



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, December 4, 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
Holley Werhanowicz, Commissioner
Anita Johnston, Commissioner

Staff Members Present: Dan Lister, Planning Supervisor
Karla Nelson, 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. **October 16, 2025 MINUTES**
- B. **Case No. CU2025-0011 – Knife River Corp-Mountain West: Approve FCO's**
- C. **Case No. CR2024-0002 – Huff: Approve FCO's**

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

Item 2A:

Case No. CU2025-0012 – Barnes: The applicant, Duane Barnes, is requesting a Conditional Use Permit for a staging area and contractor shop on approximately 5.35 acres in an "A" (Agricultural) zone for his contractor business. The applicant is proposing a 30x55 shop to store tools and materials with a 15x30 office inside, a 30x40 shed will also be used to store materials, the site will have gravel parking for equipment such as company trucks and trailers. There will be 6 employees and parking for them onsite. The hours of operation are Monday through Thursday, 7 am – 5 pm. No customers come onsite. The subject property is located at 22089 Eel Ln, Middleton, also referenced as Parcel R25390010.

Chairman Sturgill affirmed the applicant to testify.

Duane Barnes – (Applicant) IN FAVOR – 22089 Eel Ln, Middleton, ID 83644

Mr. Barnes provided background of their business and the process of obtaining a conditional use permit, which started after finding out one was required when looking into splitting their property for family to potentially build on. The business is operated from the property using a 30 x 55 shop that has a 15 x 35 office in it, a 30 x 40 tarp shed used for storing materials and equipment, and a gravel area behind the shop for parking vehicles, trailers and equipment. All buildings are existing, and there are no plans to add any additional buildings. Mr. Barnes explained there are 6 employees including himself. They meet at the office every morning and will typically use 1 pickup and trailer for the day, depending on what is needed for the day. The hours of operation

are Monday through Thursday, 7:00 a.m. to 5:00 p.m., with the hours varying depending on the time of year. There are no products made on site and vehicle maintenance is conducted offsite as well. Vehicle equipment consists of 4 pickups (2 personal and 2 cargo style), 2 trailers, a 12-foot dump trailer, an 18-foot flatbed trailer, a small skidster, and a small tractor for the bucket and scraper. Mr. Barnes brought in gravel and $\frac{3}{4}$ chip gravel for the parking area and driveway to help mitigate dust. While there are deliveries made to the property, the traffic for business related deliveries or other non-employee business related visits is minimal, and Mr. Barnes is very mindful of reminding his employees to be cautious and respectful while driving in the area. Mr. Barnes addressed a neighbor's concerns about an increase in traffic, stating the increase is not from his business, and they only operate 4 days of the week instead of the alleged 5 days that this increase in traffic is occurring. He does not believe that this small construction business would negatively affect property values, commenting that it does not look anything like a construction company, but rather a typical nice residence. Mr. Barnes wanted to address the condition requiring a sight obscuring fence on the south and east sides of the property, stating they are surrounded by pastures and it would obstruct their view. He requested the Commission remove that condition. Mr. Barnes concluded by reiterating the amount of traffic for this business is minimal, and they want to be good neighbors while owning a small business and being able to work from home.

Commissioner Nevill confirmed that the applicant agreed with all conditions, aside from condition 10 regarding the sight obscuring fence. Mr. Barnes pointed out his property and the area used for the business, confirming that condition 2 addresses that area changing to commercial.

Chairman Sturgill inquired on the number of vehicle trips up and down the driveway. After some discussion, it was determined 25 trips per day would be a safe limit, including business and personal.

Commissioner Sheets asked for clarification on general contractor. Mr. Barnes gave examples of contracting jobs. Commissioner Sheets asked about a reference in the deed and whether there is another specific easement document. Mr. Barnes is not aware of one.

Associate Planner Amber Lewter reviewed the Staff Report for the record.

