



CANYON COUNTY PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
Thursday, April 15, 2021  
6:30 P.M.

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1<sup>ST</sup> 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  
Sheena Wellard, Commissioner

Staff Members Present: Patricia Nilsson, Director  
Julianne Shaw, Planner  
Jennifer Almeida, Planner  
Dan Lister, Planner  
Kathy Frost, Recording Secretary  
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.

**Case No. OR2020-0013 /RZ2020-0028: Sunroc/Newbill Table to 5/6**

**MOTION:**

Commissioner Williamson moved to table Case no. OR2020-0013 / RZ2020-0028 to date certain of May 6, 2021, seconded by Commissioner Brock. Voice vote motion carried.

**Case no. RZ-2020-0019 & SD2020-0035: Taylor Jene Homes, Inc** is requesting a rezone of approximately 122.51 acres from an "A" (Agricultural) zone to a "R-R" (Rural Residential zone). The average minimum lot size in the "R-R" zone is two (2) acres. Also requested is approval of a Preliminary Plat for **Valley View Ranch Subdivision No. 4**. The plat contains a total of 45 residential lots. The subject properties, R30113010 & R30101011C are located on the east side of Sky Ranch Road, approximately 1565 ft. north of the intersection of Deer Flat Road & Sky Ranch Road, in a portion of the SW ¼ of Section 13, T2N, R3W, BM, Canyon County, Idaho.

**Planner Jennifer Almeida**, reviewed Staff report for the record, including late exhibits

**Chairman Sturgill**, entered the late exhibits into the record.

Commissioner Williamson moved to recess for 10 minutes in order to review the late exhibits, seconded by Commissioner Brock. Voice vote motion carried.

**TESTIMONY:**

**Bonnie Layton - Applicant Representative in favor – 690 S L=Industry Way #10 Meridian ID**

- Ms. Layton reviewed the application, they are requesting approval of a rezone and plat, the project represents responsible growth and there are similar subdivisions in the area, the request

is in accordance with the comprehensive plan and County ordinances. The project consists of 122.5 acres changing from Agricultural to Rural Residential. The Northeast corner, lots were planned for development in the early 2000's. Ms. Layton reviewed the history of the property, including Agricultural history. The use is consistent with surrounding area. They have reviewed opposition letters of concern, most are about water, studies have been done to provide updated data on the water table and the wells. In response to commissioners' questions Ms. Leighton discussed access points and site lines. The Highway district has approved the approach.

**Mike Woodworth – Applicant Representative – 1161 W River St. Boise Id**

- Mr. Woodworth reviewed all of the studies that have been done relating to water and wells. DEQ & IDWR stated no objections or concerns about ground water or well in the area. The wells have been monitored and the results of the last 5 years show how the wells have been functioning and show the state of the aquifer. Mr. Woodworth displayed the graphs of wells showing how they have been functioning over the years. The aquifer is steady. Reviewed how 45 lots and additional wells would affect existing lots. There is a draw down model from a single well activity, estimating that the drawdown is .22 feet. In conclusion the ground water has stabilized over the years. The proposal is individual well instead of a community well bases on the cost and additional time involved with a community well. Wells should be monitored quarterly. There was discussion about the history of the ground water table and how locations and depth of wells are determined. Since 1987 the ground water has stabilized. Additional discussion of contamination concerns. The project is outside of the nitrate priority area.

**Claudia Haynes – opposed – 8830 Deersky Nampa ID**

Ms Haynes is the director of the Canyon County Alliance for growth, she referenced the map from IDWR, showing the lack of water in the area. Reviewed exhibits already in record. Ms. Haynes has lived in her home for 20 years, she discussed previous reports showing a declining aquifer, they do not have enough water now adding more homes will decrease their water more.

