



CANYON COUNTY PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
Thursday, September 5, 2024  
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  
Miguel Villafana, Commissioner  
Patrick Williamson, Commissioner  
Harold Nevill, Commissioner  
Geoff Mathews, Commissioner  
Brian Sheets, Commissioner  
Matt Dorsey, Commissioner

Staff Members Present: Jay Gibbons, Assistant Director of Development Services  
Michelle Barron, Principal Planner  
Dan Lister, Principal Planner  
Emily Kiester, Associate Planner  
Amber Lewter, Hearing Specialist

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

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

**Item 1A:**

**Case No. SD2021-0039 / Alyson Meadows Subdivision**– 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 1B:**

**Case No. CU2023-0018 – Smith:** Scott and Denise Smith of Sol Invictus Winery request a conditional use permit to allow a special events facility on Parcel R33774015. The 9.98-acre property is located at 3690 Schmidt Lane, Star; also referenced as a portion of the NE¼ of Section 1, T4N, R2W, BM, Canyon County, Idaho.

On July 18, 2024 the Planning and Zoning Commission continued the case to a date certain of September 5, 2024.

**Staff proposed case to be tabled to a date certain of October 17, 2024**

**MOTION:** Commissioner Sheets moved to postpone Case CU2023-0018 to a date certain of October 17, 2024. Motion seconded by Commissioner Mathews.

**Discussion on the Motion:**

Commissioner Nevill asked how many people showed up to testify. Chairman Sturgill advised 4 people in favor and 2 people in opposition signed up to testify.

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

**Item 2A:**

**Case No. CU2023-0022 – Rage Development – Kiewert:** The applicant, Rage Development, requests a conditional use permit to establish a telecommunication facility on parcel R32418, approximately 1.05 acres. The facility includes a 99' (104' with lighting rod) monopole with accessory structures within a fenced area (2,500 square feet). The subject property is zoned "A" (Agricultural) and located at 3406 E. Greenhurst Road, Nampa, also referenced as a portion of the SW¼ of Section 36, T3N, R2W, BM, Canyon County, Idaho.

**Planner Dan Lister** reviewed the Staff report for the record.

Commissioner Nevill asked if there is active code violation. Planner Dan Lister advised there is not a code violation but there is a condition for them to clean up the space.

**Chairman Sturgill** affirmed the witnesses to testify.

**Testimony:**

**Carly Nations (Representative) – IN FAVOR – 1352 Wallingford North, Seattle, WA 98133**

Ms. Nations stated she agrees with the findings and the conditions of approval. Ms. Nations stated the monopole proposed will have space for four carriers which will include T-Mobile. It is intended to improve services along Greenhurst and Southside Blvd and the surrounding residential areas. Ms. Nations stated it will improve about 7,000 residential properties. The proposal will benefit emergency communications in the area. Ms. Nations stated they originally found 12 properties to contact and out of the 12 only 2 responded, 1 of those chose not to move forward. Ms. Nations spoke to criteria 3 and 4, the proposal is taking advantage of the current vegetation to the surrounding area. Ms. Nations stated as the community grows they need the services to match and requests approval of the application.

Commissioner Nevill asked about making the monopole look like a pine tree. Ms. Nations stated they are most effective when they are tucked in the tall trees and wouldn't fit the proposed area.

Commissioner Williamson asked if they hire a service to make sure the weeds are under control. Ms. Nations stated typically they would maintain the site themselves.

Chairman Sturgill asked about the 7,000 residential properties. Ms. Nations stated she isn't sure how old the data is and it might also take into account who is a subscriber to T-Mobile as well.

**Ruben Santos – IN OPPOSITION – 3425 E Greenhurst Rd, Nampa, ID 83686**

Mr. Santos asked to consider the impact the proposed use will have to the neighborhood. He believes if the proposed use is approved it will have an impact for future development in the area such as the future road construction on Greenhurst Rd or Lexi Ln. Mr. Santos is concerned there would not be enough room to expand the road and put sidewalks in with the monopole along the road.

