



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, August 7, 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
Geoff Mathews, Commissioner

Staff Members Present: Dan Lister, Planning Supervisor
Deb Root, Principal Planner
Michelle Barron, Principal Planner
Amber Lewter, 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 – Action Items

- A. July 3, 2025 MINUTES**
- B. Case No. SD2022-0011 – Cloud Nine Estates:** Approve FCO's
- C. Case No. CR2022-0030 – Paul Nay:** Approve FCO's
- D. Case No. CR2023-0013 – White Barn Ventures Inc.:** Approve FCO's

Motion: Commissioner Nevill moved to approve Item 1A with the suggested change. Seconded by Commissioner Sheets. Commissioner Nevill moved to approve Item 1B, seconded by Commissioner Sheets. Commissioner Sheets moved to approve Item 1C with the revised FCO's. Seconded by Commissioner Nevill. Commissioner Sheets moved to approve Item 1D, seconded by Commissioner Mathews. Commissioner Nevill recused on Item 1D due to recusing as a conflict at the July 17, 2025 hearing.

Voice votes after each motion; motions carried.

Item 2A:

Case No. CU2025-0001 – Giannini: The applicant, Brandon Giannini, is requesting a Conditional Use Permit for a Special Events Facility and Caretaker Residence on approximately 12.39 acres in an "A" (Agricultural) zone. The request is for 59 special events a year with a maximum of 300 guests and 150 parking spaces. The hours of operation proposed are 8am – 10:30pm with the music shutoff time of 10pm and the cleaning crew leaving by 12am. The proposal is for one full time employee that would stay in the caretaker residence and hiring part time employees as needed. The applicant will have porta potties onsite for the events. The subject property is located at 18940 Lower Pleasant Ridge Rd, Caldwell, also referenced as Parcel R36382010.

Planner Amber Lewter explained the request by the representative to continue the case to address concerns regarding the staff report. Planner Lewter also gave the Commission motion options.

Chairman Sturgill affirmed the applicant to testify.

Keri Smith – (Representative) IN FAVOR – 17741 Linden Ln, Caldwell, ID 83607

Ms. Smith expressed concerns about unmet deadlines for posting the staff report online, staff reaching out for comments on the materials deadline, and a number of issues that she felt she did not have the opportunity to address prior to the hearing. She believes there is relevant information that has not been provided and requests a continuance to a date certain to avoid the requirements for re-noticing, while also extending the comment period and submitting new materials. Ms. Smith also explained the revised site plan sent to the planner was not included in the staff report, and she would like to provide easement data and obtain a revised letter from Southwest District health based on the revised site plan.

Commissioner Nevill stated he is not opposed to postponing the case but believes it is going to take longer than a month to resolve this.

Commissioner Sheets summarized the options in moving forward, and is in favor of hearing the case at present and identifying the specific concerns, or postponing to a date uncertain.

Commissioner Mathews would rather hear the whole case at one time rather than splitting it into multiple hearings, and suggested postponing to a date uncertain as well.

Chairman Sturgill agreed that it is difficult to hear half of a case and come back to it at a later date.

MOTION: Commissioner Nevill moved to **continue** Case No. CU2025-0001 to a date uncertain. Seconded by Commissioner Mathews.

Discussion on the Motion:

Planning Supervisor Lister added for the record that this case would not be scheduled until all information has been received from the applicant, and noticing will be sent as required.

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

Item 2B:

Case No. SD2024-0011 – Gilbert Subdivision: The applicant requests approval of a preliminary plat for Gilbert Subdivision, consisting of six residential lots and one private road lot. The parcel is zoned "CR-R-R" and subject to Development Agreement 22-139. The subject property is located adjacent to 9626 Gilbert Road, Middleton (Parcel R37431017A).

Chairman Sturgill affirmed the applicant to testify.

Ben Semple – (Representative) IN FAVOR – 1450 Bannock St, Boise, ID 83702

Mr. Semple stated they are in agreement with the conditions of approval and all agency comments and requirements, and believes this application fulfills the intent of the end requirements of the development agreement and conditional rezone. Mr. Semple described the project site, including the access and lot sizes. He also addressed concerns from the public regarding school overcrowding, loss of wildlife habitat, traffic congestion and emergency services, including the applicants' compliance with all agency requirements.

Commissioner Nevill asked where the bus stop would be, to which Mr. Semple stated he would have to address that during rebuttal. Commissioner Nevill asked what the firefighting water plan was. Mr. Semple stated each lot will have an individual well and will be tested to ensure they have fire protection ability. Commissioner Nevill expressed his concern with insufficient firefighting water plans, and the desire to see fire hydrants with a firefighting well in a wildland urban interface.