Chairman Sturgill thanked Planner Lewter for including Exhibit A9 as it related to criteria 6 and 4. He asked for clarification on the 5 year period that improvements have to be made. Planner Lewter specified the conditions regarding change of occupancy for the preexisting buildings, the commencement date, and improvement completion date per code. Chairman Sturgill confirmed that the Commission has the ability to tighten any of the timeframes.

Commissioner Nevill asked if there is an existing road user's maintenance agreement. Planner Lewter said there is, although it is not required at this time with only 2 properties using the private road for access. It will become a requirement within these conditions because the office will need an address which will automatically meet the threshold for 3 inhabitable buildings. It was also determined that the applicant could record their own road user's maintenance agreement and take full ownership of the maintenance. Commissioner Nevill asked for clarification on the locations of the sight obscuring fences. Planner Lewter clarified that the home is to the north and there are mature trees to the west, which are already sight obscuring, so the fences would only need to be installed to the east and south of the business portion of the property. Commissioner Nevill inquired on the commercial aspect of the property and what happens if the property changes ownership. Planner Lewter specified that only the buildings being used for business are changing occupancy to commercial use, and a new owner will need to reapply for a conditional use permit if they wish to conduct a similar business.

Commissioner Sheets asked about a reference in the deed and whether there is another specific easement document. Planner Lewter stated the only other document is the decision in 2005 regarding the easement reduction. There was further discussion on the road user's maintenance agreement and requirements based

on code and fire district review. Commissioner Sheets asked if this would still be within the 5 year requirement, and Planning Supervisor Dan Lister explained that the commencement and completion requirements are more restricted with this application as the business is already operating.

Planning Supervisor Dan Lister addressed the questions on the sight obscuring fence, specifying that code requires the use shall be contained with a building or behind a sight obscuring fence, so any equipment would need to be behind a sight obscuring fence.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Derek Moore – IN OPPOSITION – 22033 Eel Ln, Middleton, ID 83644

Mr. Moore explained the history of his ownership of the whole property prior to the split and the ownership of the road and the easement with the Barnes. Mr. Moore is concerned with the change to commercial affecting the value of the surrounding properties. He also expressed concerns with potential future expansion. Mr. Moore stated a commercial easement would need to go through him as it is all on his property and the Barnes just have the easement.

Commissioner Nevill asked if the easement conceived the idea of more residences. Mr. Moore explained that when he did the original split, it was intended to keep it to 2 5-acre parcels. Commissioner Nevill asked about the nearest commercial, to which Mr. Moore described a couple of locations off of Highway 44 north of the subject property as commercial.

Commissioner Sheets asked if there are any other specific easement documents that outlines what is or isn't allowed on this easement. Mr. Moore said no, stating they did what was necessary for approval at the time.

Rebecca Smith – IN OPPOSITION – 22139 Eel Ln, Middleton, ID 83644

Ms. Smith believes that in regard to criterion 4, this will be injurious and negatively impact their property, which is to the east and south of the subject property. She explained the history of paving Eel Lane to their property while providing a turnaround.

Chairman Sturgill asked if there was anything that could be done to mitigate the impacts, specifically on the concerns regarding an increase in traffic. Ms. Smith agreed that extending the pavement on Eel Lane would cut down on the dust, but it could not be widened as proposed due to the canal on the north side of Eel Lane.

Ranee Herrera – IN OPPOSITION – 8419 Hwy 44, Middleton, ID 83644

Ms. Herrera explained there are a lot of children living in the vicinity and expressed concerns about employees from Barnes Construction speeding down Eel Lane and onto Highway 44. She is also concerned with the unknown of future expansion.

Chairman Sturgill asked about mitigation measures and whether speed bumps would be beneficial. Ms. Herrera stated speed bumps would help, and did not have any other ideas on mitigating these concerns.