Commissioner Nevill asked if they expand Greenhurst Rd if they will be going into his property as well. Mr. Santos stated they would expand 25 feet into his property. Commissioner Nevill asked Staff how far the monopole is proposed to be from the road. Planner Dan Lister advised he believes it is about 125 feet away from Greenhurst Rd.

**Colleen Santos – IN OPPOSITION – 3425 E Greenhurst Rd, Nampa, ID 83686**

Ms. Santos stated her concern is for the daycare that is directly across from the monopole. Ms. Santos believes the tower will cause damage to the children in the daycare, her animals, and the neighbors.

**Carly Nations (Representative) – REBUTTAL – 13542 Wallingford North, Seattle, WA 98133**

Ms. Nations stated any future widening of Greenhurst Road should not be impacted with the facilities' location. She believes with the setback there should be enough space to widen the road.

**MOTION:** Commissioner Sheets moved to close public testimony on Case CU2023-0022, seconded by Commissioner Mathews, voice vote, motion carried.

**DELIBERATION:**

Commissioner Mathews stated he believes they have addressed the concerns.

**MOTION:** Commissioner Mathews moved to approve Case CU2023-0022 with an amendment to condition 2A. Seconded by Commissioner Williamson.

**Discussion on the Motion:**

Commissioner Nevill stated that because of the benefit to emergency services he is in favor of the proposal. Commissioner Nevill reminded that they cannot take into consideration any health concerns because it is against the federal law.

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

**Item 2B:**

**Case No. CU2024-0012 – Nampa & Meridian Irrigation District:** The applicant, Nampa & Meridian Irrigation District, represented by Greg Curtis, is requesting a conditional use permit for a campus facility to relocate their administrative offices and operations/maintenance shop & equipment storage on approximately 20.15 acres in an "A" (Agricultural) zone. The subject property is located at 2619 S. McDermott Road, Nampa, ID 83686 also referenced as Parcel 28832, a portion of the NE quarter of Section 05, T2N, R1W, BM, Canyon County, Idaho.

Commissioner Sheets made a declaration that he works with irrigation districts at his firm.

**Assistant Director of Development Services Jay Gibbons** reviewed the Staff Report for the record.

Commissioner Williamson asked if the gravel pile will be a problem for the drain field. Assistant Director of Development Services Jay Gibbons stated there is room for adjustments and has confidence that when the district goes to construction the details will be worked out.

Commissioner Dorsey asked if condition 6 is a reach to require city landscaping in an agricultural area. Assistant Director of Development Services Jay Gibbons stated usually within a city impact area they require all the cities requirements. In this instance he suggested the applicant to go speak with the City of Nampa and reach an agreement so it is requiring tree plantings but not an entire landscaped area.

**Chairman Sturgill** affirmed the witnesses to testify.

**Testimony:**

**Greg Curtis (Applicant) – IN FAVOR – 5515 E Greenhurst Rd, Nampa, ID 83686**

Mr. Curtis introduced himself as the Water Superintendent for Nampa & Meridian Irrigation District. Mr. Curtis stated they cover water for 69,000 acres and growing. Mr. Curtis stated they have started doing pressurized irrigation and by doing that they are utilizing the surface water and saving billions from being pumped from the aquifer. Mr. Curtis stated they have been in their current building since 1910 and Greenhurst Rd has gotten so busy it is now difficult to get in and out. They have attempted for the past 15 years to purchase the land around their current location, recently they started looking elsewhere. In this proposed location they are already utilizing the road so Mr. Curtis doesn't believe there will be an impact to traffic. Mr. Curtis believes that the proposal aligns with the comprehensive plan by supporting the patrons and Ag land. Mr. Curtis stated with the proposal they have a lot of new room and can change things to the concept plan. Mr. Curtis met with the City of Nampa and they adjusted the landscape requirements.

Commissioner Nevill asked what will happen with the other 21 acres that is not part of the proposal. Mr. Curtis stated that he is assuming it will remain pasture but doesn't want to speak for the owner.

Commissioner Williamson asked what happens to the surface water rights. Mr. Curtis stated the rights stay with the property but gets shared to others if not used.

Commissioner Sheets asked if Mr. Curtis has read the conditions of approval and agrees with them. Mr. Curtis stated he has read them and can live with all the conditions.

