



**CANYON COUNTY PLANNING & ZONING COMMISSION**  
**MINUTES OF REGULAR MEETING HELD**  
**Thursday, December 3, 2020**  
**9:00 P.M.**

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**1<sup>ST</sup> FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATION BUILDING**

**Commissioners Present:** Patrick Williamson, Vice Chairman  
Sandi Levi, Secretary  
Rick Fried, Commissioner  
John Carpenter, Commissioner  
Scott Brock, Commissioner  
Sheena Wellard, Commissioner

**Staff Members Present:** Patricia Nilsson, Director  
Julianne Shaw, Planner  
Kellie George, Recording Secretary

**Vice Chairman Patrick Williamson** called the meeting to order at 9:00 p.m.

**Commission Secretary Levi** read the testimony guidelines and proceeded to the business items on the agenda.

**Action Item Case No CR2020-0007:** The applicants, **Stuart and Julia Shoemaker**, are requesting a conditional rezone of Parcels R29926 & R29950 from “A” (Agricultural) to “R-R” (Rural Residential). The request includes a development agreement to restrict residential development. The properties are located near the intersection of Lola Lane and S. Powerline Road; also referenced as a portion of the NE1/4 of Section 34, T2N, R2W and SW1/4 of Section 35, T2N, R2W; Canyon County, Idaho.

No conflicts or declarations were made by the Commission.

Planner Julianne Shaw reviewed the late exhibits. She proceeded to present the staff report. She reviewed the change in the parcel configuration that will promote more efficient farming and the drainage on the site.

Stuart Shoemaker, 885 S. Tranquil Lane, Eagle, ID, testified in support of the application as the applicant. They want to build one dwelling and keep the majority in agriculture. They recognize the issue with the setbacks and will preserve the laterals. They understand the issue with the drainage and it will be addressed. They have no issue with change in the lot design.

Kent Storer, 6403 Wright Lane, Nampa, ID, testified in support of the application. He wishes to construct a home on the property.

Larry Christensen, 6265 S. Powerline Road, Nampa, ID, testified neutral to the application. He farms this land and rents it from the Shoemakers. He uses the bridge off of S. Powerline for access to the property for farming and will end up traveling through the yard of the new home. He supports the redesign of the lot as it aligns with the irrigation flow.

Commissioner Carpenter asked Mr. Christensen if he could describe the drainage on the site. Mr. Christensen said the pond overflows and goes along the south edge of the property eastward, and then

goes north toward the Maupin's house and then east toward Track Road.

Matt Christensen, 8303 Stagecoach Road, Melba, ID, testified in opposition to the application. He farms the ground directly to the west of the subject property. The wastewater off the field goes to the pond. He needs access to the pond to maintain it and change the diversion in order to take care of his farm. He does not want to see another building permit on productive farmland.

Commissioner Carpenter asked Mr. Christensen to describe the irrigation.

Commissioner Williamson asked if he has an agreement with the Shoemakers to take care of the pond. He replied he does not. His father, Larry Christensen, farms the Shoemaker property.

Stuart Shoemaker, 885 S. Tranquil Lane, Eagle, ID, provided rebuttal testimony. He understands Matt Christensen's need to have an agreement to maintain the pond. With a building permit they will maintain and possibly improve the pond. He will work with Mr. Storer and Mr. Christensen to determine an access plan amenable to all parties.

**MOTION:** Commissioner Carpenter moved to close public testimony on Case CR2020-0007, seconded by Commissioner Fried. Voice vote, motion carried.

Commissioner Carpenter asked if the Highway District expected to extend Lola Lane.

Commissioner Wellard encouraged the applicant to do more property research to determine if a building permit is available that would eliminate the need for a conditional rezone.

Commissioner Brock discussed property rights and a process is in place for the owner to request an additional building. He encouraged Mr. Shoemaker to get formal agreements in place.

**MOTION:** Commissioner Brock moved to recommend approval of Case CR2020-0007 based on the Findings of Facts, Conclusions of Law and conditions of approval and the development agreement, to the Board of Canyon County Commissioners. Motion seconded by Commissioner Wellard. Roll call vote with 5 in favor and 1 opposed.

Commissioner Carpenter moved to approve the minutes of the 6pm hearing on November 12, 2020. Motion seconded by Commissioner Brock. Voice vote, motion passed.

Commissioner Carpenter moved to approve the minutes of the 7pm hearing on November 12, 2020. Motion seconded by Commissioner Williamson. Voice vote, motion passed. (Levi and Wellard recused.)

Commissioner Carpenter moved to approve the minutes of the 6pm, 7pm and 8pm hearings on November 12, 2020. Motion seconded by Commissioner Wellard, as amended. Voice vote, motion passed. (Levi and Brock recused.)

Commissioner Carpenter moved to approve the minutes of the 9pm hearing on November 20, 2020. Motion seconded by Commissioner Wellard. Voice vote, motion passed. (Brock recused.)

Director Nilsson updated the Board on general department activities and asked for any requests for updates or questions be emailed to her as we will have more time at the 6pm hearing on December 10, 2020. Recording Secretary George stated that packets will not be mailed out for December 10<sup>th</sup> and asked the Commissioners to please check their email for the agenda.

Commissioner Fried moved to adjourn. Commissioner Brock seconded the motion. Voice vote, motion carried. Meeting adjourned at 10:01 pm.

**Approved this 17<sup>th</sup> day of December, 2020**

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Robert Sturgill, Chairman

**ATTEST**

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Kellie George, Recording Secretary

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