Justin Walker – IN OPPOSITION – 22504 Eel Ln, Middleton, ID 83644

Mr. Walker described the challenges with opposing traffic on the paved portion of Eel Lane, stating it is not set up for construction equipment or vehicles. He has witnessed speeding and is concerned for the children that live in the neighborhood. Mr. Walker talked about Highway 44 and the expected increase in traffic volumes as well as the number of accidents. A lot of these accidents are caused from rear ending and traffic entering the highway. Mr. Walker believes a construction company will negatively change the character of the area.

Duane Barnes – (Applicant) REBUTTAL – 22089 Eel Ln, Middleton, ID 83644

Mr. Barnes emphasized that splitting the land and building more houses might not even happen, and that the focus is on the conditional use permit. Mr. Barnes explained that the ditch is around 10 to 15 feet from the edge of the road, so there is room for expansion, and the culvert can be extended as well. The fire department has been to their house and didn't have any issues getting to the property. Mr. Barnes explained that the speeding is not something that they want happening. He does not understand the purpose or validity of the sight obscuring fence as it is a half mile to any house on either the east or the south and it obscures their view as well. Mr. Barnes closed with stating he does not have any hard feelings towards any of the neighbors' expressing concerns as they are his concerns as well, and they will do what they can to make this situation as livable as possible.

Commissioner Nevill asked if Mr. Barnes would be willing to pay to have the remainder of Eel Lane to his property paved. It was determined that is approximately 650 feet, and Mr. Barnes stated that would be expensive.

Planner Lewter clarified that the easement is going to be on the deed of both parcels because it is an ingress egress easement to get to both properties. She also specified that the address won't specify that it is a commercial address because it is just a change of occupancy for the shop to become commercial to meet building requirements for the type of use. If the non-viable was denied, a secondary residence is still allowed which would trigger the 3rd residence for the private road requirements. Expansion of the road 4 feet to the north would still meet the ditch setbacks, and there is not a variance for under 28 feet at this time. Planner Lewter also mentioned that the applicant has to stay within general conformance of the application and letter of intent, which addresses the concerns with expanding the business with more employees.

Planning Supervisor Lister clarified the meaning of an easement and how many average daily trips Highway District 4 estimated. The private road code would be the non-paved standards for the private road. Chairman Sturgill confirmed that the easement needs to be 28 feet, whether or not it is fully paved, and asked if the entire conditional use permit collapses if the applicant cannot achieve agreement with the neighbor to the north for the 4-foot additional to the easement. Planning Supervisor confirmed, and stated if a condition can't be met, it's in violation and if they don't do it within that specific timeframe it expires.

Commissioner Nevill asked for clarification on what happens if Mr. Moore does not agree to the expansion of the easement. Planning Supervisor Lister stated that a building permit or commencement would not be allowed if that condition is not met within the specified timeframe. The CUP would die or the applicant could come back to modify that condition and explain why it cannot be met.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CU2025-0012, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Commissioner Nevill expressed concerns with access and Mr. Moore not being willing to grant the expansion of the easement.

Planning Supervisor Lister clarified that easement is already granted to this use of this property, so if Mr. Moore does not like the private road change, it becomes a civil matter.

Commissioner Sheets believes the proposed conditions will help mitigate some of the concerns and hopes that the applicant will take the public testimony into consideration. He welcomes the 13th condition for the private road, and confirmed all conditions as drafted are appropriate, including the sight obscuring fence.

MOTION: Commissioner Sheets moved to **approve** Case No. CU2025-0012, adding condition 13 regarding the private road requirements. Seconded by Commissioner Johnston.

Discussion on the Motion:

Commissioner Nevill believes this is injurious and will change the character of the area based on testimony and exhibits received.

Chairman Sturgill will be voting against this motion and believes that as proposed and as conditioned, it will be injurious and the conditions do not mitigate his concerns, particularly with respect to safety on the road. His vote would be conditioned upon paved road and paved road extensions and speed bumps on that extension.

Roll call vote: 2 in favor, 3 opposed, motion failed.

MOTION: Commissioner Nevill moved to **deny** Case No. CU2025-0012, finding that the application does not meet the criteria for approval under article 07-06-05, specifically in regard to criterion 4. Seconded by Commissioner Werhanowicz.

