



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, May 20, 2021
6:30 P.M.

1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATION BUILDING

Commissioners Present : Robert Sturgill, Chairman
Patrick Williamson, Vice Chairman
Scott Brock, Commissioner
Sheena Wellard, Commissioner

Staff Members Present: Steve Fultz, Director
Kate Dahl, Planner
Jennifer Almeida, Planner
Dan Lister, Planner
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.

Action item tabled from 3/18/2021 Case No. CU2020-0015 Superior Construction: The applicant, Superior Construction and Excavation, Inc., is requesting a conditional use permit on Parcels R37455 & R37443 to allow mineral extraction (long-term). The duration of the request is 20 years. The vacant properties, approximately 221 acres, are located over 1,000 feet north of Edna Lane, Middleton. The properties are also referenced as a portion of the NE¼ of Section 23 and portion of the NW ¼ of Section 24, T5N, R2W; Canyon County, Idaho. On March 18, 2021, the Planning and Zoning Commission tabled the item to provide additional information regarding traffic improvements

Planner Dan Lister, reviewed Staff report for the record, including late exhibits

Chairman Sturgill, entered the late exhibits into the record.

Commissioner Wellard is recused.

TESTIMONY:

Adam Little- Applicant (Representative) in favor – 1137 E Harcourt Dr, Boise, ID 83702

Mr. Little is aware that traffic is a concern and has reached out to Canyon County highway district. The highway district emailed them, which was provided in the staff report, which identified past gravel pits that have received conditional approval. Mr. Little explained that he is personally aware of the traffic out there because they operate a cattle ranch out there and there is already construction traffic coming from Emmett or Pearl on the highway. He believes their product will benefit the Canyon County area, keeping development and construction costs low, as well as providing a central location. Mr. Little stated that he is willing to work with the highway district on the traffic impact study and work with them on mitigation. He believes this project is furtherance of the Canyon County comprehensive plan. He explained that this project is phased for acclimation, starting from interior to minimize any disturbances. Mr. Little explained what granular borrow, the product they will be producing, is and it is suitable for

beneath the base of foundations after compaction testing and a sub-base of a road.

David Little - in favor – 3111 Sand Hollow, Emmett, ID 83617

Mr. Little explained that his family is 3rd generation running 700 acres of cattle, corn and alfalfa. He believes this project will fit the surrounding land use and that his family surrounds the property on all sides. They have been running cattle and farm trucks for many years. He also explained that there are multiple gravel operations going on in the area.

Tren Sundquill - in favor – 21220 Wolls Rd, Caldwell ID 83605

Mr. Sundquill believes this project will reduce the amount of traffic on the highway overall. He explained that he is a partner in the project.

Ryan Norte - in favor – 234 Davis Ave, Nampa ID 83651

Mr. Norte has been running semi-trucks for over 25 years. He explained he is also a partner in this project. Typical gravel trucks that drive on the highway are on average 7-axles and weigh less than the trucks that haul agricultural products. Mr. Norte believes this project will provide materials for whole the valley.

MOTION: Commissioner Williamson moved to close public testimony on Case CU2020-0015, seconded by Commissioner Brock. Voice vote, motion carried.

MOTION: Commissioner Williamson moved to approve Case CU2020-0015, including the Findings of Facts, Conclusions of Law and conditions of approval. Motion seconded by Commissioner Brock. Roll call vote with 3 in favor and 0 opposed, motion passed.

Case No. OR2021-0004 & RZ2021-0003 Werhane Family Trust table to 7/15/21

MOTION: Commissioner Brock moved to table Case no. OR2021-0004 / RZ2021-0003 to date certain of July 15, 2021, seconded by Commissioner Williamson. Voice vote motion carried.

Case No. OR2021-0001 & CR2021-0014 4D LLC table to 7/15/21

MOTION: Commissioner Williamson moved to table Case no. OR2021-0001 / CR2021-0014 to date certain of July 15, 2021, seconded by Commissioner Wellard. Voice vote motion carried.

CU2021-0002 Red Top Market: The applicant is requesting a conditional use for special events facility to allow a farmer's market and thirsty Thursday events with live music from April 1 to Oct. 30, hours are Thursday to Sunday from 10am-9pm. The SW1/4 of the SE ¼ of the SE1/4 of Section 10, Township 4 North, Range 5 West of the Boise Meridian. Located at 26192 Red Top Road Wilder, ID 83676.

Planner Kate Dahl, reviewed Staff report for the record, including late exhibits

Chairman Sturgill, entered the late exhibits into the record.

