



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, March 20, 2025
6:30 P.M.

1ST 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
Matt Dorsey, Commissioner – sworn in at 9:13 p.m.

Staff Members Present: Jay Gibbons, Director of Development Services
Dan Lister, Principal Planner
Michelle Barron, Principal Planner
Emily Bunn, Associate Planner
Madelyn Vander Veen, Associate Planner
Amber Lewter, Associate Planner
Caitlin Ross, Hearing Specialist

Chairman Sturgill called the meeting to order at 6:33 p.m.

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

Item 1: Consent Agenda

- A. December 19, 2024 MINUTES
- B. January 16, 2025 MINUTES
- C. Case No. RZ2022-0016 – Goodwin: Approve revised FCO's
- D. Case No. CR2023-0005 – Bowery: Approve revised FCO's
- E. Case No. CU2022-0008 – Tellez: Approve revised FCO's

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

Item 2A:

Case CR2022-0031 - Werhane: The applicant, William and Gena Werhane, is requesting a conditional rezone of Parcels R33590012B and R33590012C, approximately 8.93 acres, to amend the County zoning map from an "A" (Agricultural) Zone to a "CR-C-1" (Conditional Rezone – Neighborhood Commercial) Zone. The request includes a development agreement. The property is located at 0 Hwy 55, Caldwell, southeast of the Hwy 55/Sunny Slope Road and Churruca Lane intersection.

On March 20, 2025, the case was proposed to be tabled to a date certain of May 15, 2025.

MOTION: Commissioner Sheets moved to **continue** Case No. CR2022-0031 to a date certain of May 15, 2025, seconded by Commissioner Mathews. Voice vote, motion carried.

Item 2B:

Case No. VAC2024-0001 - Thueson: The applicant, Lance Thueson, represented by Becky Yzaguirre of Ardurra, is requesting a vacation of a fire access easement in Lot 10 Block 1 of Castleton Place Subdivision. There is now another access to the subdivision from Lewis Lane through Jack's Place Subdivision. The subject property is located at 1002 Huntington Court, also referenced as Parcel R29411109.

Chairman Sturgill called the applicant to testify.

Becky Yzaguirre – (Representative) IN FAVOR – 332 Broadmore Way, Nampa, ID 83687

Ms. Yzaguirre explained the request of a vacation of a 20-foot fire access easement located in the Castleton Place Subdivision. She further explained the accesses to the subdivision. Ms. Yzaguirre noted a letter from the Nampa Fire District stating they did not need the plat note and approved the removal of the easement.

Commissioner Nevill asked how the change would affect the average lot size. Ms. Yzaguirre explained it does not change the lot size since the plat has already been recorded, and now that the permanent secondary access has been provided, it is now buildable based on the requirements of the approved plat.

Planner Madelyn Vander Veen reviewed the Staff Report for the record.

Chairman Sturgill asked when the plat was approved and what the county regulations were for the size of the lots in a rural residential zone. Planner Vander Veen stated the minimum lot sizes used to be smaller, so either the plat was approved and the area was later rezoned to rural residential, or the plat was approved during a time when the rural residential zoning allowed the smaller lot sizes. Chairman Sturgill asked what the average lot size is for this subdivision, to which Planner Vander Veen did not know.

MOTION: Commissioner Sheets moved to close public testimony on Case No. VAC2024-0001, seconded by Commissioner Matthews. Voice vote, motion carried.

Deliberation:

None.

MOTION: Commissioner Sheets moved to **recommend approval** for Case No. VAC2024-0001, seconded by Commissioner Matthews.

Discussion on the Motion:

None.

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

Item 2C:

Case No. CU2024-0003 - Garman: Kris Garman requests a conditional use permit for a special events facility of approximately 16.15 acres in the "A" Agricultural Zone. The subject property is located at 26117 Lower Pleasant Ridge Rd, Wilder ID 83676 also referenced as Parcels R37158, R37157010, and R37157010D.

Chairman Sturgill called the applicant to testify.

Kristina Garman – (Applicant) IN FAVOR – 26117 Lower Pleasant Ridge Rd, Wilder, ID 83676

Ms. Garman is requesting a conditional use permit to be able to generate income from the partially viable

agricultural area on her property. Ms. Garman explained the history of Garman Hill and their wishes to keep the area in the family in the future. She further explained she believes their property aligns with the 2030 Comprehensive Plan and does not believe there would be any negative impact or disruption on public services or nearest major roads. In working with the Wilder Fire District and Idaho Transportation Department, there did not seem to be a need for a traffic impact study. There would be sufficient utilities and parking provided based on the events, which are geared to preserve the essence of the land with shared events from the community. Their plan is to be able to run year-round, weather permitting, while providing smaller, more personal events during the "off" seasons. Ms. Garman explained that any surrounding neighbors that this would affect are all in support of this application, and went into further detail of the parking situation compared to the event area.

