



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, March 26, 2026
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
 Holley Werhanowicz, Commissioner
 Anita Johnston, Commissioner

Staff Members Present: Jay Gibbons, Director of Development Services
 Deb Root, Principal Planner
 Jennifer Almeida, Office Manager

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. Action Items

Item 1A:

Case Nos. OR2022-0002 and RZ2022-0002: The developer is requesting to amend the 2020 Comprehensive Plan designation for approximately 151.56 acres from 'Agriculture' to 'Residential' and concurrently requesting a Conditional Rezone from an "A" (Agricultural) zone to a "CR-R1" (Single Family Residential) zone for the purpose of developing the property as a residential subdivision. The draft concept plan proposes a minimum of 135 residential lots on the 151.56 acres. The properties are located at and adjacent to 23422 Ustick Road along Ustick and Van Slyke Roads and are further described as parcels R36525 and R36523 (4N-4W-31 SE), R33209, and R33210 (3N-4W-06-NE) Boise-Meridian, Canyon County, Idaho. These properties lie within the Homedale and Wilder Fire Districts and the Vallivue and Homedale School Districts. The property currently lies within the Greenleaf area of city impact. The development properties contain areas of 15% slope or greater. The Planning and Zoning Commission forwarded this case with a recommendation of Denial for both the Comprehensive Plan Amendment and the Conditional Rezone on August 21, 2025, and on January 13, 2026, this case was remanded back to the Planning and Zoning Commission.

Chairman Sturgill asked if any member of the Commission for reasons of a conflict-of-interest request to be excused from participating in this item.

Commissioner Nevill did not request to be excused but felt it important to acknowledge that the last time this case was heard in August, he recused himself at that time because he was President of the Board of the Snake River Canyon Byway. He disclosed that he is no longer President and did not have anything to do with the letter that was presented as part of this case. Chairman Sturgill asked if any member or the Commission had any challenges or issues with Commissioner Nevill's disclosure. There were no concerns.

Chairman Sturgill affirmed the applicant to testify.

Todd Lakey (Representative) IN FAVOR –12905 Venezia Ct., Nampa, ID 83651

Mr. Lakey stated that the request is a conditional rezone that meets the criteria and is a compatible part of an existing pattern of residential land uses and zoning in the area. The project provides high quality rural estate lots on poor or non-farm ground. This proposal is located in the right location and is the right type of residential use that is contemplated in the Comprehensive Plan. The proposed use achieves the land use balance noted in the 2020 plan. This project is likely to use Greenleaf city services (sewer and water). A traffic impact study has been completed in cooperation with the highway district. The scope of the study was well beyond the typical scope for this type of project. The traffic impact study largely confirms Mr. Orton's testimony at the last hearing that his project will not require significant improvements. There will be some improvements, but it will not cause undue interference with existing or future traffic patterns. Mr. Lakey stated that the subject property is contiguous to existing residential designations in the Comprehensive Plan. It is adjacent to the Williamson's conditional rezone that allows for one acre lots or smaller with central sewer and water. The Williamson's rezone was approved and is governed by Zoning Ordinance 05-002. Mr. Lakey also noted that the property is adjacent to the Timberstone residential development and golf course. Timberstone development utilizes a community water system and individual septic systems. The average lot size in Timberstone is closer to .65 acres. The proposed lots in this development are larger than those in Timberstone. Garret Ranch Subdivision is located to the southwest and contains 1.4-acre parcels on individual well and septic. Mr. Lakey stated there are 146 lots within one mile and the proposed lot sizes are comparable and compatible. The proposed development would be the only one with services brought in or public services. Mr. Lakey referenced letters received from Canyon County farmers that farm thousands of acres that support this type of project on this type of land. The development would contain nicer, custom homes. The Indhart's property was a former CAFO in its heyday. It has 3-4000 head of cattle but hasn't been operated that way for many years and has no water rights. Christensen's farm over 2200 acres and they're the owners of a portion of the subject property and can testify to the farm ground viability. The subject property has poor soils, rolling topography and has lax irrigation water or has insufficient water that makes it non-viable. It is not the type of ground that should be preserved and forced into agricultural production. The lowest to the highest point in the property is about 100 ft. Although people say the property has grown crops, they don't have knowledge of the specifics in regard to operational costs and actual production viability. In 2024 there were cows on the Indhart property, but those belonged to their hired hand. There were 13 cows and 13 calves. The Indhart's would also bring about 25 of their cows down from their Midvale ranch but they haven't done that in a while. Mr. Lakey indicated that there would be a Hydro Engineer testifying this evening in regard to the water system and aquifer. Mr. Lakey noted that there are no significant impacts on schools as a result of this project. He stated that this project will be similar to Timberstone and that development has very few school aged children. A majority of the homes are bought by retired folks.

Commissioner Nevill asked if the applicant would be amenable to a condition for mixed development, as in mixed level of income development. Mr. Lakey noted constitutional concerns in regard to income levels as a condition of approval. He also pointed out city developments that contain more apartments and starter homes. This project provides diversity when compared to what is being developed in the cities. Commissioner Nevill asked what the plan was for irrigation with the water rights available to the property. Mr. Lakey stated that it may be a better question for Mr. Orton, but they do plan on using a pressurized system. There are opportunities for storage that will assist in providing adequate irrigation. Commissioner Nevill stated that since the Indhart property doesn't have water rights, perhaps, it should be looked at and try to save the other land that has water and asked Mr. Lakey what his thoughts were about that. Mr. Lakey stated that it was not the plan and the Christesen property is not prime farmland based on soil types, lack of water, and history of farming. He stated that folks have tried to farm it, put orchards on it, and have given up over the years. Mr. Lakey noted that the comprehensive plan doesn't say only ground without water should be allowed to have houses.

Commissioner Mathews asked how the project fits with intensive ag. Mr. Lakey stated that this is not intensive ag and is under the 2020 plan. The subject property is ag zoned and ag designated but is adjacent to residential designation on the comprehensive plan. The important thing to remember is that every application stands on its own. This is the application that we are proposing, and it is still not known what Williamson's will be doing with their property. If they come forward with something, they're subject to the same standards that this request is. Commissioner Matthews noted that the 2030 plan does list the property as intensive ag and felt that it should be taken into account. Mr. Lakey stated that the 2030 plan could not be used to analyze the application as it was not in place at the time of submittal.

Commissioner Sheets referenced the letter from the City of Greenleaf and the city services. Mr. Lakey referred this question to Mr. Orton. Commissioner Sheets asked if water would be provided by the city or would it be a community system. Mr. Lakey replied that it could be either. Commissioner Sheets asked if the Indhart property still had an active conditional use permit for the CAFO. Mr. Lakey believed that the use was a lawful non-conforming use as it was in operation prior to the ordinance. Commissioner Sheets asked if Mr. Lakey could provide them with the highlights from the TIS to consider as part of this remand. Mr. Lakey referred this question to Mr. Orton but did note turn lanes, signage, lighted signage and one portion that discussed a stoplight. Commissioner Sheets referenced the January 5th letter written by Mr. Lakey that went to the Board of County Commissioners and asked Mr. Lakey to help them understand why the recommendation should be changed. Mr. Lakey referenced his analysis that shows the application is in conformance with the comprehensive plan, the use is compatible, testimony in regard to farmability, and no undue interference with existing or future traffic patterns.

