



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, April 17, 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

Staff Members Present: Jay Gibbons, Director of Development Services
Joshua Johnson, Assistant Director of Development Services
Dalia Alnajjar, Engineering Supervisor
Dan Lister, Planning Supervisor
Michelle Barron, 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.

1. CONSENT AGENDA:

- A. February 20, 2025 MINUTES**
- B. March 6, 2025 MINUTES**
- C. Case No. CR2022-0027 – Hess: Approve revised FCO's**
- D. Case No. CU2024-0018 – Idaho Dept of Fish and Game: Approve revised FCO's**
- E. Case No. OR2025-0001 – Spring 2025 Ordinance: Approve revised FCO's**
- F. Case No. OR2025-0002 – Private Road Ordinance: Approve revised FCO's**
- G. Case No. OR2025-0003 – Impact Fees: Approve revised FCO's**

Motion: Commissioner Sheets moved to approve the Consent Agenda, removing Items 1E-1G to approve at the May 1, 2025 hearing, seconded by Commissioner Mathews. Voice vote, motion carried.

Item 2A:

Case No. SD2023-0001 – Mark Johns/Sunset View: The applicant requests approval of a short plat (preliminary plat and final plat) on Parcel R37463010A regarding Sunset View Subdivision, consisting of two lots served by individual well and septic system. The 2.9-acre parcel is located on 25220 Kingsbury Road, Middleton.

Chairman Sturgill called the applicant to testify.

Mark Johns – (Applicant) IN FAVOR – 25220 Kingsbury Rd, Middleton, ID 83644

Mr. Johns believes this application has met all criteria and conditions and the proposed use will fit well into the area.

Commissioner Nevill asked if the applicant had reviewed the staff report, to which Mr. Johns replied he had not. There were no disagreements with any of the conditions listed after Mr. Johns reviewed them.

Commissioner Nevill asked about the question about the trees from Highway District #4, and Mr. Johns said he had a license agreement in place to maintain the trees and landscaping.

Chairman Sturgill asked for clarification on the topic of drainage, and Mr. Johns confirmed the maintenance by the property owner's association was the wording the highway district suggested, and it would be potentially an association of 2 owners. Chairman Sturgill requested that a copy of the plans are provided to the County.

Planning Supervisor Dan Lister reviewed the Staff Report for the record.

Engineering Supervisor Dalia Alnajjar added that new comments from the highway district were received after the comment deadline, so the applicant was advised to draft a plan of the association for the final plat.

Chairman Sturgill confirmed that there is a condition listed regarding drainage and runoff, and that the County does not need a copy of the association plan.

MOTION: Commissioner Sheets moved to close public testimony on Case No. SD2023-0001, seconded by Commissioner Matthews. Voice vote, motion carried.

Deliberation:

None.

MOTION: Commissioner Sheets moved to **recommend approval** for Case No. SD2023-0001, seconded by Commissioner Mathews. Voice vote, motion carried.

Discussion on the Motion:

None.

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

Item 2B:

Case No. OR2023-0005 & CR2023-0011 – Q2 LLC: The applicant, Q2 LLC, represented by Ardurra, is requesting a **(1)** Comprehensive Plan Map Amendment of Parcels R33590012G, R33590012A and R33590012I, approximately 70 acres, from an agriculture designation to a rural residential designation, and **(2)** Conditional Rezone of Parcels R33590012G, R33590012A and R33590012I, approximately 70 acres, from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone. The rezone includes a development agreement limiting development to 25 residential lots, a 2.8-acre average lot size. The subject property is located between 12639 Sunny Slope Road, Caldwell, and the Snake River.

Chairman Sturgill called the applicant to testify.

Matthew Parks – (Representative) IN FAVOR – 251 E Front St, Boise, ID 83702

Mr. Parks requested this case be tabled and brought back with modifications and changes regarding the staff report. There were concerns that there are no standards associated as the County has yet to adopt the zoning classification regarding agritourism overlay. Mr. Parks described this area being rural residential for the future use for the area and wishes to have more time to establish standards moving forward with a conditional rezone.

Commissioner Nevill asked if the applicant would be comfortable moving forward with the application as the conditional rezone from the A zone to R-R, but Mr. Marks responded that the issue was regarding the deficiencies with the overlay and that the staff's findings are incorrect.

Commissioner Nevill asked Planner Barron if she agreed with the testimony that her staff findings were incorrect. Planner Barron referenced the 2030 Comprehensive Plan, Future Land Use Designations. Although rural-residential is referenced under both residential and agricultural standards, she further relayed the separate definitions of the agricultural designation and rural-residential.

