



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, April 2, 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: Joshua Johnson, Assistant Director of Development Services
 Michelle Barron, Principal Planner
 Emily Bunn, Principal Planner
 Amber Lewter, Associate Planner
 Caitlin Ross, Hearing Specialist

Chairman Sturgill called the meeting to order at 6:30 p.m.

Commissioner Nevill read the testimony guidelines and proceeded to the first business item on the agenda.

Item 1: Consent Agenda – Action Items

- A. Case No. CU2024-0023 – Burnett-Riverbend:** Approve FCOs
- B. Case No’s. OR2022-0002 & RZ2022-0022 – Christensen:** Approve FCOs

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

Item 2A:

Case No. OR2025-0023 – Granite Companies: The applicant, Granite Companies LLC, represented by KM Engineering, requests a Comprehensive Plan Map Amendment of Parcel R29892010 from an “agriculture” future land use designation to a rural residential future land use designation. The 46.5-acre property is located at 7044 Rim Road, Nampa.

MOTION: Commissioner Sheets moved to table Case No. OR2025-0023 to a date certain of May 7 , 2026, seconded by Commissioner Nevill. Voice vote, motion carried.

Item 2B:

Case No. CU2026-0002 – Maverick Towers: The applicant, Maverick Towers, requests a conditional use permit for an unmanned telecommunication facility within a 50’ x 50’ lease area on parcel R29515. The facility includes a single 120-foot-tall, galvanized Monopole tower in the “A” (Agricultural) zone. The subject property of 2.23-acres is located at 4306 S Happy Valley Road, Nampa, also referenced as Parcel R29515.

Chairman Sturgill affirmed the applicant to testify.

Josh Leonard – (Representative) IN FAVOR – 251 E. Front St. Ste. 310, Boise, ID 83701

Mr. Leonard stated the proposal is for a 110 ft. monopole and noted that the letter of intent mistakenly identified the pole as being 100 ft and the site plan shows a 120 ft. tower. In working with the radio frequency experts and Verizon's team, it was determined that the shortest tower would need to be 110 ft. Continuing growth, such as the Harvest Creek Subdivision, has resulted in a greatly increased network demand for in building wireless services in the area. The in building wireless needs of this area located southeast of Nampa are not currently adequately served by the existing network. Mr. Leonard referenced photos that displayed the opportunity to host three additional co-locations of other wireless companies, antennas and equipment. He noted that Verizon had first looked at whether it could fill its significant gap in coverage by locating antennas on an existing structure. That is typically the cheapest way for a wireless company to fill a significant gap in coverage. It was determined, however, that Verizon could not locate on an existing tower as shown on the propagation chart. Mr. Leonard stated that very few people have a landline anymore and in building coverage is now required for wireless companies to be able to provide adequate service to their subscribers. In particular, emergency 911 calls often come from within buildings. In addition to the needed coverage expansion, the proposed wireless communications facility will greatly increase wireless capacity in the area. If a facility is located far from a targeted coverage area, the area will not benefit from the improved coverage and service offered by the new wireless communications facility. There are Verizon sites 2.4 miles, 2.96 miles, and 3.08 miles away from this area. Ideally, spacing for Verizon's network on the bandwidth that it uses particularly in the Nampa metro area, would need spacings of about .05 to 1.0 miles. Mr. Leonard discussed the initial search ring that was developed by Verizon's radio frequency team. It denotes where a new tower must be located to provide the in building wireless service. The closer a new site is to the center of the search ring, the better it is for coverage because it won't have any bleed over into other sites. The selected site for the wireless communications facility meets all criteria required by Canyon County Code. Mr. Leonard discussed each of the criteria and how the requested Conditional Use Permit meets each.

Commissioner Sheets asked if the coverage maps only represent Verizon's area. Mr. Leonard stated that it is only Verizon but noted that the tower will be built for co-location. Commissioner Sheets asked if there will be additional ancillary construction such as utility cuts across the road or any additional telecommunication infrastructure above or below ground. Mr. Leonard stated that he was unsure but believed that power is available at the site. He suspected that fiber would need to be run from either within the public right of way or nearby.

Commissioner Nevill asked if Mr. Leonard was in agreement with the 11 recommended conditions of approval recommended in the staff report. Mr. Leonard had no concern with any of the conditions. Commissioner Nevill asked if this tower would be the tallest structure in the area. Mr. Leonard stated that depends on what the "area" is but believed it may be. Commissioner Nevill asked how close the property is to the airport. Mr. Leonard was unsure but noted that they did obtain an FAA determination of no hazard to air traffic. Commissioner Nevill asked if there would be a light at the top of the tower. Mr. Leonard stated that the FAA has said that this tower does not require lighting.

