



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, July 1, 2021
6:30 P.M.

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

Commissioners Present : Robert Sturgill, Chairman
 Patrick Williamson, Vice Chairman
 Rick Fried, Commissioner
 Scott Brock, Commissioner

Staff Members Present: Steve Fultz, Director
 Dan Lister, Planning Official
 Jennifer Almeida, Planner
 Jenna Petroll, Recording Secretary

Chairman Robert Sturgill, called the meeting to order at 6:30 p.m.

Commissioner Williamson, read the testimony guidelines and proceeded to the business item on the agenda.

- **Action item tabled from 6/17/2021 Case No. RZ2021-0013 Floyd: sign revised FCO's**
MOTION: Commissioner Williamson moved to approve revised Findings of Fact, Conclusions of Law, Conditions of Approval for Case no. CR2020-0013/SD2020-0041, seconded by Commissioner Brock. Voice vote motion carried.

- **Action item tabled from 6/3/2021 Case No. CR2020-0013/SD2020-0041 Elsberry/Berry Acres Subdivision table to 8/19/2021**
MOTION: Commissioner Williamson moved to table Case no. CR2020-0013/SD2020-0041 to date certain of August 19, 2021, seconded by Commissioner Fried. Voice vote motion carried.

- **Case No. RZ2021-0017 Terry:** Bruce Terry is requesting a Rezone of approximately 6.87 acres from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone. The average minimum lot size in the "R-R" zone is two (2) acres. The subject property, parcel No. R33838010 is located at 8921 Foothill Rd., in a portion of the NW ¼ of Section 3, T4N, R3W, BM, Canyon County, Idaho.

Planner Jennifer Almeida, reviewed Staff report for the record

TESTIMONY:

Bruce Terry - Applicant (Representative) in favor – 8921 Foothill Rd, Middleton ID 83644

Mr. Terry explained he would like to divide his land to sell to his family member to be able to build a house on. He also explained that they do not have any plans for establishing utilities at this time.

Cassie Stromeyer - in favor – 26525 Middleton Rd, Middleton ID 83644

Ms. Stromeyer explained she is the applicant's daughter and wants to build a house on the lot that would be created by this rezone. She also explained that the parcel that would be created by the split would be approximately 5 acres and explained where it would be located on the property. She stated

they do not have any plans for utilities at this time.

MOTION: Commissioner Fried moved to close public testimony on Case RZ2021-0017, seconded by Commissioner Williamson. Voice vote, motion carried.

MOTION: Commissioner Brock moved to recommend approval of Case RZ2021-0017, including the Findings of Facts, Conclusions of Law and conditions of approval, forwarding the recommendation to the Board of Canyon County Commissioners. Motion seconded by Commissioner Williamson. Roll call vote with 4 in favor and 0 opposed, motion passed.

- **Case No. RZ2021-0020 VanWinkle:** Jeff VanWinkle is requesting a Rezone of approximately 5.18 acres from an "A" (Agricultural) zone to a "R-R" (Rural Residential) zone. The subject property, parcel no. R33805010A is located at 7388 Desert Wolf Lane, Star, Idaho, in a portion of the NE ¼ of Section 2, T4N, R2W, BM, Canyon County, Idaho.

Planner Jennifer Almeida, reviewed Staff report for the record

TESTIMONY:

Jeff VanWinkle- Applicant (Representative) in favor – 7388 Desert Wolf Lane, Star, ID

Mr. VanWinkle explained that he would like to split off the eastern 2 acres off of their 5.1-acre lot which he believes is consistent with the surrounding area. Mr. VanWinkle stated that the builder who is interested in buying their split land has no immediate plans of building on that property, and they will be responsible for contacting the highway district and other public agencies. He explained he held a neighborhood meeting regarding this application and it didn't seem like any of the neighbors had any issues with it. He also explained that the new lot is a dry lot and he turns his horses out on it as of now.

MOTION: Commissioner Williamson moved to close public testimony on Case RZ2021-0020, seconded by Commissioner Brock. Voice vote, motion carried.

MOTION: Commissioner Williamson moved to recommend approval of Case RZ2021-0020, including the Findings of Facts, Conclusions of Law and conditions of approval, forwarding the recommendation to the Board of Canyon County Commissioners. Motion seconded by Commissioner Brock. Roll call vote with 4 in favor and 0 opposed, motion passed.

- **Case No. PH2017-77-MOD Maverick Towers:** The applicant, Maverick Towers, is requesting a time extension for Case No. PH2017-77, an approved conditional use permit for a wireless telecommunication facility on Parcel R29514. The conditional use permit expires on April 19, 2021. The property is located at 4309 Happy valley Road, Nampa; also referenced as a portion of the NE¼ of Section 12, T2N, R2W; Canyon County, Idaho.

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

Chairman Sturgill, entered the late exhibits into the record.

TESTIMONY:

Andy Cockell - Applicant (Representative) in favor – 1815 N 11th St, Boise, ID 83702

Mr. Cockle explained that they were working with Sprint when they originally applied and shortly after it was approved Sprint announced they were merging with T-Mobile and they put all of the work on hold.

He explained the merger is finally completed and T-Mobile has officially taken over; they are still interested in this site and are looking to move forward with the application. There are a lot of hoops to jump through on the state and federal level, so that will take about a year to get figured out. Mr. Cockell anticipates it will be about a year to 2 years until they are able to start to build on it which is why they are asking for the time extension.

MOTION: Commissioner Fried moved to close public testimony on Case PH2017-77-MOD, seconded by Commissioner Williamson. Voice vote, motion carried.