Planner Barron explained the late response for this change, and stated she would ok to continue this case. She also noted that she did recommend the applicant withdraw this case and reapply to be able to discuss the changes.

Chairman Sturgill specified that if there was a significant change between the Planning & Zoning Commission and the Board of County Commissioners, the application could be remanded, and confirmed that there would be changes to the application.

MOTION: Commissioner Sheets moved to **continue** Case No. OR2023-0005/CR2023-0011 to a date uncertain, seconded by Commissioner Nevill.

Discussion on the Motion:

Commissioner Nevill reminded the audience that there will be noticing sent out again since this was being tabled to a date uncertain.

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

Item 2C:

Case No. CR2023-0012 – Elordi: The applicants, Tony Elordi & Victoria Cowan, request a Conditional Rezone of parcels R30262104 & R30262104A, approximately 42 acres, from an "A" (Agricultural) zone to a "CR-R-R" (Conditional Rezone - Rural Residential) zone. The request includes a Development Agreement that restricts development to two buildable lots. The subject parcels are also referenced as Andorra Estates Block 1, Lot 5.

Chairman Sturgill called the applicant to testify.

Victoria Cowan – (Applicant) IN FAVOR – 3065 Del Mar Dr, Sierra Vista, AZ 85635

Ms. Cowan explained the family history of the property and their dedication, investment and commitment to responsible land stewardship. Their vision is to transform this land into a viable production piece of farmland through a diversified approach. Although this land will not be used for a subdivision development, 2 residential permits, ensuring minimal impact, are necessary for long-term farm management as daily operations require onsite presence. With over 40 acres, commuting from offsite is impractical. Ms. Cowan described the land as having multigenerational management ensuring long-term stability, and their approach integrates soil restoration, rotational grazing, and orchard maintenance. 90% will remain dedicated to agriculture, with 8-10 acres of apple orchards. The proposed use aligns with the County's priorities to encourage small scaled diversified farms that enhance sustainability and strengthen the local food market, as well as the 2030 comprehensive plan, reinforcing its suitability for approval. They are committed to keeping it productive, environmentally responsible and beneficial to Canyon County.

Commissioner Nevill asked for clarification on the 2 agriculture lots, to which Ms. Cowan explained she doesn't want to have to come back in the future requesting a lot split, and it allows for family to come in

as necessary. Commissioner Nevill asked why the building and ag lots don't quite align. Ms. Cowan said they had a 360-degree pivot and wanted to put the building lot 2 on the left side of the split for future use.

Planning Supervisor Dan Lister reviewed the Staff Report for the record.

Chairman Sturgill asked if there had been any change in ownership from the time of the development agreement. Planning Supervisor Lister responded that Mr. Elordi has maintained ownership.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Brad Carpenter – IN FAVOR – 18121 Andorra Ln, Caldwell, ID 83607

Mr. Carpenter believes he is the most affected as the nearest neighbor and does not see any negative affect or impact on any of the other neighbors or the farm land.

Mike Martin – IN FAVOR – 18164 Andorra Ln, Caldwell, ID 83607

Mr. Martin explained he and his wife moved away from the sprawl they were experiencing in Nampa, and does not see anything like that happening with the applicant's property. They take very good care of the entire property and anything they dwell on will be improved; therefore, he is in favor.

Ben Stevens – IN OPPOSITION – 17815 Marsing Rd, Caldwell, ID 83607

Mr. Stevens stated he is originally from Texas and saw the negative impact farmlands were experiencing, and believes the applicant is being dishonest with their motives for the future use of this property. He is concerned about what their future plans entail as far as putting in a subdivision and impacting the view and the services of the area around them.

Jerry Cereda – IN OPPOSITION – 11481 Eva Ln, Caldwell, ID 83607

Mr. Cereda expressed concerns regarding water issues and congestion, and this area becoming another subdivision. He has seen Mr. Elordi go through this process several times and has just increased the number of houses rather than keep the farm land.

René Bine – IN OPPOSITION – 12251 Riverside Rd, Caldwell, ID 83607

Mr. Bine, as the president of the Canyon County Alliance for Responsible Growth, requests denial of this application. He commented that this was essentially the same proposal presented in the past that was turned down, and the same reasons exist today as far as the no guarantee of diversified farms and that the applicant won't sell the lots in the future.

