



**CANYON COUNTY PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
Thursday, December 6, 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:** Robert Sturgill, Vice Chairman  
Sandi Levi, Secretary  
Rod Garrett, Commissioner  
Rick Fried, Commissioner  
John Carpenter, Commissioner  
Patrick Williamson, Commissioner

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

**Vice Chairman Robert Sturgill** 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**

**RICHARD DUNNING Case No. RZ2017-68:** Case withdrawn by applicant

**PROVOST CASE No. RZ2018-0017**

**MOTION:** Commissioner Williamson moved to table Case RZ2018-0017 to date certain 1/17/2019 seconded by Commissioner Carpenter. Voice vote motion carried.

**HAPPY VALLEY PLACE LLC CASE No. CR2018-0006**

**MOTION:** Commissioner Carpenter moved to table Case CR2018-0006 to date certain 1/17/2019 seconded by Commissioner Williamson. Voice vote motion carried.

**FKH LLC CASE No. RZ2018-0013:** Case withdrawn by applicant

**DOORNENBALL CASE No. RZ2018-0021**

Doornenbal Trust is requesting the rezone of parcel R38195 from “A” (Agricultural) to “R1” (Single Family Residential, 1 acre average minimum lot size). The vacant 57.4 acre parcel is located off Purple Sage Road, Middleton; also referenced as the NW ¼ of Section 35, Township 5N, Range 3W; Canyon County, Boise-Meridian, Idaho.

**Commissioner Carpenter is recused**

**Planner Dan Lister**, reviewed the staff report for the record, including late exhibits, staff presentation and site plan.

**Vice Chairman Robert Sturgill**, affirmed the witness to testify and entered the late exhibits into the record.

**Caleb LaClair**, Applicant representative in favor – 332 N Broadmore Way, Nampa ID 83687.

- An “R-1” zone is requested as a result of feedback from realtors that have been consulted. They believe that one acre lots are preferable to buyers, making them easier to sell. The property is in the City of Middleton area of impact and there are similar size lots in the area. The number of lots proposed is a result of the nutrient pathogen study, 40 lots are proposed and they can be supported by individual septic systems. Pressurized irrigation is planned. The Comprehensive Plan for Canyon County and the City of Middleton shows this area as residential, the Mayor of Middleton is in support of this proposal.

**MOTION:** Commissioner Garrett moved to close public testimony on Case RZ2018-0021, seconded by Commissioner Fried. Voice vote motion carried.

**MOTION:** Commissioner Williamson moved to recommend denial, to the Board of County Commissioners on Case RZ2018-0021, citing that an “R-1” designation is not appropriate or compatible with surrounding land uses, and the proposal will create a negative effect on the area infrastructure. Directing staff to bring back revised Findings of Fact and Conclusions of Law for signature on December 20, 2018. Seconded by Commissioner Fried. Roll call vote, 5 in favor 0 opposed.

**TRIPLE CROWN DEVELOPMENT CASE No. CU2018-0006**

Triple Crown Development is requesting a long term mineral extraction permit including sand and gravel mining, staging and hauling operation, of a portable crusher, concrete batch plant, and an asphalt hot plant. A total of 51 acres including 8 acres for staging of 80.972 total acres are to be mined. The subject property R36078 is located in Section 14, T4N, R4W, BM, Canyon County, Idaho and further described as 21575 Pinto Road, Caldwell, Idaho.

**Commissioner Carpenter is recused**

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

**Vice Chairman Robert Sturgill**, affirmed the witnesses to testify.

**Dave Cockrum**, Applicant representative in favor – 4050 Malad St Boise ID 83705

- We are proposing a 30 year mining, staging, hauling, crushing and concrete batch plant. We have other operations in the area that have recently been approved. Normal hours of operation are proposed to be 7:00 am – 6:00 pm, occasionally we will have contracts that require 24 hour a day operations, no crushing will be done outside of normal business hours. This proposal is a three phase operation and each phase will be completed and reclamation done prior to moving on to the next phase. Mr. Cockrum summarized access points and reclamation plans. Noise mitigation is in place, some noise especially back up alarms are unavoidable but we are doing our best to be good neighbors. Current operations have been monitored for sound levels and

are in compliance. Dust emissions are mitigated by water spraying, water trucks are always onsite.

**Lance Thueson, applicant in favor – 455 S Kings Rd Nampa ID 83687**

- We were here recently with similar projects and they were approved. We are one of 4 producers in the entire Boise Valley, in the concrete business, we annually use about 1 million ton. Currently we have been crushing and loading material and hauling it offsite to the concrete plant and then back again. The goal of this proposal is to allow us to keep the entire operation onsite, reducing traffic due to transporting material back and forth to other facilities. Of all the gravel pits in the area we are the only ones with a landscape berm, sprinkler system, and pine trees. Mowing is done weekly. We are trying to be good neighbors, the water truck never leaves site, and we have a record of when we water to keep dust under control. Stockpiles are put up while mining, after an area is mined we put the fill back and bury it. Residential lots will not be sold until we are completely done with mining operations.