Ms. Garman's ten (10) minutes of testimony expired.

MOTION: Commissioner Sheets moved, seconded by Commissioner Mathews to give Ms. Garman three (3) minutes of additional testimony. Voice vote, motion carried.

Ms. Garman continued with addressing concerns regarding conditions 15, 16, 18, and 21-27, explaining requirements that have already been met and requesting either removal or rewording of some of these conditions.

Chairman Sturgill clarified which conditions needed further evaluation.

Commissioner Nevill asked why condition 23 should be removed. Ms. Garman explained there is plenty of space and parking to accommodate 400-600 people, and believes as a business owner, it is her responsibility to comply with the restrictions of attendees and does not believe ticketing is appropriate. Commissioner Nevill also clarified the reasoning of changing/removing conditions 24 and 25. There was also discussion regarding the hard restrictions of condition 27. Commissioner Nevill reassured the applicant and explained the reasoning behind the strictness of this condition. Commissioner Nevill asked for clarification of traffic navigating to Hwy 95 after an event, and Ms. Garman explained there would be sufficient direction as needed and an alternative, safer route to Hwy 95. Commissioner Nevill asked about emergency services. Ms. Garman stated the Nampa Fire Department Assistant Chief has written a letter of support for access on and off the property if needed.

Commissioner Sheets asked if there would ever be an issue with traffic backing up on Lower Pleasant Ridge Rd to the highway, and Ms. Garman explained the low risk of that with their plan to route any vehicles coming onto the property, and their primary goal of not letting the traffic get backed up on Lower Pleasant Ridge Rd.

Chairman Sturgill asked if the parking spaces were paved or dirt, and Ms. Garman answered it was a grass parking lot. Chairman Sturgill asked how it drains compared to elevation and if standing water was expected. Ms. Garman stated to the west, and there would not be standing water in the parking lot. Chairman Sturgill wanted to clarify why some conditions were requested to be removed as they were covered in other codes, to which Ms. Garman stated it was just her personal comment to have them removed, and it would not get in the way of her business. Chairman Sturgill clarified the distance between the applicant's property and the next nearest property and that the subdivision to the northwest is downhill from their property. He also asked about the potential issue of sound complaints, to which Ms. Garman agreed if a future owner were to bring in bigger amplifiers, then the neighbors may file a code compliance complaint at that point. Chairman Sturgill asked how the applicant would propose mitigating a high volume of traffic leaving at once after an event, and Ms. Garman gave an example of a plan.

Planner Emily Bunn reviewed the Staff Report for the record.

Commissioner Nevill asked for clarification on the changes to condition 20. Planner Bunn explained her conversation with Code Enforcement in wanting the condition to clearly state despite the number of events per week, the overall number of events per year has to stay at or below 59. There was also clarification on the conditional use permit being tied to the property owner, and condition 5 regarding Southwest District Health's recommendations on the number of porta-potties and frequency of pumping and maintenance. Commissioner Nevill asked about the distance of the eastern entrance to Hwy 95. Planner Bunn stated Planner Michelle Barron quoted 215 feet. There was further discussion on parking and circulation plans.

Commissioner Mathews clarified that the prior property divisions would not affect approval of the conditional use permit. Planner Bunn explained the one parcel to the west would have a residential building permit and the other to the northeast would be designated as agricultural only.

Chairman Sturgill confirmed a condition could be added regarding signage/flags. Chairman Sturgill asked about emergency services response times. Planner Bunn did not indicate any comments regarding response times from emergency services.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Nicole Keller – IN FAVOR – 9165 N Bullwinkle Ln, Eagle, ID 83616

Ms. Keller stated she is showing support from the vendor side, explaining that her vendor in the wedding industry is very versed in helping wedding venues stay compliant with parking, noise compliance, etc.

JoAnn Maupin – IN FAVOR – 20031 Hwy 95, Wilder, ID 83676

Ms. Maupin lives across the road from the applicant and gives full support and has no problems with the venue.

Chairman Sturgill asked if amplified music 5 days a week until 11 pm was an issue, to which Ms. Maupin answered she had no problems with that.