Discussion on the Motion:

Planning Supervisor Lister requested Commissioner Nevill to provide staff what exhibit or testimony to use for this finding. Commissioner Nevill elaborated on testimony from Mr. Moore, Ms. Smith, Ms. Herrera and Mr. Walker.

Chairman Sturgill believes this CUP can be conditioned, so is reluctant to deny without attempting to condition it properly.

Roll call vote: 2 in favor, 3 opposed, motion failed.

MOTION: Commissioner Sheets moved to **approve** Case No. CU2025-0012, adding condition 13 regarding private road requirements, including an all-weather road surface. Seconded by Commissioner Johnston.

Discussion on the Motion:

None.

Roll call vote: 3 in favor, 2 opposed, motion passes.

Item 2B:

Case No. CU2025-0013 – Jimenez-Arredondo: The applicant, Juan Jimenez - Arredondo, represented by Jaime Huerta, is requesting a Conditional Use Permit for a staging area and contractor shop for a fencing and landscape business of approximately 5.95 acres in an "A" (Agricultural) zone. The applicant is proposing a metal shop to store tools and materials, along with a 6 ft sight obscuring fence around the facility to store larger equipment such as 5 pickup trucks and 7 utility trailers. There will be 10 employees and parking for them onsite. No customers come onsite. Proposed hours of operation are Monday through Friday 7 am – 7 pm. The subject property is located at 17665 Upper Pleasant Ridge Rd, Caldwell, also referenced as Parcel R35530.

Chairman Sturgill affirmed the applicant to testify.

Jaime Huerta – (Representative) IN FAVOR – 3857 N Watersong Way, Meridian, ID 83646

Mr. Huerta described the request of a conditional use permit to allow use of a contractor shop and staging area for a small fencing and landscaping company, which includes installation of a future proposed secure metal building strictly used for storage of tools and materials and contained behind a sight obscuring 6-foot vinyl fence. This request aligns with the county code provisions allowing for certain uses including contractor shop and staging area, subject to review and approval under the application process. Mr. Huerta explained that the proposed use will not be injurious to surrounding properties or negatively alter the area's character. The use is limited to equipment storage with no public access or manufacturing. The traffic is limited to carpooling and equipment pickup/drop-off in the early morning and evening hours and there will not be an interference with traffic patterns. Equipment and activities will remain within the fenced area and no noise or disturbance beyond normal operations and permissible hours is anticipated. Legal access already exists via an established entrance off of Upper Pleasant Ridge Road, and a gated entrance specific to the staging area is installed beyond the primary residence providing secure and controlled access to the facility. The proposed use will not negatively impact essential services such as schools, emergency service or irrigation, and there is not an increase in demand for police, fire or EMS support. Mr. Huerta described the operations plan. The hours of operation are 7:00 a.m. to 7:00 p.m. and the business consists of approximately 10 employees. There are 5 standard pickup trucks and 7 utility trailers. Employees are expected to be observant and abide by local traffic signs, speed limits and patrons. Dust will be mitigated by spreading gravel for access to the site, and there is an existing septic system designed to handle minimal usage. The site will be graded to facilitate proper drainage and prevent water pooling.

Commissioner Nevill asked if all 15 conditions were acceptable. Mr. Huerta requested that further consideration and discussion on the condition regarding a 15-foot right of way requested by the highway district would be considered as the request is not directly tied to a current subdivision or development application.

Commissioner Sheets asked if the owner resides onsite. Mr. Huerta stated that he believes the owner's father is currently residing and the residence. Commissioner Sheets confirmed that would explain the difference between the address on the affidavit of legal interest versus the conditional use permit application.

Associate Planner Amber Lewter reviewed the Staff Report for the record.

Commissioner Sheets asked if the conditional use permit is for the entire 5.95-acre parcel or for what is shown in the site plan. Planner Lewter explained the application had the full acreage, but she did not have the proper acreage for the designated site plan to condition it.