MOTION: Commissioner Fried moved to recommend approval of Case PH2017-77-MOD, including the Findings of Facts, Conclusions of Law and Order and conditions of approval, forwarding the recommendation to the Board of Canyon County Commissioners. Motion seconded by Commissioner Williamson. Roll call vote with 4 in favor and 0 opposed, motion passed.

- **Case No. RZ2021-0021 Waltman:** The applicants, Robert and Teresa Waltman, are requesting a zoning map amendment (Rezone) of Parcel R38007010 from an “A” (Agricultural) Zone to an “R-R” (Rural Residential) Zone. The property is located at 12681 Fred Lane, Middleton; also referenced as a portion of the NW¼ of Section 25, T5N, R3W; Canyon County, Idaho.

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

Chairman Sturgill, entered the late exhibits into the record.

TESTIMONY:

Teresa Waltman - Applicant (Representative) in favor – 12681 Fred Lane, Middleton, ID 83644

Ms. Waltman explained the layout of the property. She stated the highway district told her the road would not need to be paved; they did put gravel down on the road. They don't have any plans or future plans to split the property further than the 3 lots that they are currently proposing. Ms. Waltman stated they will not be reducing the size of their lot and they do not want a bunch of neighbors and that is why they will be limiting the amount of lots they are creating. They are planning on building a berm to prevent flooding from the neighboring property. They will be putting a slow traffic sign on the road. They have approval from the fire district and southwest district health for this rezone. They are planning on selling the lots, if approved, right away.

Tanner Verhoeks - in favor – 12835 Quail Run Ln, Caldwell, ID 83607

Mr. Verhoeks explained he wanted to come to show his support for this application.

MOTION: Commissioner Fried moved to close public testimony on Case RZ2021-0021, seconded by Commissioner Williamson. Voice vote, motion carried.

MOTION: Commissioner Fried moved to recommend approval of Case RZ2021-0021, including the Findings of Facts, Conclusions of Law and Order and conditions of approval, forwarding the recommendation to the Board of Canyon County Commissioners. Motion seconded by Commissioner Williamson. Roll call vote with 4 in favor and 0 opposed, motion passed.

- **Case No. OR2021-0009/CR2021-0003 Ekart Holdings:** The applicant, KM Engineering LLP, representing Ekart Holdings, is requesting a comprehensive plan map amendment (Case #OR2021-0009) to a 9.11-acre portion of Parcel R36103020 to amend the future land use designation from

“agricultural” to “commercial”. The request includes a conditional rezone with development agreement (Case #CR2021-0003) to amend the County zoning map from an “A” Zone (Agricultural) to a “C-1” Zone (Neighborhood Commercial) on a 9.11-acre portion of Parcel R36103020. The property is located at 21913 Notus Road, Greenleaf; also referenced as a portion of Section 15, Township 4N, Range 4W; Canyon County, Idaho.

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

Chairman Sturgill, entered the late exhibits into the record.

TESTIMONY:

Stephanie Hopkins - Applicant (Representative) in favor – 5725 N Discovery Way, Boise, ID 83713

Ms. Hopkins explained the location of the property and the uses of neighboring properties. She explained what the use of the property will be if this rezone gets approved. She believes the use of this property is consistent with future land use map for Greenleaf and Canyon County and is consistent with the agricultural use for the area. They agree with the conditions staff has proposed. She explained that they held a neighborhood meeting and the neighbors generally seemed supportive of the application. Ms. Hopkins believes this application matches the comprehensive plan. There will be a caretaker unit on the property.

Joe Ross - in favor – 21913 Notus Rd, Greenleaf, ID 83626

Mr. Ross explained the layout of the property. He explained that there is a pond on the property and they use it for personal fishing. He stated his wife and himself will be living on the property and he will be the caretaker of the RV storage park.

MOTION: Commissioner Brock moved to close public testimony on Case OR2021-0009/CR2021-0003, seconded by Commissioner Fried. Voice vote, motion carried.

MOTION: Commissioner Brock moved to recommend denial of Case OR2021-0009, including the Findings of Facts, Conclusions of Law and conditions of approval, forwarding the recommendation to the Board of Canyon County Commissioners. Motion seconded by Commissioner Williamson. Roll call vote with 4 in favor and 0 opposed, motion passed.

MOTION: Commissioner Williamson moved to recommend approval of Case CR2021-0003, including the Findings of Facts, Conclusions of Law and revised conditions of approval, forwarding the recommendation to the Board of Canyon County Commissioners. Motion seconded by Commissioner Fried. Roll call vote with 4 in favor and 0 opposed, motion passed.

APPROVAL OF MINUTES:

Motion: Commissioner Williamson moved to table the approval of the minutes from 6/17/2021 to 7/15/21, seconded by Commissioner Brock. Voice Vote motion carried.

DIRECTOR, PLANNER, COMMISSION COMMENTS:

Planning Official Lister updated the Commissioners about the Hearing Examiner. He announced that he is the Planning Official for Development Services. He updated the Commissioners on the BOCC and how they are looking at cases and what cases they are approving and denying. Official Lister updated them on the potential changes to the radius for neighbor notifications. Commissioner Fried voiced concern over the lack of response from agencies and they need to give an update on the condition of our county. Official Lister updated the Commissioners on the status of the new comprehensive plan. Commissioner

Williamson suggested ways to keep some of the information and data up-to-date. Commissioner Brock voiced his concern over the process of how the comprehensive plan is created and updated.

ADJOURNMENT:

MOTION: Commissioner Williamson moved to adjourn, seconded by Commissioner Fried. Voice vote motion carried. Hearing adjourned at 9:23pm.

Approved this 15th day of July, 2021

Robert Sturgill, Chairman

ATTEST

_____, Recording Secretary