**Liza Dix-Warner, opposed – 21880 Dixie River Road Caldwell ID 83607**

- Have been to the previous hearings, neighbors have asked me to represent them. We are concerned about the 24 hour operations and the noise associated with that. Back up alarms are loud, the trucks coming and going are noisy. Truck traffic on Pinto road is a concern.

**REBUTTAL: Dave Cockrum, Applicant representative in favor – 4050 Malad St Boise ID 83705**

- The proposed project will not be using Pinto road. The crusher will not be used in 24 hour operations. We are happy to let neighbors know when a 24 hour contract comes up. We encourage the neighbors to come and talk to the operators if there is a concern. Noise from back up alarms is loud, there is nothing that can be done to mitigate that noise.

**MOTION:** Commissioner Garrett moved to close public testimony on Case CU2018-0006, seconded by Commissioner Fried. Voice vote motion carried.

**MOTION:** Commissioner Fried moved to approve Case CU2018-0006 and adopt the Findings of Fact and Conclusions of Law and Conditions of Approval as written. Seconded by Commissioner Williamson. Roll call vote, 5 in favor 0 opposed.

**NEW BUSINESS- ACTION ITEMS**

**IDAHO DEPARTMENT OF FISH & WILDLIFE FUND CASE NO. CU2018-0018**

Quadrant Consulting on behalf of the Idaho Department of Fish and Game (IDFG) and the Idaho Fish and Wildlife Foundation (IF&WF) has submitted an application requesting to modify conditional use permit 3Z085/03-2N-2 aka CU2002-468 to add up to three single family residential homes with detached garages. The proposed modification will allow the IDFG Nampa Fish Hatchery to bring hatchery operations into compliance with department policy which requires that essential employees reside on site to ensure rapid response to the mechanical systems in the event of a shut down that would threaten the fish. The subject property at 1414 E. Locust Lane, Nampa, Idaho, and is located adjacent to the Nampa Fish Hatchery.

**Commissioner Levi is recused**

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

**Vice Chairman Robert Sturgill,** affirmed the witness to testify.

**Craig Callahan, Applicant representative with Quadrant Consulting - in favor – 1904 W Overland Rd Boise ID 83705**

- Sixty percent of all trout that are in Idaho lakes are raised at this facility. Policy specifies that staff live onsite in order to respond to emergencies quickly. If there is a malfunction or a shutdown with equipment, and the correct levels of oxygen are not maintained, fish will not survive.

**MOTION:** Commissioner Williamson moved to close public testimony on Case CU2018-0018, seconded by Commissioner Carpenter. Voice vote motion carried.

**MOTION:** Commissioner Garrett moved to approve Case CU2018-0018 and adopt the recommended Findings of Fact, Conclusions of Law, Conditions of Approval and Order as written. Seconded by Commissioner Williamson. Roll call vote, motion carried with 5 in favor and 0 opposed.

**CA CONSTRUCTION CASE NO. ZV2018-0003**

CA Construction, Inc. is requesting a **Variance** to vary the 10 ft. side setback to 5 ft. 7 in. for a home nearing completion of construction. The subject property is described as Lot 1 Block 3 of Purple Sage Estates Subdivision. The subject property is located at 15180 Pinehurst Way, Caldwell, Idaho, in a portion of the NE ¼ of Section 33, T5N, R3W, BM, Canyon County, Idaho.

**Planner Jennifer Almeida**, reviewed the staff report for the record, including late exhibits, #13.

**Vice Chairman Robert Sturgill**, affirmed the witness to testify, and entered the late exhibit into the record.

**Chad Aland, Applicant representative in favor – 1700 W Almaden Dr. Meridian ID 83646**

- The property pin was misidentified when the project was started, the home is completed at this time making it very costly and difficult to meet setbacks. The variance is needed to get a Certificate of Occupancy.

**MOTION:** Commissioner Garrett moved to close public testimony on Case ZV2018-0003, seconded by Commissioner Carpenter. Voice vote motion carried.

**MOTION:** Commissioner Williamson moved to approve Case ZV2018-0003 and adopt the recommended Findings of Fact, Conclusions of Law, allowing a variance from the 10 ft. side setback to 4 ft. for a home nearing completion. Seconded by Commissioner Garrett. Roll call vote, motion carried with 6 in favor and 0 opposed.

**APPROVAL OF MINUTES:**

- November 15, 2018

**MOTION:** Commissioner Carpenter moved to approve the Minutes from November 15, 2018, seconded by Commissioner Fried. Voice vote, motion carried.

**COMMISSION, DIRECTOR, & PLANNER COMMENTS:** Discussion on upcoming meetings outside of regular Planning & Zoning meetings.

**ADJOURNMENT: 8:50 pm**

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

**Signed this 20<sup>th</sup> day of December, 2018**

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Chairman Richard Hall

**ATTEST**

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Kathy Frost, Recording Secretary