



**CANYON COUNTY PLANNING & ZONING COMMISSION**  
**MINUTES OF REGULAR MEETING HELD**  
**Thursday, August 20, 2020**  
**8:00 P.M.**

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**1<sup>ST</sup> 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 8:00 p.m.

**Secretary Levi** proceeded to the business item on the agenda.

**ACTION ITEMS**

**1. Action Items: Case No. OR2020-0006 & RZ2020-0013: Roger Howell** is requesting a comprehensive plan amendment to amend the future land use designation of Parcel R37692011A from “agricultural” to “residential”. The request includes a rezone from an “A” zone (Agricultural) to an “R-1” zone (Single Family Residential, one acre average lot size). The vacant 8.71 acre property is located adjacent to 17196 Hollow Road, Caldwell; also referenced as a portion of the SE¼ of Section 6, T5N, R3W, BM; Canyon County, Idaho.

No conflicts were stated by the Commissioners.

Planner Dan Lister presented the staff report. This application consists of a request for a comprehensive future land use map amendment from Agriculture to Residential and a rezone from Agriculture to R-1 (Single Family Residential). Only one rezone within a mile radius of the subject property has been approved. The closest residential designation on the Future Land Use Map is on the southern/western side of I-84. Future regional projections of household growth do not indicate growth is forecast in this area. There are slopes on the property that make it difficult to farm. The property does not have an access to Old Highway 30. No concerns were expressed by the Idaho Transportation Department or Southwest District Health provided the lots were 2 acres in size.

An opposition letter (Exhibit 8) was received from a neighboring property owner, the Balls, who feel this rezone is incompatible in the area. They were told by the applicant that only 4 lots would be proposed.

Staff is recommending denial as outlined in the draft findings included in the staff report. The potential to add one acre lots would not be similar in character to the existing uses. Potential remedies for the

applicant are to request a conditional rezone where some of the agricultural land could be preserved or a conditional rezone to R-R.

**Testimony:**

Will Mason, 924 3<sup>rd</sup> Street South, Nampa, with Mason and Associates, testified in support of the application as the applicant's representative. He described the unique features of the property which include the location of I-84 and a drainage ditch on the west side. It is over 1000 feet in length and 300 feet in width. The shape of the parcel makes it difficult to site a road lot on the property as the road lot has to be 60 feet in width. The property has water rights but it difficult to irrigate.

Commissioner Carpenter asked if there is an exhibit depicting the proposed layout of the road. Mr. Mason said there is not a roadway design yet. It would run on the east side of the property parallel to the Old Highway 30 right-of-way and be 60' in width. Commissioner Carpenter asked if it would be difficult to site septic systems due to the proximity of the ditch.. Mr. Mason stated that may happen as they have not dug any test holes.

Commissioner Williamson asked if the highway district had asked for additional right-of-way along Old Highway 30. Mr. Mason responded that they have not had a conversation with the highway district.

Roger Howell, 5334 North Mapleton Avenue, Meridian, ID, testified in support of the application as the applicant. He had asked neighbors to farm the land for cattle and hay and they declined as the property was too difficult to farm. He described how four, 2-acre home sites could be planned out and be the highest and best use of the land.

Commissioner Williamson asked what the history was of farming on the property. Mr. Howell replied that there were horses pastured on the property. Commissioner Williamson said the property may support trees or a vineyard.

Mr. Mason added that having a development agreement with a minimum lot size of 2 acres it may be difficult as the north area may necessitate a 3-acre parcel and other parcel may need to be less than 2 acres in size.

**MOTION:** Commissioner Carpenter Williamson moved to close public testimony on Case OR2020-0006 & RZ2020-0013, seconded by Commissioner Fried. Voice vote, motion carried.

Commissioner Williamson stated that he agrees with the draft findings. He would have hoped they had dug test pits and talked with Southwest District Health.

Commissioner Carpenter expressed a concern that this could a spot zone in the middle of agriculture.

Commissioner Hall has a concern with having it zoned R-R. He does not see this property as a natural extension of the existing residential uses in the vicinity.

Commissioner Fried stated that nothing comes to his mind that would an overriding feeling that this is incompatible for the area.

Commissioner Levi stated that she agrees with the sentiments of the other commissioners.

Commissioner Williamson agrees with either of the two options presented by staff.

**MOTION:** Commissioner Williamson moved to recommend denial of Case OR2020-0006, to the Board of Canyon County Commissioners based on the findings of facts and conclusions. Motion seconded by Commissioner Carpenter. Roll call vote with 6 in favor and 0 opposed, motion carried.

**MOTION:** Commissioner Williamson moved to recommend denial of Case RZ2020-0013, to the Board of Canyon County Commissioners based on the findings of facts and conclusions of law. . Motion seconded by Commissioner Carpenter. Roll call vote with 6 in favor and 0 opposed, motion carried.

**3. ADJOURNMENT:**

Commissioner Williamson moved to adjourn. Commissioner Hall seconded the motion. Voice vote, motion carried. Meeting adjourned at 8:53pm.

**Approved this 3<sup>rd</sup> day of September, 2020**

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Chairman Robert Sturgill

**ATTEST**

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Kellie George, Recording Secretary  
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