



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, March 5, 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: Dan Lister, Planning Supervisor
 Emily Bunn, Principal Planner
 Arbay Mberwa, Associate 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. January 22, 2026 MINUTES**
- B. Case No. CR2025-0006 – Desimini: Approve FCOs**
- C. Case Nos. OR2025-0017 & CR2025-0007 – Hooker: Approve FCOs**

Chairman Sturgill abstained from voting on the January 22, 2026 Minutes as he was not present for that hearing. There was also discussion on modifications for the January 22, 2026 minutes.

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

Item 2A:

Case No. SD2024-0010 – Tucker Hill Subdivision: The applicant, Calvin & Rebecca Gordon, represented by Skinner Land Survey, requests approval of the Tucker Hill Subdivision preliminary plat consisting of two residential lots. The 12.232-acre subject property is located adjacent to 22014 Tucker Road, Greenleaf, also referenced as Parcel R36131012.

Chairman Sturgill affirmed the applicant to testify.

TJ Wellard – (Representative) IN FAVOR – 17842 Sand Hollow Road, Caldwell, ID 83607

Mr. Wellard explained the proposal of a two lot subdivision and that all conditions of the rezone have been adhered to. The plat adheres to Canyon County ordinance and the applicants already have family that is ready to build on this property.

Commissioner Nevill confirmed that all 11 conditions of approval have been agreed upon.

Chairman Sturgill noted for the record that what the family intends to do in regard to family development is informational, but is not a consideration when making a decision on this application.

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

Commissioner Nevill asked for clarification on condition 9 regarding secondary dwellings. Planning Supervisor Lister explained that the rezone process of this property did not prohibit secondary residences; however, with how the plat is being proposed, only 2 inhabited structures are allowed unless the shared drive has met County code to become a private road.

Commissioner Sheets asked about the grade of the access. Planning Supervisor Lister stated there are areas at 15%, but deferred the question to the representative.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Doug Sanders – IN NEUTRAL – 22165 Tucker Rd, Greenleaf, ID 83626

Mr. Sanders expressed concerns about the water drainage to the west side of the property. The Benson Gulch drainage system is currently flooding Tucker Road and his property. He requested that the water drainage is shifted elsewhere.

TJ Wellard – (Representative) REBUTTAL – 17842 Sand Hollow Road, Caldwell, ID 83607

Mr. Wellard explained that the property is sprinkler irrigated and there is no runoff as this property is all gravel and can't retain water to grow anything on the hill. Mr. Wellard stated that the greatest slope they encountered was 12%.

Commissioner Sheets asked if the grade will be compatible with the fire district's requirements. Mr. Wellard does not believe they had any requirements of a lower grade.

Chairman Sturgill asked if anything can be done to address rainfall runoff and the deterioration of the road. Mr. Wellard answered that maintaining the borough ditches along the road is most likely an issue with the highway district. The highway district has required that storm water be retained on site. Chairman Sturgill confirmed that the way the grade is set up, rainfall will be retained on site. Mr. Wellard specified that rainfall that falls on new impervious services would be retained on site and not all rain that falls on the property is being collected.

Commissioner Nevill asked where the runoff that is damaging Mr. Sanders' property is coming from. Mr. Wellard stated it could be coming from the road down the irrigation ditches. Commissioner Nevill confirmed that the recommendation would be for Mr. Sanders to contact the highway district.

MOTION: Commissioner Sheets moved to close public testimony on Case No. SD2024-0010, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Chairman Sturgill invited discussion on how to address the issue of runoff and what recommendations to provide to the Board of County Commissioners. Planning Supervisor Lister emphasized that the runoff is not related to the site, and there would need to be a nexus behind adding a condition that is project related. It was determined that there is not sufficient evidence that the runoff could be caused by the subject property.

MOTION: Commissioner Sheets moved to **recommend approval** Case No. SD2024-0010 to the Board of County Commissioners, adopting the recommended FCOs that the application does meet criteria. Seconded by Commissioner Mathews.

Discussion on the Motion:

None.