Chairman Sturgill asked if the current agricultural operation is profitable. Mr. Lakey deferred this question to the Christensen's. Chairman Sturgill referenced the traffic impact study and at the last hearing there were six or seven recommended changes. Chairman Sturgill asked if the applicant is proposing to finance those himself or is it something they would expect the highway district to pay for. Mr. Lakey believed that improvements that are necessitated by their project such as turn lanes would be their responsibility. Mr. Lakey referenced the Nolan and Dolan Supreme Court cases and noted that the applicant would certainly bear their proportionate share.

Principal Planner Deb Root reviewed the Staff Report for the record.

Commissioner Sheets referenced a letter in the packet in regard to the Williamson property and having its zoning classification rolled back. Commissioner Sheets asked about the status of that action. Planner Root stated the letter was sent directly to the Director of Development Services, and at this time there has not been action. Planner Root noted that this application is not dependent on the Williamson application and shouldn't be considered. This application stands on its own. Commissioner Sheets referenced the Greenleaf letter of intent and the submission for the sewer system; it is unclear if water will be provided. He asked about the impacts of bringing out two miles of sewer from Greenleaf to the property and what that signals to adjacent landowners. Planner Root discussed this with the Planning Supervisor, and it is unclear how that is financially feasible. She also stated that staff does not believe that the current comp plan, nor the 2020 comp plan, support the type of development that may come to the area when municipal services are available.

Commissioner Nevill asked about the JUB letter in regard to mitigations and if those were just recommendations. Planner Root stated that the Highway District Commissioners will review and approve and at that time those items can be required. Planner Root also suggested Mr. Orton may address this in his testimony.

Chairman Sturgill referenced the letter from Sawtooth Law (Exhibit 5.6). Chairman Sturgill felt it was relevant as it was part of the packet. Chairman Sturgill asked if the County had taken any action as recommended in the letter. Director of Development Services stated the County is in receipt of the letter. Director Gibbons

stated that the development agreement is still current because it does not have an expiration date. The agreement is between the property owner and the Board and is valid until due process has been rendered. The agreement is tied to the 2005 code.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Brent Orton - IN FAVOR –17338 Sunnydale Pl., Caldwell, ID 83607

Mr. Orton stated that municipal sewer & water is proposed. This would be achieved by putting in a lift station at the low point and then utilizing a “force main,” pushing the sewage backup to a manhole close to the City of Greenleaf in their existing system on Friends Road. Water is proposed to be a municipal well that could also be a private municipal well. The well standards are similar. They have discussed the possibility of the city taking it over. If so, it would be a “satellite system” and it wouldn’t have an interconnection to Greenleaf’s other water system. Two wells are required to have a redundant source. Mr. Orton stated that sewage would be pumped up VanSlyke and turn right on Boehner and then up Friends Rd. Mr. Orton stated that this would be located in the right of way, so it does not create a diminishment of available property or land. The force main only needs to be about four feet deep and below the frost depth. Mr. Orton addressed blind spots on the roads and access points. He stated there are hills and it makes it important to analyze. The American Association of Highway and Transportation Officials have a policy that is nationally accepted for evaluating stopping site distance. He described stopping site distance as having enough time to recognize there’s a possible problem and decelerate at the rate that is considered to be typical and come to a stop before you hit an object. They evaluated the proposed access points based on stop at sight distance.

Commissioner Nevill asked what the plan was for irrigating the land without homes on them if there is only so much water rights. Mr. Orton stated that they would utilize an irrigation reservoir for storage. This will assist with a constant flow rate. The water would be stored in a reservoir over the course of the day so when peak times come around, they can meet demand. There may also be an even / odd day rotation to assist with water usage. The irrigation system would be pressurized. Commissioner Nevill asked for more information about the JUB letter in regard to recommended traffic mitigation(s). Mr. Orton stated that traffic studies are composed in an existing conditions situation, what’s needed now, what’s needed at the build-out year of the subdivision, and what’s needed in a long-term horizon year. here are warrants surpassed with the combination of the horizon year traffic, background traffic and the addition of the subdivision in 2037. He referenced 2.0 in the study and those are needed as a result of the existing background traffic at Ustick and Hwy 95; a northbound turn lane is needed. Allendale and Ustick need advanced warnings and stop signs for existing traffic. The background traffic as of 2029, which is the assumed build out year, Ustick and Hwy 95 needs a southbound left lane. Mr. Orton stated that it is not typical for a highway district board to approve a traffic study. Instead, their engineering staff will evaluate the traffic study and make recommendations. There were two changes made to this traffic study. One, to address comments and two, to actually modify the background traffic so it was accurate to adjacent development proposals. Commissioner Nevill asked if the developer would help pay for any mitigation. Mr. Oton stated that yes, they are ready to perform any mitigation that is legal and proportionate. This would be in accordance with land use law and Constitutional requirements.

Commissioner Sheets asked what a private municipal well is and how that works as well as permitting with Idaho Department of Water Resources. Mr. Orton stated that a municipal well would be classified by the State of Idaho Administrative Procedures Act to be a non-transient community well. The bottom line is that when you’re serving more than 25 people or more than 15 households, it is a public drinking water system that is subject to the requirements placed on public drinking water systems. It is preferable that community services be provided as they tend to have less impact on the surrounding area. Commissioner Sheets asked Mr. Orton to clarify if this would be in conjunction with the City of Greenleaf or just for the development. Mr.

Orton stated that they do not know yet but have discussed it with the city. They may have interest in operating the system, but if they don't an operator will have to be hired. The homeowner's association will have to employ a licensed water operator who has a license appropriate for the size of the system and the people served. Commissioner Sheets asked if water rights would need to be applied for an irrigation reservoir. Mr. Orton stated the intention is to use the existing surface water rights that are pertinent to the property, the well that supplements the irrigation near the pivot tower, and stock water. They would have to request that the stock water be converted to irrigation water rights.

Commissioner Nevill asked what the plan is for firefighting water. Mr. Orton stated that it would develop in conversation with the fire districts serving the property. They anticipate needing to have a fire flow capacity of at least 1200-1500 gallons a minute. This would be sourced from the public drinking water system. The system will have distribution mainlines and fire hydrants.

Commissioner Mathews asked if farm equipment were identified on the roads when the traffic study was being conducted. Mr. Orton stated that they typically consider heavy vehicles but was unsure about the farm equipment.

Chairman Sturgill referenced testimony that the developer wanted to get as close to an acre as possible and asked what the constraint was. Mr. Orton noted that in order for a project to be feasible under typical development standards it had to reach a certain threshold and to reach that, the size of the lots had to be reduced. Typically, you see community services supplying lots that are half acre maximum in size.

Commissioner Johnston asked what the alternative would be if Greenleaf would not provide sewer services. Mr. Orton stated that a combined system or drip system could be utilized. Another alternative would be individual septic systems, and that would require a minimum one acre.

Bob Arnold - IN FAVOR –14355 Battenberg Dr., Boise, ID 83713

Mr. Arnold is the owner of Site Consulting who prepared the geotechnical report for the property (Exhibit K8). Mr. Arnold says that the property does not have a bedrock issue. The property does not contain expansive clays. There were multiple test pits across the property and none of the lab results demonstrated clays. The subject property does not contain high groundwater. The property contains quite a large amount of sand. The topography is also considered, and the layout has been put together to account for the change in elevation from the upper end of the site to the lower end to ensure the roads are all in compliance with allowable slopes. The Geotech report also recommends that any individual lot that has a concern with slope have an individual geotechnical report. This is a recommendation he provides in all reports he writes.

