



**CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, December 19, 2019
6:30 P.M.**

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

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

Staff Members Present: Director Patricia Nilsson
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

Granite Extraction: CU2019-0007

Dave Cockrum, representing Granite Excavation Inc., is requesting a conditional use permit to allow a long-term (30 year) mineral extraction use which includes rip-rap excavation and mining (45 acres of a 127 acre area), sand and gravel mining and operation (135 acres of 153 acre area), crushing, stockpiling and transportation, on parcels R28823, R28816, R28821, R28822, R28818010, R28826 and R28827. The vacant properties are located along Map Rock Road, Melba; portions of Section 25 & 26, Township 1N, Range 3W, Canyon County, Idaho.

Planner Dan Lister, reviewed the staff report for the record.

Chairman Richard Hall, affirmed the witnesses to testify.

Testimony:

Dave Cockrum – Applicant representative in favor - 4650 Malad St Boise ID

- Mr. Cockrum discussed the operation and reclamation plan. The operation is proposed to be a thirty year Conditional use permit. Mr. Cochrum explained what a rip rap operation is and how it works. There will be no blasting and an archaeological study will be done prior to mining. Roads will be upgraded. The gravel operation will be at a depth of 30 feet and will result in lakes and ponds when mining is finished. Top soil stockpiles will be used for reclamation. The crusher will be used a total of 4 months per year and the gravel product will be stockpiled on the north end of the property. Map Rock road will be used to access Hwy 45 and Hwy 55. Mining will be below

ground level. The crusher will be at least 1200 feet away from residents. Watering will reduce dust. Unmined land will be used for agricultural use until it is mined. We propose to build temporary topsoil stockpiles, using the stockpiles to reclaim the property. The plan is to mine about 10 acres at a time reclaiming each section before moving onto the next site.

Josh Davis – Owner of Granite Excavation - in favor – 87 Ignacia Way Cascade ID

- The Comprehensive plan states that no person shall be deprived of private property rights, without due process of law. The use is compatible with the surrounding area, being in the Ag zone. It is unusual to have the ability to extract both sand and gravel and basalt rock on one site. The intent of a rip rap operation is to extract boulders that have fallen naturally over many years. Granite Excavation operates four gravel pits in Idaho and has great standings with the Idaho Department of Lands. Reclamation plan is bonded. The intent of the land owner is to have beautiful large ponds on his property, for wildlife habitat, fishing and other uses. The need for crushing is demand specific and is based on other projects. Planting trees as a visual buffer is difficult because of the lack of irrigation in the area. Mr. Davis discussed dust and visual mitigation's. Ten to twenty acres will be excavated at a time, reclaiming each section before moving on.

Dusty Hibberd – in favor – 702 N Senita Way Eagle ID

- Dust mitigation will be managed by mining 10 acres at a time and reclaiming before moving on watering will also be used to mitigate dust. The nearest home is 1200 feet away from the site and that property is owned by the land owner. The next closest home is approximately 4000 feet away. This is an ideal site that is not close to residents. Truck traffic will be project driven and will normally go towards Highway 45, but may also go towards Highway 55, and will be limited to 10 truck trips per day, if at some time it increases we will have to go to ITD for approval.

Scott Nicholson – Property owner in favor - 10002 Ferry Rd Melba ID

- The area where the gravel veins are, are not prime farm land, mining will not be on prime farm ground. Farm ground will be maintained and farmed again in the future. Where the rip rap operation will be, is grazing ground not farmland. Mr. Nicholson wants to keep ownership of the property in the family for many generations.

