



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, August 19, 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
Rick Fried, Commissioner
Scott Brock, Commissioner
Sheena Wellard, Commissioner

Staff Members Present: Steve Fultz, Director
Dan Lister, Planning Official
Kate Dahl, Planner
Richelle Kiyabu, 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: Case No. RZ2020-0018 Kelly Family Trust: sign revised FCO's**
MOTION: Commissioner Williamson moved to approve revised Findings of Fact, Conclusions of Law, Conditions of Approval for Case no. RZ2020-00, seconded by Commissioner Fried. Voice vote motion carried. Commissioner Brock recused.
- **Action item: Case No. RZ2021-0003 & OR2021-0004 Werhane Family Trust, Table to 09/02/2021.**
MOTION: Commissioner Williamson moved to table Case no. RZ2021-0003 & OR2021-0004 to date certain of September 02, 2021, seconded by Commissioner Wellard. Voice vote motion carried.
- **Action item: Case No. RZ2021-0028 Sunroc / Newbill: Table to 10/07/2021.**
MOTION: Commissioner Williamson moved to table Case no. RZ2021-0028 to date certain of October 07, 2021, seconded by Commissioner Wellard. Voice vote motion carried.
- **Action item: Case No. RZ2021-0024 Delmas LLC, will be tabled TBD & re- noticed.** Commissioner Williamson moved to table Case no. RZ2021-0024 to be tabled and re-noticed. Seconded by Commissioner Wellard. Voice vote motion carried.
- **Action item: Case No. OR2021-0010 & RZ2021-0022 Niblett De-Annex:** Canyon County is requesting a comprehensive plan map amendment (Case No. OR2021-0010) to assign 3 de-annexed parcels R3436610, R34661020 and R34361010 "residential" designation, a zoning map amendment (Case No. R2021-0022) to assign a zoning district to the 3 parcels comprising 5.60 acres to a "R-1" (Single Family Residential) Zone. The parcels are located at 18040, 18090, 18138 Celestia Drive, Nampa; also referenced as a portion of the SE1/4 of Section 34, T4N, R2W, Canyon County, Idaho.

Planner Kate Dahl reviewed Staff report for the record.

Chairman Sturgill, ask for late exhibits. No late exhibits.

TESTIMONY:

Brian Niblett – Applicant/ Owner: in favor – 18040 Celesia, Nampa ID 83687

Applicant states that they purchased the property on a street split between city and county. Upon purchase his land is on the city side. They would like to join the other side of the street and become county. Applicant request P&Z commission recommend approval of rezone.

Cristine Niblett – Co Applicant / Owner: in favor – 18040 Celesia, Nampa ID 83687

Applicant states the same as her husband previous, but also added that the City of Nampa has already Unanimously voted to approve their de annex from city limits as they were able to prove that the property will never need city services and though city limits are close, the property sits outside the future grow of city services. Applicant request P&Z commission recommend approval of rezone.

No testimony of opposition or neutral present.

MOTION: Commissioner Williamson moved to close public testimony on Case OR2021-0010 & RZ2021-0022, seconded by Commissioner Fried. Voice vote, motion carried.

MOTION: Commissioner Wellard moved to approve Case OR2021-0010, including the revised Findings of Facts, Conclusions of Law and conditions of approval. Motion seconded by Commissioner Williamson. Roll call vote with 5 in favor and 0 opposed, motion passed.

MOTION: Commissioner Williamson moved to approve Case RZ2021-0022, including the revised Findings of Facts, Conclusions of Law and conditions of approval. Motion seconded by Commissioner Brock. Roll call vote with 5 in favor and 0 opposed, motion passed.

➤ **Action item Case No. DA2021-0002 Campbell:**

Planner Dan Lister, reviewed Staff report for the record.

Chairman Sturgill, ask for late exhibits. No late exhibits.

- ❖ **Commissioner Fried attested knowing a related party in a limited capacity, that is involved in the Campbell development team, commission members did not move to request Commissioner Fried to be recused.**

TESTIMONY:

Jay Walker - Applicant (Representative) in favor – 849 E State St. Eagle ID, 83616.

As an explanation to why they are seeking a change for a rezone posed by the commission in discussion. States that property has transitioned / purchased by a new owner. Previous owners did not intend to develop, but only to sell thus out of lack of knowledge and understanding their pervious approvals vary from that of the new proposal. The new owner has the intent and dedication to complete all required and necessary due diligence and studies to support the changes required for approval. Previous name “Northside Estates” changed and approved by Canyon County to “The Reserve”. They will comply with highway districts requirements and requests. Applicant provides information regarding study on soils information / conditions the new study differs from the previous study that did not include on the ground reports. This would speak to the limited amount of possible well sites. Applicant hired new test company. Dug 9 test holes, 3 well holes. Currently monitoring 9 test holes as of current date. New report states new testing reports below the threshold supporting no issues with adding additional well sites. This speaks to move the lay out from 46 to 75-85. Representative believes they have provided

comprehensive research and development plans to justify the change and requests on the applicant's behalf the P&Z commission recommend approval of application.

Luke Durant - in opposition – 9239 Linden Rd. Nampa ID, 83687

Mr. Durant stated that he resides approx. ½ mile away, was more concerned thinking the notice was closer to his property (right across the street) as the posting was closer to his property.

States he is more concerned about the water table. More sites equal more wells, equals a strain on the water table. Would hope city services could be implemented. 48 lots were more acceptable. Would ask commission to limit amount of lots to closer to 70 lots. Please consider wells and traffic.

Rebuttal: Jay Walker- Applicant (Representative) in favor – 849 E State St. Eagle ID, 83616.

Mr. Walker stated that they are actively addressing the highway districts concerns and requests regarding traffic patterns and impact. They are complying with all requests and heavily contributing to the improvement the surrounding infrastructure.

MOTION: Commissioner Williamson moved to close public testimony on Case DA2021-0001, seconded by Commissioner Brock. Voice vote, motion carried.

MOTION: Commissioner Brock moved to recommend approval of Case DA2021-0002, 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 3 in favor and 2 opposed, motion passed.

APPROVAL OF MINUTES:

MOTION: Commissioner Wellard moved to approve the minutes from 08/05/2021, seconded by Commissioner Williamson. Voice Vote motion carried.

DIRECTOR, PLANNER, COMMISSION COMMENTS:

Steve Fultz, Director:

- 1) Comp Plan nearly ready. Recognizes Kate Dahl and Elizabeth Allen for extensive work on comp plan. Invitation to public meetings in September at locations at a variety of county locations. Workshops will commence in October.
- 2) Brian Sheets has been approved as a new P&Z Commissioner, signed into action by BOCC today 08/19/2021. Training will commence as soon as tomorrow to start in September.

Dan Lister, Planning Official:

Re visit noticing policies. Providing an example of proposed changes to commission. Example outlines codes and recommendations from staff. Staff recommend 600ft change. Will review again at next P&Z Commission meeting 09/02/2021.

ADJOURNMENT:

MOTION: Commissioner Williamson moved to adjourn, seconded by Commissioner Brock. Voice vote motion carried. Hearing adjourned at 8:12pm.

Approved this 19th day of, August 2021

Robert Sturgill, Chairman

ATTEST

_____, Recording Secretary