Tim Kristovich - IN FAVOR –8141 Jaybird Ln., Melba, ID 83641

Mr. Kristovich stated that he had served on a City Council board in Montana for 14 years and he understands the Commission's position. He believed that the Williamson's development is separate from this request. Mr. Kristovich owns a 76-acre property at the corner of Allendale and Ustick. He has no irrigation, and it is zoned agricultural. He felt that telling a property owner they can't develop is wrong, especially on those properties that are not economically viable. The golf course will draw people to the area. Mr. Kristovich's property hasn't been farmed for over 50 years. The comprehensive plans and ordinances need to take the land into account.

Clay Christensen - IN FAVOR –22226 Aura Vista Way, Caldwell, ID 83607

Mr. Christensen stated he was the fifth generation of this farm. His grandfather began farming in the area in the early 1900s. He plans on carrying out that tradition for as long as he can. The main crops they grow are wheat, mint, sugar beets, and corn. They've grown all of those crops on this land over the years. They farm about 2300 acres. If you took the average of their wheat crop it's about 140 bushel. The last time they grew wheat on the subject property it was about 85 bushel. That is a difference of 55 bushel. Their farm averages

110 lbs. of mint. The last time they farmed mint on the property it was about 25-30 lbs. Their farm averages about 45 tons of sugar beets. The last time sugar beets were farmed on the subject property; it was about 24 ton. The farm average for corn is about 230 bushel and on the subject property is 165-bushel average. They plant cover crops on most of it to help with blowing sand.

Commissioner Mathews asked if the reduced production is due to the lack of water. Mr. Christensen stated that it is part of it, but the soil is poor and lacks fertility and growth. Commissioner Mathews asked if they had looked into drilling the well deeper. Mr. Christensen has, but it is expensive. There is also an issue of lack of pressure, and the well would run for 60 straight days in the summer to irrigate.

Commissioner Sheets asked about irrigation on the property and water rights. Mr. Christensen explained portions of the property that have water rights and what was irrigated off of a well.

Chairman Sturgill referred to Mr. Christensen's testimony that his family has farmed this land for generations but also that the land is not good farm ground and asked for clarification. Mr. Christensen stated that the rest of their farms subsidize this land.

Dave Christensen - IN FAVOR – 18250 VanSlyke Rd., Wilder, ID 83676

Mr. Christensen stated that they have been working on this project for four years. He referred to previous testimony in regard to the viability of the land and it is true. The farm has been in the family for over a hundred years. This land specifically has not been owned that long, but they have subsidized it with the other farm ground. Most farmers believe this is a property rights issue, they don't have 401Ks. Selling of land is their 401K. If land is developed in Canyon County, let it be on high and dry ground.

Commissioner Nevill asked if he had received his water allotment yet. Mr. Christensen stated that he was told yesterday he would receive 1.1 feet, and the normal amount is 3.75.

Commissioner Johnston asked when the Christensen's purchased the property. Mr. Christensen believed it was 2015.

Andrew Francis - IN FAVOR – 4100 E. White Plains St., Nampa, ID 83686

Mr. Francis is a hydrologist and a professional geologist in Idaho. Mr. Francis has nine years of professional experience working on groundwater suitability and impact studies, providing design and construction oversight on public drinking water wells. His role here is to provide a technical overview of the groundwater conditions and the aquifer suitability for a subdivision and to also describe the regulatory process that is followed to ensure safe drinking water as well as the protection of existing wells. The aquifer in this area is a heterogeneous alluvial system, which is essentially a layer of cake and sand silts and clay. Well productivities in the area can vary, but well logs in the vicinity of the proposed subdivision are as high as 1500 gallons per minute. IDWR monitoring wells show that the groundwater conditions have been stable for the last 20 years. In regard to water quality, there are some known areas of concern within Canyon County which have been discussed, arsenic, nitrate and uranium. These vary with location and depth. At this location, the primary concerns would be arsenic and nitrate. Data obtained from the neighboring subdivision and golf course as well as statewide monitoring wells were evaluated. Testing has indicated that depths below 350 ft. has reasonable water quality that is suitable for a public drinking water system. Some of the secondary EPA constituents are elevated but are treatable. Another consideration with this project was demand. When Ag is converted to residential, roughly 38% of the land remains irrigated. Mr. Francis estimated the peak demand for domestic use to be 150 gallons per minute and irrigation to be 540 gallons per minute. He noted that these are worst case scenario estimates where each house is using peak demand and irrigating at the same time. All groundwater uses for the subdivision will require formal water right through IDWR which will require a public notice and input from the neighbors. The water right can be protested based on his analysis and experience in the area. Pumping at the rates noted will likely result in minimal long-term impacts to wells. As

a public water system, there are rigorous standards that must be met for IDEQ standards which include facility plans, preliminary engineering reports, and well site evaluations.

Commissioner Nevill asked if he had suggested to his employer that they apply for a water right and grow crops. Mr. Francis' role was to evaluate the aquifer and can't speak to what they want to do with the land. Based on his understanding of the well logs and wells, as they age, they lose productivity.

John Williamson - IN FAVOR – 19500 Eat-A-Bite Ln., Caldwell, ID 83607

Mr. Williamson stated that he had looked at the value of the land and homes within Timberstone, and the average value of the house was over \$930,000. If you take out the \$125,000 Homeowner's Exemption it leaves 135 houses that the Christensen's are proposing that would put a valuation of \$108 million in taxable income. He stated that he had spoken with the Fire Marshall, and they have not had any fire calls in Timberstone. Mr. Williamson suspected there also haven't been any police reports in Timberstone. Mr. Williamson noted the sandy soils in the area and stated the property may be pretty good orchard or grape ground but there's a problem with supply and demand. He also stated that the fruit industry (grapes, apples, and cherries) is in the tank.

Commissioner Mathews asked about the production on his property with the pivots. Mr. Williamson is renting it out, but it is just not very productive soil as it is very sandy. Commissioner Mathews asked if the leases are year to year or long term. Mr. Williamson stated they are long term.

Commissioner Werhanowicz asked if the fire department had information on how many emergency calls, they had. Mr. Williamson stated he could have that information for next meeting.

Jackie Marshall - IN OPPOSITION – 22359 Aura Vista Way, Caldwell, ID 83607

Ms. Marshall referenced the letter in regard to the Williamson conditional rezone. To be clear, they are not asking the Board to take action on that letter, and they fully understand that any formal review would first be conducted by the Director of Development Services. The letter reflects a request from over 120 neighbors in the immediate vicinity asking the Director to review whether the Williamson conditional rezone that was approved in 2008 has expired due to non-commencement and unmet conditions. The Williamson property is being implicitly relied upon to suggest that the area has transitioned away from agriculture and that a new R-1 zoning designation would be more characteristic of the surrounding area. Ms. Marshall stated that the surrounding area is predominantly agricultural. The lived reality matters regardless of what may appear on older zoning maps. The use of the land and character is shaped by what is happening on the land, not by unexercised approvals from nearly two decades ago. The neighbors have asked for a review because they want clarity and accuracy. If the Williamson conditional rezone is ultimately found to have expired, then the property not only remains agricultural, but any future development proposal would need to be reevaluated under current zoning criteria and the 2030 Comprehensive Plan. They are asking that the Commission not treat the Williamson conditional rezone as presumptive evidence that the area has changed, when the dominant and observable land use remains agriculture.