Chairman Sturgill asked if there would be sufficient elevation on the tower for other carriers. Mr. Leonard stated that he believed that there would be sufficient height for AT&T at this site. The lower elevations may be utilized for additional wireless / cellular services. Chairman Sturgill asked if the subject property was adjacent to city limits. Mr. Leonard replied, yes. Chairman Sturgill asked if there were any sites within the City of Nampa that would have been appropriate to locate the proposed tower. Mr. Leonard stated that the information received from Verizon's Frequency Engineers stated that this site served perfectly.

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

Commissioner Nevill asked if a condition could be placed that would require the applicant to improve the trees/plant more trees to create a better buffer between the pole and the residential development. Planner Lewter stated yes, but wanted to ensure the condition was very specific so it could be enforceable.

Chairman Sturgill asked what the distance was from the base of the tower to the nearest occupied residence. Planner Lewter said it was approximately 175 ft.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Susan Hall – IN OPPOSITION – 4784 E. Sesame St., Nampa, ID 83683

Ms. Hall stated she is firmly opposed to the cell tower. She stated that the evidence provided regarding the benefits of the installation are far from being conclusively settled. For every study claiming there are no harms that can come from this there is equally credible evidence that suggest the contrary. The health issues, aesthetics, noise, and resale value are a concern. Ms. Hall asked that the Commission not make their community a test case and asked that the request be denied and the applicant find a less intrusive location. If Verizon is having problems finding a location that burden should not be on the neighbors. There are a hundred signatures from residents in the community petition demanding that the location be rejected. Ms. Hall stated the request would introduce a 110 ft. industrial utility structure in the heart of a quiet residential community. The proposal includes a generator, which the applicant claims will run only occasionally. Ms. Hall noted that the applicant refuses to measure the specific timeframe for occasionally nor have the specific decibel levels been provided. Ms. Hall stated that the generator is not a minor detail, and it is attached to the tower. The generator will be a significant disruption to the quiet neighborhood. The applicant claims the tower will improve emergency service aesthetics but there is no conclusive evidence to bear that out. The neighbors in the area are voicing concerns due to the serious nature of the potential irreversible effects. There are commercial zones and utility corridors nearby that can achieve the same technical goals without sacrificing a neighborhood.

Commissioner Nevill referenced Ms. Hall's testimony in regard to property values and asked if she believed they would go up or down. Ms. Hall replied that they would go massively down.

Megan Smalley – IN OPPOSITION – 4287 S. Chia Ave., Nampa, ID 83686

Ms. Smalley was opposed to placing the tower less than 500 ft. from her home as well as the neighbors' home. She noted that she had submitted her concerns via email as well as the opposition petition signed by 100 residents. The proposal would significantly change the character of the neighborhood. A large cell tower would be visibly intrusive and permanently alter the look of the neighborhood. The tower is planned within 300 ft. of the pond where ducks live as well as a basketball and volleyball court. Once the tower is constructed, there would be no way to undo it. Ms. Smalley is concerned about impacts on property values as placing a tall communication structure so close to a residence would make it less desirable for future buyers. She had spoken with a realtor who had told her that selling her home would become significantly more difficult if the tower was to be constructed. Ms. Smalley understands the importance of reliable communication infrastructure, she felt that reasonable alternatives have not been fully explored, such as locations farther way from homes, use of existing structures, or less invasive technologies.

Commissioner Johnston asked Ms. Smalley if she could provide examples of less invasive technologies. She noted they use Wi-Fi calling because there is fiber located in the Harvest Creek neighborhood.

Oscar Ciaz – IN OPPOSITION – 4327 S. Chia Ave., Nampa, ID 83686

Mr. Ciaz has the closest residence to the tower if it is approved. If approved, there will be a construction phase that will add traffic to the already busy road. The road is busy in the morning from 7 a.m. to 9 a.m. and there is a bus stop nearby. Mr. Ciaz stated that he is a first-time home buyer and didn't want to lose the value of his home due to the tower. He does not want to see a big cell tower nor have his kids hearing a generator when they are playing in the back yard.