TESTIMONY:

Andrea Gooding - Applicant (Representative) in favor – 1851 Miller Rd, Adrian OR 97901

Ms. Gooding explained she is a 4th generation Idahoan and 6th generation farmer. She stated that Covid-19 greatly impacted the food market last year. She also explained their mission is to source fresh, quality goods for the community. They have partnered with Kirkum Company, Nutrient Ag Solution, Wilder FFA and Gross Farms to create the opportunity for students to learn about farming and the food supply

chain. Ms. Gooding stated they put in an application to the Golden Gate Highway District for an approach permit for the entrance. They have increased their parking lot and added overflow parking to ensure there will be no parking on the road. She stated that their family has been awarded Canyon County's farm family of the year 2021. Ms. Gooding addressed a mistake in they made in their application and they amended it to add Wednesdays to the hours of operation. She explained that there will be about 2 deliveries per week for drop-off deliveries only, and there will be about 9-10 with pick-up and drop-off deliveries. They do plan on having a vendor day, in which vendors will come to display and sell what they want.

Michelle Gooding - in favor – 23920 Rudd Rd, Parma ID 83660

Ms. Gooding explained they are working with the neighbors regarding the property line. This market will support 14 other local family farms. Their family is looking to build their legacy and expand on their sources of revenue; their farm has gone from a single source of revenue to diverse with credit to the market. Their farm and market are great for the community. It is a great place to socialize and for the community to get together. Their primary crop is hops. Ms. Gooding explained that their farm will be providing some of the products for the market and sourcing other products to be sold.

Mike Grasmick - in favor – 3333 S Sutton Ave, Boise ID 83706

Mr. Grasmick explained that he has been assisting Andrea Gooding with learning and dealing with the produce business and helping with getting certain items to sell at the market. He has been in the produce distribution business for a long time.

Jeanie Hetrick - in favor – 14168 Plum Rd, Caldwell ID 83607

Ms. Hetrick stated she has lived in the area 30 years. She stated that the applicant has done a great job with sanitation and bathrooms at the market. They have done a great job with bringing local farm products to the area.

Chris Gross - in favor – 24337 Lower Pleasant, Wilder ID 83676

Ms. Gross explained that the market will give the children involved with the Wilder FFA a better opportunity for education and growth. She is a partner with the Wilder FFA. The FFA students will be involved with irrigation and will helping with the picking. Kirkum Company and Nutrient Ag has asked for documentation and reports back to them. There are approximately 26 members and they will all be a part of the picking crew. One specific student wants to be a farm manager and go to college for it; he is a project lead for the market. This acting as a test case for the FFA, and there is potential of other FFA chapters to follow suit. Their goal is to get young people introduced and create a passion for farming.

Dixie Barry - in favor – 27346 Middle Rd, Wilder ID 83676

Ms. Barry stated the market is great hub for the community to meet local farmers and ranchers. She is a regular customer at the market.

MOTION: Commissioner Williamson moved to close public testimony on Case CU2021-0002, seconded by Commissioner Brock. Voice vote, motion carried.

MOTION: Commissioner Brock moved to approve Case CU2021-0002, including the amended Findings of Facts, Conclusions of Law and conditions of approval. Motion seconded by Commissioner Williamson. Roll call vote with 4 in favor and 0 opposed, motion passed.

Case No. RZ2021-0006 Guidi: The applicant is requesting a zoning map amendment (rezone) of Parcel R37431014 from "A" (Agricultural) to "R-R" (Rural Residential). The vacant 10.02-acre property is

located north of 26808 Breezy Lane, Middleton; also referenced as a portion of the NE¼ of Section 21, T5N, R2W; Canyon County, Idaho.

Planner Dan Lister, reviewed Staff report for the record, including late exhibits

Chairman Sturgill, entered the late exhibits into the record.

TESTIMONY:

Gino Guidi - Applicant (Representative) in favor – 3486 N Rhone Pl, Star ID 83669

Mr. Guidi explained that he is not a developer that he purchased the land for himself and children to live on. He purchased the property in November 2020.

Delece Sardina - in favor – 3015 E Shadowwolf Dr, Eagle ID 83616

Ms. Sardina will be living in one of the properties if approved. They do have water rights on the property to build domestic wells. They will only have domestic wells on the property.

