



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, May 1, 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

Staff Members Present: Jay Gibbons, Director of Development Services
Michelle Barron, Principal Planner
Madelyn Vander Veen, Associate 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.

Item 1: Consent Agenda

- A. April 3, 2025 MINUTES
- B. Case No. OR2025-0001 – Spring 2025 Ordinance: Approve FCO's
- C. Case No. OR2025-0002 – Private Road Ordinance: Approve FCO's
- D. Case No. OR2025-0003 – Impact Fees: Approve FCO's
- E. Case No. CR2023-0012 – Elordi: Approve FCO's

Motion: Commissioner Sheets moved to approve the Consent Agenda, removing Item 1E to approve at the May 15, 2025 hearing, seconded by Commissioner Nevill. Voice vote, motion carried.

Item 2A:

Case No. SD2022-0037 / Cambridge Estates Subdivision: The applicant, Mason & Associates representing Intermountain Pacific LLC, requests approval of a preliminary plat, Cambridge Estates Subdivision, on Parcel R30395 (39.08 acres). The requests include 29 residential lots and seven (7) common lots. The request includes a waiver of city subdivision improvements. The parcel is zoned "R-1" (Single Family Residential). The subject property is located at 17672 N. Can-Ada Road, Nampa.

Case was withdrawn by Applicant.

Item 2B:

Case No. CU2023-0012 / Piatt: The applicants, Kenneth & Alisa Piatt are requesting a conditional use permit for a staging area and contractor shop for their excavation business. The proposed use of the property includes storage of equipment, vehicles, and semi-trucks for use on job sites as well as storage and screening of dirt. Occasional work on equipment and vehicles occurs in the shop. The subject property is located at 8820 Hwy 44, Middleton, ID 83644, also referenced as Parcel R22365508.

Chairman Sturgill called the applicant to testify.

Kenny Piatt – (Applicant) IN FAVOR – 8820 Hwy 44, Middleton, ID 83644

Mr. Piatt described the intent of the application for semi-truck parking and storing/screening dirt. He explained there are trucks in the shop that the employees will occasionally take, but mostly they drive the pickups home. Dump trucks will come to get a load of dirt or bring a load in, and some days that is up to 5 times a day while other days are at 0. Mr. Piatt considers themselves to be good neighbors while doing everything they can to mitigate noise and dust and keep everything clean and organized. He is asking for approval to continue business as usual.

Commissioner Nevill asked if all 12 conditions were acceptable. Mr. Piatt explained he had concerns on the necessities of a traffic impact study and a building permit. There was also discussion on the requirements of a septic system. Commissioner Nevill asked how long the trucks have to wait to enter Hwy 44. Mr. Piatt commented it can be the same wait time as anyone trying to pull out onto Hwy 44. Commissioner Nevill inquired on the number of houses that use Ranchero and confirmed that having a road users maintenance agreement would be a condition that was beneficial. Commissioner Nevill asked if the applicant knew what the complaint was, and Mr. Piatt said it could have been the noise, but nothing else comes to mind. There was discussion on requested hours of operation.

Chairman Sturgill confirmed that the shop is residential, and there was discussion on dust mitigation.

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

Chairman Sturgill asked if the property was zoned agricultural currently, to which Planner Vander Veen answered yes.

Commissioner Sheets asked for clarification on an approach permit and what ITD's requirements and jurisdiction would be. Planner Vander Veen explained the approach would be off of the private road, and confirmed the intersection of Hwy 44 and Ranchero would need to be improved.

Commissioner Nevill expressed his confusion of why the applicant would be required to improve the intersection himself and the lack of a road user's maintenance agreement. Planner Vander Veen confirmed that the highway district would regulate who is responsible for the repairs based on who is applying and whether there is a road user's maintenance agreement on file. There was discussion on future owners abiding by the conditions set with the conditional use permit.

Principal Planner Michelle Barron addressed the questions regarding the publicly owned, privately maintained road, and the requirements and stipulations falling on the applicant as they are requesting the increase in the use.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Jim Moore – IN FAVOR – 22876 Lansing Ln, Middleton, ID 83644

Mr. Moore praised Mr. Piatt on the reduced amount of traffic than the prior company that owned the property, the dust and noise mitigation, and maintenance of Ranchero. He believes improvements to the intersections of Lansing Ln or Duff Ln would be more appropriate.

Kenny Piatt – (Applicant) REBUTTAL – 8820 Hwy 44, Middleton, ID 83644

Commissioner Nevill confirmed that the requirements of ITD on improving the road was justifiable, and verified that ITD would provide standards for the applicant to meet in regards to the approach.

Mr. Piatt expressed his concern with not having an entrance onto Hwy 44 although he has a Hwy 44 address. Planner Barron explained that could be due to the amount of accesses allowed from Hwy 44 and the requirement of distances between entrances.