Lawrence Newell – IN OPPOSITION – 4307 S. Chia Ave., Nampa, ID 83686

Mr. Newell stated that they will see the tower every time they go out into their backyard. The trees will cover very minimally a 110 ft tower. The trees are currently 60 ft. tall at most. He is extremely worried about his property value. His wife has had a real estate license for over 20 years and people indicate time and time again that they have no interest in being anywhere near a cell tower. Mr. Newell stated the neighborhood location is quiet, and he loves the rural ambiance, and now it will have a large tower in their backyard and where children play. He stated this tower would be an eyesore. Mr. Newell stated that when appraisals are done, they take the impact zone of how close the tower is and how it affects your property value. Mr. Newell felt that this tower does not belong in this area.

Commissioner Nevill asked Mr. Newell if the noise would be buffered if more trees were planted. Mr. Newell did not believe that it would buffer the noise.

Commissioner Sheets referenced diminution of value and asked if Mr. Newell had any numbers in regard to his testimony about property values. Mr. Newell stated he wished he had the specific numbers. However, he as well as the neighbors will be impacted by the decrease in property value.

Curtis Hall – IN OPPOSITION – 4874 E. Sesame St., Nampa, ID 83686

Mr. Hall stated that as a neighborhood they are asking the Commission to deny the permit for the cell tower. This is not just about reception; it's about their homes, health, and the integrity of the community. For most, the home is their largest financial asset. Real estate data consistently shows that proximity to a massive cell tower can significantly slash property values. Many of the residents here bought their homes specifically for the quiet residential character of the area; not to have generator noise. Trust is the foundation of any development and Maverick has broken it in their proposal packet to the Commission. Maverick has a picture of the neighborhood as being empty and undeveloped, but this is not the case. There are no empty lots on the street. Maverick claimed at the community meeting members expressed that the tower is welcome and needed, however, a news segment on the matter showed this was not true. Mr. Hall stated that within 300 ft. from the tower base are 130 homes. He stated that if a developer is willing to lie about public sentiment how can their data about safety be trusted? Mr. Hall questioned who benefits from this proposal. The neighborhood is not against technology, but they are opposed to the wrong project in the wrong place.

Commissioner Nevill noted that there are metal power poles across the road. Mr. Hall stated they are nowhere as near an eyesore.

Ted Kirkbride – IN OPPOSITION – 4943 E. Cotton Dr. Nampa, ID 83686

Mr. Kirkbride stated that most of his arguments had to do with health but understood that it is not a criterion. He reviewed the comprehensive plan and referenced goals and policies that he did not think were consistent with this proposal. Property Rights goal 1.01 to protect the integrity of individual property rights while safeguarding public health, safety and welfare. The County has a responsibility to protect the families as referenced in that goal. Land Use and Community Design goal 4.01 to support livability and high quality of life as the community changes over time. As a community member, this proposal does not support the quality of life. He would rather have slow cell service than a cell tower in his backyard. Policy 4.07 which deals with land uses that are compatible with the surrounding community. The community is telling the Commission that this is not compatible. Mr. Kirkbride stated that he did research, and the National Association of Realtors does say that there is around a 20% drop in value for homes after placement of a cell tower.

Molly Bell – IN OPPOSITION – 4325 S. Happy Valley Way, Nampa, ID 83686

Ms. Bell stated that her home is located directly across from the proposed tower site. They purchased their home based on the rural and open character of the area which includes its unobstructed views of the agricultural land and surrounding mountains. This was not shown in the pictures from Maverick. The proposed tower would introduce a prominent vertical structure that is inconsistent with the existing landscape. Ms. Bell's trees are approximately 30 ft. tall with the existing power lines. The existing power lines

do blend in well, they are weathered and brown, and they don't have a big fence around them. This tower would constitute a significant visual intrusion fundamentally altering the rural character that Canyon County zoning regulations are intended to preserve. Land use decisions are to promote orderly development while protecting the health, safety, and general welfare of the community as well as preserving the character of rural residential areas. The proposed tower is incompatible with the surrounding land use, which consists of primarily low-density properties on acreage. The scale, height, and industrial nature of the structure is not in harmony with the existing neighborhood and would create an adverse impact on nearby properties. The proximity of the proposed structure further intensifies the concerns. Ms. Bell's front door is approximately 158 ft. from the tower location. The adjacent residence to the south is approximately 105 ft. away from the tower location. In contrast, the landowner associated with the tower is approximately 260 ft from the tower and does not directly face it. The placement of the tower creates issues of visual dominance and the reasonable enjoyment of their property. The proposed artificial tree façade that is widely recognized as being coverup is ineffective at disguising the tower and does not adequately mitigate the visual impacts. Ms. Bell noted evidence that cell towers located within 1500 ft. of residential properties can negatively impact property values. Marketability industry research, including analysis by Wireless Equity Group, indicates that buyer demand may decrease due to aesthetic concerns and perceived risks. The US Department of Housing and Urban Development recognizes such structures as potential nuisances requiring consideration in property valuation. Reports associated with the National Association of Realtors and other studies have documented potential reductions in property values of up to 20% for homes located near cell towers. Ms. Bell noted that her property encompasses nearly four acres and represents a significant financial investment of approximately \$800,000. Based on available data, a reduction in their homes' value could reasonably approach \$160,000. This estimate does not account for the diminished value of neighboring properties to the north and south, which would also be impacted. Canyon County regulations and standard planning practices typically require applicants to demonstrate that no feasible and less impactful alternative sites are available. It is their understanding that other locations were evaluated, but this site was selected largely because it represents the least expensive option. Ms. Bell stated that cost alone should not outweigh the significant and disproportionate impacts imposed on established homes and rural communities.