Commissioner Nevill asked if the approval of this application will clear all of the code violations, to which Planner Lewter confirmed it would with the current proposed conditions.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Keith Cochran – IN OPPOSITION – 17531 Upper Pleasant Ridge Rd, Caldwell, ID 83607

Mr. Cochran claimed the road is quickly turning into Hwy 19 and an industrial park. There are 2 in the area already that are breaking the law and getting away with it. There are small kids and families in the area and these drivers are driving up and down with big rigs and not paying attention. Mr. Cochran stated he was unaware that the applicant's father was living onsite, but potentially a sister. He further expressed his concerns with traffic and complained about a neighbor that has been red flagged but the building hasn't been torn down like it was supposed to, causing insulation and paper flying everywhere. Mr. Cochran requested having their agricultural quiet neighborhood back.

Commissioner Sheets requested Mr. Cochran to point out his property. He asked if the big rigs that Mr. Cochran is referencing come out of this property. Mr. Cochran stated he hasn't seen big rigs come out of this property yet, but quite a few trucks and trailers.

Chairman Sturgill asked if there were any other concerns pertaining to the evaluation criteria. Mr. Cochran referenced the traffic patterns and the nature of the request does not fit in with the quiet farmland in the area. Chairman Sturgill asked if there were any conditions that could help mitigate the impact. Mr. Cochran admitted that he could not think of one on the spot.

Commissioner Nevill asked how many estimated trips per day there were. Mr. Cochran stated there are 50-80 trucks that are flying through there. Commissioner Nevill asked for clarification on the size of trucks, and Mr. Cochran explained the traffic being diverted due to Farmway being shut down. Commissioner Nevill asked if the larger lots in the area create an agricultural way of life. Mr. Cochran talked about all of their animals on their property.

Ed McFarland – IN OPPOSITION – 17476 Upper Pleasant Ridge Rd, Caldwell, ID 83607

Mr. McFarland talked about living in the country and expressed concerns about disrupting the peace and quiet. He also expressed concerns regarding traffic and small kids in the area.

Chairman Sturgill asked if Mr. McFarland's property was zoned agriculture. Mr. McFarland commented that he is zoned residential.

Staci VanOstran – IN OPPOSITION – 17531 Upper Pleasant Ridge Rd, Caldwell, ID 83607

Ms. VanOstran expressed concerns about the hours of operation, claiming the applicant's hours are all over the place. This business, in addition to an adjacent property that trashed their land, has devalued their property. Ms. VanOstran stated the plan for the fuel tanks is a concern. She stated that the site pictures show a cleaned up property, but that is not how it looks day to day and it is easy to clean something up when you know someone is coming. The 6-foot fence that was installed is encroaching the neighbor to the west and their ability to farm.

Commissioner Sheets asked for clarification on the day to day activities on the subject property. Ms. VanOstran explained their equipment is not as organized as they portray in the pictures and an RV that is being lived in. It does not look bad from the road, but the disorganization is what is observed when looking to the west into their property. Commissioner Sheets asked if the fence was on someone else's property. Ms. VanOstran said the property line is correct, but having the solid vinyl fence makes farming difficult.

Jaime Huerta – (Representative) REBUTTAL – 3857 N Watersong Way, Meridian, ID 83646

Mr. Huerta addressed the concerns with hours of operation, admitting that he is unaware if the earlier hours happened prior to the outreach public meeting, but the owner is adamant on honoring the proposed hours of operation. He stated that the RV is no longer inhabited, and the worker that was staying there has left. Mr. Huerta said they could consider mitigation efforts for the diesel tank. He mentioned that the claims on all of the traffic being the owner and his vehicles is hearsay, and a lot of the neighbor's trucks are the same size as the owner's. Mr. Huerta stated that Planner Lewter did not make an appointment to take the site photos, so the pictures portray how it normally is. He said he would reflect that concern back to the owner to be aware of those concerns. Mr. Huerta feels this business falls in the appropriate category of allowed uses in the current zoning and emphasized that this is not an application to have this property commercially zoned. He concluded by stating the owner is open to addressing all of the proposed conditions and continuing to take care of any concerns.