Staleen Hensen - in opposition – 26724 Breezy Ln, Middleton ID 83644

Ms. Hensen stated the proposed lot size would change their community for the negative. There are currently only 6 residences on Breezy Ln. They moved there for isolation. Ms. Hensen is concerned about water level, traffic and road condition. The residents of Breezy Ln maintain the road. She stated the current lots are about a 3-acre average.

Arthur Hensen - in opposition – 26724 Breezy Ln, Middleton ID 83644

Mr. Hensen explained that the location of the property is of concern since it is at the end of Breezy Ln. The condition of the road is also a concern of Mr. Hensen.

John Aldine - in opposition – 9510 Gilbert Rd, Middleton ID 83644

Mr. Aldine explained that Breezy Ln is his access road to his property. He wants to keep the population low and he would also like for the acreage to be larger. The residents on Breezy Ln divide the cost of road maintenance equally among the homes and is concerned the conditions will get worse.

Rebuttal: Gino Guidi - Applicant in favor - 3486 N Rhone Pl, Star ID 83669

Mr. Guidi explained they just want the rezone to residential rural approved and they currently do not have plans further than that. He doesn't believe he will go beyond the original splits. Mr. Guidi stated they do have the water rights. He explained that he is willing to share the cost of the road maintenance.

MOTION: Commissioner Williamson moved to close public testimony on Case RZ2021-0006, seconded by Commissioner Wellard. Voice vote, motion carried.

MOTION: Commissioner Williamson moved to recommend approval of Case RZ2021-0006, 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 1 opposed, motion passed.

Case No. SD2020-0043 Lake Vista Estates Subdivision: The applicant, Subdivision Maker LLC., representing Rubix Land Holdings LLC, is requesting approval of a preliminary plat (with drainage, grading and irrigation plan) for Lake Vista Estates Subdivision which proposes 13 residential lots. The property is zoned "R-R" (Rural Residential). The 30.34-acre property is located southeast from the

intersection of Pump Road and Locust Lane (Parcel R29982010); also referenced as a portion of the SW¼ of Section 2, T2N, R3W, Canyon County, Idaho.

Planner Dan Lister, reviewed Staff report for the record

TESTIMONY:

Darin Taylor - Applicant (Representative) in favor – 1434 New York St, Middleton ID 83644

Mr. Taylor stated that this project is in general conformance with the highway district and with the city engineer, but they have a few clean up items that they will take care of. The highway district wants a license agreement with the developer since there is 1 water line crossing Waterfront Ct. They understand the conditions that were listed and are willing to comply.

Sean Conner - in favor – 11476 Woodgate, Caldwell ID 83605

Mr. Conner explained that they have been working on this subdivision for a while and want to make sure they are providing quality residential lots.

Allen Babbitt - in opposition – 13865 Locust Ln, Nampa ID 83686

Mr. Babbitt explained that he is not necessarily opposed to this subdivision. He lives across the road from where it will be located. He stated that the contractor said to him that this project would not block their view, but he feels the way they have it planned it will. Mr. Babbitt would like a condition of a single-story home on the highest point or potentially level out the land of the highest point as to not obstruct their view. The water line goes under his property and is concerned of potential damage to his property.

Rebuttal: Darin Taylor - Applicant in favor – 1434 New York St, Middleton ID 83644

Mr. Taylor stated that he is willing to coordinate with the other residents regarding that site plan. He explained the irrigation system will be from gravity, as it is now, up to cul-de-sac in subdivision, and then it will be pressurized and each lot will have its own pressurized pump and the pipe is PVC pipe. The grading plans are on file with Canyon County.

MOTION: Commissioner Wellard moved to close public testimony on Case SD2020-0043, seconded by Commissioner Williamson. Voice vote, motion carried.

MOTION: Commissioner Williamson moved to recommend approval of Case SD2020-0043, 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 4 in favor and 0 opposed, motion passed.

Case No. OR2021-0002, RZ2021-0001 & SD2021-0003 Visser/Visser's Landing: Case and Greitje Visser are requesting a Comprehensive Plan Map Amendment to change the designation of parcel no. R38333010A from "agriculture" to "residential." Also requested is a Zoning Map Amendment (rezone) of approximately 20 acres from an "A" (Agricultural) zone to an "R-1" (Single Family Residential) zone, and a preliminary plat, grading and drainage plan for Visser's Landing Subdivision. The subject property, R38333010A is located at the northwest corner of the intersection of Goodson Rd., and Conway Rd., in a portion of the SE ¼ of Section 15, T5N, R4W, 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.