Shane Crawford – IN OPPOSITION – 4247 S. Maize Ave. Nampa, ID 83686

Mr. Crawford stated that he submitted a four-page document to the Commission. He voiced a lot of medical concerns as a 100% disabled combat veteran with toxic exposure. He is very familiar with the effects of these types of things, although the Commission cannot consider that. Mr. Crawford stated that it was stated that several residents in the area provided positive feedback at the neighborhood meeting. Mr. Crawford stated that all contested the tower. He takes issue with misleading and making false statements to the Commission. The neighbors have dramatic concerns about the project. Mr. Crawford stated that there is fiber in the area, and everyone gets cell service. Mr. Crawford is familiar with steel construction, as he does it for a living. He is also familiar with the toxicity of galvanization and that can be during the process or outside the process. He also stated he can speak to hearing loss from generators, specifically the hum they put off that will deafen people over a period of time.

Commissioner Nevill asked Mr. Crawford if he thought that the proposed tower would make an improvement in 911 service. Mr. Crawford did not feel it would improve. He added that he is not concerned about any impedance of anyone getting medical attention in his neighborhood. Mr. Crawford stated he lived on property with cell phone towers and that was one of the reasons he moved. Some insurance companies consider you "high risk" if you live next to a tower.

Chairman Sturgill asked how often power is lost in the neighborhood. Mr. Crawford stated it has happened multiple times since they've lived there. Maybe, two or three times a year. Chairman Sturgill asked about the for more information about the testimony in regard to being "high risk" by insurance companies. Mr. Crawford stated every insurance company is different, but according to the research he did it is about a 20% increase if you live within what they consider to be the "danger zone." Chairman Sturgill asked if that was specifically an RF tower. Mr. Crawford stated that it was correct, 5 G signals are much more intense.

Daniel Fernandes – IN OPPOSITION – 4267 S. Maize Ave. Nampa, ID 83686

Mr. Fernandes stated he moved to this area to start a new life in a new city that was more tranquil and peaceful from where he grew up. His home is one of the homes closest to the proposed tower and is adjacent to a common area with basketball & volleyball courts. Children play in the common areas and there are also wild ducks and geese. He is concerned about the impact on his property value and negative health risks. If the tower was in place prior to him purchasing his home, he would not have bought it. Mr. Fernandez noted the petition with a hundred signatures in opposition and asked the Commission to deny the request.

Mike Bell – IN OPPOSITION – 4325 S. Happy Valley Rd., Nampa, ID 83686

Mr. Bell agreed with previous testimony in opposition. Mr. Bell questioned the validity of emergency services being impacted if the tower was not approved. He stated that he uses his phone regularly for Zoom meetings in his shop with no problems. He and his wife are teachers and worked hard for years and years to be able to purchase acreage where they can have cows. They also have children, and one bedroom window is approximately 110 ft. to the proposed tower. Mr. Bell stated that this request is based on greed from one landowner who wants to make a little money on the side. Verizon is going to look for the cheapest possible location. Mr. Bell questioned how it is okay for property owners to lose or risk \$160K on an investment because of greed. He stated there are other technologies and options that either haven't been researched. Nampa told them no four times for a reason. There are other areas they could locate the tower to. He knew the power poles where there when he purchased his home but did not know there would potentially be a tower.

Commissioner Nevill asked how Mr. Bell came up with the distance he noted in his testimony from his child's window to the tower. Mr. Bell stated it was done with a range finder.

Chairman Sturgill asked about the testimony in regard to Nampa denying this request four times. Mr. Bell stated that it was discussed at the neighborhood meeting. The representative from Maverik Towers said they had tried other locations, and the City of Nampa did not want it in their area.

