



CANYON COUNTY PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
Thursday, June 17, 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: Steve Fultz, Director  
Dan Lister, Planner  
Jenna Petroll, Recording Secretary

**Chairman Robert Sturgill**, called the meeting to order at 6:30p.m.

**Commissioner Williamson**, read the testimony guidelines and proceeded to the business item on the agenda.

- **Case No. RZ2021-0016 Guijarro:** The applicant, Mark Guijarro, is requesting a zoning map amendment (rezone) of Parcels R22072 & R22072012 from an “A” (Agricultural) zone to an “R-1” (Single Family Residential) zone. The property is located at 23941 Freezeout Road, Middleton; also referenced as a portion of the NW¼, Section 3, T4N, R3W; 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:**

**Mark Guijarro- Applicant (Representative) in favor – 23941 Freezeout Rd, Caldwell ID 83607**

Mr. Guijarro explained that he would like to divide his land to be able to build a home on the back half of this property. Some neighbors were complaining about irrigation and Mr. Guijarro stated he has worked on fixing the issue. Mr. Guijarro stated he has been working on clearing out and fixing up the property.

**MOTION:** Commissioner Williamson moved to close public testimony on Case RZ2021-0016, seconded by Commissioner Wellard. Voice vote, motion carried.

**MOTION:** Commissioner Brock moved to recommend approval of Case RZ2021-0016, including the amended 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.

- **Case No. RZ2021-0009 Castro:** The applicant is requesting a zoning map amendment (rezone) of Parcel R29112 from an “R-R” (Rural Residential) Zone to an “R-1” (Single Family Residential) Zone. The property is located at 2303 E. York Avenue, Nampa; also referenced as a portion of the SE¼ of

Section 2, T2N, 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:**

**CJ Castro - Applicant (Representative) in favor – 2303 E York Ave, Nampa ID 83686**

Mr. Castro explained that he bought this property for him and his family to share. He would like to split the property for his family. He also explained they would have an auto shop on the property to be able to work on cars as a hobby. They had a potential plan to build a duplex on the property, but those are not in the works any longer.

**David Galina - in opposition – 2115 E York Ave, Nampa ID 83686**

Mr. Galina explained that there is a dirt road that goes to the property, but E. York Ave is a city owned paved road that transitions to a one lane road at his property. He explained that the north side of the road is unmaintained and it is already starting to fall apart. Mr. Galina explained that the City of Nampa has come out to maintain the road at certain times, but it is unmaintained for the most part. He is concerned about the traffic this division will create and the declining condition of the road.

**Rebuttal: CJ Castro - Applicant (Representative) in favor – 2303 E York Ave, Nampa ID 83686**

Mr. Castro explained that he is not trying to make money by dividing his property; he is just trying to set up his family for the future.

**MOTION:** Commissioner Williamson moved to close public testimony on Case RZ2021-0009, seconded by Commissioner Brock. Voice vote, motion carried.

**MOTION:** Commissioner Brock moved to recommend approval of Case RZ2021-0009, including the amended 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.

- **Case No. RZ2021-0013 Floyd:** The applicant, Evelyn Floyd, is requesting a zoning map amendment (rezone) of Parcels R34072, R34141 and R34141010 from an “A” (Agricultural) zone to an “M-1” (Light Industrial) zone. The properties are located at 10726 Lincoln Road, Caldwell; also referenced as a portion of the SW¼ of Section 17 and NW¼ of Section 20, T4N, 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:**

**Tom Floyd - Applicant (Representative) in favor – 10726 Lincoln Rd, Caldwell ID 83605**

Mr. Floyd stated he bought the property in 2007. He explained he does not know what he wants to do with the property at this time but he wants to do something with it other than agriculture. He also explained that the county’s comprehensive plan shows that this property is zoned as industrial in the future land use map and a staff member from the Development Services office suggested that he try to rezone it to industrial; that is why he chose to attempt to rezone it to industrial. Mr. Floyd explained

that he owns multiple properties in multiple counties and at the time he doesn't know if he will build on them or not.

**Richard Given - in opposition – 18879 Upper Pleasant Rd, Caldwell ID 83605**

Mr. Given explained that he is concerned because at the time this property was split off and sold in 1994, the future use for this property was to be residential.

**David Caldwell - in opposition – 10520 Lincoln Rd, Caldwell ID 83605**

Mr. Caldwell explained the layout of the neighboring area of the property. He is concerned with the truck traffic this rezone would bring.

**Rebuttal: Tom Floyd - Applicant (Representative) in favor – 10726 Lincoln Rd, Caldwell ID 83605**

Mr. Floyd explained the layout and the uses of the neighboring area of the property. Mr. Floyd stated that there isn't any agreement when he bought the property. He currently does not have any plans for a specific use for this property. Mr. Floyd stated that the only reason he decided to try to rezone this property to industrial is because that's what the county had it zoned it as in the future land use map and that is what was recommended to him by staff. He stated that he has no problem to rezone it to residential.

**MOTION:** Commissioner Brock moved to close public testimony on Case RZ2021-0013, seconded by Commissioner Williamson. Voice vote, motion carried.

**MOTION:** Commissioner Wellard moved to recommend approval for Case RZ2021-0013, which would be a denial of the Findings of Facts, Conclusions of Law and conditions recommended by staff, and to bring back revised FCOs on July 1, 2021 – change item A, it is generally consistent with the comprehensive plan, and change item D, it will not negatively impact the character of the area. Motion seconded by Commissioner Brock. Roll call vote with 3 in favor and 2 opposed, motion passed.

**APPROVAL OF MINUTES:**

**Motion:** Commissioner Fried moved to approve the minutes of 6/3/2021, seconded by Commissioner Wellard. Voice Vote motion carried.

**DIRECTOR, PLANNER, COMMISSION COMMENTS:**

Director Fultz updated the commissioners on the applications they have received for the empty commissioner seats; there are 2 applications that they are considering moving forward with. He also updated the commissioners on the Hearing Examiner; they are looking to getting him onboard on potentially hearing cases as early as July or August. Director Fultz gave an update on the county's comprehensive plan; he is expecting it to be completed by the end of the year or early next year. He is also looking at updating ordinances and implementing a multi-municipal plan to get all of the cities on the same page. Commissioner Wellard expressed concern over lack of differences between some of the zoning levels. Commissioner Brock expressed concern about how we are planning future areas and making sure we are staying fluid and growing as our community grows. Commissioner Williamson expressed concern that we only notify neighbors up to 300 feet and suggested maybe expanding that to 600 feet. Commissioner Fried expressed concern about the hearing examiner and the cases they will be hearing.

**ADJOURNMENT:**

**MOTION:** Commissioner Brock moved to adjourn, seconded by Commissioner Williamson. Voice vote motion carried. Hearing adjourned at 9:05pm.

Approved this 15th day of July, 2021

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Robert Sturgill, Chairman

ATTEST

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