



CANYON COUNTY PLANNING & ZONING COMMISSION  
MINUTES OF REGULAR MEETING HELD  
Thursday, March 6, 2025  
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  
Brian Sheets, Vice Chairman  
Harold Nevill, Commission Secretary  
Geoffrey Mathews, Commissioner

Staff Members Present: Dan Lister, Principal Planner  
Michelle Barron, Principal Planner  
Joshua Johnson, Principal Planner  
Caitlin Ross, Hearing Specialist

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

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

**CONSENT AGENDA**

- A. Case No. CU2023-0024 – Erlebach Properties, L.P.:** Approve revised FCO's
- B. Case No. CU2024-0008 – Ransom:** Approve revised FCO's
- C. Case No. RZ2023-0003 – Jaggers:** Approve revised FCO's

**Motion:** Commissioner Sheets moved to approve the Consent Agenda, seconded by Commissioner Mathews. Voice vote, motion carried.

**Item 2A:**

**Case No. RZ2022-0016 – Goodwin:** The applicant, Gary Goodwin, requests a conditional rezone of Parcel R31008 from an "A" (Agricultural) zone to a "CR-M-1" (Conditional Rezone - Light Industrial) zone. The request includes a development agreement restricting uses to an RV storage facility, outdoor equipment rental, and caretaker residence. The subject property, 1.31 acres, is located at 16982 Madison Ave.

**Chairman Sturgill** called the applicant to testify.

**Gary Goodwin – (Applicant) IN FAVOR – 16982 Madison Rd., Nampa, ID 83687**

Mr. Goodwin stated that at the last meeting it was discussed and agreed upon that they submit a conditional rezone plan so they could move forward and they have done that. They have followed all of the expectations of the Commission as to what needed to be done. The only area that there seems to be a dispute is in regard to floodplain. They dispute that. They have sent out a notice to everyone that has an RV on their property that should there be a flood they would have to move their RV until the danger had ceased. All parties agreed. There is a fence around the property and they will keep it good repair. Mr. Goodwin provided pictures for the record in regard to buffering. Lights will be downturned. There are two entrances onto the property. There will be 46 spots.

Commissioner Sheets asked if Mr. Goodwin had the opportunity to review the staff report. He indicated that he had and that he agreed with the four (4) conditions.

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

Commissioner Nevill asked Planner Lister about the number of spots and referenced condition 2A. Commissioner Nevill asked if the change from 40 – 46 would impact any of the staff analysis. Planner Lister stated it would not.

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

**Testimony:**

**Debra Goodwin – IN FAVOR – 16982 Madison Rd., Nampa, ID 83687**

Ms. Goodwin read an email from the City of Nampa for the record.

Planner Dan Lister stated that the property is located in a floodplain and mapped by FEMA. The source of the flooding is Mason Creek. Any owner can submit to FEMA updated studies / remedies to get a letter of map revision.

Commissioner Matthews asked about a utility going through the culvert and whether or not that impacted the floodplain. Ms. Goodwin stated not that she is aware of.

**MOTION:** Commissioner Sheets moved to close public testimony on Case No. RZ2022-0016, seconded by Commissioner Mathews. Voice vote, motion carried.

**Deliberation:**

Commissioner Sheets stated he was in agreement with the staff report and conditions of approval with one modification; condition 2A should reflect 46 storage spaces.

**MOTION:** Commissioner Sheets moved to **recommend approval** of Case No. RZ2022-0016 to the Board of County Commissioners, with the previously discussed modification to condition 2A to reflect 46 storage spaces. Seconded by Commissioner Mathews.

**Discussion on the Motion:**

None.

Roll call vote: 4 in favor, 0 opposed, motion passed.