Commissioner Sheets confirmed that there are no surface water or groundwater irrigation rights associated with this project. He also asked for clarification on how groundwater irrigation rights for each property will be obtained. Mr. Semple stated each individual well will be utilized for irrigation under the half acre requirements, and no additional water rights would be applied for anything outside of an individual well for each lot to irrigate their half acre. Commissioner Sheets confirmed there would be an HOA associated with this development, and that the limitation for water rights would be explicit within the CC&R's.

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

Commissioner Nevill asked for clarification on the firefighting water requirements. Planning Supervisor Lister explained the fire district does require fire hydrants; however, alternative options, such as sprinklers, are provided if sufficient fire flows cannot be provided. Ultimately, the final approval from the fire district would need to be obtained to move forward. Commissioner Nevill also inquired on the IDWR enforcement process if a homeowner exceeds the half acre requirements. Planning Supervisor Lister explained he was unsure of the details, but the idea behind the condition is the homeowner would have to obtain an exemption from IDWR or obtain additional water rights.

Commissioner Sheets asked for clarification on condition 5 for the irrigation district. Planning Supervisor Lister agreed it could be changed to state that evidence shall be provided in writing from IDWR.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

John Aldine – IN OPPOSITION – 9510 Gilbert Rd, Middleton, ID 83644

Mr. Aldine referenced his property in comparison to the subject site, and stated he has been opposed to the project since the beginning. He does not agree with the representative's comments about not affecting wildlife in the area, and further expressed his concerns on that topic. Mr. Aldine also expressed concerns regarding the water supply, and urged the Commissioners to consider the current resident's issues.

Chairman Sturgill reminded Mr. Aldine that this is the plat proposal, and asked if there were any specific concerns regarding that, to which Mr. Aldine asked if the way this is developed could be considered.

Commissioner Nevill asked if limiting secondary dwellings would help alleviate some of Mr. Aldine's concerns. There was discussion on whether or not that limitation could be placed during the preliminary plat process, considering the rezoning of this property has already happened and that was not a condition originally specified, and there would need to be a sufficient reason to recommend that condition to the Board.

Ben Semple – (Representative) REBUTTAL – 1450 Bannock St, Boise, ID 83702

Mr. Semple addressed the prior discussion on bus stops, stating either a bus stop would be built if a shelter is necessary, or the existing location could be improved. He also confirmed that all requirements from the fire department would be met, whether that requires fire hydrants or confirming adequate water supply from the wells for sprinkler systems. All homes will be placed to allow adequate fire access. Mr. Semple addressed the concerns on wildlife, stating there is no intent to fence around the entire perimeter, which would allow wildlife to be able to pass through without a huge impact. He confirmed the wells would provide adequate water, and testing should confirm the wells are deep enough and won't negatively impact the aquifer level. Mr. Semple reiterated this project meets all standards and requirements, and will bring 6 really nice homes to the area.

Commissioner Nevill asked what the projected price point for the homes would be. Mr. Semple responded with whatever the market dictates at the time they go on the market. Commissioner Nevill reiterated his concerns with potentially not having fire hydrants available as this area is a wildland urban interface and a fire in the surrounding area could be detrimental without sufficient firefighting water. Mr. Semple stated they were aware of the fire prone areas, and confirmed the developer will be looking at firewise landscaping installation to help mitigate those concerns as well.

Commissioner Sheets confirmed a condition or covenant within the CC&R's could be in place regarding water compliance with IDWR.

Planning Supervisor Lister stated there were no comments or requests for improvements from the school district on bus stop requirements.

MOTION: Commissioner Sheets moved to close public testimony on Case No. SD2024-0011, seconded by Commissioner Mathews. Voice vote, motion carried.

Deliberation:

Commissioner Sheets stated he is in favor of this application, and requested to amend condition 5 regarding the irrigation district as previously discussed, as well as adding that HOA CC&R's shall include IDWR irrigation requirement compliance. There was discussion on potentially adding a condition for firewise plan.

Commissioner Nevill asked about the prior discussion on secondary dwellings. Commissioner Mathews and Commissioner Sheets commented this is a condition that should have been considered during the rezoning process in 2022, and there hasn't been an identified nexus to justify that condition.

MOTION: Commissioner Sheets moved to **recommend approval** for Case No. SD2024-0011 to the Board of County Commissioners, adopting the recommended FCOs that the application does meet criteria, amending/adding conditions 4a, 5, 11, and 12. Seconded by Commissioner Mathews.