Jim Marshall - IN OPPOSITION – 22359 Aura Vista Way, Caldwell, ID 83607

Mr. Marshall wanted to focus on one measurable issue, school capacity within Vallivue School District. The district is already overcrowded, and projections show the problem accelerating. According to Idaho Ed News, Vallivue opened two new elementary schools, Warhawk and Falcon Ridge, but even with those openings the district projects it will reach capacity again before 2036. This is a documented strain, not a future possibility. Skyway Elementary built less than a decade ago to relieve overcrowding, is already overcrowded. The pattern is clear; growth approvals are outpacing school infrastructure. District leadership has raised concerns about voter fatigue and the lack of impact fees on developers. They have openly discussed the need for growth management tools for ordinances that prevent development from pushing schools beyond capacity. Ridgeview High School was built for 1800 students. It reached 1700 last year and was projected to exceed

capacity within one or two years. This means approvals today compound impacts on the entire system. Concerns have been raised that growth is being approved too quickly and the taxpayers, not the developers, are ultimately paying for school bonds. This directly conflicts with the principle of growth paying for growth. Criteria 8 requires that the development not degrade essential public services and schools are public services. Mr. Marshall said this is not an argument against growth, but rather an argument for responsible sequencing. For these reasons, the application fails to meet criterion 8 and should be denied.

Chairman Sturgill referenced previous testimony in regard to those who will live in the development are likely not to have a significant number of children attending schools and asked Mr. Marshall about his analysis. Mr. Marshall stated that it is unknown who the actual developer will be and what kind of homes will be built on the property.

Commissioner Nevill asked Mr. Marshall what he thought the effects of allowing this development to go forward would have on future less expensive development that will move in along the edges. Mr. Marshall stated that if you use Timberstone as an example, there are not a lot of children in that development. That is likely because of the price of the homes and those who live in Timberstone are primarily retired people.

David Jones - IN OPPOSITION –22605 Aura Vista Way, Caldwell, ID 83607

Mr. Jones referenced exhibit J.8, which includes the opposition petition with 168 signatures gathered from nearby residents and others who could be affected by the development. There will be 17 speakers this evening, each addressing the criteria for approval for a conditional rezone. They will demonstrate how the Timber Ridge subdivision proposal fails to meet the county's legal obligations to protect the health, safety, and welfare and the rural character of the area. The key issues that will be presented tonight include how the application is inconsistent with the comprehensive plans of Canyon County and Greenleaf. The proposed density is drastically out of character with the adjacent Summerwind development. The traffic impact study that has been submitted has not been approved by Golden Gate Highway District and only includes the Christensen development and not Williamson's. The extension of sewer services more than 2.5 miles opens doors to sprawling growth with no services or infrastructure in place. Mr. Jones stated that this case is more than one subdivision, it's about whether Canyon County will protect its agricultural lands, rural character, and taxpayers from long term costs for poor planning.

Sonja Graber - IN OPPOSITION –24771 Ustick Rd., Wilder, ID 83676

Ms. Graber stated that the applicant argues that this land is no longer viable for agricultural use due to reduced water rights, topography, and lower yields and attempts to turn viability argument into a land use criterion. The County's criterion does not ask whether farming this ground is harder, less profitable, or less desirable than development. They ask whether this amendment and rezone are consistent with the comprehensive plan, more appropriate in the light of surrounding land uses, compatible with the area and supportable by adequate services and infrastructure. The record still shows this property is designated agriculture and the County's own findings conclude the land uses are predominately agricultural and the zoning remains more appropriate. The findings also note that the properties to the north, south, and west are agricultural and are designated as such. Ms. Graber referred to her slides which show the surrounding areas corn fields, pasture wheat, alfalfa, feedlot and cattle operations, vineyards, beans, orchards, dairy, and seed crops. The visual record confirms the testimony and confirms that agriculture remains a defining land use pattern in the area. The comprehensive plan still says that the county should protect farmland, avoid fragmenting existing land use patterns, concentrate higher density residential growth in appropriate areas with surrounding existing communities and consider development on poor soils only where it will not interfere with viable ag operations. The Commission must apply the adopted criterion and adopted plan by utilizing evidence in the record identifying this property and area as agricultural.

Lori Adams - IN OPPOSITION –18900 Vanslyke Rd., Wilder, ID 83676

Ms. Adams discussed the first criterion which requires consistency with the comprehensive plan. This project is not consistent with the County's plan nor the City of Greenleaf. The applicant points to the former Greenleaf impact area as one factor supporting the request, but being in an impact area does not, by itself, mean that the property is designated for residential growth. In fact, the record shows that Greenleaf's own future land use map identified the property as agricultural. The 2030 County plan designates the land as agriculture and specifically identifies this area as part of the intensive agricultural overlay. The overlay was adopted precisely to protect high value farmland from premature residential encroachment. Both plans emphasize preservation of agricultural land and the rural character until such time as annexation occurs, and infrastructure is in place. Approval of the request would not only be inconsistent, but it would also actively contradict the long-range vision adopted by both jurisdictions. The applicant is asking the county to extend urban densities more than 2.5 miles away from Greenleaf's. City sewer service has been floated as the solution, but no formal application has been made and nothing has been approved. If it were approved, the distance will not only serve this subdivision, but it will also open the door to future rezones all along the route. This would fuel sprawl and would erode farmland at a scale contrary to every adopted plan in place.

Chairman Sturgill stated the relevant plan is the 2020 not the 2030 plan. Chairman Sturgill asked how the comments should be considered that referenced the 2030 plan. Ms. Adams stated that what is proposed in the 2030 plan is for the future and that should be considered.

Jill Kenny - IN OPPOSITION – 22605 Aura Vista Way, Caldwell, ID 83607

Ms. Kenny stated that the most honest evidence to determine compatibility is not found in a density calculation or in a zoning table, but it is found in the land itself. The photos of the land uses tell the real story. This area is defined by working agriculture and very low-density development. Vineyards, orchards, dairies and row crops dominate the landscape. The subdivisions that do exist are few and far between and they're designed with buffers / open space so they can co-exist with farming. Farmers on trucks and tractors travel on the narrow farm roads. Placing 135 homes on the subject property is right in the middle of the farming area, that's not compatibility, that is conflict. A dense subdivision like the one proposed does not blend into the picture, it disrupts it. New residents will not be moving here for farm life; they'll be moving for cheaper rural housing. The farmers will bear the burden of conflict when they get complaints about dust & odors. The use is not compatible.

Teresa Nelson - IN OPPOSITION – 23892 Applewood Way, Caldwell, ID 83607

Ms. Nelson stated that the proposed rezone is not more appropriate than the current agricultural zone. The predominant use and zoning in the area is agriculture. The average lot size within 600 ft. is 19.3 acres, and even within one mile. The existing subdivisions have an average lot size of 2.28 acres. Timber Ridge would place 135 residential lots on 151 acres with less than one acre of true common space. This is a dramatic and abrupt increase in density and a sharp transition from active farmland and large lot subdivisions to an urban scale subdivision. This has the potential for conflicts with agricultural operations and traffic on narrow, hilly, roads. The area is not simply rural, it's highly agricultural. A CAFO with a composting operation and land application of nutrients is located just over a mile northeast. The Williamson properties (311 acres) rezoned in 2008 to Rural Residential, remains in agricultural production. In other words, the surrounding residential development that the applicant cites is limited and transitional. The applicant has argued that higher density is necessary to justify extending sewer services more than 2.5 miles from Greenleaf, but financial feasibility is not a land use criterion. The subject property is over two miles from the nearest city limits surrounded by active farmlands with no urban services planned for this area now or in the future. The staff conclusion is correct, Agricultural zoning is more appropriate here. The proposed rezone fails criterion two.