Commissioner Mathews asked if the transmission line was on Mr. Bell's side of the street. Mr. Bell stated that it was. Commissioner Mathews asked if it was a 69 KV line. Mr. Bell stated he believed it was.

Josh Leonard – (Representative) REBUTTAL– 251 E. Front St. Ste. 310, Boise, ID 83701

Mr. Leonard stated that the 110-foot monopole would be engineered in accordance with ANSITIA-222 standards for 90-115 mile per hour wind gusts and what they call a survival wind event in the order of 120-140 miles per hour. Mr. Leonard stated that the distance to the airport is approximately 4.8 miles. The generator will only operate when power outages occur approximately once a week. It will be located within a sound attenuated enclosure, and it will be muffled at 20 ft from the generator. The decibel level will be approximately 50 decibels which is equivalent to a quiet neighborhood or the hum of a refrigerator across the room. It won't be heard by the neighbors, particularly from inside their homes. It was mentioned in opposition testimony that the tower will only serve Verizon subscribers who will be the only people with enhanced 911 services, which is incorrect. Although only Verizon subscribers will have typical access to regular phone calls, the FCC requires mobile devices to be able to dial 911 on any wireless carrier's network. Mr. Leonard stated that this site is not the least expensive option. Mr. Leonard has spoken with insurance adjusters about insurance premiums, and they are not rated by risk at the parcel level. He also added that there is not even a category for living near a cell tower. The tower itself will be about 48-inch diameter at ground level. Mr. Leonard stated that he is an attorney and represents Maverik Towers here in Idaho. He has not been told by the City of Nampa that it would not permit a tower that would serve this location at all. Mr. Leonard stated this request complies with all federal, state, and local standards and meets all setbacks. The tower is engineered and constructed to the latest standards and there is already public use infrastructure near the property. There is no right to a view in Idaho. In regard to the effect on property values Mr. Leonard referenced a study by Valbridge Property Advisers which studied four major markets throughout the

country, Boston, Dallas, Phoenix, and Raleigh. This study determined that there is a negligible to no effect on home sale values within the quarter mile radius sphere of influence of cell towers. Numerous studies also show that cell towers have no material impact on property values, including the Federal Communications Commission literature review. The belief that wireless sites cause devaluation persists and is often raised as an objection during Planning Commission, City Council, and Board hearings. The study took into account 11.68 million real estate transactions to determine that it does not affect property values. There is no evidence on the record that cell towers or small wireless installations depressed nearby home values. Mr. Leonard stated that in 2018 he was at a hearing in Ada County and staff wanted to know once and for all if there was any affect so they sent an email to the Ada County Assessor's office and received a response that said "in regards to the impact on property values, I would take the same view I had a few years ago. While it becomes very emotional for owners when they're installed, the overall effect in the market is very minimal. In fact, we have not been able to find any measurable adjustment in the market direct evidence."

Chairman Sturgill referenced testimony regarding galvanized metal being toxic and asked if Mr. Leonard knew what the surface finish would be? Mr. Leonard stated that he believed it would be galvanized but noted the Commission could impose a condition of approval in regard to a particular finish.

Commissioner Werhanowicz asked if the tower would be a tree or would it just be white finish. Mr. Leonard believed the finish would be galvanized. The "trees" are called stealth mono pines and what they've found is that over the course of time, people dislike them when they're in an area like this because they actually are more intrusive visually. They work great in mountain locations where there are other pine trees, but not in a neighborhood setting.

Chairman Sturgill invited staff to weigh in on any observations based on public testimony. Planner Lewter proposed condition no. 12 to state "A landscape buffer shall be installed along the proposed fence in exhibit B.5 containing a minimum 60% mix of evergreen trees, primarily of the Spruce or Fir variety and 40% mix of deciduous trees and shall be planted 15 feet apart from each tree base. A landscape and maintenance plan shall be submitted in the Development Services Director or their designee for review and approval prior to planting the landscape buffer." Assistant Director Johnson suggested also adding verbiage that the plan needs to be prepared by a licensed landscape architect, so the plantings are big enough at the time of planting.

MOTION: Commissioner Nevill moved to close public testimony on Case No. CU2026-0002, seconded by Commissioner Sheets. Voice vote, motion carried.

Deliberation:

Commissioner Sheets understood not wanting to have this in your community and understands that it's near a residential neighborhood on the outskirts of Nampa. There are pretty dense subdivisions here and the question is whether this goes with what's trending out there. Does a cell tower go with higher density residential? More housing requires more infrastructure and view shed can't be regulated, there's no right to views. He stated he is willing to condition the use, so it has the least impact as possible.