Discussion on the Motion:

None.

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

Item 2C:

Case No. CR2025-0005 – Deschutes Investments: The applicant, Deschutes Investments, LLC, represented by Riley Planning Services LLC, requests a conditional rezone of a 9+/- acre portion of Parcel R28836 from an "A" (Agricultural) zone to a "CR-C-2" (Neighborhood Commercial) zone. The request includes a development agreement limiting the use to an RV Storage Facility. The remaining 21+/- acres will continue to be zoned "A". The 32.28-acre property is located north of 7519 E. Locust Lane, Nampa.

Chairman Sturgill called the applicant to testify.

Penelope Constantikes – (Representative) IN FAVOR – P.O. Box 405, Boise, ID 83701

Ms. Constantikes described the purpose and location of this request, to turn 8.92 acres into a recreational storage facility and leave the remaining 70% as agricultural. She explained the City of Nampa has provided comments that support the proposed development and the site is designated by Nampa as commercial in their future land use map. The storage area will be fully enclosed and setback standards have been followed. The historic access for the site has been approved by Nampa Highway District and the property owner has deposited financial surety with them until the permit is pulled and the improvements have been accepted

by the highway district. The main entrance will include both ag access and a gated entrance to the storage area. The emergency only access location will be determined in the future by the Nampa Fire Department and the Highway District to assure adequate site distance. Ms. Constantikes provided statistics on the traffic impact study that was conducted. Fire hydrants, water and sewer are not required for this development. The property owner has reviewed the staff report and concurs with the findings and conditions of approval with the exception of item 1a regarding the traffic impact study as one has already been completed and reviewed by the highway district. Ms. Constantikes requests recommendation of approval.

Commissioner Sheets verified that this site will be used purely for storage, eliminating the need for any water or sewer services.

Commissioner Mathews confirmed the railroad adjacent to the property is active.

Commissioner Nevill asked for clarification on the firefighting capability. Ms. Constantikes clarified that fire extinguishers would be available throughout the site, but the fire department was satisfied with the development and how fire prevention will be accommodated.

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

Commissioner Nevill asked about condition 1a and the representative's testimony of already have completing the TIS. Planning Supervisor Lister did not see any comments from the highway district and sees no harm in keeping the condition as the applicant can submit that evidence. This is also applicable to a turn lane, if deemed necessary.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Herb Schmeltzer – IN OPPOSITION – 7605 E Locust Ln, Nampa, ID 83687

Mr. Schmeltzer expressed concerns on pollution, noise, light and dust. He believes it is an inappropriate location.

Commissioner Mathews asked Mr. Schmeltzer to point out his residence.

Christina Fenner – IN OPPOSITION – 7605 E Locust Ln, Nampa, ID 83687

Ms. Fenner expressed concerns regarding traffic, explaining it already gets backed up every time a train passes through. She also believes this will devalue their property and the view will suffer.

Miranda Palmer – IN OPPOSITION – 7519 E Locust Ln, Nampa, ID 83687

Ms. Palmer explained the numerous accidents they have witnessed in front of their house, which is directly across from the proposed property. She is concerned about an increase in traffic. She also believes the proposed use will disrupt the nature of the area and lower property value.

Commissioner Nevill asked about Locust Lane and the issues Ms. Palmer had expressed regarding poor road conditions. Ms. Palmer stated it has been fixed recently, but recalls the high number of flat tires her husband has helped with over the years.

Commissioner Sheets asked about the potential fatal accident Ms. Palmer testified on and when that accident was. Ms. Palmer stated it was May of 2023, although they were not home when this accident occurred.

Karen Kling – IN OPPOSITION – 7625 E Locust Ln, Nampa, ID 83687

Ms. Kling is requesting denial of the rezone and RV storage facility. The surrounding areas are farms and residential homes with acreage, and a commercial property would not be compatible and create a negative impact to the surrounding homes. Ms. Kling explained the combination of a high speed limit area and low visibility will be dangerous for the additional traffic. She also wanted to note the traffic study only pulled information from the intersections and not along Locust Lane, which may result in some of these accidents not being on the report received.

Commissioner Nevill asked about the nature of Locust Lane heading east. Ms. Kling confirmed the decline going over the bridge over the canal, which further limits visibility, especially to traffic coming from McDermott. A recent accident involving 2 semis was at the Locust Lane and McDermott intersection.

