



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, October 7, 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
 Brian Sheets, Commissioner

Staff Members Present: Dan Lister, Planning Official
 Elizabeth Allen, Planner
 Richelle Kiyabu, Recording Secretary

Chairman Robert Sturgill, called the meeting to order at 6:34 p.m.

Vice Chairman Patrick Williamson, read the testimony guidelines and proceeded to the business item on the agenda.

MOTION: Commissioner Williamson moved to approve & sign Case CR202-0013 / SD2021-0016 including the revised Findings of Facts, Conclusions of Law and conditions of approval. Motion seconded by Commissioner Sheets. Motion carries.

MOTION: Commissioner Sheets moved to approve & sign Case RZ2021-0027, OR2021-0004 & SD2021-0016 including the revised Findings of Facts, Conclusions of Law and conditions of approval. Motion seconded by Commissioner Williamson. Motion carries.

➤ **Case No. CR2021-0004: Monaghan** – Tabled from 09/16/2021 to consider the development agreement prior to signing the revised FCO’s. The applicant, Mason & Associates INC., representing the property owners, Gene and Joann Monaghan, is requesting a comprehensive plan map amendment (Case OR2021-0016) to a 25.89-acre parcel (R29997) to amend the future land use designation from “A” (Agricultural) to “R-1” (Residential). The request includes a conditional rezone (Case CR2021-0004) with a development agreement to amend the County zoning map from an “A” Zone (Agricultural) to a “R-1” Zone (Residential) on a 25.89-acre parcel. The property is located at 15303 Lakeshore Drive, Caldwell, also referenced as a portion of Section 4, Township 2N, Range 3W; Canyon County, Idaho.

Commissioner Williamson testified that he knows parties involved in case CR2021-0004 and explained the filing process to them but has not discussed the case in any detail or form.
No opposition was voiced among commission members.

Planner Elizabeth Allen, reviewed Staff report for the record and explained Development Agreement for the record.

TESTIMONY:

Daniel Schuster – Applicant representative - In favor – 4817 Southside Blvd. Nampa, ID 83656.

Didn't get paid for water rights. "He gave them up." Could not grow a business or farm.

Gene Monaghan – Applicant – In favor – 15303 Lakeshore Dr. Caldwell, ID 83607.

He wanted to raise horses on the land. Project was un successful. Did not sell water rights. He gave them up because he didn't have use for them.

Brad Farner – In opposition – 16021 Marsing Rd. Caldwell, ID 83607.

Farmers and owns property near site.

Why are we approving housing to be developed on land that sold off water rights?

Requests CC&R's be placed to restrict RV living. Requests restrictions be placed spraying and chemicals due to the location to the lake. Does not feel the neighbors were properly notified. Would like his questions to be addressed regarding the access road, it appears to access his property.

Ashley Beverage – In opposition – 15195 Lake Shore Dr. Caldwell, ID 83607.

Provided photos of grass to be entered into the record. Grass shows that horses are still on property and grazing. This stands to show, that even in a "Drought" year AG is possible. Neighbors on connecting property had horses and now that they passed have to mow their un watered grass it grows so fast.

Dave Hardgreaves – In opposition – 15491 Lakeshore Dr. Caldwell, ID 83607.

Concerns that the county allowed "loop holes" to be used to develop properties less then five acres as originally allowed in previous comp plan and or ordinances mandated. Concerned about water rights and that the area by the lake is being over developed.

Daniel Schuster – Applicant representative - In favor – 4817 Southside Blvd. Nampa, ID 83656.

Road is a concept drawing. Not determined to be final. 3% of land is usable and 97% is not. Test show land is not usable.

MOTION: Commissioner Sheets moved to close public testimony on Case OR2021-0016 & CR2021-0004, seconded by Commissioner Williamson. Voice vote, motion carried.

MOTION: Commissioner Williamson moved to approve Case OR2021-0016 including the revised Findings of Facts, Conclusions of Law and conditions of approval. Motion seconded by Commissioner Sheets. Voice vote, motion carried.