Claudia Haynes – IN OPPOSITION – 2139 W Egret St, Nampa, ID 83686

Ms. Haynes, also a member of the Canyon County Alliance for Responsible Growth, agrees with prior testimony, adding that this property was contracted and marked that there would be no more residential permits available.

Chairman Sturgill asked what the appropriate time or set of circumstances would be that would make this development appropriate for changes. Ms. Haynes believes the applicant should have a discussion with DSD to establish the appropriate ordinances/regulations, and bring forward a new contract if they are unable to abide by the current one.

Ron Kirtley – IN OPPOSITION – 11551 Eva Ln, Caldwell, ID 83607

Mr. Kirtley expressed his main concerns with domestic wells, and the potential of having to drill another new well, and the lack of transparency of what the overall plan is.

Bill Walker – IN OPPOSITION – 15248 Chicken Dinner Rd, Caldwell, ID 83607

Mr. Walker also expressed concerns with the lack of transparency and honesty.

Commissioner Nevill asked if the lots Mr. Walker is farming are productive, to which Mr. Walker responded yes. Commissioner Nevill asked if the property in question has had productive crops, and Mr. Walker responded yes.

Commissioner Mathews confirmed that the person farming Mr. Walker's land does not live onsite.

Jon Minkoff – IN OPPOSITION – 11648 Eva Ln, Caldwell, ID 83607

Mr. Minkoff agrees with prior testimony, and mentioned Mr. Elordi has a house close by, so the statement of needing to live onsite is not valid. He does not want to see the loss of any more agricultural land.

Victoria Cowan – (Applicant) REBUTTAL – 3065 Del Mar Dr, Sierra Vista, AZ 85635

Ms. Cowan addressed a question regarding the original owner and described her family's history and background of the property. She explained the process in wanting to obtain 2 building lots with 1 split, and was advised to submit an amendment to the development agreement initially, but after that was denied, they returned with an application for a conditional rezone.

Commissioner Nevill asked for clarification on the 2 lots in regards to ownership within the family. Ms. Cowan explained the purpose of wanting each building and residential lots to be able to care for family. Commissioner Nevill confirmed that the extra lot could potentially be sold outside of the family in the future.

Commissioner Mathews confirmed that Ms. Cowan owned 50% of the whole 42-acre parcel.

Chairman Sturgill asked Ms. Cowan to comment on the criteria that shows this application as non-compliant, and the amendment to the agreement of ownership. Ms. Cowan stated she did not agree with staff's assessment as they are keeping the land as 90% agriculture, which she believes does align with the 2030 comprehensive plan. She also stated she does believe the proposed zoning change would be more appropriate for their proposed use, which conforms with the land uses of the adjacent farms. The future plans for this land are Ms. Cowan's wishes, which is why she is presenting instead of Mr. Elordi. Chairman Sturgill confirmed that one of the adjacent properties was not available to purchase.

Planning Supervisor Lister explained the discretionary processes and suggestions the planners make available for applicants.

Commissioner Nevill asked if the original agreement was agreed upon due to the condition this land must remain agricultural. Planning Supervisor Lister answered yes, and described the original development agreement.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CR2023-0012, seconded by Commissioner Matthews. Voice vote, motion carried.

Deliberation:

Commissioner Sheets explained that despite the intents of the party's familial relations and plans, anything can happen with the proposed rezone, and due to the development agreement, it should remain as agricultural use and has no reason to change.

Commissioner Mathews provided input on the necessity of the use.

Commissioner Nevill sees the development agreement as a binding contract, so will not be in favor.

MOTION: Commissioner Sheets moved to **recommend denial** for Case No. CR2023-0012, seconded by Commissioner Mathews.

Discussion on Motion:

None.

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

3. DIRECTOR, PLANNER, COMMISSION COMMENTS:

Director of Development Services Jay Gibbons wanted to add for the record that minutes and findings for the April 3, 2025 hearing would be available as soon as possible.

4. ADJOURNMENT:

MOTION: Commissioner Nevill moved to adjourn, seconded by Commissioner Mathews. Voice vote, motion carried. Hearing adjourned at 8:35 P.M

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

Approved this 12th day of June, 2025



A handwritten signature in blue ink, appearing to read "Robert Sturgill", written over a horizontal line.

Robert Sturgill, Chairman

ATTEST

A handwritten signature in black ink, appearing to read "Caitlin Ross", written over a horizontal line.

Caitlin Ross, Hearing Specialist