Debbie Kling – IN OPPOSITION – 2327 River Oats, Nampa, ID 83686

Ms. Kling also requests denial, and believes the proposed storage unit is not compatible with the surrounding area and will negatively impact the character of the area and values of the surrounding properties. She noted the letter from Canyon County Soil that the soil on the property is viable agricultural soil. Ms. Kling also expressed concerns with traffic safety and the risk of a fire spreading due to lack of water resources. She believes that timing is critical in the utilization of land and the timing is inappropriate for this location at this time.

Josh Kling – IN OPPOSITION – 7625 E Locust Ln, Nampa, ID 83687

Mr. Kling explained his position as a developer and the understanding of the impacts of existing residents in the area. He feels this would devalue their property, and believes related development should be done at the right time and the right way. Mr. Kling is requesting denial.

Dustin Palmer – IN OPPOSITION – 7519 E Locust Ln, Nampa, ID 83687

Mr. Palmer agrees with prior testimony, and further expressed his concerns with the potential increase of traffic.

Justin Vetos – IN OPPOSITION – 3503 S McDermott Rd, Nampa, ID 83687

Mr. Vetos explained where the property he owns is in relation to the proposed site, and expressed concerns with traffic and the issue with narrow turns and roads. He believes there are other areas more suitable for this type of development.

Commissioner Nevill asked about the hay production, to which Mr. Vetos was able to give an estimate on the production. Commissioner Nevill asked how many acres Mr. Vetos owned, and Mr. Vetos answered 55 acres.

Penelope Constantikes – (Representative) REBUTTAL – P.O. Box 405, Boise, ID 83701

Ms. Constantikes commented that she believes the applicant chose a use that is pretty mild for what is allowed in an agricultural zone. She addressed the turn lane, commenting that an offsite improvement wouldn't happen due to the highway district now owning right of way. Ms. Constantikes stated this would have a dust free surface, and noted pre-development runoff is allowed based on DEQ rules, and any post-development runoff would be contained. She does not believe the neighbors to the south would be affected as far as views, and there is a massive landscape buffer that is proposed to go in. The TIS showed 4 accident in 6 years at the intersections, but there was not information provided for any accidents between the intersections. Ms. Constantikes mentioned each cutting generates 52 tons of hay from 30 acres. She also confirmed the key pad would not run 24 hours as some of the prior concerns expressed; there would be a cutoff time.

Ms. Constantikes' five (5) minutes of testimony expired.

MOTION: Commissioner Sheets moved, seconded by Commissioner Nevill to give Ms. Constantikes two (2) minutes of additional testimony. Voice vote, motion carried.

Ms. Constantikes continued with explaining the applicant's history of another RV storage facility and emphasized that there have been no fires or calls for emergency services in 4 years. She reiterated this would be a better alternative than keeping recreational vehicles in neighborhoods.

Chairman Sturgill asked for clarification on the nearby commercial areas. Ms. Constantikes stated the residences on the south side of Locust were zoned commercial, as well as the property on Greenhurst and Locust roads being zoned commercial in the future land use map. It was clarified neither of these were currently zoned commercial, but they are for the future land use designation.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CR2025-0005, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Commissioner Nevill is not in favor of this application due to the nature of the area. In reference to criteria 2, this use is not a more appropriate use; in reference to criteria 3, it is not compatible with the surrounding land uses; in reference to criteria 4, it would negatively affect the character of the area; in reference to criteria 6, it will interfere with existing traffic.

Commissioner Mathews stated his main concern is the traffic congestion around the railroad, especially around holiday weekends.

Commissioner Sheets believes it is a decent plan; however, the location is not ideal and there seems to be missing information from the traffic impact study, which raises concerns with traffic in the area.

Chairman Sturgill does not agree with staff's findings that this is more appropriate than the current designation.

MOTION: Commissioner Nevill moved to **recommend denial** for Case No. CR2025-0005 to the Board of County Commissioners, adopting the recommended FCOs that the application does not meet criteria. Seconded by Commissioner Mathews.

Discussion on Motion:

Commissioner Sheets recommended including the Soil Conservation Reservation District's report for criteria 2 as additional evidence – Commissioner Nevill concurred.

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

3. DIRECTOR, PLANNER, COMMISSION COMMENTS:

There was discussion on the status of obtaining more commissioners and the subsequent training. There was also discussion on the status of cases. Commissioner Nevill requested the questions that were asked during a recusal be captured for future similar incidents.

4. ADJOURNMENT:

MOTION: Commissioner Nevill moved to adjourn, seconded by Commissioner Sheets. Voice vote, motion carried. Hearing adjourned at 9:29 P.M.

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

Approved this 16th day of October, 2025



Robert Sturgill, Chairman

ATTEST



Caitlin Ross, Hearing Specialist