Commissioner Nevill confirmed that changing the hours of operation to 6:30 a.m. to 8:00 p.m. was appropriate.

Mr. Piatt asked for clarification on the building permit requirement for the shop, and Planner Vander Veen verified that the condition could be modified to reflect how the applicant would use the shop, whether for business or personal use.

Director of Development Services Jay Gibbons also mentioned that change of occupancy for the building would need to go through the Building Department's review.

Chairman Sturgill also provided input on how the condition could be modified if the applicant chooses to use the building as commercial.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CU2023-0012, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Chairman Sturgill believes the applicant should not be burdened with the road user's maintenance agreement, and the CUP should expire with the applicant and a new owner would have to reapply.

Commissioner Sheets is in agreement with both topics, as well as the change in hours of operation, but believes the road user's maintenance agreement is a threshold issue and cannot be appropriately assigned.

Commissioner Nevill is in favor and would like to see changes in condition 2 regarding requirements for change of occupancy for the shop, condition 8 regarding hours of operation, and a new condition regarding the CUP expiring when the ownership of the property changes. Commissioner Nevill requested review of the private road ordinances is reviewed regarding the requirements of a road user's maintenance agreement.

MOTION: Commissioner Nevill moved to **approve** Case No. CU2023-0012, adopting the FCOs that the application does meet criteria, with amendments to conditions 2 and 8 and the addition of a new condition, seconded by Commissioner Sheets.

Discussion on the Motion:

None.

Roll call vote: 3 in favor, 0 opposed, motion passed.

Item 2C:

Case No. RZ2021-0047-MOD / CS2, LLC: A request by Elwin Butler, PE for Cory Swain, CS2, LLC, for modification to a Development Agreement. The applicant wishes to edit condition number 3 of DA 23-136 (instrument #2023-033002) regarding City of Caldwell requirements. The applicant would like to have the condition read "City of Caldwell requirements are waived". The subject property, parcel number R35590, is located at 0 Linden Road.

Chairman Sturgill called the applicant to testify.

Elwin Butler – (Applicant) IN FAVOR – 3122 Suntree St, Caldwell, ID 83605

Mr. Butler explained their prior process of approval for the plat, and explained they could not change the condition of the City of Caldwell requirements without changing the development agreement. The plat is still the same, and the applicant still intends to honor all other conditions, but the request is to modify the condition to waive the City of Caldwell requirements.

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

Chairman Sturgill asked for clarification on which condition needed to be removed. Planner Barron clarified that it was not a condition from the preliminary plat, but rather the development agreement, and it is exhibit B.2.1, condition 3. She further explained the process this request has gone through to remove the condition.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Gary Beers – IN FAVOR – 16840 W Linden St, Caldwell, ID 83607

Mr. Beers reaffirmed his support of the previous recommendation to waive the aforementioned condition. He stated there should be a copy of the neighborhood petition for the additional signatures of support.

Chairman Sturgill asked for clarification on the amount of support to waive this condition. Mr. Beers explained the area and the absence of City services, and therefore the request for the condition of City of Caldwell requirements to be waived.

Elwin Butler – (Applicant) REBUTTAL – 3122 Suntree St, Caldwell, ID 83605

Mr. Butler disagreed with the comment Planner Barron stated of removing the comments regarding the City of Caldwell impact area, and confirmed that the condition of all compliance of the City of Caldwell Engineering and Director of City Planning and Zoning Department requirements be waived.

MOTION: Commissioner Sheets moved to close public testimony on Case No. RZ2021-0047-MOD, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Commissioner Nevill expressed his confusion on how to make a motion based on the wording Mr. Butler is requesting.

MOTION: Commissioner Sheets moved to **recommend approval** for Case No. RZ2021-0047-MOD with an amendment to the development agreement, exhibit B, condition 3, seconded by Commissioner Nevill.

Discussion on Motion:

None.

Roll call vote: 3 in favor, 0 opposed, motion passed.

3. DIRECTOR, PLANNER, COMMISSION COMMENTS:

Director of Development Services Jay Gibbons discussed the staff changes within DSD. There was also discussion on a review of ordinances, and a draft ordinance ready to go to a hearing in August.

Commissioner Nevill asked about plans for an additional 2 commissioners. Director Gibbons stated it is being discussed with the Board.

4. ADJOURNMENT:

MOTION: Commissioner Nevill moved to adjourn, seconded by Commissioner Sheets. Voice vote, motion carried. Hearing adjourned at 7:58 P.M

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

Approved this 12th day of June, 2025



Robert Sturgill, Chairman

ATTEST



Caitlin Ross, Hearing Specialist