

Commissioner Minutes

April 22, 2026 – 10:01 a.m. to 10:29 a.m.

CONTINUED PUBLIC HEARING TO CONSIDER A REQUEST BY BIGHORN TRAFFIC SERVICES APPEALING THE P&Z DECISION DENYING THE REQUEST FOR A CONDITIONAL USE PERMIT FOR A CONTRACTOR SHOP AND STAGING AREA IN AN "A" (AGRICULTURAL) ZONE; CASE NO. CU2025-002-APL

Commissioners Leslie Van Beek, Brad Holton and Zach Brooks

Associate Planner Arbay Mberwa

DSD Planning Supervisor Dan Lister

Representatives for Bighorn Traffic Services

Other interested parties

Deputy Clerk Jenen Ross_____

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The Board met today at 10:01 a.m. for a continued public hearing to consider a request by Bighorn Traffic Services appealing the P&Z decision denying the request for a conditional use permit for a contractor shop and staging area in an "A" (agricultural) zone; Case no. CU2025-0002-APL.

Ms. Mberwa gave a brief review of the background and history of this case. The applicant is requesting to establish a contractor shop and staging area. The request was denied by Planning and Zoning based on criteria 4 and 7. The case was heard by the BOCC on April 14th where public testimony was taken and closed. Ms. Mberwa provided some clarification on the code enforcement violation that was discussed in the previous hearing. There was a case opened but following a visit to the property by a code enforcement officer, they discovered there were no operations happening, and the case was closed. A new complaint was received yesterday but it has not yet been investigated. At the previous hearing there was Board deliberation and direction related to the conditions. Ms. Mberwa said that conditions 1-3 have not changed. Condition 4 is related to compliance with the letter of intent and site plans such as the hours of operation, and number of employees. The 24-hour operation was removed and use restrictions were added regarding heavy equipment, back up alarms, manufacturing on the property, and the ability to expand or modify the use within the county. Condition 7B was added to make it clear they will be required to pave the entirety of the half circular driveway. Other conditions include using the west driveways for ingress and the east driveways for egress to avoid headlights shining into neighbors' windows. A fence shall be installed to obscure the staging area and contractor shop on all sides in accordance with Exhibit 7. The applicant has provided comments regarding the conditions noting that they would like to keep the 24-hour operation, but it is not a deal-breaker; they asked if there is any flexibility to the 6:00 p.m. timeline due to the nature of the business. They also raised concerns about the fence being installed on the northern property line as it may be site obscuring and should be vetted through the highway district. Additionally, the applicant would like the opportunity to meet with neighbors to agree on the conditions.

Discussion ensued amongst the Board mainly related to the hours of operation, the possibility of this property eventually being annexed into the City of Nampa, and potential future code enforcement violations.

Commissioner Holton said he is comfortable with the proposed conditions as written but is also interested in allowing the applicant time to meet with neighbors about the conditions. Development Services staff discussed the logistics of allowing this to happen. If the hearing is tabled to a date uncertain it would need to be re-noticed, and public testimony would need to be re-opened but it could be limited to just the conditions.

Commissioner Holton made a motion to table this to allow the applicant and the neighborhood to meet together over the current draft of conditions and to see if they need to be mitigated one way or another to better serve both parties simultaneously and to realize that this application is going to come back. It's being tabled and we don't have the date certain today of what that will be. That will have to be posted and the cost of that incurred by the applicant.

Mr. Lister recommend this follow county code for a neighborhood meeting which states they have to notice neighbors within 600 feet. The applicant can talk to people and get more addresses if they want but should follow the code parameters of 600 feet. They should also complete the attendance form of those who participated in the meeting. The whole idea is to work out conditions of approval for this use. Once the applicant has done all that they will need to provide the information to DSD and pay the fee to reschedule. Once there is a new date, it'll open up the deadline again for comments just for those conditions. At that hearing, DSD can bring back an addendum stating what has happened to that point. The Board would then review that with the conditions that have been modified or not modified and take testimony only related to those conditions in order to make a decision.

Commissioner Holton said this sounds like a fair plan but that he likes deadlines. Mr. Lister suggested that if DSD doesn't hear back in 90 days, the hearing will be rescheduled to let the Board know there is no new information. Commissioner Holton confirmed at that time a final decision could be made.

Commissioner Holton made a subsequent motion to table this for 90 days and at the end of that time period the Board will set a date and reconvene, rehear this. If there is new information staff will advertise the new information, but either way this will be reevaluated in 90 days.

Commissioner Van Beek seconded the motion with discussion to note this will include the re-noticing and everything that Commissioner Holton addressed.

Mr. Lister suggested it might be best to have the 90 days as a set date and if the applicant brings back the information then it can be rescheduled for a new date which comes with noticing. If nothing happens, the 90 days out date is still on the schedule, there is no re-noticing required, and staff can update the Board if there are no changes. At that point, the Board can make a decision.

Commissioner Holton said this will be tabled for 90 days.

Mr. Lister clarified that if the applicant comes back with no new information, nothing really changes, and the Board can pick up where today's hearing has left off. However, if they come in and submit the fees to re-notice, then the date set today could go away; the hearing date could change to the re-noticed date.

Following discussion amongst the Board, Commissioner Holton set the date to August 11th at 10:30.

Commissioner Van Beek seconded the modified motion. With the motion being made and seconded the Board voted unanimously in favor.

The meeting adjourned at 10:29 a.m. An audio recording and supporting documents are on file in the Commissioners' Office.