TESTIMONY:

Darin Taylor - Applicant (Representative) in favor – 1434 New York St, Middleton ID 83644

Mr. Taylor explained that this property is currently non-viable farmland. He went over the policies this application matches the Canyon County comprehensive plan. Mr. Taylor also went over the layout of the neighboring properties and the different elevations compared to this property. He believes residential use makes sense for this piece of land. Mr. Taylor stated that nothing on this property will disrupt water resources. He believes that this proposed property is compatible with the comprehensive plan. Mr. Taylor clarified a few things he had written in his letter associated this application. The Vissers family has owned the property since 1969. The property was listed on MLS.

John Breckon - in favor – 6661 N Glenwood St, Garden City ID 83714

Mr. Breckon stated they have no problem addressing the issues the highway district pointed out. They conducted a full slope analysis of the site and the number of lots and site plan was adjusted based on that analysis. He stated that they met with the irrigation district to discuss how they would pipe from the ditch. Mr. Breckon explained how the stormwater would be contained and he believes it would be easy to achieve.

Sean Conner - in favor – 11476 Woodgate, Caldwell ID 83605

Mr. Conner explained they put a lot of thought into the layout and how to best do it. They are trying to work with some of the neighbors to satisfy everyone. He explained the proximity to the freeway and amenities in Notus.

Sebastian Keith - in favor – 13413 N 4th Ave, Boise ID 83714

Mr. Keith explained that there are no water rights to this property. He stated that the property owner has never farmed this piece of land.

Jan Harritt - in opposition – 19877 Goodson Rd, Caldwell ID 83607

Ms. Harritt explained she bought her property 20 years ago. She doesn't see the area as a residential area. Ms. Harritt does not believe there is enough infrastructure and amenities for a subdivision. She explained that her main concern is the road traffic and speeds and this subdivision will worsen the situation.

Tamara Baysinger - in opposition – 27257 Conway Rd, Caldwell ID 83607

Ms. Baysinger is concerned about potential tax increases, water levels, and traffic concerns. She believes the proposed lots do not match the characteristics of the surrounding area. She stated she doesn't want that many neighbors and if this project is approved, it will create potential for more subdivisions in the area.

Dawn Weaver - in opposition – 19816 Goodson Rd, Caldwell ID 83607

Ms. Weaver is concerned about road traffic and speed and about the safety of the farmers and their livestock. She is also concerned about potentially increasing property taxes. Ms. Weaver explained that she is concerned about the decreasing water table. She also believes if this project is approved, then it creates a potential for more subdivisions. She stated she has lived at her residence for 6 years.

Chris Clelland - in opposition – 27953 Conway Rd, Caldwell ID 83607

Mr. Clelland explained he concerned with population density of the area and this project is 76 times

more than the current density for the area. He believes this property is viable for calf raising and grazing. Mr Clelland stated that this property has been farmed in the past. He is also concerned about giving the precedent of more homes. He explained that he farms about 400 acres in the area. He would prefer to see an average of size of 5-acres lots.

Rebuttal: Darin Taylor - Applicant in favor – 1434 New York St, Middleton ID 83644

Mr. Taylor explained they avoided any homes being developed on hillside development. He also explained that there is potential to build on the 20-acres property to the south. He believes this subdivision is compatible with the neighboring land use. Mr. Taylor believes this project is unique to the area and will not create a precedent for other developments. He explained they did not maximize the density of this property.

MOTION: Commissioner Williamson moved to close public testimony on Case OR2021-0002, RZ2021-0001 & SD2021-0003 seconded by Commissioner Brock. Voice vote, motion carried.

MOTION: Commissioner Brock moved to recommend approval of Case OR2021-0002, 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 2 in favor and 2 opposed, motion failed.

MOTION: Commissioner Williamson moved to recommend denial of Case RZ2021-0001, 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 1 opposed, motion passed.

MOTION: Commissioner Williamson moved to recommend denial of Case SD2021-0003, 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 1 opposed, motion passed.

APPROVAL OF MINUTES:

Motion: Commissioner Williamson moved to approve the minutes of 5/6/2021, seconded by Commissioner Wellard. Voice Vote motion carried.

DIRECTOR, PLANNER, COMMISSION COMMENTS:

ADJOURNMENT:

MOTION: Commissioner Wellard moved to adjourn, seconded by Commissioner Williamson. Voice vote motion carried. Hearing adjourned at 10:33pm.

Approved this 3rd day of June, 2021

Robert Sturgill, Chairman

ATTEST

_____, Recording Secretary