Julie McCoy - in opposition - 1809 W Lotus Ponds Ct Nampa ID

- Ms. McCoy is a professional archeologist, the manager of Celebration Park, representing the Idaho Historic Preservation Commission. The Idaho Historic Preservation Commission of Canyon County has serious concerns regarding this project. Areas along the Snake River have petroglyphs and archaeological products. Upstream from this location is one of two Archeological sites in the State of Idaho, including Celebration Park. With hundreds of petroglyphs in the area, mining can negatively affect the historical sites. The Historical Society is against this operation and feels that a study should be done prior to approval. Archeological mitigation should be part of the Conditional Use Permit. Ms. McCoy explained how a professional archeological study is conducted. The survey does not take a very long time, possibly a few months. This area is unique in that it allows for a milder climate, which drew prehistoric people to the area.

Rob Bearden - in opposition – 16056 Roscoe Caldwell ID

- The wind blows constantly in the area and rocks fall frequently. The soil is like powder and dust is an issue. There are many tourists and recreational activities in the area. Mr. Bearden discussed the roads in the area, stating that they are scenic byways and can be hazardous due to tourists stopping along the roadway and wildlife on the road. Map rock is a petroglyph and people stop on the road to view it.

Dave Cockrum – Applicant representative in favor - 4650 Malad St Boise ID

- Mr. Cockrum stated that they are in agreement of getting a SHPO, (an archeological study) as a condition of approval, he has been in communication with the Idaho State Historic Preservation office numerous times over the last three weeks, and the study will be done once the CUP is approved, and before mining begins. If additional archeological finds are discovered work stops until a study is completed. It is a windy, narrow road but farm trucks are out there every day, traffic is monitored by law enforcement. Traffic will not be a nuisance. 10 trucks a day are not a lot.

MOTION: Commissioner Garrett moved to close public testimony on case CU2019-0007, seconded by Commissioner Williamson. Voice vote motion carried.

MOTION: Commissioner Williamson moved to approve Case CU2019-0007 including the Findings of Fact, Conclusions of Law and Order and Conditions of Approval as modified, seconded by Commissioner Carpenter. Roll call vote, 4 in favor 2 opposed, motion carried.

Burch Co LLC: CU2019-0013

Burch Co. LLC is requesting a Conditional Use Permit to allow a long-term mineral extraction, including crushing, on Parcel R35942010. The vacant 34.55 acre parcel is located adjacent to 22950 Notus Road, Caldwell, a portion of the SE ¼ of Section 3, Township 4N, Range 4W, Canyon County, Idaho.

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

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

Testimony:

David Robinson – applicant representative in favor - PO Box 3093 Nampa ID

- Mr. Robinson would like to amend the condition of employees from two to five. Mining will be done in five acre increments, reclaiming prior to moving on to the next five acres. In agreement with the staff report.

Todd Lakey – Representative of the Sutro Corporation in favor - 12905 Venezia Ct Nampa ID

- The Sutro Corporation is a family business, they previously owned 200 plus acres to the east of the proposed project. They had a CUP on that property and would like similar conditions to what they had for landscaping on the proposed project. With those conditions they are in favor of the project.

Cody Waldo - in neutral - 22950 Notus Rd – Caldwell ID 83607

- Mr. Waldo has put a lot of money into his home and is concerned about the property value dropping. While this operation seems to be positive, with 5 acre increments, he would like the starting point to be on the north end of the property away from his home. Mr. Waldo would not want trees planted on the border of his property until the operation moves to that location.

David Robinson – applicant representative in favor - PO Box 3093 Nampa ID

- Mr. Robinson agrees that they will plant trees on Mr. Waldo’s property boundary at the appropriate time, and they will keep the crusher away from neighboring property boundary.

MOTION: Commissioner Williamson moved to close public testimony on case CU2019-0013, seconded by Commissioner Garrett. Voice vote motion carried.

MOTION: Commissioner Carpenter moved to approve Case CU2019-0013 including the Findings of Fact, Conclusions of Law and Order and Conditions of Approval, as modified. Seconded by Commissioner Williamson Roll call vote, 6 in favor 0 opposed, motion carried.