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

Item 2B:

Case No. CR2024-0012 – Cheney: The applicant, Shayne Cheney, represented by Andrew McFarland, requests a conditional rezone from the “A” (Agricultural) zone to the “CR-R-R” (Conditional Rezone - Rural Residential) zone of approximately twelve (12) acres for the purpose of creating an additional residential parcel. The subject property is located at 17556 Upper Pleasant Ridge Road, also referenced as a portion of Parcel R35527 (11.99 acres).

Chairman Sturgill affirmed the applicant to testify.

Andrew McFarland (Representative) IN FAVOR – 17476 Upper Pleasant Ridge Rd, Caldwell, ID 83607

Mr. McFarland described his background in a farming community in Canyon County and his extensive experience working with agriculture and utilities as a journeyman lineman. He is requesting to split a 12-acre family property into a 5-acre rural residential parcel and 7-acre parcel. The plan follows county codes and aligns with the comprehensive plan, which supports low-density rural development consistent with the surrounding area. Mr. McFarland explained that the proposed home will be placed at the front of the property to avoid interfering with neighboring farming operations, and traffic and access will not change with the same single driveway. Irrigation is shared with neighbor Shayne Cheney, and there is natural runoff. Mr. McFarland emphasized this will preserve the overall character of the land while allowing their family to be close together.

Commissioner Nevill asked if all conditions of approval have been reviewed and agreed upon. Mr. McFarland expressed a concern with restricting secondary dwellings as he has hopes of having that option available if one of his kids wants to live locally and have a house built in the future. Commissioner Nevill asked about the imposed building envelopes. Mr. McFarland reiterated that he wants the option of being able to utilize the full property and not have everything built on top of each other. Commissioner Nevill confirmed that Mr. McFarland accepted conditions 1-4 as proposed without the addition of restricting secondary dwellings and adding building envelopes, and asked if there are any administrative splits on the property. Mr. McFarland said no and explained the history of the prior splits. Commissioner Nevill asked for clarification on the properties on site, and Mr. McFarland pointed out his father’s house compared to Mr. Cheney’s house.

Commissioner Johnston confirmed the area that is being proposed to be rezoned. Mr. McFarland explained that rezoning the whole property is what was advised in order to be able to split the land. There was further discussion on the building envelopes and plans of whether or not secondary dwellings would be considered.

Chairman Sturgill asked how we grant this rezone without establishing a precedent for future inquiries. Mr. McFarland expressed understanding of the Commission’s concern about this issue, and reiterated his plans for potential future family use and that he does not want to put stipulations to where that is not an option.

Principal Planner Emily Bunn reviewed the Staff Report for the record.

Commissioner Nevill asked if this application was fixing any code violations. Planner Bunn explained that the property boundary adjustment was approved through a director’s decision and there are no current code violations. Commissioner Nevill confirmed the average surrounding lot size is 13.46 acres.

Chairman Sturgill inquired on a possible condition to prevent future sale of the property or revert the rezone if the property is sold outside of the immediate family. Planner Bunn explained that there is nothing in Canyon County or Idaho Code to support such a condition. She also mentioned that the applicant would already be purchasing this property from someone else.

Commissioner Sheets asked if there is currently a secondary dwelling. Planner Bunn stated that there is just a single family residence on the subject property, but there is a primary and secondary residence on the applicant's dad's property that is adjacent. Commissioner Sheets confirmed that the subject property is not prohibited from having a secondary dwelling.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Shayne Cheney – IN FAVOR – 17556 Upper Pleasant Ridge Rd, Caldwell, ID 83607

Mr. Cheney is in favor of this application and has known the McFarland's for a long time. He grew up on the subject property and is getting to point where farming the whole property is becoming challenging. Mr. Cheney raises cows, horses, pigs, chickens and hay. The portion that he is wanting to sell will be a good area to build a house as it won't interfere with any of the neighbors. The property is sprinkler irrigated and flooding would not be an issue. Mr. Cheney described the existing access and that it would not hinder or make any problems.

