



**CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, November 1, 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
Rick Fried, Commissioner
Rob Sturgill, Commissioner
Patrick Williamson, Commissioner

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

FKH LLC Case No. RZ2018-0013

MOTION: Commissioner Sturgill moved to table Case RZ2018-0013 to date certain 12/6/2018, seconded by Commissioner Williamson. Voice vote motion carried.

PALOMINOS SUBDIVISION Case No. SD2018-0007

MOTION: Commissioner Williamson moved to table Case SD2018-0007 to date certain 11/15/2018 seconded by Commissioner Sturgill. Voice vote motion carried.

TRIPLE CROWN DEVELOPMENT Case No. CU2018-0006

MOTION: Commissioner Sturgill moved to table Case CU2018-0006 to date certain 12/6/2018 seconded by Commissioner Williamson. Voice vote motion carried.

NEW BUSINESS- ACTION ITEMS

TRACIE & DENNIS JONES Case No. RZ2018-0020

Canyon County DSD has received an application to rezone parcel R37886012 from “A” (Agricultural) to “RR” (Rural Residential) for the purpose of developing the approximate 48.60 acres into rural lots with a minimum average residential lot size of two acres. The subject property is south of and adjacent to

Silver Sage Estates and Butterfly Ridge No. 2 Subdivisions at 0 Sand Hollow Road, Caldwell, Idaho. The nearest address for an adjacent parcel is 27798 Gray Sage Road, Caldwell.

Planner Debbie Root, reviewed the staff report for the record, no late exhibits.

Chairman Richard Hall, affirmed the witnesses to testify.

Allen Johnson, Applicant representative in favor – 2511 San Marco way, Nampa ID 83686

- The Jones' are seeking a rezone in order to build their home on the property, they may add more home sites in the future but at this time they are only interested in one home. This process is required for any home to be built. There is a canal on the north side of the property with a bridge across it. The plan is to build a road down the middle coming off of Wagner Road. There has been some interest from buyers to build on 3-5 acre lots. Water will be worked out with the Department of Water Resources. If water rights are not granted the lots would be dry and used as a home site and pasture, with homes having individual wells and septic systems.

Jack Keithley, opposed – 27846 Gray Sage Rd Caldwell ID 83607

- At the neighborhood meeting, the applicant indicated that there would be one home built and there was no opposition, now they are stating that multiple homes could be built, I am opposed to this and feel it would be a danger to the children in the neighborhood in regards to traffic, and there will be additional drain on the aquifer.

Marina Peters, opposed – 17134 Big Sage Ct Caldwell ID 83607

- As a resident in the area, I am opposed to this proposal because it will bring additional traffic and there is too much growth in this area. With the construction going on now the traffic is unsafe, with more growth it will get worse.

REBUTTAL: Allen Johnson – 2511 San Marco Way, Nampa ID 83686

- The applicants are currently seeking to build one home, and that is what was represented at the neighborhood meeting, however in going through the process with the County it was required that we include the other lots in the proposal.

MOTION: Commissioner Sturgill moved to close public testimony on Case RZ2018-0020, seconded by Commissioner Garrett. Voice vote motion carried.

MOTION: Commissioner Sturgill moved to recommend approval of Case RZ2018-0020 and adopt the recommended Findings of Fact, Conclusions of Law and Order, and forward the recommendation to the Board of County Commissioners. Seconded by Commissioner Fried. Roll call vote, motion carried with 6 in favor and 0 opposed.

GEM STATE KENNELS Case No. CU2018-0013

Seth Simpson, is requesting a conditional use permit to allow a commercial dog kennel use within an "A" (Agricultural) Zoning District. The dog kennel will accommodate a maximum of 14 dogs. The subject property is located at 18395 HWY 20/26, Caldwell (Parcel R35912014); also referenced as the SE Quarter of Section 1, Township 4N, Range 4W; Canyon County, Idaho.

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

Chairman Richard Hall, affirmed the witness to testify.

Seth Simpson, Applicant in favor – 18395 Hwy 20/26 Caldwell ID 83607

- In response to questions by Commissioners, Mr. Simpson stated that the trip estimate was based on the number of dogs being trained at one time and how often their owners come out to check on them or drop off and pick up dogs. Mr. Simpson lives onsite.

MOTION: Commissioner Williamson moved to close public testimony on Case CU2018-0013, seconded by Commissioner Garrett. Voice vote motion carried.