Commissioner Johnston referenced a letter in the packet that discussed the wells in Garret Ridge Subdivision and issues they have had. Ms. Nelson stated that there are folks in Garret Ridge that have had to deepen their wells.

Susan Anderson- IN OPPOSITION – 21393 Lonkey Ln., Caldwell, ID 83607

Ms. Anderson referenced the third criterion, which asks whether the proposed rezone is compatible with surrounding land uses, and the opposition says no. The applicant has claimed their project is compatible because it sits near the Summerwind/ Timberstone community. Compatibility requires more than proximity. The Timber Ridge proposal is 135 homes on 151 acres with an average lot size of .82 acres. The Summerwind development averages 2.6 acres per lot with Phase 2 of the development having an average lot size of 1.2 acres. Timberstone has approximately 92 homes with the remainder being the golf course. The golf course is a buffer to agricultural surroundings. Timber Ridge offers only a .96 lot area leaving no meaningful buffer and creating a sharp transition from open land to tightly clustered homes. The surrounding land uses are overwhelmingly agricultural. Exhibit C of the staff report clearly depicts the land use pattern and demonstrates that agriculture remains the defining character of the area. Timber Ridge at the density proposed is out of place in that setting. Compatibility also means minimizing conflicts with existing uses. In this location conflicts are inevitable. Farmers will face increasing complaints about dust, spraying, drift odors, and slow-moving farm equipment on small rural roads. Farm equipment usage is also all hours of the day and night. It is not unusual to hear harvesters or tractors starting at 10:00 P.M. and going until 2:00 A.M. in the morning. There is also a dairy that runs 24/7. In conclusion, because no agricultural buffers or right to farm disclosures are offered as mitigation measures, the conflicts will fall both on the existing community and the county to resolve. The staff report concludes that this proposal would significantly alter the established pattern of agricultural and residential uses in the area, and it is not compatible.

Randy Heisey- IN OPPOSITION – 22859 Aura Vista Way, Caldwell, ID 83607

Mr. Heisey lives in the Summerwind development, commonly known as Timberstone Estates. The fourth criterion asks whether the conditional rezone will negatively affect the character of the area, and if so, what mitigation measures will be implemented to mitigate those impacts. The character of the area is defined by two things, large lot residential subdivisions and working agriculture. Orchards, vineyards, and row crops surround the subdivision. Summerwind was designed with clusters of smaller residential lots balanced with substantial open space. When you average the residential lots together with the open space, the result is a rural residential character that feels open and remains compatible with surrounding farms. By contrast, Timber Ridge has an average lot size of .82 acres with virtually no meaningful open space. The proposal will negatively affect the character of the area, because no mitigation has been offered despite conflicting representation, the criteria is not met.

Chairman Sturgill asked if MR. Heisey would prefer to have smaller lots and more open space with the same number of lots. Mr. Heisey stated the priority is something that would create compatibility with the local area.

Anita Turner- IN OPPOSITION – 19601 Vanslyke Rd., Greenleaf, ID 83626

Ms. Turner addressed criteria no. 5, which asks whether adequate facilities and services are available to support the development, and they're not. What has been proposed are future possibilities, preliminary concepts, and unresolved questions. The applicant points to a November 25th letter of interest from the City of Greenleaf, but Greenleaf's own meeting minutes make it clear that this is not an approval to serve the site. A lift station would be required and roughly three miles of pipe. Greenleaf's own discussion reflects that an engineered sewer facility plan is still needed just to identify what upgrades to the treatment plant would be required. The City Clerk noted that this development would not even begin to come online for two to three years. The sewer system that is being relied upon does not exist today. The plan has not been approved. The water situation is even more concerning and noted that the County anticipated requiring safety measures even more stringent than the new Idaho SB1083 law related to water rights an usage. The area is already known for groundwater contamination concerns and without a proven long-term municipal solution, those risks do not disappear, rather they are pushed on to future homeowners. There is not a clear plan showing that the applicant has secured the water needed to fully serve this project. The applicant's materials indicate

that groundwater will be needed to supplement available surface water, but that only reinforces the problem that details are not fully resolved. A development of this size should not be approved based on assumptions. Greenleaf's interest is not a commitment and will be a multiyear project. This development is premature.

Jarrett Adams- IN OPPOSITION – 21474 Aura Vista Way, Caldwell, ID 83607

Mr. Adams addressed criterion no. 6, which addresses traffic and public street impacts. The applicant relies on a traffic impact study that is still in the review process. The most recent study on the record is dated February 2, 2026. This study has been reviewed by Golden Gate Highway District multiple times and is currently back in the applicant's hands because the latest highway district recommendations and concerns have not yet been addressed. Criteria no. 6 asks whether the county can determine based on the record before and now that the public streets and access are adequate for this development at this time and that question cannot be answered. The full scope of mitigation has not yet been finalized and without a completed and accepted traffic analysis, the Commission does not yet know what road improvements, controls, or other measures are necessary to make the project safe. The county is still missing critical information to evaluate impacts and whether or not those impacts can be adequately mitigated. Mr. Adams noted Mr. Pedegree's comments on current conditions alone, which identified the need for turn lanes northbound and southbound at Ustick and Hwy 95 along with flashing beacons and warning/ pavement markings on Ustick and Allendale.

Eric Anderson- IN OPPOSITION – 17558 Friends Rd., Caldwell, ID 83607

Mr. Anderson stated that the traffic study does not look at or take into account the real-world conditions on Vanslyke and surrounding roads. It does not address existing road conditions and deteriorating pavement. It does not account for narrow bridges that already constrain traffic flow. It ignores the lack of adequate shoulders, limiting safe recovery space for vehicles. It does not analyze seasonal traffic variation, especially agricultural equipment and heavy vehicles. There are no turn lanes to safely handle increased turning movements on Vanslyke Rd and there are no posted speed limits from Highway 19 to Homedale Road creating inconsistencies in travel speed. It does not evaluate noise or environmental impacts associated with increased traffic volumes. Mr. Anderson stated that the omissions also mean that the Commission cannot yet know the full scope of improvements or mitigation that would be necessary to make the roads adequate. The omissions are exactly the kinds of factors that determine whether a rural road system can safely absorb the additional density. This creates risk to residents, farm operations, and the county itself. The burden has not been met, and without a clear determination as to what mitigation is required, this criterion cannot be answered as yes.

Daniel Graber- IN OPPOSITION – 24771 Ustick Rd., Wilder, ID 83676

Mr. Graber stated he has lived at this location since he was born and is familiar with the issues. Mr. Graber addressed criteria no. 7, whether legal access to the property exists or will exist at the time of development. The applicant proposes to use VanSlyke and Bohner roads, but legal frontage is not the same as safe and adequate access for a subdivision of this scale. On August 13, 2025, the Golden Gate Highway District Commissioners tabled a decision related to the neighboring Williamson case. The commissioners agreed with nearby residents and the district staff that given the undulating topography, blind hills, curves, and narrow farm road geometry, the access safety could not be determined without further analysis. They directed a full traffic impact study to be completed to evaluate the cumulative impacts from both the Williamson rezone and the Timber Ridge proposal before making access decisions. Mr. Graber stated that access adequacy can't be evaluated without evaluating both because there is a risk of funneling city scale traffic onto an agricultural road network with constrained site distances. There has only been access to the Christensen traffic study which was done separately from Williamson's. The Christensen report doesn't address all the road conditions and how narrow the road is.