Commissioner Nevill inquired on the hay yield. Mr. Cheney stated he gets about two ton to the acre.

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

Mr. McFarland owns the property right in front of the parcel, and insisted on wanting to keep this area country. They do not want a subdivision and want to keep family close. Mr. McFarland described the property and where it drops 16 feet from one corner to another, so it made sense for the location of the home.

Planner Bunn explained the proposed conditions and additional conditions that could be considered regarding secondary dwellings or the building envelopes.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CR2024-0012, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Commissioner Nevill is not in favor of this application as it is a foot in the door for future rural residential and it is taking away 12 acres of agricultural land.

Commissioner Sheets is also not in favor; this would be a permanent change on this property and is not consistent with the comprehensive plan. This property is planned to be agricultural.

MOTION: Commissioner Nevill moved to **recommend denial** for Case No. CR2024-0012 to the Board of County Commissioners, finding that the application does not meet criteria, specifically regarding criteria 1, 2 and 3. Seconded by Commissioner Mathews.

Discussion on the Motion:

To gain approval, the applicant would need to accept restrictions on secondary dwellings and building envelopes.

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

Item 2C:

Case No. CU2025-0008 – Mytroga: The applicant, Vasyi Mytroga, requests a conditional use permit for a staging area with approximately four (4) to six (6) parking spaces in an “A” (Agricultural) zone. The subject property is located at 14885 Midway Road, Nampa, Idaho, 83651, also referenced as Parcel R32983207A.

Chairman Sturgill affirmed the applicant to testify.

Vasyi Mytroga – (Applicant) IN FAVOR – 14885 Midway Rd, Nampa, ID 83651 & Voldim Mytroga – IN FAVOR – 14885 Midway Rd, Nampa, ID 83651

Voldim Mytroga read his father’s statement into the record. Mr. Mytroga has owned the property for six years and noted it was in poor condition when purchased. They have since invested significant time and money into improving it, including cleaning the land, planting trees, and installing a fence. The property was intentionally chosen for its larger size to accommodate a large family. Mr. Mytroga began parking trucks on the property due to difficulties parking in the city. This arrangement did not cause any complaints initially, but when permit requirements were introduced, Mr. Mytroga agreed to comply and began the process. They followed instructions to notify neighboring properties, and at that time no objections were raised. There were some concerns such as not parking trailers or performing maintenance on vehicles, and Mr. Mytroga has done his best to follow those conditions. There was one neighbor who previously had no concerns, but is now filing complaints and encouraging others to do the same. Mr. Mytroga emphasizes that he cares about environmental concerns like water quality and dust and have taken steps to address them, and also stated that their trucks are regularly inspected, unlike other equipment in the area that may go unchecked. Mr. Mytroga feels there is inconsistent treatment, as other properties with equipment do not face similar scrutiny. He concludes by stating they have made every effort to follow the rules, respect their neighbors, and are asking for fair and consistent treatment.

Chairman Sturgill reviewed the letter that was sent in from the applicant regarding neighboring properties with worse conditions, and mentioned he reached out to the Planner to ask for pictures of these properties. Mr. Mytroga confirmed there are pictures available.

Commissioner Nevill asked if the 13 conditions of approval were reviewed, to which they had not been, so he suggested the applicant review the conditions as there would be severe restrictions if approved.

Commissioner Sheets inquired on the intent of the use of the vehicles onsite. Voldim Mytroga confirmed there is not a business that is being operated, but personal parking and free parking for the company his father works for. Commissioner Sheets confirmed the request is for four vehicles and asked for what type of vehicles. Mr. Mytroga stated their church parks their buses there, and Voldim Mytroga explained the process of his father dropping a trailer off at a gas station and being able to park the truck at home so personal vehicles don’t have to be used. It was also confirmed Mr. Mytroga has two trucks but the request of four spaces would allow availability for a friend to park a vehicle there if necessary. Mr. Mytroga stated it varies, and one of his current trucks will be going to auction soon. Commissioner Sheets asked what the process is for starting up a truck and getting it going. Mr. Mytroga mentioned needing to charge the trucks for 5-10 minutes after being parked for 2-3 months. Commissioner Sheets asked how tall the trucks were, and Mr. Mytroga answered 8-9 feet tall and about 20 feet long. Commissioner Sheets confirmed there is a 6-foot fence around the yard and the property, although agricultural, is in the Stephens Orchards Tracts Amended Subdivision.

