



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, March 21, 2024
6:30 P.M.

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

Commissioners Present : Robert Sturgill, Chairman
Brian Sheets, Commissioner
Miguel Villafana, Commissioner
Patrick Williamson, Commissioner
Harold Nevill, Commissioner
Geoff Mathews, Commissioner
Matt Dorsey, Commissioner

Staff Members Present: Jay Gibbons, Assistant Director of Development Services
Carl Anderson, Planning Supervisor
Dan Lister, Principal Planner
Debbie Root, Principal Planner
Amber Lewter, Hearing Specialist

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

Commissioner Sheets read the testimony guidelines and proceeded to the first business item on the agenda.

Item 1A:

Case No. RZ2021-0056 & SD2021-0059 – Farmington Hills – Approve revised FCO's.

MOTION: Commissioner Nevill moved to approve & sign the revised Findings of Facts, Conclusions of Law and Order. Motion seconded by Commissioner Sheets. Voice vote, motion carried.

Item 2A:

Case No. CU2023-0008 – Nampa Paving: The applicant, Quadrant Consulting, Inc., representing Nampa Paving, is requesting a conditional use permit modification to Case No. CU2022-0033 regarding a long-term mineral extraction use on parcels R34061 & R34144. The modification updates the site plan increasing the footprint of gravel extraction areas. The subject properties, approximately 138.9 acres, is located at 9016 Lincoln Road, Caldwell, also referenced as a portion of the SE¼ of Section 16, T4N, R2W and a portion of the NE¼ of Section 21, T4N, R2W, BM, Canyon County, Idaho.

On January 4, 2024, the Planning and Zoning Commission tabled the hearing to a date uncertain requesting the applicant to return once wetland mitigation approval was received.

Continued hearing scheduled for March 21, 2024 recommended by Staff to table again to April 4, 2024.

MOTION: Commissioner Nevill moved to table case number CU2023-0008 to a date certain of April 4, 2024. Motion seconded by Commissioner Mathews. Voice vote, motion carried.

Item 2B:

Case No. CU2023-0004 – AgEquity: The applicant, Jeff Bower/Kristen McNeill representing AgEquity

Holdings LLC, is requesting a conditional use permit to allow a Mineral Extraction – Long Term (proposed 3 years) use within an “A” (Agricultural) Zoning District on approximately 56 acres. The subject property is located at 14533 River Rd, Caldwell Parcels, on parcels R34667011 and R34668; also referenced as a portion of the SW ¼ of Section 10, Township 4N, Range 3W; BM; Canyon County, Idaho.

Commissioner Williamson asked why this case is requesting to be tabled. Planning Supervisor Carl Anderson explained it is being proposed to be tabled by Staff because there are items that Staff still needs from the applicant as well as the Staff on the case is attending to a family emergency.

MOTION: Commissioner Williamson moved to table case number CU2023-0004 to a date certain of April 18, 2024. Motion seconded by Commissioner Villafana. Voice vote, motion carried.

Item 2C:

Case No. CU2023-0010 – Lyne Realty: The applicant is requesting a conditional use permit to allow a warehousing, wholesaling, and distribution facility on parcels R34654201 and R34654202. The subject properties, approximately four (4) acres total, are located at 15854 and 15900 Gunfire Rd, Caldwell referenced as Lots 2 & 3, Block 1 of Commercial Park 20-26 Subdivision, a portion of the SW quarter of Section 9, T4N, R3W, BM, Canyon County, Idaho.

Commissioner Sheets disclosed the applicant has the same surname as him but he doesn't know the applicant in any capacity.

Commissioner Villafana advised he saw Bobby Bicandi in the audience, he isn't aware if she is going to testify but he wants to disclose he serves on the Canyon County Farm Bureau Board with her and they have not discussed the case.

Commissioner Dorsey disclosed the same thing as Commissioner Villafana.

Planner Dan Lister reviewed the Staff report for the record.

Commissioner Williamson asked about Exhibit 4C, page 2, the letter from the City of Caldwell clarifying the properties on the south are not residential and that they are commercial. Planner Dan Lister stated there is some residential to the north and plans for some residential through the City to the south but doesn't have any information.

Commissioner Nevill asked what the fire fighting is like in this area. Planner Dan Lister stated he isn't sure, he knows because it is commercial it needs to meet commercial standards with sprinklers in the building. In the conditions, it states that during the building permit process commercial standards would be check at that time.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Seth Sheets (Applicant) – IN FAVOR – 4003 Skyway Street, Caldwell, ID 83605

Mr. Sheets stated they are a pump distributor since 2019 in the area and have a need to expand the operations. He agrees to the conditions with the exception of asking for reconsideration of not having to do landscape and fencing.

Commissioner Nevill asked if they are Ag pumps. Mr. Sheets stated it is primarily Ag pumps and domestic

water well supplies. Commissioner Nevill asked for clarification on the reconsideration. Mr. Sheets clarified the landscaping and the site obscuring fence he would like to be reconsidered because within the area none of the other properties have that. Commissioner Nevill asked how soon the area would be annexed into the City of Caldwell. Mr. Sheets advised he hasn't had that conversation and understands that process may take place down the road. Commissioner Nevill asked Planner Dan Lister if the annexation were to occur if the CUP would be grandfathered in or if they would enforce the landscape and fencing. Planner Dan Lister advised they would be grandfathered in until a change of use was to occur.

