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**MIDDLETON CITY PLANNING AND ZONING  
COMMISSION MINUTES  
JULY 13, 2020**

The July 13, 2020 Planning and Zoning Commission Meeting was called to order by Chairman Ray Waltemate at 5:33 p.m.

**1. Call to Order - Pledge of Allegiance**

**2. Roll Call:** Chairman Ray Waltemate, Commissioners Janet Gregory, Jackie Hutchison and, Bill Deaver were present. Whitney Springston was on the phone traveling to the meeting.

**3. Information Item**

Design Review update for West Highlands Phase No. 9, Pool House – Bruce Bayne

Planning and Zoning Official Bruce Bayne gave an update, they have submitted all the conditions required for approval, so Design Review will be approved.

**4. Action Items**

**A. Consider approving minutes of the June 8, 2020 regular meeting.**

Chairman Waltemate called the agenda item and asked if any of the commissioners saw anything they wanted corrected: None.

**Motion:** Motion by Commissioner Gregory to approve the minutes for the June 8, 2020 as written. Seconded by Commissioner Deaver and approved unanimously.

**B. Public Meeting: Consider approving a Design Review Permit for Idahome RV Resort Building located at 0 Hartley Ln, Parcel # R34440017 Middleton, Idaho. The subject property is generally located on the northeast corner of Highway 44 and Emmett Road.**

Chairman Waltemate called the agenda item and Planning and Zoning Official Bruce Bayne read the Administrative Report and Review. Commissioner Hutchison asked Bruce the allowed fence height in a commercial area. Bruce said according to City Code the maximum height is 8 ft. Commissioner Deaver said that he understood ITD denial letter is based on the TIS and the access onto Highway 44 that ITD will approve. Bruce confirmed that approvals from ITD will be based on the TIS and further review.

The applicant representative: Will Mason from Mason and Associates addressed the Commission. They are before the Commission to request approval of the design review and design elements of the RV Resort. It will have a clubhouse with amenities. This is a top notch Resort with many amenities and not just a lot of parking spaces.

Addressing the questions: He would ask that the second access be an emergency access only with a lock or code for the emergency vehicles. This prevents traffic from cutting through the park to access Emmett Road and provides for increased security with

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one point of entry. He said that based on studies on other RV parks the impact is not the same as a residential developments. This is because there is typically on vehicle that is used as opposed to multiple vehicles at residential dwellings. He asked for 25% fee of the impact fee as opposed to the 100% impact fee.

Commissioner Waltemate said it is not his intention to offend the Okamura family, and that based on the minutes from the meeting when this property was brought to the Commission for the Rezone he had specifically asked Mr. Mason if he knew what the plan was to put there, he felt that the discussion had gone in the direction of commercial so as to redirect from the possibility of an RV park. He understands that the design review is what is before the Commission. He likes the design review for the park, but not the location of the park. He understands that there is nothing that can be changed because the zoning change was approved. As a result of this experience going forward applications brought to the Planning and Zoning Commission will need development agreements brought with them.

Applicant: Okamura 5: Discussed the colors and fences as part of the design review. Commissioner Hutchison said that the commitment to a color change needs to be on record. There was discussion on the fence on Highway 44. Chairman Waltemate asked that the front fence be changed to give the privacy, but also provide an attractive frontage on Main Street.

Commissioner Springston came into the meeting at 5:57 p.m.

Commissioner Springston asked if the design review currently complies with city code? Bruce said yes, it does, but this is the one time that the Commission can recommend and set requirements for the design review approval.

Discussion on a compromise for the fencing on Main Street. There is going to be a walking path and landscaping in front of the fence between the Main Street and the RV Resort.

**Motion:** Motion by Chairman Waltemate to approve the Design Review Permit for Idaho RV Resort Building located at 0 Hartley Ln, Parcel # R34440017 Middleton, Idaho. The subject property is generally located on the northeast corner of Highway 44 and Emmett Road under the following conditions: The facing fence on Highway 44 be of a material equal to the picture that will be sent to the City or wrought iron at 4 ft in height all the way across or a combination thereof the vinyl fencing with the metal insert one-third wrought iron to either side of the entrance. The remaining east and west side fences may be the vinyl fencing and must be 8 ft in height with the exception of the 6 ft fence that borders the canal which will be chain-link with vinyl insert for privacy. Other conditions are the color of the main body of the building to be in an olive scheme. Also all other conditions put forth by City representatives. Seconded by Commissioner Gregory. Approved unanimously.

Chairman Waltemate called for a 5-minute recess at 6:55 p.m.

Chairman Waltemate called the meeting back in session at 7:01 p.m.

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**C. Public Meeting: Consider approving a Design Review Permit for West Highlands Subdivision Ranch Entry Monument. The subject property is located at 0 West Highlands Parkway, Middleton, Idaho commonly referred to as Canyon County Parcel No. R34438100A and zoned R-3.**

Chairman Waltemate called the agenda item and Planning and Zoning Staff Tom Blanchard read the Administrative Review and Report. Commissioner Hutchison asked if the design has any outlets for Christmas lighting and if the flowers on the entry could be increased to become an art feature?