Commissioner Mathews asked if the trucks typically had trailers, and Voldim Mytroga confirmed the trucks are there without trailers. There was discussion on the length of time the trucks stay on the property.

Commissioner Werhanowicz inquired on the multiple pictures that reflect several RVs and trailers and asked if anyone else was living on the property. Mr. Mytroga answered no, and they have and are willing to cut back on the amount of vehicles.

MOTION: Commissioner Nevill moved to accept the requested late exhibits as they relate to the case and character of the area. Seconded by Commissioner Werhanowicz. Voice vote, 5 in favor, 1 in opposition.

There was discussion on the authentication of the evidence. Planner Mberwa confirmed all but one picture were sent in prior to the comment deadline and are included in her presentation.

Voice vote: 4 in favor, 2 opposed, motion passes.

Associate Planner Arbay Mberwa reviewed the Staff Report for the record.

Commissioner Nevill asked about the access. Planner Mberwa confirmed that the southern access is currently the only approved access; however, Highway District 4 submitted comments that the northern unauthorized access qualifies to be permitted to allow access for the proposed use. Commissioner Nevill asked about the pictures provided for the late exhibit, and Planner Mberwa displayed and explained the pictures received, although only two of the locations were able to be identified within one mile of the applicant's property. Commissioner Nevill inquired on whether there is a difference in the code regarding the type of vehicles used. Planner Mberwa explained the staging area definition, and noted if the work is being done offsite, that would warrant the staging area conditional use permit.

Commissioner Sheets asked for clarification on statement that Planner Mberwa made during her presentation regarding parking vehicles. Planner Mberwa stated there was a comment from Highway District 4 that stated the use is not a commercial use for parking. Commissioner Sheets inquired on the proposed carport in the proposed conditions. Planner Mberwa explained the intent behind that condition was to accommodate the neighbors and mitigate their concern regarding the vehicles obstructing their view. The carport would need a building permit and would be considered an accessory structure. Commissioner Sheets asked about the proposed business hours of 7:00 a.m. to 7:00 p.m. Planner Mberwa explained that those hours were suggested by the applicant. Commissioner Sheets asked how close to the property lines were the vehicles were stored. Planner Mberwa stated they are being parked about 70 feet from the northern property line and Planning Supervisor Lister stated the carport is about 50 feet from the frontage off of Midway.

Commissioner Johnston asked for clarification on the type of vehicles under the restriction of the staging area. Planner Mberwa explained which vehicles would be allowed on site without falling under the staging area guidelines.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

David Bowman – IN OPPOSITION – 14774 Beach Cherry Dr, Nampa, ID 83651

Mr. Bowman stated that it is difficult to really know where the late evidence pictures came from as it could be within city limits. This neighborhood is a higher end subdivision and everyone takes good care of their properties, so this use does not fit in with the subdivision. Mr. Bowman testified that there have been times the applicant has brought in trucks with full length trailers. He reiterated this is a residential area and there are commercial vehicles parked in it, which does not fit in the area.

Commissioner Nevill clarified that this is an agricultural zone and asked if four vehicles is permissible. Mr. Bowman does not believe having big rigs in the neighborhood parked for more than 24 hours is acceptable. He also stated there is no way to prove why the vehicles are there.

Commissioner Sheets asked if the proximity of Mr. Bowman's house to the subject property causes him to hear the semi-trucks and if it is high pitched sounds. Mr. Bowman stated it is a fairly quiet neighborhood, and although the applicant does not idle for hours, it is a diesel sound. Commissioner Sheets asked if he could ever see the applicant coming or going to his property. Mr. Bowman said no because his property faces the other direction.