Commissioner Nevill stated that Commissioner Sheets had a good analysis but stated his concern is criteria no. 3 . The comprehensive plan talks about property rights on both sides of the issue, and the Commission has heard testimony on both sides. He also noted the petition signed by 100 people in regard to their concerns and how their property rights would be impacted. Commissioner Nevill stated that condition no. 12 as noted by staff may help. He also suggested condition no. 13 that requires a brown powder coating on the pole. The conditions may help mitigate, but at the end with 100 people in opposition he was not sure he could vote for it, even with conditions.

Commissioner Mathews stated that they haven't heard any direct evidence as to the reduction of property value but have heard speculation to that effect. He stated that he does not see a way to deny the request, but rather to condition it.

Commissioner Johnston stated she agrees it is a tough place and there is a lot to it. She stated that although there are 100 signatures, there are multiple from the same household. She realizes everyone is important, but it reduces the number of properties affected.

Commissioner Werhanowicz stated that even with conditions, she did not feel she could vote to approve the request and there may be a better location for the tower with less people.

MOTION: Commissioner Sheets moved to **approve** Case No. CU2026-0002, adopting the recommended FCOs and amending conditions of approval to add condition no. 12 requiring the aforementioned landscaping plan prepared and submitted to Development Services by a landscape architect and condition no. 13 requiring a powder coating in a neutral brown/earth tone color to match the surrounding area, and condition no. 14 to limit generator tests to happen between the hours of 9 a.m. to 5 p.m. Monday-Friday. Seconded by Commissioner Mathews.

Discussion on the Motion:

Commissioner Sheets stated that he understood what people came and talked about tonight. It is difficult to apply what we have with what the law allows the Commission to do. It's difficult, and he doesn't enjoy disappointing people, however, he wouldn't be doing his job if he didn't apply the law to the facts. He expressed appreciation to the public for coming in and he appreciates their feedback.

Roll call vote: 4 in favor, 2 opposed, motion passes.

Item 2C:

Case No. SD2022-0023 – Martinaitis Estates Subdivision: The applicant, Giedrius and Viktorija Martinaitis, is requesting an approval of a preliminary plat and irrigation plan for the Martinaitis Estates Subdivision. The proposed development will be located on a four (4) acre parcel located at 1013 Sunny Valley Lane, Caldwell, Idaho, 83605, also known as parcel R27989. The proposed development will have 3 residential lots and one private road lot named Sunny Valley Lane.

Chairman Sturgill affirmed the applicant to testify.

Viktorija Martinaitis (Applicant) IN FAVOR –3607 Doorman Ave., Caldwell, ID 83607

Ms. Martinaitis stated that they care deeply about the area and the community around them. They want to continue living here long term. The request results in three total residential lots. They want to create options for their family while maintaining the character of the neighborhood. The intent is to sell one of the lots to family or friends and use the funds to invest into repairing the existing home and leave the second lot open for family. The current home is older and in need of significant repairs. The development fits within the neighborhood and the surrounding area contains a mix of one, two, and three acre lots. She understood that neighbors sometimes have concerns when land is divided. She wanted to reassure them that the subdivision will only add two additional homes. Because the project only creates two additional homes, the impact on traffic will be minimal at most.

Commissioner Matthews asked if Ms. Martinaitis would be opposed to a condition prohibiting secondary residences. She indicated they would like to leave that option open, although they have no plans to do so.

Commissioner Nevill asked if Ms. Martinaitis had any issue with the recommended conditions of approval. She voiced no concern about the conditions.

Commissioner Johnston referenced the criteria in regard to the area of city impact and sidewalk placement (D.6) and asked if the applicant would be amenable to the city's request. Ms. Martinaitis felt that would be an unreasonable request due to cost and the rural character of the area.

Commissioner Sheets asked if there was a proposed water sharing agreement for irrigation water. Ms. Martinaitis stated that they have not gotten that far yet but if it was required, they would absolutely do that.

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

Commissioner Sheets asked if there was an existing sidewalk to the south. Planner Barron stated, yes, across the irrigation canal.

Commissioner Nevill asked if a Road User's Maintenance Agreement would be required. Planner Barron stated that is already in place because the private road was approved but noted that the agreement can be updated to add the additional two lots. Commissioner Nevill asked if a secondary residence would be able to share water and irrigation. Planner Barron replied yes.