Applicant Representative: Brian Garrett O&D Architecture: 210 N 6<sup>th</sup> Street, Boise, Idaho. There will be outlets, however the lighting and electrical and art features will be addressed as a signage application. Commissioner Hutchison asked that the flowers on the sign application be increased in size.

**Motion:** Motion by Commissioner Springston approve the Design Review Permit for West Highlands Subdivision Ranch Entry Monument. The subject property is located at 0 West Highlands Parkway, Middleton, Idaho commonly referred to as Canyon County Parcel No. R34438100A and zoned R-3 with the conditions to increase the size of the floral decoration larger to a percentage to fit the structure, the signage package application include lighting outlets, and the floral design to be of metal to serve as a public art feature. Seconded by Commissioner Hutchison, approved unanimously.

**D. Public Hearing: Consider approving a request from Middleton Rural Fire District, Greater Middleton Parks and Recreation District and the Caldwell Rural Fire Protection District to amend the City of Middleton's Comprehensive Plan text and maps to add capital improvement plans for Middleton Rural Fire District, Greater Middleton Parks and Recreation District and the Caldwell Rural Fire Protection District.**

Chairman Waltemate opened the public hearing at 7:19 p.m.

Planning and Zoning Official Bruce Bayne said the these elements less the Caldwell Rural Fire came before the Commission last November, they were approved by council in December and then we found out that Caldwell Rural Fire Protection District was not done and that the County did not adopt these fees. Canyon County adopting the impact fees was one of the requirements that City Council had. That is why it is back in front of the Commission. Caldwell Rural Fire Protection District protects the City of Middleton south of the Boise River, one mile south of the Boise River and east and west of Middleton Road.

He read the Memorandum to the Commission. The City park and transportation impact fees were part of the original amendment in December 2019. This is to amend the City of Middleton's Comprehensive Plan, text and maps to add capital improvement plans of Middleton Rural Fire District, Greater Middleton Parks and Recreation District and the Caldwell Rural Fire Protection District to add an impact fee for Middleton Rural Fire District, Greater Middleton Parks and Recreation District and the Caldwell Rural Fire Protection District. The City will be reimbursed the cost of administrating the fees.

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Commissioner Deaver asked if it is the common practice for the City to waive impact fees for builders and or developers?

Bruce said it is not an ongoing practice, but it has happened in the past. Current City Administration does not agree with that and it will not happen going forward. Exemptions have previously been approved in the development agreements. Bruce said a better way to give developers incentives is to offer a tax break for a number of years until the business is established but exempting impact fees can be felt by the City for a long time. Case in point, West Highlands is exempt from Transportation and Park Impact fees and the City is unable to collect those fees for the duration of the West Highlands build out per the development agreement of 2007.

Impact fees are based on the District that is connected to the fee. Property south of the River is in Caldwell Rural Fire District. Restrictions for these Impact fees to be approved are that Canyon County must also collect these fees and then it will go to City Council to be approved and implemented.

Chairman Waltemate opened public comment at 7:37 p.m.

No public comment.

Chairman Waltemate closed the public comment at 7:38 p.m.

**Motion:** Motion by Commissioner Gregory to approve a request from Middleton Rural Fire District, Greater Middleton Parks and Recreation District and the Caldwell Rural Fire Protection District to amend the City of Middleton's Comprehensive Plan text and maps to add capital improvement plans for Middleton Rural Fire District, Greater Middleton Parks and Recreation District and the Caldwell Rural Fire Protection District. Motion seconded by Commissioner Hutchison. Approved unanimously.

Chairman Waltemate closed the public hearing at 7:39 p.m.

**Public/Commission/Staff Comments:**

Public Comment: Mike Graeffe wanted to publicly thank two women that he saw out picking up trash. He didn't know who they are. But he wanted to share the good deed.

Chairman Waltemate said that if anyone sees good deeds being done, if possible it is a good idea to get the individuals names so that they can be recognized/thanked from the City in some way.

Bruce introduced Tom Blanchard as the new planner at the City.

Chairman Waltemate asked Bruce when the changes and additional items to the City Code will be made and implemented? Bruce said at the next P&Z meeting those changes will be brought to the Commission and then go before City Council the next meeting.

Commission decided to keep the meetings at 5:30 p.m.

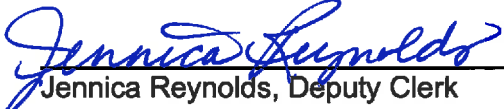
Bruce stated that City Staff and Administration will not approve anything for annexation that is not totally residential without a development agreement going forward. If he brings anything to the Commission without a development agreement it must be stipulated that a development

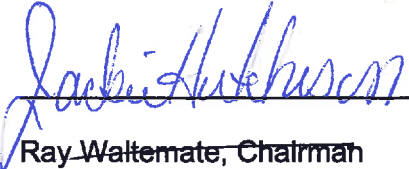
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agreement must be done prior to complete approval.

**Adjourn:** Chairman Waltemate adjourned the meeting at 7:47 p.m.

ATTEST:

  
Jennica Reynolds, Deputy Clerk  
Approved: August 10, 2020

  
Ray Waltemate, Chairman  
Jackie Hutchison, Vice Chair