Commissioner Villafana asked if the water used is less than before with development. Mr. Curtis advised that is not the case.

Commissioner Dorsey asked who is over watering. Mr. Curtis advised residential properties.

**MOTION:** Commissioner Sheets moved to close public testimony on Case CU2024-0012, seconded by Commissioner Williamson, voice vote, motion carried.

**DELIBERATION:**

Commissioner Sheets believes condition 6 is sufficient to handle the needs of the city while not putting too much burden onto the applicant.

**MOTION:** Commissioner Sheets moved to approve Case CU2024-0012. Seconded by Commissioner Mathews.

**Discussion on the Motion:**

Commissioner Dorsey stated he agrees with the motion but believes condition 6 is an overreach and shouldn't be a condition with the application.

Chairman Sturgill stated he is not in support of the application because the proposed use is a contractor shop and a staging area, he believes the concept plan is much more than that. He believes the scale makes it a commercial facility with the land use zoned agriculture and the future land use zoned agriculture. Chairman Sturgill doesn't believe the proposed application meets criteria 1 because the proposed use is not going to be owned privately, criteria 2 because the square footage of the buildings and the amount of parking availability this makes the use a commercial use, criteria 3 because the future

land use of the property is agriculture and the findings show this will be commercial which doesn't make it appropriate. Chairman Sturgill doesn't believe the project aligns with the comprehensive plan because the intensity of the project doesn't fall under an agricultural zone, he isn't convinced this project promotes conservation of agricultural land, due to the size of the operation it isn't compatible with the surrounding area, and the landscaping doesn't fall under rural landscaping.

Commissioner Sheets asked Chairman Sturgill if he would rather the property be rezoned to commercial. Chairman Sturgill stated he doesn't believe a facility of this magnitude should be in agriculture so agrees that it should be in a zone for commercial.

Commissioner Nevill stated there is always a concern to put something that resembles commercial in an agricultural zone because it is usually the beginning of more development. Commissioner Nevill believes this is an agricultural use because it supports the agricultural way of life, he doesn't like that it is being put on good farm land but can overlook it because it supports agriculture.

Commissioner Williamson asked Chairman Sturgill if he would still feel the same if it was a very large farm operation who wanted to put in an administrative office and maintenance office. Chairman Sturgill stated 194 parking spaces in his opinion is a commercial operation.

Commissioner Mathews stated he believes the benefits outweigh the deficits. He would also be concerned of a rezone because the area would then turn into commercial. He supports the project in the ag land. Chairman Sturgill stated he isn't convinced this is the proper location for the project due to the negative impacts.

Commissioner Dorsey stated he views the project as an agricultural facility, helping agriculture, in an agricultural zone. He doesn't feel like the size is a factor because the intent is agriculture and to help agriculture.

Commissioner Sheets doesn't believe that the project meets the conditions of approval and his motion still stands.

Roll call vote: 6 in favor, 1 opposed, motion passed.

#### **ACTION ITEM – APPROVAL OF MINUTES**

**MOTION:** Commissioner Nevill moved to approve July 18, 2024 minutes. Seconded by Commissioner Villafana. Commissioner Dorsey abstained for not being present. Voice vote, motion carried.

**MOTION:** Commissioner Nevill moved to approve August 1, 2024 minutes. Seconded by Commissioner Williamson. Chairman Sturgill, Commissioner Villafana and Commissioner Dorsey abstained for not being present. Voice vote, motion carried.

#### **DIRECTOR, PLANNER, COMMISSION COMMENTS:**

Assistant Director of Development Services Jay Gibbons gave an update that DSD is meeting with the Board of County Commissioners for general business twice a week.

Commissioner Nevill asked for a workshop with the irrigation districts.

#### **ADJOURNMENT:**

**MOTION:** Commissioner Williamson moved to adjourn, seconded by Commissioner Sheets. Voice vote, motion carried. Hearing adjourned at 8:59 PM.

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

Approved this 17<sup>th</sup> day of October, 2024



Robert Sturgill, Chairman

ATTEST



Amber Lewter – Hearing Specialist