**MOTION: Commissioner Williamson moved to add 5 minutes to Ms. Haynes allotted time for testimony, seconded by Commissioner Brock. Voice vote motion carried.**

Ms. Haynes added additional history on the wells through late exhibits. They have spent \$100,000 on well improvements. There is major water problem in the area and IDWR cannot find the problem or fix it. Ms. Haynes would like to condition the development to 5 acre lots instead of 2 acre lots. She would like the Commission to consider the fire chief's discussion. Fire response time is 2 minutes, the problem is not response time, it is a lack of water. In the past there was a fire and a person died and the home was destroyed because the hydrant was not working. The community is trying to avoid losing their water.

**Amy Weidner – opposed – 12575 Anakate Ln Nampa ID**

Ms. Weidner discussed the area relating to the access point, she believes it is too steep, and will create a danger. The proposed acreages will all have yards, she discussed water issues in California relating the issues they have to the situation we could have in Canyon County as well. Ms. Weidner believes Cancer is caused from the well water and does not believe that the current studies are accurate.

**Kim Yanecko - opposed – 13038 Skyview Nampa ID**

Ms. Yanecko showed where she lives in relation to the entrance of the subdivision, they are farmers and there are trucks going up and down the road, they will not be able to stop in time to prevent an accident at the proposed entrance. The fire department states a 15–17-minute response time, a volunteer fire department will not be able to get there in time in case of fire. Arsenic is a contaminate in the soil in the area and when the hillside is graded that will come down into our well. We have had E.coli in our wells.

Ms. Yanecko has lived in the home 4 years she did not know about the problems with the water when their home was purchased. The wells are not monitored. There is some AG use in the area.

**John Johnson - opposed - 9318 Highpoint Crive Nampa ID**

Mr. Johnson retired to the area and was not aware that water was a concern, he paid cash for his home and had the water tested, he installed a fire suppressant system in his home. Future development is a danger to the water table. Studies have been overturned due to differing data. Mr. Johnson discussed the hydrological studies and conflicting data, he would like the Commissioners to consider tabling this project and offered suggestions for conditions.

**Dee Sarton- Bower- opposed - 12620 Lewis In. Nampa ID**

Ms. Sarton-Bower stated she moved into the home a year ago and did not know that water was a concern until the well was put in. Through discussion with neighbors and IDWR, there has been conflicting information, she wants to see development done responsibly. The people who live in the area are the same sharing concerns. She would like the County to use their influence to make agencies accountable. Water is the most basic resource required to live.

**Brianne Gray – opposed - 12610 Lewis In. Nampa ID**

Ms. Gray is concerned on many levels, they have had issues with water, and do have a fire suppression system in their home, she is concerned about the schools being overcrowded and the safety of the bus stops. There is overgrowth in the area with little planning. Traffic is a concern. There seems to be no plan for responsible growth. Canyon County should demand a response from Agencies. Ms. Gray is also concerned about increased crime in the area.

**Jeanie Amen – opposed – 9125 Sky Ranch Nampa ID**

Ms. Amen owns an aerial application business and fly south of the lake. Agricultural used should be represented better. Due to regulations the area from added homes, the area that they can spray has been diminished. Ms. Amen pointed out the area they spray and the portion that has been diminished. She made suggestions to commissioners on conditions and actions they should take. She has had to replace the well and water levels have diminished.

**REBUTTAL:**

**Bonnie Layton - Applicant Representative in favor – 690 S L=Industry Way #10 Meridian ID**

Ms. Layton referred to the staff report showing that the comp plan and future land use in the area is consistent with the plans and ordinances. Property rights are for Ag development and Residential development. All guidelines and requirements were met through the application with the County. There was a neighborhood meeting we have worked on project for over a year, providing supplemental information. Access has been approved. The Fire Marshall directives will be followed.

**Mike Woodworth – Applicant Representative – 1161 W River St. Boise Id**

Mr. Woodworth went over the well modeling reports, stating that the information is very consistent, he referred to Ms. Haynes exhibits. The data now shows that the ground water has stabilized.

**MOTION:** Commissioner Williamson moved to close public testimony on Case RZ2020-0019 & SD2020-0035, seconded by Commissioner Wellard. Voice vote, motion carried.

**MOTION:** Commissioner Wellard moved to recommend approval of Case RZ2020-0019, 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 3 in favor and 2 opposed, motion carried.

