**CANYON COUNTY PLANNING & ZONING COMMISSION**

**MINUTES OF REGULAR MEETING HELD**

**Thursday, July 16, 2020**

**6:00 P.M.**

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

**Commissioners Present:** Robert Sturgill, Chairman

Patrick Williamson, Vice Chairman

Sandi Levi, Secretary

Rick Fried, Commissioner

John Carpenter, Commissioner

Rick Hall, Commissioner

**Staff Members Present:** Patricia Nilsson, Director

Dan Lister, Planner

Kellie George, Recording Secretary

**Chairman Robert Sturgill** called the meeting to order at 6:00 p.m.

**Secretary Levi** proceededto the business item on the Agenda.

**ACTION ITEMS**

Case No. RZ2020-0003/SD2020-0004: Burke and Kathy Deal are requesting to Rezone Parcel R33769 from an “A” (Agricultural) zone to “R-1” (Single Family Residential) zone (RZ2020-0003). The request include a short plat (preliminary and final plat) for Kalos Place Subdivision, a two lot subdivision (SD2020-0004). The property is located at 15777 Quartz Lane, Wilder; also referenced as a portion of the NW¼, Section 13, Township 3N, Range 5W, B-M, Canyon County, Idaho.

No conflicts were stated by the Commissioners.

Planner Dan Lister presented the staff report and stated there were two late exhibits, exhibit #9 letter from the Thiels and Exhibit 10, the staff presentation,. The applicant is requesting a rezone to R-1 and a 2-lot subdivision. The property is adjacent to Riverbend Subdivision and has legal access via Quartz Lane, a private road. The property is just outside of the Homedale Area of City Impact. It is outside of a nitrate priority area. The Golden Gate Highway District will review and sign the final plat. Two public comments were received expressing concern with the sharing of maintenance of Quartz Lane. Staff could not find a recorded road users maintenance agreement and has added that as a condition. A condition was added to restrict building and disturbance in the 100’ setback from the Snake River.

Commissioner Carpenter asked if the water user agreement and the road users agreement would be entered into the HOA of the adjacent subdivision and the applicant. Planner Lister said there was an older water users agreement that would need to be amended and a road users maintenance agreement would need to be prepared.

**Testimony:**

Katie Deal, 15777 Quartz Lane, Wilder, ID - Applicant in favor. Ms. Deal stated they are in agreement with the conditions of approval. They will use the same CC&Rs as the adjacent subdivision.

Commissioner Williamson asked why the prior project was not completed back in 2007. She replied that it was due to the economic downturn as they are homebuilders.

Commissioner Carpenter asked if plat note #6 for the 100’ setback works with the existing house. She replied it does. He also asked about the CC&Rs and she confirmed they will use the same CC&Rs as the adjacent subdivision so there will not be any conflicts or inconsistencies.

Planner Lister read exhibit 9 into the record.

Katie Deal, 15777 Quartz Lane, Wilder, ID provided rebuttal testimony. She said they agree with the concern in the letter and thus will provide the same CC&Rs to protect the character of the lots in the subdivision with the same standards as the adjacent subdivision.

Commissioner Carpenter asked about the existing common lot. Ms Deal replied it is just a grassy area that residents can use, and it is maintained.

**MOTION:** Commissioner Williamson moved to close public testimony on Case RZ2020-0003/SD2020-0004, seconded by Commissioner Carpenter. Voice vote, motion carried.

Commissioner Williamson asked planner Lister if we could add a condition #7 to require the CC&Rs be recorded.

**MOTION:** Commissioner Fried moved to recommend approval of the Findings of Facts and Conclusions of Law, to the Board of Canyon County Commissioners forRZ2020-0003. Motion seconded by Commissioner Hall. Roll call vote with 6 in favor and 0 opposed, motion carried.

Commissioner Williamson moved to recommend approval of the Findings of Facts and Conclusions of Law, to the Board of Canyon County Commissioners forSD2020-0004 with the addition of condition #7 to require the CC&Rs be recorded at the time of the final plat approval. Motion seconded by Commissioner Hall. Roll call vote with 6 in favor and 0 opposed, motion carried.

**ADJOURNMENT:**

Commissioner Carpenter moved to adjourn. Commissioner Williamson seconded the motion. Voice vote, motion carried. Meeting adjourned at 6:39 pm

**Approved this 6th day of August, 2020**

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**ATTEST**

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Kellie George, Recording Secretary

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