Linda Joe Goodrich- IN OPPOSITION – 18234 Wagner Rd., Caldwell, ID 83607

Ms. Goodrich addressed criterion no. 8 which asks whether the proposed conditional rezone will impact on essential public services such as schools, police, fire, and emergency medical services and whether measures have been proposed to mitigate impacts. She noted that the staff report confirms that no mitigation

measures are proposed. The application simply assumes that existing service providers can absorb the growth, but 135 new homes with the potential of 135 accessory dwelling units would effectively double the demand. This does not even include the already approved Williamson rezone. This would add a population equivalent to the entire City of Greenleaf but without city level services, without local fire or police presence and more than 2.5 miles from existing city limits. The Vallivue School District reports that its schools are at or near capacity. By 2029, most will be full, and this subdivision offers no site dedication or impact fee to address that. The Homedale School District data tells a similar story. As of February 1, 2026, Homedale High School had only seven open seats in ninth grade, five in tenth grade, zero in eleventh grade, and two in twelfth grade. Emergency services, Canyon County Paramedics, and fire response are already stretched in this area. Rural road networks and distance from stations will increase response times. Canyon County Sheriff provides only limited rural coverage and adding a new community the size of Greenleaf in the heart of farmland will strain their ability to respond. The applicant offers no mitigation measures, no agreements for additional service funding, no onsite facilities, and no enforceable commitments. The County would be left to absorb the costs shifting the burden to taxpayers.

Commissioner Nevill asked if a condition should be placed which would prohibit secondary dwelling units. Ms. Goodrich disagreed. She said the impact of all of the project would be detrimental to everyone.

Tom Nelson- IN OPPOSITION – 23892 Applewood Way, Wilder, ID 83676

Mr. Nelson stated that one topic that has been missing from the conversation is the cost of services. When new subdivisions are created in rural Canyon County outside city limits, the long-term costs do not disappear. They all on county systems and taxpayers. Roads, schools, emergency response, law enforcement, and other public services are all faced with added demand. Mr. Nelson presented a chart that was prepared by University of Idaho in 1997 and one prepared by BYU Idaho in 2017. The studies compare the tax revenue generated by different land use categories to the cost of public services. One means it costs more in services than it returns in revenue. In 1997, residential had a ratio of 1.08. This means for every tax dollar paid, residents receive \$1.08 back in services, creating an 8-cent shortfall. In 1997, commercial received 79 cents back in services leaving 21 cents to support the broader system. In 1997, agricultural had a ratio .54 cents for each dollar paid, leaving .46 cents to help the broader system. 20 years later the pattern did not improve. In 2017 the study found that residential had a ratio of 1.4 and for every tax dollar paid residential received a dollar and 40 cents back in services creating a 40-cent shortfall. In 2017 commercial had a ratio of .44 and agricultural had a ratio of .29. The takeaway is straightforward with both studies, that residential costs more in services than it generates in tax revenue, while commercial and agriculture helps to offset service costs. This matters because those land uses help absorb service demands that would otherwise fall more heavily on taxpayers.

Duke Goodrich- IN OPPOSITION – 18234 Wagner Rd., Caldwell, ID 83607

Mr. Goodrich stated that the issue is not just that residential grew as a share of the tax base, the issue is that the county became more dependent on the very land use category that creates the largest fiscal shortfall while the land uses that help offset service costs became a smaller share of the overall tax base. As the commercial and agricultural offsets shrink, more pressure is placed on the residential side of the system and on the county's ability to maintain those service levels. Looking at the overall trend from 1997 to 2017, the county's tax value mix became less balanced and more difficult to sustain. According to the late Rick Hogaboam, who was the County Clerk at the time, estimated that the 2024 tax value had shifted even further towards residential to 68.3%, which is a huge imbalance. That trend is more important because it shows the same pattern continuing over time. Residential is taking up a larger share of the county's tax base, but it also creates the largest financial deficit. Commercial and agriculture are shrinking as shares of the value even though they help offset service costs.

Rebecca Danley- IN OPPOSITION – 22753 Zephyr Ct. Caldwell, ID 83607

Ms. Danley stated that the cost of service data is directly relevant to how the conditional rezone criteria is

evaluated, particularly under criteria five and eight. It also supports the analysis of criteria two, three, and four. Under criterion five, you must consider whether adequate facilities and services can be provided to accommodate the proposed use. The University of Idaho and BYU studies show a consistent pattern in Canyon County residential development costs more in public services than it contributes in tax revenue. The County Assessor data shows that the average rural home value in 2024 is \$461,465, less the homeowner's exemption, resulted in a taxable value of \$336,465 per home. Applying the average tax of 0.457%, each home generates about \$1537 per year in property tax. Applying the 40-cent service gap from the 2017 study results in an annual public service shortfall of about \$650 per home for the 135 homes proposed. That is roughly \$83,000 per year in ongoing public service shortfalls. The exact annual figure may vary over time, but the impact is clear. The Commission must consider the impact on essential public services including police, fire, and emergency medical services.

George Crookham- IN OPPOSITION – 22604 Aura Vista Way, Caldwell, ID 83607

Mr. Crookham stated that this proposal fits the cost-to-serve pattern because of where it is located. Distance matters, and development farther from existing service centers generally cost more to serve roads, cover more area for emergency responses, and take more time and resources. Mr. Crookham referenced criteria two and three and stated that agricultural land has historically generated more revenue than it consumes in public services, while low density residential development in outlying areas has done the opposite. Commercial gives the most value but in Canyon County, a lot of that commercial is reliant upon the raw products that the farmland brings. Without those raw products, many businesses, including his own will move. Mr. Crookham referenced a study by Urban Three that was requested by the National Association of Homebuilders, which showed that higher density in the city, commercial and industrial you get a surplus. As soon as farmland is encroached upon, there goes the surplus, and it creates an imbalance. Mr. Crookham has farmland on Ustick, and they purposefully try to keep equipment off of Ustick because it is a hazard. Mr. Crookham stated that for full clarity, his specialty crops would not work on the subject property, but one simple rule of thumb is that you don't swap your assets for your liabilities. This is what the applicant is requesting from the County for the benefit of a few at the expense of many.