Commissioner Werhanowicz expressed confusion on the driveways. Mr. Bowman stated the original owner wanted their access through the northern access, but it got denied and they got approval from the southern neighbor to share their access.

Chairman Sturgill asked if the same concerns would be present if the applicant just had one truck and occasionally parked it over the weekend or for a couple of weeks. Mr. Bowman did not see a concern with one truck, but with multiple vehicles in a residential area.

Dave Buckner – IN OPPOSITION – 14906 Beach Cherry Dr, Nampa, ID 83651

Mr. Buckner is the neighbor directly west of the applicant. He disputes the applicant's claim that nearby residents did not oppose the permit, stating that all attendees at the neighborhood meeting were actually against it. Mr. Buckner highlighted the effort neighbors have put into improving their properties and described the semi-trailer parking as an eyesore that detracts from their enjoyment and neighborhood appeal. Mr. Buckner stated that a limited permit for up to four vehicles with no semi-trailers is acceptable, but he doubts the applicant's ability to follow those restrictions.

Commissioner Nevill asked if there is a fence separating the two properties. Mr. Buckner confirmed, stating it is a concrete wall approximately 5 feet tall. Commissioner Nevill asked what height of a fence would work to prevent the trucks being an eyesore. Mr. Buckner does not believe there is a height of a fence that is approved by Canyon County, other than the maximum of eight feet. He stated that if the request was just for one truck and trailer, this would not be a problem, but he has expressed to the applicant that he would not be in support of the current request.

Commissioner Sheets asked if the vehicles can be heard at any time. Mr. Buckner stated he does not consider the noise of the vehicles to be of any nuisance, and does not take notice of the coming and going of trucks, so it is not an issue.

Chairman Sturgill asked if there were any properties in the vicinity that had more than one semi or semi and trailer parked on a regular basis. Mr. Buckner has not seen any properties that contain more than one. Chairman Sturgill confirmed that one truck would be compatible with the current character of the area.

Ryan McMillan – IN OPPOSITION – 14755 Beach Cherry Dr, Nampa, ID 83651

Mr. McMillan expressed his concerns with this becoming a truck parking lot. He has personally witnessed up to four trucks parked on the property, although the applicant originally informed the neighbors he was applying for four spots for two trucks and two church vans and would never have more than two trucks. Mr. McMillan is also confused why the extra entrance is now considered being approved when it was very clearly denied previously.

Commissioner Nevill asked how big the church vans are and if they were diesel. Mr. McMillan stated they resemble a long sprinter van and he assumes they are diesel. Commissioner Nevill asked if the church vans were an issue, to which Mr. McMillan stated they were not.

Vasy & Voldim Mytroga – (Applicant) REBUTTAL – 14885 Midway Rd, Nampa, ID 83651

Mr. Mytroga stated the driveway is a 20 foot driveway and the trucks are closer to 10 or 11 feet tall.

Commissioner Nevill asked how many passengers the church vans could hold. Mr. Mytroga stated 14 passengers. Commissioner Nevill asked if they were diesel, to which Mr. Mytroga answered yes. Commissioner Nevill asked how often they are on his property. Mr. Mytroga said they come and go depending on youth events. Commissioner Nevill asked if Mr. Mytroga was a pastor or if he just allowed the vans to be parked on his property. Mr. Mytroga stated he was asked to be able to park the vans due to the bigger property and was told he did not need a permit for the vans. Commissioner Nevill asked what restricting the storage down to one truck and trailer would do for business. Mr. Mytroga requested two semi-trucks without trailers.

Commissioner Sheets asked if there was an opportunity to review the conditions of approval. Voldim Mytroga stated his father wanted to take them home to translate, but the Commission clarified this is a decision that will be made by Planning & Zoning this evening. Commissioner Sheets asked to take a 15 minute recess to allow Mr. Mytroga time to review the conditions. After the break, Commissioner Sheets asked if the conditions had been reviewed. Voldim Mytroga asked if condition 8 regarding the carport could be removed, but they agree with the rest of the conditions. There was further discussion on what vehicles would be allowed under the potential limits.

