



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Wednesday, June 17, 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
Richard Hall, Commissioner
John Carpenter, Commissioner

Staff Members Present: Director Patricia Nilsson
Planner, Dan Lister
Recording Secretary, Kellie George

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

Secretary Sandi Levi proceeded to the business item on the Agenda.

ACTION ITEMS

Case No. RZ2019-0042 Robert & Nancy Weikel: Robert and Nancy Weikel are requesting the **Rezone** of Parcel R38017010 from an “A” (Agricultural) zone to an “R-1” (Single Family Residential, one acre average minimum lot size). The request includes a **Development Agreement** to limit future development to six residential lots. The property is located at 25193 Emmett Road, Caldwell; also referenced as a portion of the SE ¼ of Section 26, Township 5N, Range 3W; Canyon County, Idaho.

The chair asked if any of the Commissioners needed to declare conflicts of interest. None were stated.

Testimony:

Planner Dan Lister presented the staff report. The property is located north of Middleton’s area of city impact. The property is within a Nitrate Priority Area and a nutrient pathogen study will be required when the property is platted. The southern portion of the property is located in an A zone floodplain and a study to establish base flood elevation will be required. Canyon Highway District is requiring that access come from Connie Lane. One letter from a neighbor was received that was not supportive of an R1 zone. The development agreement will limit the number of lots to 6. Staff is recommending approval of the conditional rezone.

Commissioner Williamson asked to look at the access on Exhibit 4. Planner Lister confirmed there is public right-of-way along the northern boundary of the property. He also asked if the concern in the Blum letter regarding septic systems was a concern. Planner Lister replied that will be reviewed by Southwest District Health when the property is platted.

Nancy Weikel, 25193 Emmett Road, Caldwell, ID, did not provide testimony but stood for questions from the Commission as the applicant.

Commissioner Williamson asked why she was proposing 6 lots. They want to keep a nice acreage around their home and the 10 acres is too much for them to maintain. They want to sell enough lots to help maintain the property and make improvements as they are approaching retirement. They were not interested in an RR zone as they would not have enough lots once land was used for roads.

Commissioner Hall asked if the property is currently accessed from Emmett Road. Mrs. Weikel said yes, and will be talking with the highway district on why they can't continue using the existing access. She said their house was built in 2001. She believes access was authorized at that time.

Commissioner Carpenter asked if Mrs. Weikel had reviewed the conditions in the development agreement. Mrs. Weikel approved

MOTION: Commissioner Carpenter moved to close public testimony on case RZ2019-0042, seconded by Commissioner Hall. Voice vote, motion carried.

Planner Lister and Director Nilsson discussed the options the Weikels have to get approval to maintain their current access on Emmett Road.

Commissioner Hall believes due to other property sizes in the area that the RR zone may be more appropriate.

Commissioner Fried believes they may need additional land to accommodate septic fields in an area of floodplain.

Commissioner Carpenter pointed out that the floodplain is not well studied in this area. The applicant may be able to work around that once they complete the required study. The property is within a mile to Middleton High School, the area is growing and the average density is closer to 2 acres/dwelling.

MOTION: Commissioner Hall moved to recommend denial of Case RZ2019-0042 and the development agreement due to Findings B as the RR would be more appropriate than an R1 zone and Finding C in that RR would be compatible to surrounding land uses, to the Board of Canyon County Commissioners. Motion seconded by Commissioner Williamson. Roll call vote with 5 in favor and 1 opposed(Carpenter), therefore the motion carried. The Commission recommended the applicant pursue a RR zone and work with Canyon Highway District on an access plan.

Commissioner Hall moved to adjourn. Commissioner Williamson seconded the motion. Voice vote motion carried. Meeting adjourned at 6:41 pm

Signed this 17th day of June, 2020

Chairman Robert Sturgill

ATTEST

Kellie George, Recording Secretary

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