



**CANYON COUNTY PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
Thursday, June 6, 2019  
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  
Sandi Levi, Secretary  
Rod Garrett, Commissioner  
Rick Fried, Commissioner  
Patrick Williamson, Commissioner

**Commissioner Absent:** John Carpenter

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

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

**Secretary Sandi Levi** proceeded to the business items on the Agenda.

Agenda amended to hear Case RZ2019-0013 first under New Business.

**OLD BUSINESS – ACTION ITEMS**

**TACTICAL SPORTS PARK: CU2019-0003, sign FCOs**

**Commissioner Levi is recused**

**MOTION:** Commissioner Garrett moved to adopt and sign the revised Findings of Fact and Conclusions of Law and Order, denying case CU2019-0003, seconded by Commissioner Sturgill. Voice vote motion carried.

**NEW BUSINESS – ACTION ITEMS**

**RICH PICKETT: RZ2019-0015**

Rich Pickett, Pickett Auctions, is requesting to rezone an approximate 1.3 acre portion of a 6.19 acre property, parcel R37055010B, to M1 (Light Industrial). The majority of the property (4.89 acres) is currently zoned M1 and was purchased to be utilized for the Pickett Auction facility. The property is located 1330 feet south of the Hwy 95 / Hwy 19 intersection on the west side of Hwy 95. The property is further described as a portion of the SE quarter of 22-4N-5W, BM, Canyon County, Idaho.

**Planner Debbie Root**, reviewed the staff report for the record

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

**Testimony:**

**Rich Pickett - Applicant in favor - 18968 Lonkey Ln Caldwell ID 83607**

- We are here tonight to clean up the boundaries on the property, there is a small area that should be included in the parcel. The property will be used as an internet auction site.

**Colton Pickett - in favor - 4308 Newbridge St. Caldwell ID 83607**

- No testimony

**MOTION:** Commissioner Williamson moved to close public testimony on case RZ2019-0015, seconded by Commissioner Garrett. Voice vote motion carried.

**MOTION:** Commissioner Fried moved to recommend approval on Case RZ2019-0015, including the Findings of Fact, Conclusions of Law and Order, and forward the recommendation to the Board of County Commissioners; seconded by Commissioner Williamson. Roll call vote, 6 in favor 0 opposed. Motion carried.

**WENDY BAYES: OR2019-0005, RZ2019-0016, ZV2019-0003**

**MOTION:** Commissioner Garrett moved to table case OR2019-0005, RZ2019-0016, ZV2019-0003 to a date certain of July 11, 2019, seconded by Commissioner Sturgill. Voice vote motion carried.

**ARBOR LANDING SUBDIVISION: SD2018-0023**

Leroy Atwood on behalf of Monarch Holdings, LLC has submitted a Preliminary Plat, Irrigation and Drainage plan for Arbor Landing Subdivision. The proposed development contains 15 residential lots on approximately 22.4 acres of "R1" (Single Family Residential) zoned property. They are proposing individual wells, individual septic systems, and public streets. The property is located adjacent and south of 12502 Smith Avenue, Nampa, ID. The property is further described as a portion of the SE quarter of Section 24, Township 3N, Range 3W, BM, Canyon County, Idaho.

**Planner Debbie Root**, reviewed the staff report for the record.

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

**Testimony:**

**Andrew Kimmell - Applicant representative in favor - 4321 N Chatterton Ave Boise ID 83713**

- We met with Canyon Highway District 4 and the City of Nampa and will comply with their conditions and recommendations regarding right of way and access. Access will be taken from Smith Rd. We have granted larger easements for roads to allow annexation into the City in the future if that is required. Pioneer Irrigation has been consulting with us regarding irrigation needs, including access easements, a new pump station will be constructed for this development. HOA's will require residents to maintain irrigation, neighboring parcels will not lose their irrigation rights due to this development. We did a property boundary adjustment giving the barn that was located on the property to the owner of the barn along with that piece of property.

**Leroy Attwood – Applicant in favor – 2663 N W 4<sup>th</sup> St Fruitland ID 83619**

- The irrigation ditch that is on the property has been improved, we will have a privately owned pump station, with HOA doing maintenance. Pioneer Irrigation District will remove the current pump station and use the new station for future irrigation.

**Sean Sullivan - in favor - 3870 N Park Crossing Meridian ID 83646**

- We initiated, and completed the property boundary adjustment regarding the existing barn, deeding that land to the owner of the barn.

**Gary Blecha – opposed - 12502 Smith Ave Nampa ID 83651**

- Mr. Blecha lives across from the property, and is concerned about his irrigation water being taken away and concerned about where the runoff water from the proposed development property will go. He was not aware that the pump station was going to be removed and will contact the irrigation district regarding that.