Commissioner Mathews asked how many of the vehicles on site are titled to Mr. Mytroga. Mr. Mytroga answered three.

Planner Mberwa stated that the applicant noted it would remain as four vehicles on the application. She also added that the current fencing is six foot fencing and any taller than seven feet would require a building permit. Planner Mberwa suggested adding a condition to restrict the portion of the property to be used as the staging area.

Commissioner Nevill asked about condition 4A regarding specifying the number of vehicles and what vehicles are required to be included in the restrictions. There was discussion on what vehicles are allowed to be onsite without being included in the permit and what is required to be part of the final count. Commissioner Nevill suggested modifying the wording to read "no more than two semi-trucks, with a total of four staged vehicles."

MOTION: Commissioner Mathews moved to close public testimony on Case No. CU2025-0008, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Due to the nature of the use, Commissioner Sheets is not in favor of this application. This commercial activity of parking vehicles of this nature in a residential area is incompatible; therefore, it will negatively change the character of the area. Commissioner Sheets also specified that there is no legal access to the subject property and there will be undue influence with existing or future traffic patterns.

Commissioner Mathews agrees with Commissioner Sheets and added that in regard to criteria three, it is not consistent with the comprehensive plan.

Although the applicant mentioned not wanting to reduce the number of trucks down to one, Commissioner Nevill does believe this could be properly conditioned to restrict the vehicles down to one semi-truck and a total of three vehicles, as well as restricting the use to the northern part of the property.

Planning Supervisor Lister clarified that if the truck was under the applicant's name and he is a trucker and wanted to park his truck on site, he can do that without the use of a CUP; however, the CUP becomes a requirement when adding any additional equipment and vehicles that are not owned by the applicant.

Commissioner Werhanowicz expressed confusion on the unauthorized approach. There was discussion on the approach becoming available with the approval of the CUP and the applicant applying for an approach permit.

Commissioner Mathews reiterated that this is a commercial use and not related to agriculture so it is not appropriate to grant a CUP for this operation.

MOTION: Commissioner Sheets moved to **deny** Case No. CU2025-0008, finding that the application does not meet the criteria for approval under article 07-06-05, specifically in regard to criteria 2, 3, 4, and 6. Seconded by Commissioner Mathews.

Discussion on the Motion:

None.

Roll call vote: 5 in favor, 1 opposed, motion passed.

Commissioner Nevill excused himself – a quorum is still present.

Item 2D:

Case No. CU2025-0003 – Mena: The applicant, Cesar Mena requests a Conditional Use Permit for a Staging Area and Contractor Shop on approximately 7.53 acres in an “A” (Agricultural) zone. The subject property is located at 17172 Early Rd, Caldwell, also referenced as Parcel R37689.

Chairman Sturgill affirmed the applicant to testify.

Cesar Mena – (Applicant) IN FAVOR – 17172 Early Rd, Caldwell, ID 83607 & Cesar Mena Lopez – IN FAVOR – 17172 Early Rd, Caldwell, ID 83607

Mr. Mena explained that he is applying for a staging area to be able to park his trucks on his property for his construction business.

Commissioner Mathews asked if the trucks have backup warning alarms. Mr. Mena Lopez answered no.

Commissioner Sheets asked what kind of business Mr. Mena was operating. Mr. Mena Lopez explained that it is a construction business and they are just asking for the staging area to park trucks, some machinery and some trailers on site. There is no fabrication or anything being built on site. Mr. Sheets asked about the contractor shop, and Mr. Mena Lopez specified that they will no longer be using the shop as part of the CUP and that it will remain as personal use. Commissioner Sheets asked about the type of vehicles. Mr. Mena Lopez explained there are four company trucks and four trailers, as well as two mini excavators, two skid steers and three containers for material storage. Commissioner Sheets asked what the hours of operation are. Mr. Mena Lopez answered 7:00 a.m. to 4:00 p.m. Commissioner Sheets asked how many employees are on site and if they have their own vehicles. Mr. Mena said 3-4 and they do have their own vehicles. Commissioner Sheets asked what type of materials are stored on site. Mr. Mena Lopez answered PVC pipe and bulk orders of cement that is used in the same week. Commissioner Sheets asked how often the employees’ work. Mr. Mena Lopez confirmed Monday through Friday, and sometimes on the weekend. Commissioner Sheets asked about the proposed conditions of approval. Mr. Mena Lopez specified they are not wanting to turn residential into commercial and asked for clarification on condition 9 regarding dust mitigation and condition 10 on fencing.