Commissioner Sheets asked if there is any hydraulic fluid or hazmat onsite. Mr. Sheets stated there is some paint and would get in compliance for that.

Chairman Sturgill asked how many employees there are at the existing building. Mr. Sheets advised there are 10 employees. Chairman Sturgill asked how many customers at any given time. Mr. Sheets stated 2-3 at a time. Chairman Sturgill stated the street is narrow and the building is close to the street so his concern is inadequate parking. Mr. Sheets stated he would put employee parking in the yard. Chairman Sturgill asked how many 1-ton trucks can fit in the customer parking. Mr. Sheets stated 4 or 5 but a lot of the time the customers pull into the yard because they are picking up pipe. Chairman Sturgill asked if there was a problem with parking what would the solution be. Mr. Sheets advised he would make an area in the yard.

Planner Dan Lister stated there is a condition to demonstrate a parking plan and when a site visit was done there seemed to be sufficient parking. Chairman Sturgill asked if they could put a sign saying no parking on street. Planner Dan Lister stated typically that request is made by the Highway District and in this case the Highway District didn't request it but it could be added to the conditions.

MOTION: Commissioner Sheets moved to close public testimony on Case CU2023-0010, seconded by Commissioner Villafana, voice vote, motion carried.

DELIBERATION:

Commissioner Sheets stated he is in favor and this is a good use for the property. He suggests not including the requirement for a site obscuring fence or landscaping at this time because they don't know if or when annexation will occur.

Planner Dan Lister suggested to strike 8C and making I the new C because there is a lot of weeds.

Commissioner Williamson stated he agrees with Commissioner Sheets.

MOTION: Commissioner Williamson moved to approve Case CU2023-0010 based on the Findings of Fact and Conclusions of Law and modifying the conditions of approval with striking 8C and I becoming C. Seconded by Commissioner Dorsey.

Commissioner Nevill clarified they strike what is currently 8C and what is currently sub I becomes C.

Roll call vote: 7 in favor, 0 opposed, motion passed.

PLANNING & ZONING COMMISSION BYLAWS UPDATE

Assistant Director Jay Gibbons went through page by page of the proposed changes to the Planning and Zoning Commission Bylaws. Discussion ensued between the Commissioners, Assistant Director Jay Gibbons and Planning Supervisor Carl Anderson. It was decided that the Commissioners would review them more on their own time. At the end of each hearing, during Commissioner comments there could

be a discussion regarding the bylaws. The final draft is proposed to be presented at the May 2, 2024 hearing.

ACTION ITEM – LAND USE ORDINANCE UPDATE

Assistant Director Jay Gibbons provided the Commissioners with the proposed ordinance updates and advised all comments they have will need to be done as one of the public, written comment deadline is April 10, 2024 at 5pm.

DIRECTOR, PLANNER, COMMISSION COMMENTS:

Assistant Director Jay Gibbons provided the Commissioners with the new Planetizen training for the Commissioners to do on their own time. Planning Supervisor Carl Anderson provided information in regard to the training advising it is optional and another resource for them to access.

Assistant Director Jay Gibbons advised the Planning and Zoning Code of Conduct will get updated as well and will keep the Commissioners informed.

Assistant Director Jay Gibbons provided the Commissioners a list of training the Commissioners have asked for and advised the Commissioners they will get those trainings in the coming months.

Commissioner Nevill stated he and Commissioner Villafana heard that the Board of County Commissioners didn't like the FCO's provided by the Planning and Zoning for the Goldberg case and he wanted to see if that was true and what they can do to improve. Planning Supervisor Carl Anderson stated he wasn't in attendance in that hearing and doesn't have information at this time and would be willing to get back to him at a later date. Commissioner Villafana advised it is his understanding that they didn't think there was good evidence.

Commissioner Dorsey stated it is a drawback not getting involved with the cases at the Board of County Commissioner level because they live in a bubble and could be prioritizing things differently than them and believes there needs to be something done so they are on the same page.

Chairman Sturgill stated it has been a while since they had a meeting with the Board of County Commissioners and might be worth thinking about scheduling that.

Commissioner Villafana stated one thing he has heard from citizens within the last few months is that there is too many opportunities for the applicant to get approval.

Chairman Sturgill stated he has concerns when the applicant has misrepresented what occurred at the Planning and Zoning hearing. In the past he wrote a letter to staff so it was on the record for what actually occurred. Chairman Sturgill stated they can look at the preliminary hearing materials and submit a letter to present what happened. Assistant Director Jay Gibbons stated there are concerns doing that for if it is remanded back to Planning and Zoning Commission. Chairman Sturgill stated he believes someone needs to highlight when Planning and Zoning Commission is misrepresented at the Board of County Commissioner level.

Commissioner Nevill suggests for the future the Commissioners deliberate together on each finding and have votes within votes. It is called filling the blanks.

ADJOURNMENT:

MOTION: Commissioner Williamson moved to adjourn, seconded by Commissioner Mathews. Voice vote, motion carried. Hearing adjourned at 8:50 PM.

An audio recording is on file in the Development Services Departments' office.

Approved this 4th day of April, 2024



Brian Sheets, Vice Chairman

ATTEST



Amber Lewter – Hearing Specialist