**Item 2B:**

**Case No. CR2023-0005 – Bowery:** The applicant, Linda and Charles Bowery, request an amendment to the official zoning map to conditionally rezone Parcel R24645, approximately 1.05 from, from an “R-R” (Rural Residential) zone to a C-1 (Neighborhood Commercial) zone. The request includes a development agreement limiting the commercial use to a contractor shop, staging area, and caretaker unit. The property is located at 6019 Stamm Lane, Nampa.

**Chairman Sturgill** called the applicant to testify.

**Linda Bowery – (Applicant) IN FAVOR – 6019 Stamm Ln., Nampa, ID 83687**

Ms. Bowery stated the property was purchased four years ago. There are five company trucks and currently there are five employees. In 2023 they received a violation notice. The previous owners of the property had a business. It was listed as a business property. One entrance was grandfathered in as a business access. The employees come to the site, pick up a truck, and go to the job site(s). There is a

three-bay shop on the property used for tools/equipment and a small meeting place to warm up after a long day. They just want to be able to keep parking their trucks on the property. There are numerous businesses in the area.

Commissioner Nevill asked if the conditions had been reviewed. Ms. Bowery said she hadn't had a chance to review them all.

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

Commissioner Nevill asked about the businesses that are in the area. Planner Lister stated home businesses/occupations don't change the essential character of the residential use but are limited to size/use. Beyond that a CUP or a rezone would be required.

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

**Testimony:**

**Charles Bowery – IN FAVOR – 6019 Stamm Ln. Nampa, ID 83687**

Mr. Bowery asked that the Commission consider approval of his request. They want to do everything right.

**Reuben DeKastle – IN FAVOR – 5825 Stamm Ln. Nampa, ID 83687**

Mr. DeKastle is a neighbor to the Bowerys. The Bowery's business is quiet and they do not impact them at all. When the Bowerys moved in they installed a fence and have completed many upgrades. They are good neighbors. He prefers this type of use than high density housing. He is in support of the Bowery's application.

Commissioner Nevill asked if the proposed use is compatible with surrounding land uses. Mr. DeKastle stated that the use is compatible. The property has been used for business purposes for years prior to the Bowerys so it would not be something new.

**Linda Bowery – (Applicant)-REBUTTAL– 6019 Stamm Ln., Nampa, ID 83687**

Ms. Bowery stated that she reviewed the conditions and they don't have any issues with them.

**MOTION:** Commissioner Sheets moved to close public testimony on Case No. CR2023-0005, seconded by Commissioner Matthews. Voice vote, motion carried.

**Deliberation:**

Commissioner Sheets stated the request is to rezone which is permanent. This would be an island of commercial in a "sea" of residential.

Commissioner Nevill concurred with Commissioner Sheets' analysis. If the rezone were to be approved and the property owners sold their property in the future, there are many other uses in the commercial zone that may not be compatible with the area.

Commissioner Matthews asked if it was possible to have a conditional use permit for this use in the RR zone. Planner Lister replied no, it would require a text amendment to change the ordinance to allow the use in a Rural Residential zone.

Planner Johnson reiterated that this rezone is a conditional rezone and uses could be limited.

Planner Lister read the recommended conditions of approval for the P&Z Commission's consideration, including the uses that would be allowed. Once the home is no longer a "caretaker's residence" the agreement would have to be terminated. Discussion ensued regarding enforcement of conditions.

**MOTION:** Commissioner Nevill moved to **recommend denial and accept staff's findings** for Case No. CR2023-0005. Seconded by Commissioner Sheets.

**Discussion on the Motion:**

None.

Roll call vote: 3 in favor, 1 opposed, motion passed.

**Item 2C:**

**Case No. CU2022-0008 – Tellez:** Ivan Tellez is requesting a Conditional Use Permit to utilize two contiguous parcels totaling 24.31 acres to build and operate a commercial arena and race track. The applicant proposes to conduct two events per month April through November. The proposed event hours will be from 11:00 a.m. to 8:00 p.m. There will be amplified sound for announcers and music. The applicant proposes capacity for a maximum 150 vehicles accommodating 500 people at an event. They propose to sell food and alcohol (beer) onsite. Restroom facilities will be provided via portable units for the activities. The subject property is located at 27410 Peckham Road, Wilder ID, also referenced as Parcel R36854010A and R36854010.