Commissioner Nevill asked if the owner would be amendable to a steel containment for the diesel tank. Mr. Huerta stated there are many engineering controls that could be implemented which would provide the same intent.

Commissioner Werhanowicz asked how involved the owner is in the business. Mr. Huerta said he is one of the workers and is actively involved, and confirmed he does not live there. Commissioner Werhanowicz asked if the owner is willing to confine the hours to 7:00 a.m. to 7:00 p.m. Mr. Huerta admitted the hours may flex a bit due to traffic, but the goal is to keep it within those hours to be a respectful neighbor.

Chairman Sturgill advised Mr. Huerta that if there is a constant issue of going outside of those hours, the owner could lose the conditional use permit. Mr. Huerta asked what the noise cutoff time is for Canyon County.

Planning Supervisor Lister stated that there is not a code for decibel levels, so it would be something that needs agreed upon on what decibel levels should be at a certain time. The proposed use is consistent with agriculture uses in an agricultural area.

Mr. Huerta asked if there is flexibility as arriving on time in the morning is easily controlled, but arriving back in the evening could be challenging with traffic. Chairman Sturgill suggested proposing times now. Mr. Huerta requested 8:00 p.m.

Planner Lewter confirmed that the site visit was not planned. She addressed the concern regarding the diesel tank, suggesting modifying the condition to meet DEQ requirements and evidence should be provided within 180 days.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CU2025-0013, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Commissioner Nevill cannot support this request because it changes the character of the area and interferes with traffic patterns.

Commissioner Sheets agrees that it changes the character of the area with its location and surrounding land uses.

MOTION: Commissioner Nevill moved to **deny** Case No. CU2025-0013, finding that the application does not meet the criteria for approval under article 07-06-05, specifically in regard to criterion 4 and 7. Seconded by Commissioner Sheets.

Discussion on the Motion:

Chairman Sturgill explained why he will vote against the motion. This is an agricultural region and this type of operation is consistent with ag operations.

Roll call vote: 3 in favor, 2 opposed, motion passes.

Item 2C:

Case No. CR2024-0003 – Bruno: The applicant, Matt and Stacy Stoffel, represented by Angela Bruno, is requesting a Conditional Rezone of approximately 16.26 acres from an “A” (Agricultural) zone to an “R-R” (Rural Residential) zone. The request includes a Development Agreement that restricts lot sizes to a minimum of five (5) acres. The subject property is located at 20262 Market Road, Caldwell, also referenced as Parcel R38277010.

Chairman Sturgill affirmed the applicant to testify.

Angela Bruno – (Representative) IN FAVOR – 3971 N Marcliffe, Boise, ID 83704

Ms. Bruno described the property and the intent of the conditional rezone. The land cannot sustain agricultural production and the cost outweighs the yield. A rezone allows a productive community serving use of otherwise unused land and is needed to support rural compatible housing. There is a community need and desire for small acreage properties to promote self-sufficiency. Ms. Bruno explained the plan of proposing a small rural subdivision consisting of only 2 additional parcels for a total of 3 suitable for sustainable homesteads, supporting the demand of small acreage properties while benefiting the community. The owners, Matt and Stacy Stoffel, have already worked with neighbor's concerns about having lots smaller than 5 acres, and plan to maintain the agricultural feel and exemptions. There were other neighboring concerns regarding water and CC&R's, which have been addressed. The proposed plan creates a better driveway spacing, a larger ingress egress off of Market Road, and legal easements for irrigation would be improved and would benefit the surrounding areas. Ms. Bruno closed by requesting approval of the conditional rezone, which contributes to and preserves the current rural lifestyle and appeases all agency and neighbor concerns while benefiting the community. She does not believe it sets a precedence for future zoning as it is specifically intended for these types of unique situations.