Chairman Sturgill asked hypothetically if a condition could constrain the secondary residences when city services are available. Planner Barron stated that the condition could be broken out.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Attila Csikos – IN FAVOR – 6619 Settlement Ranch Ct., Star, ID 83669

Mr. Csikos stated he assisted the applicant when they purchased their home. The home is a single story with an unfinished basement. They would like to finish the basement downstairs to make it a habitable area. The sale of one of the lots will allow them to do this. Mr. Csikos stated that the property to the south of the canal with the sidewalk is a much larger 30-40 lot subdivision and more funds were available to put the sidewalk in. The next sidewalk would be half a mile away. Installing sidewalk would be difficult when you consider highway district dedication, slope, burying irrigation, etc. He questioned who this would benefit.

Commissioner Mathews asked if code allows basement bedrooms that aren't walkout basements. Mr. Csikos stated that bedroom basements are allowed as long as there are ingress/egress windows.

Commissioner Nevill stated that this proposal is not guaranteed to be family. Mr. Csikos stated no, it's not a guarantee but a high likelihood and that is their plan. Commissioner Nevill asked if the applicant could come back up to the podium as he had a few questions based on testimony.

Viktorija Martinaitis (Applicant)–3607 Doorman Ave., Caldwell, ID 83607

Commissioner Nevill asked Ms. Martinaitis if she was okay with the proposed conditions discussed. She indicated that she was ok with proposed conditions 10, 11, & 12.

MOTION: Commissioner Sheets moved to close public testimony on Case No. SD2022-0023, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Commissioner Sheets stated that the familial aspects don't come into consideration of the request. The request is essentially allowing two additional dwellings. The applicant already has the ability to put an ADU on the property. Commissioner Sheets did not have any issues with the proposed additional conditions. He added that he does not see the need to extend the sidewalk.

Commissioner Nevill asked why the secondary dwelling restriction shouldn't be added.

Commissioner Sheets stated that it already has the entitlement to a secondary dwelling and didn't feel it is necessary.

MOTION: Commissioner Sheets moved to **recommend approval** of Case No. SD2022-0023 to the Board of County Commissioners, adopting staff's Findings of Fact, with the addition of condition 10, regarding access restriction to Doorman and access only to be from the new private road. The addition of condition 11, requiring a water user's maintenance agreement and the addition of condition 12, requiring a road user's maintenance agreement to add the additional lots. Seconded by Commissioner Mathews.

Discussion on the Motion:

None.

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

Item 2D:

Case No. CR2024-0001 – Mad River Development LLC: The applicant, Mad River Development LLC, is requesting a conditional rezone of approximately 2.13 acres from the "RR" (Rural Residential) zone to the "CR-C-1" (Conditional Rezone-Neighborhood Commercial) zone. The subject property is located at 6213 Airport Rd, Nampa, ID 83687, also referenced as Parcel R27927.

Chairman Sturgill affirmed the applicant to testify.

Darin Barnes– (Applicant) IN FAVOR – 6213 Airport Rd., Nampa, ID 83687

Mr. Barnes stated the request is to get the property zoned correctly. He has been approached by people wanting to buy it. Everywhere else around the freeway has businesses located on it.

Chairman Sturgill asked if the applicant had reviewed the staff report in which the request was recommended for denial. Chairman Sturgill asked the applicant to speak about what he felt was incorrect in staff's recommendation.

Mr. Barnes stated he purchased the property a couple of years ago. He felt there was more of a focus on what is happening in the shop than the 10 acres on the corner. He held meetings with the neighbors and completed all of the due diligence. He has received no complaints. Chairman Sturgill suggested that the applicant review the analysis of the criteria during rebuttal testimony.

Commissioner Nevill asked Mr. Barnes if he agreed with the recommended conditions of approval, should this request be approved. Mr. Barnes stated that the proposed uses are just uses that may be utilized by potential buyers.

Commissioner Sheets asked what the property was being used for currently and what the plans are for the future. Mr. Barnes stated that he built a shop for himself to store some equipment and products that he uses. He is a public works contractor, and his family is into baseball. There is a baseball simulator in the shop. Future uses may be a machine shop, welding shop, storage, etc. The home on site was built in the 60s and there has been a lot of cleanup on the property. Commissioner Sheets asked if there were any uses that could have been requested as a conditional use permit rather than a rezone. Mr. Barnes stated that for the shop yes that could have been a conditional use permit.

Planner Bunn clarified that there's no conditional use permit for any of the uses that he could apply for, and the applicant may have been confused about the question being asked.