**Chairman Sturgill** called the applicant to testify.

**Ivan Tellez – (Applicant) IN FAVOR – 27410 Peckham Rd., Wilder, ID 83676**

Mr. Tellez spoke through an interpreter. Mr. Tellez stated that the purpose of the construction is to provide training for race horses. The closest track is 3 hours away in Jerome, ID. Mr. Tellez's traffic study confirmed that traffic will not be an issue for construction. The track would be good for Wilder and the County. Many individuals have provided letters in support of the track construction.

Commissioner Nevill asked about the use and whether or not there would be events on site. Mr. Tellez stated that the purpose of the events are to raise funds for the construction. It is good training for the horses to see people in the audience so when they race they are not scared. Commissioner Nevill asked if the letters of support were submitted for the record. Mr. Tellez stated he brought them tonight. Discussion ensued regarding the number of letters.

Commissioner Matthews asked where the racetrack was located. Planner Barron indicated the exhibit was located in the staff report. Commissioner Matthews asked if stands would be built. Mr. Tellez replied no. Commissioner Matthews asked where parking would be located as well as access. Mr. Tellez referenced the map that was submitted which depicts where the parking is located.

Commissioner Sheets asked if Mr. Tellez had reviewed the staff report and recommended conditions of approval. Mr. Tellez replied no. Commissioner Sheets recommended that Mr. Tellez review the conditions while other testimony is being taken.

**Principal Planner Michelle Barron** reviewed the Staff Report for the record.

Commissioner Nevill asked about the difference between an arena and an event center and asked for clarification. Planner Barron stated there are different standards for an event center, however, many of the conditions would be similar for life/safety.

Commissioner Matthews asked Planner Barron to depict on the map where parking and ingress/egress would be located.

Chairman Sturgill asked about the charging for events versus events with no fee. Planner Barron clarified that this is for a commercial arena/charge that would require a permit.

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

**Testimony:**

**Cameron Molroney – IN FAVOR – 21089 Rodeo Ln., Wilder, ID 83676**

Mr. Molroney lives west of the subject property. He supports the approval of the conditional use permit. Horses that compete need to have exposure to people and training. The proposed use would not have a negative impact to the community and is an economic benefit to Wilder and Canyon County. He agreed with the conditions recommended by staff.

**Tedra Prouty – IN OPPOSITION – 1117 Sunshine Ave., Wilder, ID 83676**

Ms. Prouty stated there are two racetracks within two hours of the area. She grew up in California and this racetrack is not even a quarter of the size. To safely turn the horses, it needs a certain size/curvature of the track. She feels this would be unsafe. The fence is made of pallets and falling down. The fence is not made in a manner that would hold animals in. The track is made out of PVC pipe. She was concerned about Peckham Road that is not built for this type of use. Wilder P&Z was not in favor of the request.

Commissioner Matthews asked where the track is located on the map. Ms. Prouty clarified her understanding of where the track was located.

Chairman Sturgill asked the reasons for Wilder not being in favor. Ms. Prouty stated it was primarily in regard to the roads/traffic.

**Cindy Foster – IN OPPOSITION – Did not provide a complete address, Wilder, ID**

Ms. Foster has lived at her address for 13 years. The area is primarily agricultural and residential. She is concerned about the number of people that would be on site. The arena has been operating for 4-5 years and charges \$40 per car. Ms. Foster stated that they are willing to operate illegally. The loud music and events are not conducive to the area. She is concerned about the alcohol usage and traffic. Ms. Foster wanted clarification on the amount of people that would actually be on the site.

Commissioner Nevill asked how loud the current events are. Ms. Foster clarified that the speakers aren't installed yet, that is new.