Sam Maupin – IN FAVOR – 20031 Hwy 95, Wilder, ID 83676

Mr. Maupin agreed with the prior testimony, and stated they hear more noise from the City of Wilder than they do the applicants' property. There is easy access with no issues with people pulling in and out.

Rose Leist – IN FAVOR – 82 N Boundary St, Nampa, ID 83651

Ms. Leist was recently hired as the venue manager for Garman Hill and is in full support of the applicant. She believes the applicant has a good commitment with being compliant while giving an opportunity for the community to enjoy the space and the nature around it. They are not looking to have an event every day of the week, but rather wish to maintain the pristineness of the land while supporting the community.

Shiloh Webb – IN FAVOR – 25954 Jacks Rd, Parma, ID 83660

Mr. Webb fully supports local businesses and looks forward to having this area as a potential venue.

Lauren Garman – IN FAVOR – 26117 Lower Pleasant Ridge Rd, Wilder, ID 83676

Ms. Garman is excited for her mother to have this passion project. Her goal is to bring the community together while providing a safe place for everyone to get together and have a good time. She believes this

is a great opportunity for young adults to gather rather than bars and fully supports this endeavor.

Sherry Jetton – IN OPPOSITION – 27255 Lower Pleasant Ridge Rd, Wilder, ID 83676

Ms. Jetton expressed concerns regarding the lack of employees, the number of attendees and traffic concerns, the number of events per week, turnarounds for emergency services, and hours of operation.

Commissioner Nevill asked if 450 attendees was better than 600. Ms. Jetton stated that that many people for longer stretches of days is too much, aside if it were a smaller community event, and the noise and traffic flow were the highest concerns. Commissioner Nevill clarified that the concerns about the number of people and the number of events were of equal significance.

Josh Jetton – IN OPPOSITION – 27255 Lower Pleasant Ridge Rd, Wilder, ID 83676

Mr. Jetton agreed with his wife's testimony, and further expressed concerns about the basement being turned into a second residence, the traffic increase heading west on Lower Pleasant Ridge Rd, and the lack of notification to some of the residence in the subdivision west of the property. He noted the fire department was voluntary and closer to 2 miles away, although the response time is quick.

Jeff Schnell – IN OPPOSITION – 20194 Silver Spur Dr, Wilder, ID 83676

Mr. Schnell represents and is a resident of Apple Hills Subdivision that was not contacted. He expressed concerns regarding the speed limit on Lower Pleasant Ridge Rd, access issues for emergency services, and the previous violation regarding amplified music, especially on their busier Wednesday events.

Commissioner Sheets clarified that the sound went past 10 pm on one of their Wednesday evenings, and Mr. Schnell stated he thought it was someone intoxicated discussing their life plans.

Commissioner Nevill confirmed the street people could potentially cut through to get to Batt Corner Rd off of Lower Pleasant Ridge Rd.

Kristina Garman – (Applicant) REBUTTAL – 26117 Lower Pleasant Ridge Rd, Wilder, ID 83676

Ms. Garman addressed the concerns regarding emergency plans and traffic flow. She is open to discussing writing out and submitting an emergency plan. She also made a note that the number of employees that was discussed did not count the hired vendors. Ms. Garman further explained the event facility does not draw from domestic water and the basement residence would not raise issues with amenities, and the only building permits that would be required would be for their shop and daylight basement. She stated there were 23 letters mailed for the neighborhood meeting, 8 of which were on Silver Spur, and concerns raised by the only 2 that attended were adapted into the overall plan of the facility. She also addressed no concerns of anyone needing to use the subdivision as access to or from the property, that there is adequate parking, and the fire station has a high response time with only being 1.3 miles away.

Commissioner Sheets brought up the domestic water statement, to which Ms. Garman stated water bottles would be provided through vendors, and it was further clarified that it would be very minimal water usage for any dust mitigation or guests staying at the Air B&B.

Commissioner Nevill asked what would happen to the land if this application was not approved. Ms. Garman answered she would have to sell it, but her goal is to look for other ways to utilize the land. Commissioner Nevill asked if this event venue would add to the agricultural way of life, to which Ms. Garman stated she believes it would because they have a very intentional business plan to support local and the community as much as possible.

Commissioner Mathews mentioned the prior testimony on moving the speed limit sign, and Ms. Garman said she would fully support that.

Chairman Sturgill asked if the applicant would be amendable to adding a condition regarding permanent direction arrows. Ms. Garman stated she would be opposed since these signs would be in her yard, but that she takes full responsibility of ensuring the area is roped off and signed when appropriate. It was agreed that the condition could state traffic signs and arrows need to be placed for every event. Chairman Sturgill asked if having the conditional use permit tied to the property rather than the applicant was a deal breaker. Ms. Garman explained that she would want to get the full investment from the property as she has spent a great deal of time and money investing on this property.