**MOTION:** Commissioner Fried moved to recommend approval of Case SD2020-0035, 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 3 in favor and 2 opposed, motion carried.

**CR2020-0015 Gordon:** The applicants, **Calvin and Rebecca Gordon**, are requesting a conditional rezone of Parcels R36131012A0, R36131012A2, and R36131012 from “A” (Agricultural) to “R-R” (Rural Residential). The parcels total approximately 22 acres, and the request includes a development agreement that will allow the subject parcels to be adjusted to allow building permits on four parcels of approximately five acres in size each. The properties are located south and east of the intersection of Red Top Road and Tucker Road, Greenleaf; R36131012 is also referenced as a portion of the NW NENW LS THAT PRT LYING N&E OF BEN-SON GULCH DRAIN & LS TX5, LS THAT PRT LYING W OF TUCKER RD & LS S628' Section 17, T4N, R4W BM; Canyon County, Idaho

**Planner Julianne Shaw**, reviewed Staff report for the record, including a late exhibit

**Chairman Sturgill**, entered the late exhibit into the record.

**Commissioner Wellard is recused.**

**TESTIMONY:**

**TJ Wellard - Applicant Representative in favor – 17842 Sand Hollow Rd Caldwell ID**

- The Gordons bought property to help their neighbor, they attempted to use the property for grazing using the existing irrigation system, after a year it was determined that it was more work than it was worth They are proposing 4 parcels, including the one with the existing home on it. They are in agreement with all conditions.

**Jordan Childs – in neutral -22490 Quick Draw In Greenleaf ID**

Mr. Childs is not opposed to the project, and agrees that this is not prime farm ground and the irrigation system is in poor condition. A water user agreement is not enough, they need a new delivery system. Mr. Childs explained the water delivery as it is.

**REBUTTAL:**

**TJ Wellard - Applicant Representative in favor – 17842 Sand Hollow Rd Caldwell ID**

The Gordon’s want to resolve the irrigation issues. There will be a water users maintenance agreement.

**MOTION:** Commissioner Williamson moved to close public testimony on Case CR2020-0015, seconded by Commissioner Brock. Voice vote, motion carried.

**MOTION:** Commissioner Williamson moved to recommend approval of Case CR2020-0015, 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 Fried. Roll call vote with 4 in favor and 0 opposed, motion passed.

**RZ2020-0026 Chambers:** Tyler Bosier with Blast Properties Inc., representing **Richard and Carol Chambers** is requesting to rezone an 11.96 acre parcel from “A” Zone (Agricultural) to R-R Zone (Rural Residential) to replace three residential parcels. The subject property, parcel number R29545 is located on the south side of East Lewis Lane, approximately 2,700 feet East of the intersection of South Happy

Valley Road and East Lewis Lane, Nampa, ID, in a portion of the NW TX 3 in NENW section 13, Township 2 North, Range 2 West, Boise Meridian, Canyon County Idaho.

**Planner Julianne Shaw**, reviewed Staff report for the record, including late exhibits

**Chairman Sturgill**, entered the late exhibits into the record.

**TESTIMONY:**

**Tim Bosier - Applicant Representative in favor – 2937 E Snake River Nampa ID**

- Mr. Bosier agrees with the staff report, in addition he stated that they will be asking for an easement reduction and will have a Road Users Maintenance agreement.

**MOTION:** Commissioner Fried moved to close public testimony on Case RZ2020-0026 seconded by Commissioner Williamson Voice vote, motion carried.

**MOTION:** Commissioner Williamson moved to recommend approval of Case RZ2020-0026, 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 Fried roll call vote with 5 in favor and 0 opposed, motion carried.

**RZ2021-0004 Bates:** The applicant, Boyd Bates, is requesting a zoning map amendment (Rezone) of Parcel R29569010 from an “A” (Agricultural) zone to an “R-R” (Rural Residential) zone. The property is located at 9699 S. Powerline Road, Nampa. The parcel is also referenced as a portion of the NE¼ of Section 15, T2N, R2W; Canyon County, Idaho.

