



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, October 1, 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

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

ACTION ITEMS

1. Old Business Action Item: revised findings with recommendations of approval for Case No. OR2020-0005 & CR2020-0005: Epic Holdings LLC is requesting a comprehensive plan amendment (OR2020-0005) to change the future land use designation of Parcels R34252, R34263012, R34263010, R34263 and R34263011 from “agricultural” to “residential”. The request includes a conditional rezone (CR2020-0005) from an “A” zone (Agricultural) to an R-1 (Single Family Residential, one acre average minimum lot size) and R-R zone (Rural Residential, two acre average minimum lot size). The properties, consisting of approximately 108 acres, are located at 19618, 19611, 19503 and 19595 Northside Boulevard, Caldwell; also known as a portion of the NE¼ of Section 28, T4N, R2W and a portion of the NW¼ Section 27, T4N, R2W, BM; Canyon County, Idaho.

MOTION: Commissioner Carpenter moved to accept the revised findings of facts and conclusions of law for case OR2020-0005. Motion seconded by Commissioner Levi. Voice vote, 5 in favor and 0 opposed.

MOTION: Commissioner Carpenter moved to accept the revised findings of fact and conclusions of law for case CR2020-0005 and amended to accept the development agreement as well. Motion seconded by Commissioner Levi. Voice vote, 5 in favor and 0 opposed.

2. New Business Action Item: SD2020-0010: Ed Bowman submitted a Preliminary Plat within irrigation and drainage plans for **Spring Hill Ranch Subdivision** on Parcel R38158. The property is zoned “R-1” (Single Family Residential, one acre average minimum lot size). The plat consists of 27 residential lots and 1 common lot. The 38.15 acre property is located at 14263 Purple Sage Road; also referenced as the NE¼ of Section 34, Township 4N, Range 3W, BM; Canyon County, Idaho.

No conflicts were stated by the Commission.

Dan Lister presented the staff report. He reviewed the storm drainage system. The total number of lots is limited to 27 due to a condition in the development agreement when the property was rezoned. A portion of the property is located within an “A” zone floodplain. The applicant has prepared a study showing most of the property is located outside of the floodplain except for the area where the stormwater basin will be located. He then reviewed agency comment letters. One letter was received from a neighbor who requested fencing and piping of a drainage area. He then reviewed the proposed

conditions.

The late exhibits 5, 6, 7, 8, 9 and 10 were entered into the record.

Commissioner Carpenter asked if a comment was received from Black Canyon Irrigation District. Lister replied he had reached out to request comments but none were received.

Commissioner Williamson asked about the special conditions. Lister replied that there were special rear and side setbacks based on concerns from neighbors.

Penelope Constantikes, P.O. Box 405, Boise, ID, testified in support of the application as the applicant's representative. They concur with the findings and the conditions of approval. The average lot size is 1.1 acres. A Nutrient Pathogen study has been reviewed by DEQ and proposed revisions do not impact the development design. No residential lots are located within the floodplain. Extended sewage treatments systems are required and will be required to be inspected annually. Stormwater swale maintenance will be done by the lot owners. CC&Rs will require maintenance of the irrigation system. The license agreement is currently in process with the Bureau of Reclamation. Enhanced setbacks are provided on lots adjacent to existing homes. The applicant is amenable to providing a privacy fence requested by the neighbor.

Commissioner Carpenter asked about the irrigation along Hartley Drain and the open ditch near Mr. Friel's property. He asked about the easement into a residential lot and asked how that would affect the lot owners ability to erect fences and plant trees, etc. in the easement.

Kurt Smith, 2578 Southside Blvd, Melba, ID, replied that the easement is for the subdivision's storm drainage system, not the Hartley Drain. The highway district wants to have the storm drainage system further east as they anticipate the need to widen Freezeout Road in the future which will necessitate moving the Hartley Gulch to the east.

Commissioner Carpenter asked if the ditch along the east boundary will be piped. Kurt Smith replied that it will be piped with this development and a fence along the property line. Commissioner Carpenter asked why the storm drainage is on private property. Ms. Constantikes replied the highway district does not have personnel to maintain the system. Mr. Smith replied that it's the best location to ensure it stays on site and to maintain the minimum lot size required by the health district.

Commissioner Carpenter moved to close public testimony on Case SD2020-0010. Motion seconded by Commissioner Fried. Voice vote, motion passed.

The commissioners discussed adding a condition to require a 6' high solid fence along the eastern boundary of Lots 22 and 23 prior to approval of the final plat.

MOTION: Commissioner Carpenter moved to recommend approve Case SD2020-0010 based on the findings of fact and conclusions of law and conditions of approval, as amended with 2 additional conditions to require a stormwater maintenance and operation plan and agreement for the storm water system to be maintained by the Homeowners Association or through a separate agreement, and to require a 6' high white vinyl fence along the rear boundary of Lots 22 and 23, to the Board of Canyon County Commissioners. Motion seconded by Commissioner Williamson. Roll call vote with 5 in favor and 0 opposed, motion carried.

3. ADJOURNMENT:

Commissioner Williamson moved to adjourn. Motion seconded by Commissioner Fried. Voice vote, motion passed. Meeting adjourned at 7:05pm.

Approved this 15th day of October, 2020

Chairman Robert Sturgill

ATTEST

Kellie George, Recording Secretary

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