NEW BUSINESS – ACTION ITEMS

Rawlings: DA2019-0009 Table to 1/16/2019

MOTION: Commissioner Carpenter moved to table Case DA2019-0009 to date certain 1/16/2020, seconded by Commissioner Williamson. Voice vote motion carried.

Maverick Towers: CU2019-0023

Maverick Towers is requesting a conditional use permit to allow a wireless telecommunications co-location facility on Parcel R34009011. The facility includes a 110 foot monopole and equipment cabinet within a 3,600 square foot fenced area. The property is located at 6346 HWY 44, Star; also referenced as a portion of the SE ¼ of Section 12, Township 4N, and Range 2W, Canyon County, Idaho

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

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

Testimony:

Andy Cockell

- Mr. Cockell stated that this application meets all conditions of the Canyon County code. This is the 3rd time that they have brought an application before the Commission for a tower in this area, they have worked hard to find a better location that is more amenable to the neighborhood. The property at the right of way is a commercial zone. There is a gap in coverage in the area, technology outside of cell phones such as 5g, smart homes, smart cars and other advanced technology requires the service. Many devices require wireless facilities, not just cell phones. A neighborhood meeting was conducted, and while some of the neighbors were unhappy about having a tower anywhere in the area, they did agree that this was a better location than the previous sites.

Muazzam J Siddiqui – representative in favor – 18 Morgan Irvine California

- Mr. Siddiqui has been in the industry for 24 years, has worked for Verizon, ATT and Sprint. Advanced Wireless services provides high speed data, used for video streaming, and emergency responders, it is dependent on the tower services. New technology will provide live video in cases where a firefighter or other first responders were in an emergency situation. Mr. Siddiqui explained how the placement of towers increases coverage and the technology involved in wireless usage. Coverage analysis shows that the coverage in this area is not adequate.

MOTION: Commissioner Garrett moved to close public testimony on case CR2019-0023, seconded by Commissioner Williamson Voice vote motion carried.

MOTION: Commissioner Fried moved to approve Case CR2019-0023 including the Findings of Fact, Conclusions of Law and Order and Conditions of Approval, seconded by Commissioner Garrett. Roll call vote, 6 in favor 0 opposed, motion carried.

Vallivue School District: CU2019-0024

Design West Architects, representing Vallivue School District is requesting a modification to a conditional use permit to allow a cafeteria building addition and modified parking and bus loop for Vallivue Middle School. The property is located at 16412 10th Avenue, Caldwell; also referenced as Parcel R32718, a portion of the SW ¼ of Section 10, Township 3N, Range 3W, B-M, Canyon County, Idaho.

Planner Dan Lister, reviewed the staff report for the record.

Chairman Richard Hall, affirmed the witness to testify.

Testimony:

Chris Vandenkamp – Applicant if favor - 3387 S Peoria Way Meridian ID

- Mr. Vandenkamp agrees with staff report and conditions of approval and will stand for questions.

MOTION: Commissioner Williamson moved to close public testimony on case CU2019-0024, seconded by Commissioner Carpenter. Voice vote motion carried.

MOTION: Commissioner Levi moved to approve Case CU2019-0024 including the Findings of Fact, Conclusions of Law and Order and Conditions of Approval, seconded by Commissioner Carpenter. Roll call vote, 6 in favor 0 opposed, motion carried.

APPROVAL OF MINUTES:

- December 5 2019

MOTION: Commissioner Garrett moved to approve the minutes of December 5, 2019, seconded by Commissioner Williamson. Voice vote, motion carried.

COMMISSION, DIRECTOR, & PLANNER COMMENTS:

Director Nilsson: updated the commission on staff changes and reminded them that new officers will be elected for the Planning and Zoning Commission on January 16, 2020. An update on upcoming meetings on the Comprehensive plan and the impact fee committees and other meetings.

ADJOURNMENT:

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

Signed this 16th day of January, 2020

Chairman Richard Hall

ATTEST

Kathy Frost, Recording Secretary