**REBUTTAL:**

**Andrew Kimmell - Applicant representative in favor - 4321 N Chatterton Ave Boise ID 83713**

- Pioneer Irrigation District owns the current pump station, they are going to change the head gate, we will work with Mr. Blecha on any irrigation problems he may have, and our HOA will be responsible for any irrigation issues. All runoff will stay onsite and has been designed for a 100 year flood event.

**MOTION:** Commissioner Sturgill moved to close public testimony on case SD2018-0023, seconded by Commissioner Fried. Voice vote motion carried.

**MOTION:** Commissioner Fried moved to recommend Approval on Case SD2018-0023 the Preliminary Plat, Preliminary Drainage Plans, and Preliminary Irrigation Plan for Arbor Landing Subdivision, subject to conditions, and forward the recommendation to the Board of County Commissioners, seconded by Commissioner Garrett. Roll call vote, 6 in favor 0 opposed, motion carried.

**PROMISED LAND SUBDIVISION: SD2018-0012, case was withdrawn by the applicant.**

**TRADITION CAPITAL PARTNERS: RZ2019-0008**

Tradition Capital Partners is requesting a **Rezone** of approximately one (1) acre of a 3.54 acre parcel from “A” (Agricultural) to “C-2” (Service Commercial) and approximately 2.54 acres from “A” (Agricultural) to an “R-1” (Single Family Residential) zone. The subject property, parcel no. R25383 is located at 8531 Hwy. 44, Middleton, Idaho, in a portion of the NW ¼ of Section 10, T4N, R2W, BM, Canyon County, Idaho.

**Planner Jennifer Almeida**, reviewed the staff report for the record, including late exhibit 19.

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

**Testimony:**

**Alan Mills - Applicant Representative in favor - PO Box 206 Middleton ID 83644**

- Canyon County offered to rezone properties along this corridor in years past, the applicant did not own the property at that time so is asking to do that now. There is a thick tree line buffering neighboring properties. ITD will dictate access before building permits are issued. Use has not been determined, but will be low traffic impact.

**MOTION:** Commissioner Garrett moved to close public testimony on case RZ2019-0008, seconded by Commissioner Fried. Voice vote motion carried.

**MOTION:** Commissioner Garrett moved to recommend approval on Case RZ2019-0008 including the 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, 6 in favor 0 opposed, motion carried.

**MAMLS LLC: CR2019-0001**

MAMLS, LLC. is requesting a **Conditional Rezone** of approximately 54.92 acres from an "A" (Agricultural) zone to a "CR-R1" (Conditional Rezone/Single Family Residential) zone. Also requested is a **Development Agreement** which will include conditions for the development of the property. The subject property is located at 24085 Blessinger Rd., Star, ID in a portion of the SE ¼ of Section 35, T5N, R2W, BM, Canyon County, Idaho.

**Planner Jennifer Almeida**, reviewed the staff report for the record, including late exhibits 22, 23, 24, 25, 26, 27.

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

**Testimony:**

**Todd Lakey - Applicant Representative in favor - 12905 Venezia Ct Nampa ID**

- This is a project that is proposed in an area that is planned and zoned for residential growth, by Canyon County, Middleton and Star. The area properties are residential. Middleton and Star city plans for this area is for residential development with 2-4 homes per acre. We are proposing this development to maintain a lower density. Agricultural zone is not a goal for this area and this is not prime farm ground, there are no irrigation rights. The Property was approved in 2005 & 2006 for 40 lots, but was not developed at that time and subsequently expired. 7.42 acres will be preserved for common green space. There will be a 40 foot no build buffer. Mr. Lakey displayed photos of homes in the area that are of a similar quality to the homes they are planning. This project is consistent with the character of the area and is more appropriate than the current zoning.

**Mark Butler - in favor - 1675 E Bishop Way Eagle ID**

- Mr. Butler is a planner based in the City of Eagle, and is assisting with their design plan. He has been working for a year on this project, the offsite improvements that they propose on Blessinger is significant. The roadway will be extended to the south at the expense of the applicants. We do not want to annex into Star because we want larger lots than they are proposing for the area.

**Ryan Warden – opposed - 7386 Zenith Ln Star ID**

- Mr. Warden is a representative of a neighboring subdivision and read letter of opposition stating their concerns. He feels that the posting was not done or not adequately. Safety and enjoyment of their environment will be diminished and their lifestyle will be damaged. The average lot size should 3.34 acres not 1.98 acres, in order to maintain the character of the area. This project is not consistent with the neighborhood, they would support an “RR” designation but not an “R1”.

**Mark Hyde – opposed -7349 Zenith Ln Star ID**

- We feel that noticing was inadequate including the posting and the written notification. There is an unofficial game preserve and a wetland that will be negatively affected, as more developments come in the animals will leave the area. In the past this property was designated for a 40 lot development with a community well. There is an airport in the area. This is a unique area and we want to keep it that way. Not opposed to growth, just want it to be consistent with the current zoning.