Chairman Sturgill asked Ms. Foster if recommended condition no. 14 would ease her concerns. She questioned who would enforce that condition.

**Stacie Harvey – IN OPPOSITION – 28378 Fox Ln., Wilder, ID 83676**

Ms. Harvey stated the applicant's horses are well kept and there is no abuse. She does have concerns regarding safety and pulling EMS staff to provide service to this use. During hop season there is quite an increase in traffic. She is concerned about loud music and felt the music should be cut off at 10 p.m. Ms. Harvey noted that since the track has been in use there have been cars parked along Peckham Road.

Commissioner Nevill asked Ms. Harvey about her testimony in regard to EMS. He asked if Wilder is a volunteer staff. Ms. Harvey stated it is volunteer.

Commissioner Sheets asked when hop season begins. Ms. Harvey stated in the fall. With the increase in population combined with farming, Peckham Road gets very busy.

Chairman Strugill asked if a fence should be installed around the property. She replied yes, it would be better than the pallets. Chairman Sturgill asked if there were any other conditions that could be placed to help mitigate her concerns. She replied fences and turn lanes.

**Dennis Harvey – IN OPPOSITION – 28378 Fox Ln., Wilder, ID 83676**

Mr. Harvey's agreed with the concerns previously noted in testimony. He stated that the events have been taking place on the property for years. Mr. Harvey stated that there is not enough room to put in turn lanes. The only entrance is on the south end of the property past the house. He has concerns regarding noise from the events. Mr. Harvey is concerned about the number of people on site, alcohol, & gambling. The area is zoned agriculture and this use is not compatible.

Commissioner Sheets asked if there would be an appropriate area for something like this. He said there are potential locations that are not buried in an agricultural area. The road is only 20 ft wide with no shoulder. 500 people on the site is a lot of vehicles and the infrastructure cannot support it.

**Ivan Tellez – (Applicant) REBUTTAL – 27410 Peckham Rd., Wilder, ID 83676**

Mr. Tellez spoke through an interpreter. At the trainings only, the trainers and horse owners go, and there are not a lot of people. At the events they invite other people to see how the horses are running/racing. Money is charged to be able to go in to cover expenses, such as insurance. The insurance costs more than \$5,000. Security charges \$40.00 per hour and it is costly to rent the port-a-potty. He is aware that horses are quick but that is why there are fences/rails to separate the horses from the spectators. At the events spectators are not allowed where the horses are. Only the owners & trainers are allowed. He is aware that the fence is made of pallets but he would be changing it to more of a solid one. He is aware a stronger/taller fence is needed to avoid a horse getting out. Training would not take place every day; only three days a week from 5-8 p.m. There are horses on the property right now, and those belong to Mr. Tellez. Mr. Tellez stated that he would be willing to change the events to one per month. He is here to see if an agreement can be reached. He has spoken with the fire department and the chief advised him that an ambulance could be provided for each of the events. Private security would be at each event. He is concerned about the condition requiring revocation if the sheriff is called out twice. Anyone could call, whether or not there was an issue. He was not aware that it was illegal to have events on his property. When he got the letter from the County he cancelled everything.

Commissioner Sheets asked if Mr. Tellez had the opportunity to review the proposed conditions. He replied no. He was listening to the testimony being provided.

Commissioner Nevill asked if he was aware of the hearing Wilder P&Z had held. He replied, no, he did not know anything about those meetings.

Planner Barron stated the materials deadline was February 24, 2025. The date on the agenda for the Wilder P&Z discussion was February 28, 2025. There is a letter in the record from the City of Wilder in which they voiced no opposition to the request and that it was an acceptable use of the property.

Commissioner Nevill asked if he would be willing to pay for turn lanes. Mr. Tellez stated he is willing, but would need time to obtain the funds to do so. Commissioner Nevill asked if Mr. Tellez was okay with the condition that if two legitimate calls are received in a year, the permit could be revoked. Mr. Tellez replied, yes.