Chairman Sturgill expressed concerns with a prior Code Enforcement case for this property and the risk of conditions being violated. Mr. Mena explained that the RV that was being occupied is only occupied approximately 10 times a year when he brings employees from out of town for a couple of nights. The RV has since been removed from the property and Mr. Mena emphasized he is trying to do the right thing.

Commissioner Johnston asked if the hours of operation would be restricted to Monday through Friday as the proposed conditions indicate, with no weekend work. Mr. Mena asked if that could be modified to Monday through Monday as the hours he is able to work varies. There are limited times weekend work is necessary, for example, when cement comes in and they have to ensure it is being processed and distributed in a timely manner.

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

Chairman Sturgill asked if condition 2 regarding a certificate of occupancy of the shop would be necessary if they no longer plan to use it in conjunction with the business. Planner Lewter stated it would not. Chairman Sturgill confirmed that the condition could be modified to reflect that no commercial activity could happen in association with the shop.

Commissioner Sheets asked how to proceed with the presented application of a staging area and contractor shop. Planner Lewter mentioned the Commission may approve the staging area and deny the contractor shop portion, modifying the conditions appropriately. Commissioner Sheets inquired on the statement of no major concerns from the agencies. Planner Lewter specified that none of the agencies had any concerns on the proposed use, but some did propose conditions. Commissioner Sheets asked if Planner Lewter could explain a dust mitigation plan. Planner Lewter explained that it is a plan the applicant provides to Development Services staff on how they plan to mitigate the dust, such as watering the access on summer months or putting bark down. Development Services staff reviews the plan to ensure it meets mitigating the concerns in the area. Commissioner Sheet asked what a site obscuring fence is and inquired on the animal violation. Planner Lewter reviewed the description for a site obscuring fence and approved materials, and explained there is a definition in code that explains how many animals are allowed per acre developed to animal care, and during the site visit it was discovered the devoted to animal care was not as large as it was for the amount of animals they had. Animal control was not involved; this was just a code violation.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Krista ODell – IN FAVOR – 318 Caldwell Blvd, Nampa, ID 83651

Ms. ODell explained that the applicant is her client and their property is gorgeous. She mentioned that as the applicant has been educated and have learned throughout this process, they have tried to comply with all concerns. Ms. ODell stated the adding the contractor shop was a misunderstanding, but it has been clarified. The applicant has built a successful business and the property is organized and the applicant takes a lot of pride in that.

Marcia Morman – IN OPPOSITION – 22142 Jeanne Dr, Caldwell, ID 83607

Ms. Morman described their history with their property. She stated that while she appreciates the applicant creating a business, but the use is not consistent with agricultural use. Ms. Morman expressed concerns with the approval of this application leading to future CUP applications, and views this use as light industry therefore encroaching on agricultural use. She concluded by stating she does not want her property and other surrounding agricultural properties knocked out one by one in exchange for light industry, and requests denial.

Commissioner Sheets asked if Ms. Morman has seen any of the activities going on at the property. Ms. Morman explained they do not have a house out there, so hasn't seen much. She did notice they set up a soccer field and it looked like there were enough people for two teams playing soccer one day. Commissioner Sheets asked what kind of crops are grown on her parcel. Ms. Morman stated last year was corn, four years before that was hay, and the year before that was sugar beets. Commissioner Sheets asked how the soil is. Ms. Morman explained their best soil is close to the applicant's property, with a couple of spots with sand.

Commissioner Johnston asked about potential farming on the subject property. Ms. Morman explained there is a smaller area for potential vegetable farming, but it is not big enough for large equipment.

