rd., approximately 2,028 feet from the intersection of Wagner Rd., and Sand Hollow Rd., in a portion of the SW ¼ of Section 7, T5N, R3W, BM, Canyon County, Idaho.

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

Chairman Richard Hall: affirmed the witnesses to testify.

Raymond Schild- Applicant representative in favor – 2484 N Stokesberry Place Meridian ID 83646

- Seeking approval as conditioned, this will not be a subdivision and the property will not be divided. The proposed home site is on a portion of the land that is not able to be farmed due to the lack of irrigation water. Farmland will not be diminished. The home will be built in accordance with the site plan and will not create an incompatible land use in the area. No road improvements will be needed.

Daniel Krup – Opposed – 17482 Sand Hollow Rd Caldwell ID 83607

- Opposed to this project because of the close proximity of my home, do not agree that any part of the property is not farmable. This is an agricultural area and it should remain as such. The driveway is parallel to mine and that location could cause a danger. The driveway should be moved to another part of the property. Water availability is a concern.

Chris Clelland – Opposed – 27953 Conway Rd Caldwell ID 83607

- Live 2 ½ miles from this property and currently leasing the property in question for farming, concerned that a new owner will end my lease and reduce my ability to support my family. Stated the history of the property. The proposed home site is close to neighbors and the access point is a concern. This will affect the character of the area. The purpose of this proposal is to build a home and sell the property.

Rebuttal – Raymond Schild- Applicant representative in favor – 2484 N Stokesberry Place Meridian ID 83646

- The development agreement is very restrictive, when the building permit is applied for agencies will have input into the access point and other issues. One additional home is not going to cause a significant increase in traffic. The water table will not be affected and one additional home will not create a negative impact on the area. The land owner has the right to improve and sell his property.

MOTION: Commissioner Fried moved to close public testimony on Case CR2018-0003, seconded by Commissioner Carpenter. Voice vote motion carried.

MOTION: Commissioner Garrett moved to approve case CR2018-0003, including the Development Agreement and adopt the Findings of Fact, Conclusions of Law and Conditions of Approval as written and forward our recommendations to the Board of County Commissioners. Seconded by Commissioner Carpenter. Roll call vote 5 in favor and 0 in opposition.

APPROVAL OF MINUTES:

- August 16, 2018

MOTION: Commissioner Carpenter moved to approve the Minutes from August 16, 2018 as written, seconded by Commissioner Garrett. Voice vote, motion carried.

COMMISSION, DIRECTOR, & PLANNER COMMENTS: Director Nilsson updated the Commissioners on recent Board hearings, and other agency and community activities.

ADJOURNMENT: 9:12 pm

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

Signed this 20th day of August, 2018

Chairman Richard Hall

ATTEST:

Kathy Frost, Recording Secretary