**REBUTTAL:**

**Todd Lakey - Applicant Representative in favor - 12905 Venezia Ct Nampa ID**

- The area is changing and the pressure is for a higher density than what we are proposing, we feel that our proposal does fit with the changes happening in the area and we will agree to conditions regarding dark skies and other concerns with the neighbors. The plans propose a 7.4 acre common green space lot to preserve wildlife habitat. The property is currently in the Middleton area of impact that was not the case in the past. This is where residential growth is proposed to happen, it fits the comprehensive plan. Blessinger Road is being extended at a very substantial cost and to lower the density would make that cost impossible.

**MOTION:** Commissioner Garrett moved to close public testimony on case CR2019-0001, seconded by Commissioner Levi. Voice vote motion carried.

**MOTION:** Commissioner Williamson moved to recommend approval on Case CR2019-0001 including the Findings of Fact, Conclusions of Law and Order, and forward the recommendation to the Board of County Commissioners. With no second the motion fails.

**MOTION:** Commissioner Garrett moved to recommend denial on Case CR2019-0001, based on Item C that the conditional rezone is not compatible with the surrounding area and that a Rural Residential designation would be more compatible with the area, and Item D that the proposed conditional rezone will negatively impact the character of the area, Staff is directed to bring revised Findings of Fact, Conclusions of Law and Order on a date certain of June 20, 2019. Seconded by Commissioner Sturgill. Roll call vote 6 favor 0 opposed, motion carries.

**BOB COPE: RZ2019-0013**

Bob Cope, is requesting to rezone parcel R32765 from “A” (Agricultural) to “R1” (Single Family Residential, one acre minimum lot size). The property is located at 12301 Moss Lane, Nampa, in a portion of the SE ¼ of Section 12 Township 3N, Range 3W, Canyon County, Idaho.

**Planner Dan Lister**, reviewed the staff report for the record, including late exhibit 6.

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

**Testimony:**

**Bob Cope Applicant in favor - 12378 Moss In Nampa ID 83651**

- Mr. Cope explained that his late Parents requested that a lot from the family property be given to their granddaughter, this process is required to make that happen.

**MOTION:** Commissioner Sturgill moved to close public testimony on case RZ2019-0013, seconded by Commissioner Williamson. Voice vote motion carried.

**MOTION:** Commissioner Sturgill moved to recommend approval on Case RZ2019-0013 including the Findings of Fact, Conclusions of Law and Order, and forward the recommendation to the Board of County Commissioners seconded by Commissioner Garrett Roll call vote, 6 in favor 0 opposed, motion carried.

**JOSEPH TAGUE: OR2019-0004 & RZ2019-0010**

Joseph Tague, is requesting a **Comprehensive Plan Amendment** (OR2019-0004) to amend the future land use designation of Parcel R29510103A from "Commercial" to "Residential". The applicant is also requesting to **Rezone** (RZ2019-0010) the subject parcel from "A" (Agricultural) to "R1" (Single Family Residential, one acre minimum lot size). The vacant parcel is located within the Kestrel Estates Subdivision adjacent to Happy Valley Road and East Locust Lane, Nampa; a portion of the NE ¼ of Section 12, Township 2N, Range 2W, Canyon County, Idaho.

**Commissioner Levi is recused**

**Planner Dan Lister**, reviewed the staff report for the record, including late exhibits 7 & 8.

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

**Testimony:**

**Joseph Tague - Applicant representative in favor - 5126 N Morninggale Way Boise ID**

- We are asking for this rezone because the lot is too small for the current use, and surrounding properties are zoned residential. The intention is to sell the property after it is rezoned. For the last 10 years the property has been idle and overgrown with weeds.

**MOTION:** Commissioner Sturgill moved to close public testimony on case RZ2019-0010 & OR2019-0004, seconded by Commissioner Garrett. Voice vote motion carried.

**MOTION:** Commissioner Sturgill moved to recommend approval on Case OR2019-0004 including the 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, 5 in favor 0 opposed, motion carried.

**MOTION:** Commissioner Williamson moved to recommend approval on Case RZ2019-0010 including 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, 5 in favor 0 opposed, motion carried.

**APPROVAL OF MINUTES:**

- May 16, 2019

**MOTION:** Commissioner Sturgill moved to approve minutes of May 16, 2019, seconded by Commissioner Garrett. Voice vote, motion carried.

**COMMISSION, DIRECTOR, & PLANNER COMMENTS:**

**Director Nilsson,** reviewed the progress on the Comp Plan, the upcoming Urban Land institute presentation, the Boards activity on a Capital improvement plan for the County, and Compass growth projections.

**ADJOURNMENT: 10:00 pm**

**MOTION:** Commissioner Sturgill moved to adjourn, seconded by Commissioner Williamson. Voice vote, motion carried.

**Signed this 20th day of June 2019**

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Chairman Richard Hall

**ATTEST**

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Kathy Frost, Recording Secretary