Jeff Stevenson- IN OPPOSITION – 18900 Vanslyke Rd., Wilder, ID 83676

Mr. Stevenson wished to address the broader implications of the request. The subdivision is located more than two miles from the City of Greenleaf's boundary, deep within an area planned and functioning as working farmland, extending city services, particularly sewer far in the rural landscape. Locating these lines far into the rural area does not service just one project. Once the lines are in the ground, they create a powerful incentive for additional rezones and high-density requests on surrounding agricultural properties. Over time, that pattern compounds infrastructure costs, increases demand on emergency services and schools and accelerates the very kind of sprawl the comprehensive plan is designed to prevent. There have been 16 separate speakers that have provided testimony on each of the eight criteria. The testimony showed that the proposal is inconsistent with Canyon County's Comprehensive Plan as well as Greenleaf's. Both maps designate this site for agriculture. The proposed zone is not more appropriate than the current agricultural zone. The surrounding land uses are in agriculture. Summerwind has an average lot size of 2.1 -2.6 acres and has open space. Timber Ridge, by contrast, proposes .82 acre lots with virtually no open space. It is entirely incompatible with surrounding land uses. The proposal will negatively impact the essential character of the area. There are no buffers, no transitional design, and no open space to maintain the rural character. Adequate services and facilities are not assured and services from Greenleaf have not been approved. Water quality is a concern, with arsenic, nitrates, and uranium identified. There are many outstanding issues in regard to road conditions, traffic volume questions, no shoulders, no turn lanes, no bridges, farm equipment etc. Narrow roads with steep grades and blind curves create dangerous situations for cars and machinery alike. Public services will be strained, schools are at or over capacity, emergency response times are long and law enforcement coverage is thin, and no mitigation is offered. Mr. Stevenson asked if a new city in the middle of a predominantly agricultural area is appropriate. Exhibit B2P shows that the site is 2.7-3.2 miles from Wilder, Greenleaf, and Homedale in the nucleus of working farmland and Idaho's fastest and growing wine

region. If sewer is extended here, we're not just approving one subdivision, we're setting in motion the conversion of an entire agricultural corridor into residential sprawl. Mr. Stevenson requested denial of the application.

Robert Mauer- IN OPPOSITION – 25490 Hwy 19, Wilder, ID 83676

Mr. Mauer referred to Exhibit 6.1 (Mr. Lakey's rebuttal letter) and noted that the letter suggests that people opposing the application lack credibility because many of them live in Timberstone or smaller residential lots nearby rather than large agricultural parcels. Mr. Mauer disagrees and felt it was misleading; he has been involved in agriculture his entire life. Mr. Mauer has a degree in plant science from the University of Idaho and his family's farming history dates back to 1916. His family still has a small 28-acre farm on Boehner Rd. The subject property had plumps on it, and those types of crops. It's not conducive to row cropping but does work well for those types of things. Mr. Mauer is concerned about how Mr. Lakey tries to discredit people based on where they live, rather than what they know. He was elected to represent the people of the area, including many of the residents, he is now trying to diminish. The applicants' team appears to rely on the survey of selected local farmers, but none of the criterion for approval ask the Commission to decide who is the most qualified to judge soil quality or farm viability. The question before the Commission is whether the applicant has met the eight criteria. The record also shows that the opposition includes people whose knowledge and background includes people who have farmed hay, grapes, orchard, growers, etc.

Mark Duncan- IN OPPOSITION – 18911 Vanslyke Rd., Caldwell, ID 83607

Mr. Duncan stated that this is a slippery slope, and approvals will start and devastate the area. Approval of this request would place high density and put it right in the middle of farmland. Mr. Duncan felt that the request wasn't about money but was about greed. When will be enough be enough? A line in the sand needs to be drawn.

Frank Alvarez- IN OPPOSITION – 23045 Upper Pleasant Ridge Rd., Caldwell, ID 83607

Mr. Alvares Stated that the traffic study has been prepared and reviewed, however, the final version has not yet been submitted and approved by the highway district. This is important because it means the traffic analysis before you today is still under review and subject to change. The highway district notes that additional comments and conditions may be provided once further information becomes available from a decision-making standpoint, that means there is not a fully accepted or finalized analysis demonstrating the impact. Mr. Alvarez stated that traffic impacts are a fundamental component of determining whether this site can support the level of development. He noted that the Commission has already reviewed this proposal and recommended denial based on inconsistency with the comprehensive plan and incompatibility with the surrounding agricultural land uses and those conditions have not changed. The property remains designated agricultural, and the surrounding area remains actively agricultural.

Denise Wheeler- IN OPPOSITION – 23176 Upper Pleasant Ridge Rd., Wilder, ID 83676

Ms. Wheeler agreed with previous testimony in opposition.

Gail Delihant - IN OPPOSITION – 19761 Whitecap Ct., Wilder, ID 83676

Ms. Delihant stated that she works for Western Growers Association, and she has worked with farmers for over 30 years, mostly in the Central Valley of California and the central coast. She is concerned about over pumping land. In Central Valley, land subsidence has happened, and aquifers have absolutely crushed. Farmers are having to provide drinking water to citizens who the counties have allowed to move into agricultural areas and now they have very strict pumping restrictions. Ms. Delihant sees the same type of thing happening here, same type of soil, etc. She opposes the application and agrees with previous testimony.

Issac Starbuck- IN OPPOSITION – 21739 Lonkey Ln., Caldwell, ID 83607

Mr. Starbuck's grandfather worked on the canal systems that are utilized today. His grandfather farmed his entire life and his grandparents on his father's side have raised cattle in central Oregon. Mr. Starbuck's plan

for the rest of his life is to grow crops and raise livestock. He stated that to say that no one is willing to work in the feed yard or farm the ground is not true. There are many young farmers, just like him, that would jump at the opportunity to participate in production agriculture. Just because the land is not prime farmland does not mean that it is condemned to be residential. According to a BSU estimate in 2022, 1,113 acres of land a year is taken out of farm production. That's about two square miles or 9.2 average sized farms. He finds it concerning that just a mere six years ago the entire globe experienced a major supply chain disruption during COVID-19, and every acre of farmland we surrender to development introduces more vulnerability to food insecurity as Idahoans and the United States as a whole. He is an advocate for protection of Idaho's agriculture.

Commissioner Nevill asked Mr. Starbuck if he would farm the land if it was available. Mr. Starbuck stated he couldn't answer that, because he did not want to give his business idea to other people. Commissioner Nevill asked if he considered the ability to feed ourselves as a national security issue. Mr. Starbuck stated, yes, we import a great deal of our food. Commissioner Nevill asked if he would consider purchasing the land if it was at a reasonable price. Mr. Starbuck stated absolutely.

Clint Neilsen- IN OPPOSITION – 23423 Upper Pleasant Ridge Rd., Wilder, ID 83676

Mr. Neilsen grew up on a family farm in Mountain Home by the Air Force base. He is a crop consultant and farm consultant. He stated that it seems there is some confusion over water rights. They have been allotted 1.3-acre feet. He farms about a half a mile away from the site. He believed it was a groundwater right and he would dare say that when the applicant was representing their guilds they are representing off the upper pivot. The lower ground on Vanslyke is very productive ground. Mr. Neilsen stated that when he farmed in Mountain Home, he had a well become less productive, so they planted Crecent Wheat to keep it from eroding. They cut back the acreage to keep the water around 8 gallon per acre minute. You can't grow a productive crop if you're starving it for water. Mr. Neilsen stated there are a lot of feedlots in the area. He stated that IDWR has issued a moratorium in the same basin stopping all water rights.

Commissioner Nevill stated the moratorium was south of Lake Lowell. Mr. Neilsen stated it is south and west to the river. He thought the area of concern was about two miles from the subject property. Commissioner Nevill stated that if the developer wanted to go in for a subsurface water right folks could oppose that with IDWR. Mr. Neilsen stated that he would testify at that meeting.