Commissioner Nevill asked where the closest rural residential zone to this property is. Ms. Bruno stated it is within a mile to the east.

Commissioner Sheets confirmed that the owners have challenges farming this land. Ms. Bruno stated the intent is 5-6 acre parcels with hobby farms. Commissioner Sheets asked how other people would be able to farm if the owner was unable to. Ms. Bruno insisted that family farming is different than producing something that is supposed to be profitable. Commissioner Sheets asked what kind of crops were grown in the past, and Ms. Bruno stated they were primarily alfalfa and potatoes.

Principal Planner Karla Nelson reviewed the Staff Report for the record.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Matt Stoffel – IN FAVOR – 20262 Market Rd, Caldwell, ID 83607

Mr. Stoffel summarized letters of support from some of the surrounding neighbors, including one from the Shuey's that states this change will help create additional rural housing opportunities for local families who want to remain in the area while enjoying a lower density life. Mr. Stoffel enjoys living in this location and their intention is to maintain the environment that is currently there.

Commissioner Nevill confirmed there are no further admin splits available.

Commissioner Sheets asked what kind of crops or activities has occurred on the property in the past 20 years. Mr. Stoffel explained they intended to grow alfalfa and join the property adjacent that his father purchased. The crops were always divided based on the property, and his property required double the amount of fertilizer and consistently yielded less crops.

Paula Gonsalves – IN FAVOR – 20012 Market Rd, Caldwell, ID 83607

Ms. Gonsalves approves of this request, noting she understands the struggles that the owner has faced with farming. She described the area and believes this request is consistent with a rural environment and would add to the culture of their community.

Ralph Betz – IN FAVOR – 20133 Market Rd, Caldwell, ID 83607

Mr. Betz agrees there is a large demand for this type of property. He has witnessed the owner trying to farm for 27 years with no production, so believes this request is a better use for the property.

George Davis – IN NEUTRAL – 20002 Market Rd, Caldwell, ID 83607

Mr. Davis admitted he does not have a problem with the plan, but is curious how this parcel will be rezoned without other people following the same suit.

Commissioner Johnston asked if this property is of lesser production than some of the other surrounding land. Mr. Davis believes that ground could take more input because of the current irrigation system. He further described the farming techniques he's witnessed over the years and the struggles it has caused. He emphasized that he does not have a problem with what Mr. Stoffel wants to do with the property, but is mostly concerned with opening the door for others to do the same.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CR2024-0003, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Commissioner Nevill agrees with staff's findings and recommendation of denial. If it does move towards approval, he will fight for no secondary dwellings.

Commissioner Sheets admitted it was a good proposal; however, it is in an ag zone and it sets a precedent. He complies with the comprehensive plan and will not be recommending approval.

MOTION: Commissioner Sheets moved to **recommend denial** for Case No. CR2024-0003 to the Board of County Commissioners, adopting the recommended FCOs that the application does not meet criteria. Seconded by Commissioner Nevill.

Discussion on the Motion:

None.

Roll call vote: 5 in favor, 0 opposed, motion passed.

Item 2D:

Case No. CR2024-0004 – Fredericksen: The applicant, Brett Fredericksen, is requesting a conditional rezone of the agricultural portion (approximately two acres) of a 2.71 acre parcel from an "A" (Agricultural) zone to "CR-R1" (CR-Single Family Residential) zone for the purpose of creating an additional residential parcel. The balance (0.71 acres) of the property is currently zoned "R1" (Single Family Residential). The subject property is located at 21004 Foggy Lane, Caldwell, Idaho, also referenced as Parcel R34070011.

Chairman Sturgill affirmed the applicant to testify.