Gayle Morman – IN OPPOSITION – 22142 Jeanne Dr, Caldwell, ID 83607

Mr. Morman expressed concern about being approached on several occasions about selling their property with the idea that whoever buys it will turn it into a subdivision, but their dream was to have the property to hopefully build a house on it one day or pass it along to their children. They don't want to live next to a commercial establishment. The nearest commercial area is the Sand Hollow store about 2000 feet away. Allowing this type of use would make it easy for the next person that would want to change their property.

Cesar Mena & Cesar Mena Lopez – (Applicant) REBUTTAL – 17172 Early Rd, Caldwell, ID 83607

Mr. Mena mentioned to the Morman's that he would be interested in their property if they ever did sell. He clarified that they are not asking for more trucks to be stored on site and there are no plans to build another shop. Mr. Mena also specified they do not work on site during the day. They are there in the mornings to pick up trucks and equipment and return in the evening. He mentioned buying the property to the west to prevent more houses being built.

Commissioner Sheets asked about the contractor shop. Mr. Mena explained it will just be storage of materials and tools with no fabrication or building. Commissioner Sheets asked what agricultural activity happens on the property. Mr. Mena explained the portion to the east adjacent to the Morman's that is in use that the farmer for the Morman's cultivates alfalfa on. Mr. Mena explained the soccer field was set up as a thank you to his employees on Fridays after work.

Chairman Sturgill asked for clarification on the amount of employees. Mr. Mena stated on average it is 4-5 employees, but sometimes there are 10-15 on weekends. Chairman Sturgill confirmed there is occasional work on weekends, and Mr. Mena specified they pick up trucks in the morning and drop off in the evening. Chairman Sturgill reiterated his concerns with conditions not being met and emphasized the significance in setting conditions that will be followed.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CU2025-0003, seconded by Commissioner Mathews. Voice vote, motion carried.

Deliberation:

Commissioner Mathews emphasizes with the neighbors, but stated there is no activity that would cause a lot of noise or commotion during the day other than people coming and going in the morning and the evening. This is a use that he would be in favor of.

Commissioner Johnston agrees, as long as the conditions properly reflect with what the applicant wants to do. She suggested adding a condition to allow for occasional weekend work.

Commissioner Sheets does not believe that the proposed use is consistent with the comprehensive plan. This is an ag zone with an intensive agricultural overlay and the proposed use is more industrial. Chairman Sturgill confirmed that Commissioner Sheets does not believe this can be conditioned to mitigate those concerns.

Commissioner Johnston agrees with preserving agricultural land; however, there is already a portion that is being used for this business and the property is not being rezoned. This use resembles a farmer having a lot behind his house.

Commissioner Mathews emphasized there are agricultural operations on the property as well, and the area being proposed for the staging area is a small portion compared to the whole property.

Commissioner Werhanowicz stated she does not see a difference between CUP's they've approved for landscaping companies and this application.

Chairman Sturgill is concerned that there will be issues with code enforcement based on past behaviors and violations.

Commissioner Werhanowicz suggested adding a condition specifying the area within the site obscuring fence. There was discussion on adding the exhibit with the proposed site plan to the condition regarding fencing.

There was also discussion on adding a condition regarding an allowance of working up to 10 weekends a year.

MOTION: Commissioner Mathews moved to **approve** Case No. CU2025-0003, amending conditions 7 and 7a. Seconded by Commissioner Johnston.

Discussion on the Motion:

None.

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

3. DIRECTOR, PLANNER, COMMISSION COMMENTS:

Planning Supervisor Lister stated there has been direction to move forward with the land division ordinance change. There was further discussion on the items being proposed to be modified. There was also discussion on the case that was remanded back to P&Z from the Board of County Commissioners that will be heard on March 26. All Commissioners plan to be in attendance.

4. ADJOURNMENT:

MOTION: Commissioner Sheets moved to adjourn, seconded by Commissioner Werhanowicz. Voice vote, motion carried. Hearing adjourned at 10:54 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



Caitlin Ross, Hearing Specialist