Planner Bunn confirmed the requirements for the discussions regarding water, sewer, and signage.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CU2024-0003, seconded by Commissioner Matthews. Voice vote, motion carried.

Deliberation:

There were discussions on condition 5 regarding frequency of pumping and maintenance of porta-potties, condition 8 regarding building permits and certificates of occupancy, condition 13 regarding a dust mitigation plan, condition 15 regarding temporary signage for events, condition 18 regarding number of days of events per year, condition 20 regarding the number of events per week, conditions 21 and 22 regarding rental agreements, condition 23 regarding ticketing, condition 24 regarding guest counts, and condition 27 regarding the conditional use permit attached to the property owner, with an addition of condition 28 to have a written emergency plan created and submitted.

MOTION: Commissioner Sheets moved to **approve** Case No. CU2024-0003, adopting the FCOs that the application does meet criteria, with amendments to conditions 5, 8, 13, 15, 18, 20-22, 24, 27 and 28, seconded by Commissioner Nevill.

Discussion on Motion:

Commissioner Nevill commented that this was a good way to preserve the agricultural way of life. He believes the conditions are adequate in mitigating the concerns of the neighbors.

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

Commissioner Dorsey was sworn in at 9:13 p.m.

Item 2D:

Case No. RZ2022-0012 - McGuire: The applicant, William B. McGuire, represented by Bristlecone Land Use Consulting, requests a Zoning Map Amendment (rezone) of Parcel R32862, approximately 63 acres, from an "A" (Agricultural) zone to an "R-1" (Single Family Residential) zone. The subject property is located at 15453 Karcher Rd, also referenced as Parcel R32862, R32862010.

Chairman Sturgill called the applicant to testify.

Elizabeth Allen – (Representative) IN FAVOR – 1330 Williams Lane, Nampa, ID 83686

Ms. Allen explained the purpose of their application, and mentioned the preliminary plat will be forthcoming. According to the comprehensive plan, this area has been and is identified as residential, and Canyon County has already exceeded the proposed population of 257,000, so the plan will help meet the housing goals. The surrounding land uses and character of the area are primarily residential, and the

proposed 1-acre single-family residences will blend in with the existing surrounding areas. Facilities and services, which will be further explained during the platting process, are sufficient, with individual septic and wells, and services from Idaho Power and Intermountain Gas. Legal access already exists and traffic impact studies have already been approved by Idaho Transportation Department, with a right of way dedicated for the Hwy 55 expansion. Public services are also adequate and available.

Commissioner Nevill asked for clarification on the Hwy 55 expansion. Ms. Allen explained there would be 5 lanes total, but more details would be addressed during the platting process regarding access from Hwy 55 onto the property. Commissioner Nevill asked if the property to the northwest was a land trust, to which Ms. Allen was unsure. Commissioner Nevill asked what the timeframe was for Caldwell services. Ms. Allen said there is a water line in the area, but it would take a couple of years to be able to connect to it due to infrastructure improvement, and sewer is 1.5 miles away. Commissioner Nevill clarified that future homeowners would have to agree to connect to the city services.

Chairman Sturgill read a letter from Vallivue School District regarding school capacity concerns, and asked if school services are available for this application. Ms. Allen noted that as of right now, this is just an application for a rezone, and future details would be covered during the plat, but she believes there would still be adequate services. Chairman Sturgill asked if the applicant had any conversations with the school district regarding crowding issues, and Ms. Allen did not know if they had.

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

Commissioner Sheets asked if a rezone with access to city services was with 12,000 sq. ft lots. Planner Lister answered yes, 12,000 feet was the minimum unless a plan unit development, or a conditional use permit, was applied for to modify it for smaller lot sizes.

Commissioner Nevill clarified that this was a different group asking for this request than some prior that got approved subdivisions that did not go through. Commissioner Nevill inquired on the fire fighting water plans. Planner Lister mentioned that this would be discussed during the platting process, and explained what the typical requirements would be. Commissioner Nevill also got clarification on a property northwest of the applicant's property, and that it was conditionally rezoned for a community convenience area with future city connection.

Commissioner Mathews asked about the access to the platted subdivision south of the applicant that has agricultural land between each parcel. Planner Lister explained the stubs for access to each property, with the agricultural parcel's access from Kimball.