Brett Fredericksen – (Applicant) IN FAVOR – 21004 Foggy Ln, Caldwell, ID 83605

Mr. Fredericksen explained the intent of splitting their parcel into 1.3 and 1.4 acres. With their current residence, they don't feel it changes the integrity of the land nor is it injurious, and it is consistent to the properties that are south of this parcel. The current surface water rights for the irrigation ditch would be split between the 2 parcels. Mr. Fredericksen stated they already have a committed buyer that is planning to build a single family home, and this would add a lot of value to their private lane. The new parcel would have an individual well and septic system and is a better use of the land.

Commissioner Nevill confirmed all proposed conditions were acceptable, and asked about clarification on the condition regarding historic preservation. Mr. Fredericksen stated they are next to the Ward Massacre Park, but it does not seem like it would be necessary to do a historical dig as the land has been cultivated and farmed for many years and there may not be any artifacts remaining. Commissioner Nevill asked about the current road users maintenance agreement. Mr. Fredericksen stated the current agreement does not include their parcel, so they have been working with the person who originally split the lots and an attorney to amend it or create a new one.

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

Commissioner Sheets asked if the archeological reconnaissance were requested for the gravel pits northeast to the subject property. Planning Supervisor Lister said they were not.

Commissioner Nevill recalled history on the Ward Massacre and the reasoning behind BOCC's decision in the past.

Chairman Sturgill asked if the rail line terminates before Lincoln Road. Planning Supervisor Lister said it was part of the rail line that got merged into the properties and was relinquished. Chairman Sturgill asked about an area on the map and whether it was Middleton. Planning Supervisor Lister pointed out Caldwell below Lincoln Road and Middleton above. Chairman Sturgill asked if there have been discussions on annexation from either city. Planning Supervisor Lister claimed he did not see any comments but there have been past comments on how to align the plans because industrial next to residential is not ideal. There is a nearby property that may annex in the future, and this property could most likely annex into the City of Caldwell. Chairman Sturgill recalled a recent rezone for a commercial zone and the neighbor's concerns and asked how this rezone is rationalized for approval and compatibility with possibly the same issues. Planning Supervisor Lister remanded to the comprehensive plan and the history of this location. In summary, this request does not change the environment as it is either a split with 1 house on each parcel or a parcel with a home and a secondary dwelling. Chairman Sturgill asked if there is any conditioning that could be implemented to prevent that future conflict, and Planning Supervisor Lister described a past land division where they provided a disclosure that was added to the CC&R's regarding the industrial and commercial nature of the area.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CR2024-0004, with an addition to condition 4 regarding a property disclosure regarding industrial activity in the area to be included in the development agreement. Seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Commissioner Sheets said that based on what is going on in the area, the adjacent zoning, and what the property is currently entitled to have, he agrees with Planning Supervisor Dan that there is no net gain of any density that isn't already allowed. He does not have any reason to oppose this request.

Commissioner Nevill stated he is in favor of this request and the historical condition, and is in favor of creating a development agreement disclosure as mentioned previously.

MOTION: Commissioner Sheets moved to **recommend approval** for Case No. CR2024-0004 to the Board of County Commissioners, adopting the recommended FCOs that the application does meet criteria. Seconded by Commissioner Nevill.

Discussion on the Motion:

Commissioner Nevill withdrew his second after realizing the condition regarding historical preservation was not included.

MOTION: Commissioner Sheets moved to **recommend approval** for Case No. CR2024-0004 to the Board of County Commissioners, adopting the recommended FCOs that the application does meet criteria. Seconded by Commissioner Johnston.

Roll call vote: 4 in favor, 1 opposed, motion passed.

3. DIRECTOR, PLANNER, COMMISSION COMMENTS:

Chairman Sturgill reminded the Commission that the first hearing in January will be the election of officers. There was discussion on an additional hearing for January 22, 2026, and it was determined there will be a quorum present.

4. ADJOURNMENT:

MOTION: Commissioner Nevill moved to adjourn, seconded by Commissioner Sheets. Voice vote, motion carried. Hearing adjourned at 10:37 P.M.

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

Approved this 22nd day of January, 2026



Brian Sheets, Acting Chairman

ATTEST



Caitlin Ross, Hearing Specialist