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

Commissioner Nevill asked about the current code violation on the site. Planner Bunn stated that there was an accessory personal use only applied for, so it's the type of building permit. Commercial businesses / use requires a higher building standard. When baseball training began on site there was now a business located in the shop which was a violation of the building code. In addition, the building permit expired and there was never a final inspection completed on the building.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Barbara Jensen – IN NEUTRAL– 6124 Airport Rd., Nampa, ID 83651

Ms. Jensen lives across from the property and have been here for 25 years. They have watched their neighborhood evolve from one to three-acre parcels with a home and pastures to numerous shops, rentals, service trucks, vans and trailer parking, indoor baseball practice. She added that this is the first time she's heard that this property is being used for a convenience store. The subject property had a dirt berm at one time, and they've driven over it. She would like to see more defined driveways off Airport and Robinson and would also like to see a privacy barrier along Airport. She has no problem with the indoor batting facility.

Kim Williams – IN OPPOSITION – 108 N. Brent Ave. Nampa, ID 83687

Ms. Williams is concerned about the potential use of a fueling station/convenience store. She felt it did not make sense to locate a gas station here when there were many nearby. There are quite a few mom-and-pop businesses in the area and adding a large traffic generating use did not fit. She questioned a lot about the proposed uses and how much traffic they'd generate. Ms. Williams is concerned about the proposed use not being appropriate for the area.

Darin Barnes– (Applicant) REBUTTAL – 6213 Airport Rd., Nampa, ID 83687

Mr. Barnes stated that he wants everything to be nice, and he doesn't like the way it looks now either. He wants to meet everyone's needs and people are coming to him to want to purchase the land to do that. Mr. Barnes stated that these things take time and does not happen overnight. They are doing their due diligence to do the right thing at the right time and get the information to make everyone happy. He noted that someone purchased the property to the west of them. They're buying it up and flattening it out for parking lots.

Commissioner Nevill asked Mr. Barnes if he had a chance to review the eight conditions of approval, should this request be approved. Mr. Barnes stated that he had. He referenced Southwest District Health's condition, but this rezone has to be approved first as well as utilities. Commissioner Nevill asked Mr. Barnes to review the proposed uses. Mr. Barnes stated that he would not be doing a fueling station and agreed that it could be taken off.

Commissioner Sheets referenced the criterion that staff found could not be met. Mr. Barnes was unsure how they should be worded. Commissioner Sheets asked what role Dr. Pipeline, LLC played in the process. Mr. Barnes stated none, and that he had just stored equipment while the other shop was being built off of Victory Rd. Commissioner Sheets asked if it was one of Mr. Barnes' enterprises to which Mr. Barnes stated, yes. He noted that Eliese was helping him through this process.

Commissioner Johnston stated that if this would to be continued, Mr. Barnes could be better prepared. Mr. Barnes stated yes.

Planner Bunn added that she has been working with Elise, Jenna Barnes, and Darin Barnes. It has been a long process and there has been a lot of back and forth. She was not in favor of a continuance. She suggested meeting with the applicant after this hearing and getting them better prepared for the Board hearing. Planner Bunn also added there has been a lot of discussion about the Highway 16 interchange. She talked with Idaho

Transportation Department about extension of Highway 16 south. They may in the future but there's no funding at the moment. Planner Bunn noted an exhibit from Nampa Highway District, in which expansion of Robinson Boulevard is discussed.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CR2024-0001, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Chairman Sturgill suggested that if the applicant wishes to do something different with the property, he should sit down with a land development professional to have a discussion about what can be done with the property while making it consistent with the area. Chairman Sturgill stated he is sympathetic and understands this can be a very complex and difficult process to go through, but the application does not appear complete. He was concerned that if changes happen between now and the Board's hearing it's likely it could be remanded back.

Commissioner Sheets stated that this would be an island of commercial development within a residential zone. This does not match with the comprehensive plan at all for current or future land use.

MOTION: Commissioner Sheets moved to **recommend denial** of Case No. CR2024-0001, and adopt staff's Findings of Fact, Conclusions of Law. Seconded by Commissioner Mathews.

Discussion on the Motion:

Commissioner Nevill stated that the applicant will have an additional hearing before the Board of County Commissioners and suggested that the applicant work with Planner Bunn to get some of the items addressed because the Board would likely have the same questions.

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

3. DIRECTOR, PLANNER, COMMISSION COMMENTS:

Commissioner Nevill reminded the Commission and staff that he would be absent the second meeting in May and the first meeting in June.

4. ADJOURNMENT:

MOTION: Commissioner Nevill moved to adjourn, seconded by Commissioner Sheets. Voice vote, motion carried. Hearing adjourned at 10:04 P.M.

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

Approved this 4th day of June, 2026


Robert Sturgill, Chairman

ATTEST


Jennifer Almeida, Office Manager