Miguel Villafana- IN OPPOSITION – 26268 Ustick Rd., Wilder, ID 83676

Mr. Villafana stated that he farms 500 acres. He also farms the piece kitty corner to the northwest as well as adjacent properties. This topic is important to him as they are already struggling to move farm equipment. For them, 500 acres equates to 14 parcels. They road equipment all the way from Arena Valley closer to Parma all the way to Lonkey Ln. and Friends Road, which is east of the subject property. Mr. Villafana appreciated Senator Lakey's help with the passage of Senate Bill 1224 which helps roading farm equipment. Moving equipment on Ustick is necessary because Boehner does not have a wide enough bridge and Lonkey and Boehner dead end at Friends Rd. Mr. Villafana described an incident on Red Top Road in which a gentleman ran into their cultivator doing 60 mph., despite flashing lights and flags. Mr. Villafana called 911 and it took 15 minutes for a response. Response times are getting slower and slower with more people. The traffic impact study was probably a bit off because Farmway has been closed for awhile due to the construction of a roundabout. That closure has really slowed down the amount of traffic that is coming down Ustick. In regard to property rights, Mr. Villafana stated he purchased the property kitty corner to the northwest in 2020, and he was aware it was agricultural, and he wanted to keep it that way. Mr. Kristovich purchased his property on Ustick Road knowing it was agriculturally zoned.

Mark Ryuyon- IN OPPOSITION – 23289 Homedale Rd., Wilder, ID 83676

Mr. Ryuyon agreed with previous testimony in opposition. He lives north of the proposed project, and he never imagined that one day he would wake up and have 1600 new neighbors with lights and dogs and all the

fun associated with that. The ground should stay as is... once you give it away it never comes back.

Shelly Skogsberg- IN OPPOSITION – 23191 Homedale Rd., Wilder, ID 83676

Ms. Skogsberg has lived in Homedale for the last 15-16 years. She noted that her neighbors well is sucking sand. The property is located not even a mile down the road on Homedale. She has issues with multifamily dwellings as well. There is a home across the street from her residence, located in the golf course community that was newly built in the last three years. They have anywhere from 8-14 cars along the road and their driveways are six deep. Ms. Skogsberg stated that there wouldn't just be older people in the proposed development. There will be families and grandchildren. She referenced a time when she had to call 911. When they moved to the area 15 years ago, they always had Sheriff's on the road to control the speed. Now, she rarely sees them, and they don't have the resources.

Chairman Sturgill asked what the 911 response time was to the area. Ms. Skogsberg spoke about the last experience she had to call, and it was close to 20 minutes because they had to wait for an ambulance.

Todd Lakey (Representative) REBUTTAL –12905 Venezia Ct., Nampa, ID 83651

Mr. Lakey objected to the consideration of the letter from Sawtooth Law, and they are not parties to the agreement. The conditional rezone exists along with the development agreement. The legal analysis is incorrect in the letter, and it is subject to the 2005 ordinance and there is no expiration. Mr. Lakey stated the Christensen's and Indhart's testimony is more credible as to the farmability and viability of this agricultural ground, as they've lived it. The farmers that farmed thousands of acres also submitted testimony. The opposition testimony from Timberstone are essentially arguing that they are not compatible, they can't coexist with agriculture, but Mr. Lakey would argue they are living proof that they can. The traffic impact study demonstrates there will be no undue interference with existing or future traffic patterns. The highway district has jurisdiction, and the study was prepared in conjunction with and cooperation with them. The changes requested have been made. The Williamson property is included in the background traffic and Mr. Orton has spoken with their director. They agree with the traffic impact study as it stands now with the changes and adjustments that have been made, and they don't anticipate any additional changes to that study. Most of the well problems described are well problems, not aquifer problems. The IDWR moratorium does not apply to the subject property. There is a strong and stable aquifer as their expert testified to. Mr. Lakey noted that the subject property is contiguous to residential development, and their lot size is similar at nearly one acre. Due to this they have their own open space. Timberstone Golf Course is a separate privately owned business that has golfers and events almost year-round. In regard to water, whether it is a city or community system, public standards have to be met so there are no water quality concerns. The request complies with various goals and policies of the comprehensive plan as laid out in their written analysis and testimony given this evening. People who move in this area also have the understanding that response times may be slower. The Greenleaf expansion is viable and noted that it will be a force main so people can't simply hook into it. This development will not have many kids, if any. The proposed homes will be custom homes similar to those in Timberstone.

Commissioner Nevill asked if the applicants would be amenable to a condition limiting secondary dwellings. Mr. Lakey stated that it is not an issue to them.

Commissioner Sheets asked about the draft concept plan and asked why the verbiage was 135 minimum lots rather than maximum. Mr. Lakey stated that the plan is for 135, so that it would be appropriate to have a maximum.

MOTION: Commissioner Nevill moved to close public testimony on Case No. OR2022-0002 & RZ2022-0002 seconded by Commissioner Mathews. Voice vote, motion carried.

Deliberation:

Chairman Sturgill stated that the output of this hearing will be a recommendation to the Board of County Commissioners. Chairman Sturgill reminded the Commission they need to make a decision on both the Comprehensive Plan Map Amendment and the Conditional Rezone.

Commissioner Nevill stated his concern is the impact and the pressure on surrounding agricultural uses. Agriculture is already at risk in the county. This year is already a low water year which means this will probably also be a low yield year. Due to this there may be impact on farmers' profits. Commissioner Nevill referenced testimony in regard to property rights, and noted those rights go both ways and the community does get a say. The public hearing process is the due process for both sides. In regard to the potential of Greenleaf services, Commissioner Nevill stated that that will cause problems, and it is going in the wrong direction by incentivizing development in this area. Commissioner Nevill is not in favor of the proposal.

Commissioner Mathews stated that if this request is approved, and the Williamson property develops, the potential is to put a city the size of Marsing in that area. With a sewer connection it's going to get even bigger than that and will destroy the character of the area. It is not compatible with the comprehensive plan and is opposed.

Commissioner Sheets referenced the criteria and the impact to public services and facilities and would like to add to the findings that the applicant provided a traffic impact study which was reviewed by JUB Engineers for the highway district and there were pending issues with the study, however, it did provide for mitigation opportunities.

MOTION: Commissioner Nevill moved to **recommend denial** to the Board of County Commissioners of Case No. OR2022-0002, and adopt staff's findings and conclusions of law, with the amendment of criteria E to note that the applicant did provide a traffic impact study reviewed by JUB Engineers and said study provided mitigations. Seconded by Commissioner Mathews.

Discussion on the Motion:

None.

Roll call vote: 6 in favor, 0 opposed, motion passes.

MOTION: Commissioner Nevill moved to **recommend denial** to the Board of County Commissioners of Case No. RZ2022-0002 and adopt staff's findings and conclusions of law, with the amendment of criteria F, to note that the applicant did provide a traffic impact study reviewed by JUB Engineers and said study provided mitigations. Seconded by Commissioner Mathews.

Discussion on the Motion:

None.

Roll call vote: 6 in favor, 0 opposed, motion passes.

3. DIRECTOR, PLANNER, COMMISSION COMMENTS:

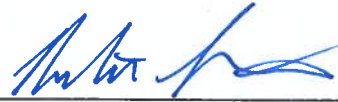
Director of Development Services Jay Gibbons stated that he had reached out to IDWR regarding the moratorium for more information/guidance on the ramifications. He will keep everyone apprised as they receive information. Director Gibbons noted that it is budget season and wanted the Commission to think about paperless packets. He asked the Commission to get back to him on their thoughts.

4. ADJOURNMENT:

MOTION: Commissioner Nevill moved to adjourn, seconded by Commissioner Matthew. Voice vote, motion carried. Hearing adjourned at 11:37 P.M.

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

Approved this 7th day of May 2026



Robert Sturgill, Chairman

ATTEST



Jennifer Almeida, Office Manager