**Planner Dan Lister**, reviewed Staff report for the record

**TESTIMONY:**

**Boyd Bates - Applicant in favor – 9699 S Powerline Nampa ID. - No testimony**

**MOTION:** Commissioner Williamson moved to close public testimony on Case RZ2021-0004 seconded by Commissioner Brock Voice vote, motion carried.

**MOTION:** Commissioner Williamson moved to recommend approval of Case RZ2021-0004, 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 Wellard Roll call vote with 5 in favor and 0 opposed, motion carried.

**SD2020-0038 Desert Pine Estates Subdivision No 2:** A request by Michael & Heidi Williams-Black for approval of a Preliminary Plat, Irrigation, & Drainage Plan for **Desert Pine Estates Subdivision No. 2**. The development consists of 18 residential lots. The property is zoned “R-1” (Single Family Residential). The subject property, parcel No. R38152010A is located approximately 450 ft. west of Old Highway 30, approximately 1316 ft. south of the intersection of Purple Sage Rd. and Old Highway 30 in a portion of the NW ¼ of Section 33, T5N, R3W, BM, Canyon County, Idaho.

**Planner Jennifer Almeida**, reviewed Staff report for the record

**TESTIMONY:**

**Josh Beach – Applicant in favor - 2030 S. Washington Ave. Emmett ID**

- Mr. Beach agrees with staff and will stand for questions. An NP study has been done; there will be 16 residential lots and 1 common lot.

**Mike Williams Black - Applicant in favor – 2930 E Deerflat Rd. Kuna ID**

- Mr. Black stated that they have met all required conditions, and are only developing 16 lots at this time. The Highway district is directing the road development.

**Stephen Shafer – Opposed - 24876 Enchanted Pine St Caldwell ID**

- Mr. Shafer is representing other neighbors who have concerns regarding the pressurized irrigation and how the water will get there? There are 2 or 3 residences that are against the development and are concerned about loss of their property in order to provide access for this development. If the ingress and egress comes through our subdivision, we are concerned about additional traffic. What are they doing with the common lot? What about the 6 acres for the future, when are they going to develop that.

**REBUTTAL:**

**Josh Beach – Applicant in favor - 2030 S. Washington Ave. Emmett ID**

- Mr. Beach explained how the access would work and the future road work.

**Mike Williams Black - Applicant in favor – 2930 E Deerflat Rd. Kuna ID**

- The project was originally going to be 22 lots, now it will be 16 lots, the six acres are not to be developed at this time due to costs. The common lot will be an irrigation lot, Mr. Williams Black explained how the irrigation would flow, the did try to join existing HOA irrigation, however the home owners did not want to do that so they will have our own. The road is a public road it is not a privately owned road.

**MOTION:** Commissioner Williamson moved to close public testimony on Case SD2020-0038 seconded by Commissioner Wellard. Voice vote, motion carried.

**MOTION:** Commissioner Fried moved to recommend approval of Case SD2020-0038, 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 5 in favor and 0 opposed, motion passed.

**APPROVAL OF MINUTES:**

**MOTION:**

Commissioner Williamson moved to approve the minutes of 3/18/2021, Lake Shore Development and Subdivision, seconded by Commissioner Brock. Voice Vote motion carried.

**MOTION:**

Commissioner Fried moved to approve the minutes of 3/18/2021, Superior, Schatzel, & Willowcreek,

seconded by Commissioner Brock. Voice Vote motion carried.

**MOTION:**

Commissioner Williamson moved to approve the minutes of 4/1/2021, seconded by Commissioner Brock. Voice Vote motion carried.

**DIRECTOR, PLANNER, COMMISSION COMMENTS:**

- Director Nilsson discussed her retirement and the changes in the department. Impact fee updates. Commissioners and Director Nilsson discussed questions that the Commissioners had relating to tonight's hearing.

**ADJOURNMENT:**

**MOTION:**

Commissioner Williamson moved to adjourn, seconded by Commissioner Brock. Voice vote motion carried.

Approved this 6th day of May, 2021

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Robert Sturgill, Chairman

ATTEST

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