MOTION: Commissioner Sturgill moved to approve case CU2018-0013 as well as the Findings of Fact, Conclusions of Law and Conditions of Approval. Seconded by Commissioner Williamson. Roll call vote, motion carried with 6 in favor and 0 opposed.

PAUL AND DIANA SLEIGHT Case No. RZ2018-0022

Paul and Diana Sleight, are requesting a rezone of parcel R29370 from “RR” (Rural Residential, 2 acre average minimum lot size) to “R1” (Single-Family Residential, 1 acre average minimum lot size) in order to divide the parcel. The property is located at 840 Sage Creek Road, Nampa; also referenced as the NE Quarter of Section 10, Township 2N, Range 2W; Canyon County, Idaho

Planner Dan Lister, reviewed the staff report for the record, including late exhibits 8 & 9.

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

Paul Sleight, Applicant if favor – 840 Sage Creek Rd, Nampa ID 83686

- Mr. Sleight was raised in Idaho, after moving and residing in Colorado for a number of years, moved back to Idaho and purchased this property and has lived there for approximately 15 years. The home and property is becoming too much for us to maintain. We are interested in splitting the property and selling a portion of it. There have been splits such as this in the area. There will be a shared access for both homes. I am planning to live on the property that will be created on the rear of the property.

Dave Dyskstra, opposed - 11049 Sage Creek Rd Nampa ID 83686

- Opposed to any lots in the area smaller than 2 acres, siting Exhibit #9, CC & R’s from 1957 which states that no lots smaller than 2 acres will be allowed.

Ernie Deacon, opposed – 4112 Sunny Ridge Rd, Nampa ID 83686

- At the neighborhood meeting there was overwhelming opposition to the project and we were told that the purpose of the split was to make the property easier to sell. I do not believe that the property cannot be sold as is, and do not agree that it is a good reason to split the property. The property should stay as it is.

Jim McElya, opposed – 836 Sage Creek Rd, Nampa ID 83686

- Live on the property adjacent and to the West of the proposed project and I will be negatively affected. All of the homes in the area have their own access and I do not think a shared access is a good option. I don’t believe the property can’t be sold as is, and I don’t believe his intentions are honest. Mr. Sleight knew what he was buying when he purchased the home.

Andrew Castagneto, 920 Sage Creek Rd, Nampa ID 83686

- Live east, southeast of the subject property, the access for the proposed split is not on a main road as are the other homes in the area. This would be a shared access, I am opposed to the shared access and think the access road would not be large enough. I do not want to see the area changed.

Herb Davis, opposed – 923 Sage Creek Rd, Nampa ID 83686

- Live across the street on a smaller property of just under 1 acre, we want to see the area maintained as it is and do not want more homes built here. The property in question is not being maintained well now and it could get worse if it is divided.

REBUTTAL: Paul Sleight, 840 Sage Creek Rd, Nampa ID 83686

- I have lived in the home for almost 15 years and have been trying to sell for approximately 3 years, the comments we are getting from potential buyers are that the property is too large. The easement for the access road will be large enough to accommodate both homes.

MOTION: Commissioner Sturgill moved to close public testimony on Case RZ2018-0022, seconded by Commissioner Garrett. Voice vote motion carried.

MOTION: Commissioner Garrett moved to recommend denial to the Board of County Commissioners on case RZ2018-0022, based on Item C, that the proposed use is not compatible with the surrounding land uses. Seconded by Commissioner Fried. Roll call vote, motion fails with 2 in favor and 3 opposed.

MOTION: Commissioner Williamson moved to approve case RZ2018-0022, based on the Findings of Fact, Conclusions of Law and Order, and forward the recommendation to the Board of County Commissioners. Seconded by Commissioner Sturgill. Roll call vote, motion passes with 3 in favor and 2 opposed.

APPROVAL OF MINUTES:

- October 18, 2018

MOTION: Commissioner Fried moved to approve the Minutes from October 18, 2018, seconded by Commissioner Sturgill. Voice vote, motion carried.

COMMISSION, DIRECTOR, & PLANNER COMMENTS: Director Nilsson addressed staff changes, updated the commissioners on the Zoning amendment that was passed, the Comp Plan, and upcoming Census workshop. Update on recent board cases and the Planning conference from last month.

ADJOURNMENT: 8:55 pm

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

Signed this 15th day of November, 2018

Chairman Richard Hall

ATTEST

Kathy Frost, Recording Secretary