MOTION: Commissioner Sheets moved to deny Case CR2021-0004 including the revised Findings of Facts, Conclusions of Law and conditions of approval. Motion seconded by Commissioner Williamson. Roll call vote with 3 in favor and 0 opposed, motion passes.

➤ **Case No. RZ2021-0042 – Tanya Robinson – Table to a date uncertain.**

MOTION: Commissioner Sheets moved to table public Case RZ2021-0042, seconded by Commissioner Williamson. Voice vote, motion carried.

- **Case No. OR2021-0015 & RZ2021-0032: LTD Stro, LLC.** – The applicant is requesting a Comprehensive Plan Map Amendment to change the designation of parcel No. R30395 from Agriculture to Residential. Also requested is a Rezone of 39.08 acres from “A” (Agricultural) to an “R-1” (Single Family Residential) zone. The subject property is located at 17672 N. Can Ada Rd., Nampa, Idaho, in a portion of the NW ¼ of Section 6, T3N, R1W, BM, Canyon County, Idaho.

Planner Elizabeth Allen, reviewed Staff report for the record, including late exhibits.

Chairman Sturgill, entered the late exhibits into the record with no opposition.

TESTIMONY

Matt Wilke – Applicant Representative – In Favor – P.O. Box 7 Middleton ID, 83644.

Residential is moving closer to this parcel. But city services are still too far away. Class 2 & 3 soils via USDA website. Not prime farm ground. Traffic has impacted farming and condition of land. Sewer is about 2 miles away. City of Nampa estimates 5 – 10 years for city services. Nampa has noticed applicant that an agreement on sewer connection cannot be met. Medium mixed-use residential. Proposing 29 lot concept.

MOTION: Commissioner Sheets moved to close public testimony on Case OR2021-0015 & RZ2021-0032, seconded by Commissioner Williamson. Voice vote, motion carried.

MOTION: Commissioner Williamson moved to approve Case OR2021-0015 including the revised Findings of Facts, Conclusions of Law and conditions of approval. Motion seconded by Commissioner Sheets. Roll call vote with 3 in favor and 0 opposed, motion passes.

MOTION: Commissioner Williamson moved to approve Case RZ2021-0032 including the revised Findings of Facts, Conclusions of Law and conditions of approval. Motion seconded by Commissioner Sheets. Roll call vote with 3 in favor and 0 opposed, motion passes.

Case No. SD2020-0027: Stadium Subdivision No. 2 – Table to a certain date of 11/04/2021.

MOTION: Commissioner Sheets moved to table public Case SD2020-0027, seconded by Commissioner Williamson. Voice vote, motion carried.

Case No. RZ2021-0039: Norma Bates – Table to a date uncertain.

MOTION: Commissioner Sheets moved to table public Case RZ2021-0039, seconded by Commissioner Williamson. Voice vote, motion carried.

Case No. OR2021-0001 & CR2020-0014: 4D LLC. (Kyle Cooper) – Table to a certain date of 11/04/2021.

MOTION: Commissioner Williamson moved to table public Case OR2021-0001 & CR2020-0014, seconded by Commissioner Williamson. Voice vote, motion carried.

APPROVAL OF MINUTES:

MOTION: Commissioner Sheets moved to approve the minutes from 09/16/2021, seconded by Commissioner Williamson. Voice Vote motion carried.

DIRECTOR, PLANNER, COMMISSION COMMENTS:

Dan Lister, Planning Official:

Recommendation from BOCC commission to do a better job at requiring the applicants provide more burden of proof that uphold the requirements requested in the application.

ADJOURNMENT:

MOTION: Commissioner Sheet moved to adjourn, seconded by Commissioner Williamson. Voice vote motion carried. Hearing adjourned at 8:57 pm.

Approved this 4th day of November, 2021

Robert Sturgill, Chairman

ATTEST

_____, Recording Secretary