Chairman Sturgill confirmed there was no indication of response time for emergency services.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Tom Whittemore – IN OPPOSITION – 15220 Castle Way, Caldwell, ID 83607

Mr. Whittemore expressed concerns regarding water usage and fire protection, the lack of plans when widening Hwy 55 for a new access into the new subdivision, per a conversation with the construction company, Knife River, and the opposition of access coming off of Castle Way or Fiesta Way.

Commissioner Mathews confirmed that the conversation with Knife River excluded any plans for access onto this property from Hwy 55.

Howard Spry – IN OPPOSITION – 15141 Vanita Ct, Caldwell, ID 83607

Mr. Spry also expressed concerns about the potential increase in water usage.

Commissioner Nevill asked if it would be better if there were fewer houses with individual wells, or a higher density that is connected to city water. Mr. Spry indicated he would prefer to not lose his water supply if houses came in with their own wells.

Harry Ballance – IN OPPOSITION – 15596 Moonlight Dr, Caldwell, ID 83607

Mr. Ballance expressed concerns regarding less than 1-acre lots, water, ingress/egress through the surrounding subdivisions, and habitat being ruined. He requested not to go any smaller than 1-acre lots.

Elizabeth Allen – (Representative) REBUTTAL – 1330 Williams Lane, Nampa, ID 83686

Ms. Allen addressed the concerns regarding connection to the city services, the size of lots, and the additional pressure to public services if the lots were any smaller than 1-acres. She also addressed the topic of access, stating there would be access from Hwy 55 and Vista Dr, only creating access on public roads. Ms. Allen stated there has always been a concern with wells, and noted wells do need properly maintained as they get closer to the 20-30-year lifespan. She reiterated that a lot of these concerns would be addressed during the platting process, and that this is simply just the rezoning for the property.

Commissioner Nevill what the ability to farm this parcel was. Ms. Allen said the property is currently being farmed, but with challenges. Commissioner Nevill brought up the concern about the Deer Flat National Wildlife Refuge, to which Ms. Allen commented the boundary is around the lake, and this specific area shouldn't have as big of an impact.

Planner Lister clarified how many lots could become available if adhering to the 12,000 sq. ft size.

Chairman Sturgill asked if there were any conversations regarding a conditional rezone versus a straight rezone, to which Planner Lister commented on the several occasions that topic was discussed.

Commissioner Dorsey asked for clarification of accesses. Planner Lister explained the stubs and access points, which could alleviate higher traffic pressure. The applicant has been working very closely with ITD to ensure access off Hwy 55.

MOTION: Commissioner Sheets moved to close public testimony on Case RZ2022-0012, seconded by Commissioner Mathews. Voice vote, motion carried.

Deliberation:

Commissioner Mathews expressed concerns about waiting too long to receive City input, and would like to condition this application if possible.

Commissioner Sheets talked about the potential of smaller sized lots, regardless of the applicant's intent. He would also prefer a conditional rezone. Commissioner Mathews agreed.

Commissioner Nevill agreed with Commissioners Sheets and Mathews, and will not support a straight rezone. Commissioner Dorsey also agreed.

There was discussion on the benefits of denying versus continuing this case. If tabled, a revised application and re-noticing would be required.

MOTION: Commissioner Nevill moved to **continue** Case No. RZ2022-0012 to a date uncertain, seconded by Commissioner Sheets.

Discussion on Motion:

Commissioner Sheets addressed concerns on the density, water and sewer sources, and access to Hwy 55.

Commissioner Nevill added clarification on public services.

Roll call vote: 4 in favor and 1 opposed. Motion passed.

3. DIRECTOR, PLANNER, COMMISSION COMMENTS:

Director of Development Services Jay Gibbons announced Josh Johnson as the new Assistant Director, and talked about planner positions being filled. There was discussion on the upcoming April 3, 2025 hearing and the comp plan to prioritize ordinances with upcoming workshops.

Commissioner Dorsey asked about the rumors of administrative splits, and there was discussion on this topic.

Commissioner Sheets asked about the new Hearing Examiner. Director Jay Gibbons talked about the new Hearing Examiner and the process of the hearings that are being worked through, including which cases will go to the Hearing Examiner versus Planning & Zoning.

4. ADJOURNMENT:

MOTION: Commissioner Sheets moved to adjourn, seconded by Commissioner Nevill. Voice vote, motion carried. Hearing adjourned at 10:41 P.M

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

Approved this 15th day of May, 2025



Brian Sheets, Acting Chairman

ATTEST



Caitlin Ross, Hearing Specialist