A 15-minute recess was taken to allow Mr. Tellez the opportunity to review the recommended conditions of approval.

Chairman Sturgill asked if Mr. Tellez had any concerns with the review of conditions of approval. He indicated that he agrees with them all but needed time to construct the turn in lane. The traffic impact study said it wasn't necessary. Chairman Sturgill asked about restricting the amount of people to 250. Mr. Tellez would like a little more, but if it is not possible, he is ok with that limitation.

Planner Barron stated that when the application was submitted they were applying for a commercial arena. After discussions with staff, the number of people was reduced and the use was clarified. The applicant would be required to comply with Golden Gate Highway District's requirements.

Commissioner Sheets asked about revocation proceedings and whether or not that would come before the P&Z Commission. Planner Barron explained the process and that a revocation would come before the Commission.

**MOTION:** Commissioner Sheets moved to close public testimony on Case No. CU2022-0008 seconded by Commissioner Matthews. Voice vote, motion carried.

**Deliberation:**

Chairman Sturgill invited discussion as to whether or not the use can be properly conditioned to be approved.

Commissioner Matthews stated, no. The proposed use would be a fairly large operation in the area. He has traffic concerns.

Commissioner Sheets stated that all of the things they are doing would be allowed, with the exception of charging for events. He does feel that this could properly conditioned.

Commissioner Nevill agreed that the request could be conditioned to help mitigate concerns. The applicant has been receptive to the conditions. Commissioner Nevill said there does need to be some buttoning down of conditions. He is concerned about traffic and there needs to be a right turn lane.

Chairman Sturgill stated he has concerns about the impact. The applicant has been willing to agree to the conditions to help minimize impacts. The use could have the potential to have a benefit to the area, but needs to be conditioned.

Commissioner Matthews stated the neighbors have lived there for years. Their lives may be impacted by this use with noise/traffic. There may be a better location for this use.

Commissioner Sheets stated that EMS should be on site as an addition to either condition 28 or 29. Fencing should be installed but should be clarified of the type and be measurable. The fence should be six foot in ground. He is okay with 250 people.

Commissioner Nevill asked if the condition as written in regard to the highway district would cover the turn lane. Commissioner Sheets stated the highway district has jurisdiction over requirements/traffic studies.

Commissioner Nevill noted there is a condition in regard to noise as far as decibels but another way to control the noise is to reduce the number of events. He is more comfortable with one event.

**MOTION:** Commissioner Sheets moved to **approve** Case No. CU2022-0008, with the addition of condition 30, to require a 6 ft in-ground fence be installed prior to operations for the purpose of preventing horse escape and modification to condition no. 29 to require EMS service to be on site during events. Modification to finding no. 8 in regard to essential services. Essential services would be adequate as conditioned. Seconded by Commissioner Nevill.

**Discussion on the Motion:**

Commissioner Nevill stated for the record that conditional use permits are policed by the public and if they notice violations to call.

Roll call vote: 3 in favor, 1 opposed, motion passed.

**3. DIRECTOR, PLANNER, COMMISSION COMMENTS:**

Commissioner Sheets stated on April 3<sup>rd</sup> there are many Ordinance cases and the Commission would like to have the packets as soon as possible.

**4. ADJOURNMENT:**

**MOTION:** Commissioner Sheets moved to adjourn, seconded by Commissioner Mathews. Voice vote, motion carried. Hearing adjourned at 10:05 P.M

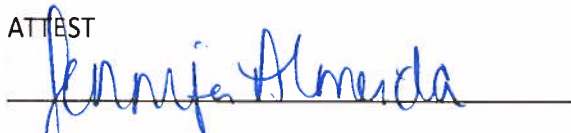
An audio recording is on file in the Development Services Departments' office.

Approved this 17<sup>th</sup> day of April, 2025



Robert Sturgill, Chairman

ATTEST



Jennifer Almeida, Office Manager