

General Overview

- **Case Summary:** The transcript documented a commission meeting chaired by Brad Holton, which resumed after a recess. The purpose of the recess was to allow an applicant and protestors to negotiate conditions for a conditional use permit. The applicant's representative, Connor Gray, stated he had just received the protestors' proposed conditions and found some elements problematic, but was comfortable with the conditions proposed by the commission's staff. The commissioners were divided, with Commissioner Van Beek arguing for denial based on the Planning and Zoning commission's recommendation and impacts on the area's character, while Commissioner Brooks supported approval with the staff's proposed conditions. Facing a tie, Chairman Holton moved to continue the hearing to a later date to allow for more deliberation time. The motion passed, with the stipulation that no further public testimony would be heard.
- **Speaker Background:** This was a commission meeting with multiple speakers, not a single interview.
 - **Chairman Brad Holton (Speaker 1):** Presided over the meeting, served as the potential tie-breaking vote, and initiated the motion to continue the hearing.
 - **Connor Gray (Speaker 2):** Represented the applicant and communicated the applicant's position on the proposed conditions.
 - **Commissioner Van Beek (Speaker 3):** A board member who argued in favor of denying the application, aligning with the Planning and Zoning commission's prior recommendation.
 - **Commissioner Brooks (Speaker 4):** A board member who argued in favor of approving the application with the conditions proposed by staff.
 - **Staff Member (Speaker 5):** Provided technical clarification to the board on specific conditions, such as setback requirements.
 - **Staff Member (Speaker 6):** Asked for clarification on the rules for the continued hearing.

Key Points

- The applicant's representative, Connor Gray, stated it was the first time he was seeing the conditions proposed by the protestors.
- Chairman Holton confirmed he had no authority to impose a condition related to traffic mitigation, which was one of the protestors' proposals.
- Mr. Gray expressed that the applicant was comfortable with the conditions proposed by the commission and staff, believing they covered most of the concerns.

- A staff member clarified Condition #5, which addressed a setback issue. The existing shop was five feet from the property line, whereas county code required ten feet. The applicant had the options to seek a variance, move the shop, or get approval from the City of Nampa, whose code allows a five-foot setback.
- Commissioner Van Beek argued for denying the application, citing the negative impact on the area's rural character, the testimony of residents, and the belief that the county should not overstep the City of Nampa's process for an area within its future plans.
- Commissioner Brooks argued for approving the application, noting that the City of Nampa staff had no concerns as the project aligned with their comprehensive plan and that the proposed conditions were sufficient.
- Due to the opposing views of the two commissioners, Chairman Holton, as the tie-breaking vote, moved to continue the hearing to allow himself more time for deliberation.
- The motion to continue the hearing to the 18th at 1:30 passed unanimously. It was decided that no new public testimony would be accepted at the continued meeting.
- The Chairman instructed the public and the applicant not to contact board members directly before the next meeting.

Notable Quotes

- [\(1:03\)](#) **Connor Gray**: "this is, you know, just to clarify, and it's on the record, this is the first time I'm seeing this." (Context: Referring to the list of conditions proposed by the protestors.)
- [\(1:44\)](#) **Chairman Brad Holton**: "I have no authority to put that in as a condition, so that would have to be struck." (Context: Responding to the applicant's concern about a proposed traffic mitigation condition.)
- [\(7:14\)](#) **Commissioner Van Beek**: "I am in favor of upholding the planning and zoning's recommendation of denial on this application simply because Commissioner Brooks has brought it up. We're, we're kind of cherry picking through two different entities, conditions to meet a variance that I'm not assured."
- [\(13:51\)](#) **Commissioner Brooks**: "I think it's unwarranted to be more concerned for the city of Nampa than the city of Nampa is for itself. And I wholly object to adding that to the FCOs making that for a basis of denial."
- [\(14:11\)](#) **Chairman Brad Holton**: "Well, procedurally, since I find myself as the single vote breaking a tie vote, um, I need more deliberation time and some quiet time for thought and reflection. I'm gonna make the untenable move of con - I would make a motion that we continue this to the 18th at 1:30."

- (19:35) Chairman Brad Holton: "So before we vote, I just wanna encourage the public as well as the applicant, do not contact the board members directly. Um, if you have concerns or questions, contact DSD staff, not us."

Detailed Insights

1. Main Arguments

- (0:54) The applicant argued that he had not been given the protestors' proposed conditions in advance, making it difficult to review them properly. He stated a preference for the conditions drafted by the commission staff, which he felt were adequate.
 - (7:11) Commissioner Van Beek argued for denial. Her core statements were that the project would negatively alter the character of the rural area, that there were too many unresolved issues (start times, traffic, potential for industrial use), and that the county should not approve a project that is better suited for the City of Nampa's jurisdiction and comprehensive planning process.
 - (11:42) Commissioner Brooks argued for approval. Her main argument was that the City of Nampa staff had already stated the project was in alignment with their comprehensive plan and had no concerns. She believed the staff-proposed conditions, including one requiring annexation for any future expansion, were sufficient to mitigate concerns.
 - (14:11) Chairman Holton argued for continuing the hearing. His position was that as the deciding vote, he needed more time to thoughtfully review the heavily conditioned proposal and could not make a responsible decision at that moment.

2. Supporting Evidence

- (3:05) The applicant referenced emails with "Arbyne" from "a couple years ago" to support the request for a 7:00 AM start time, explaining it was an early miscommunication.
 - (4:27) A staff member referenced county and city zoning codes to explain the setback issue in Condition #5, noting the county requires a 10-foot setback while the City of Nampa requires five feet.
 - (PT00H08H33S) Commissioner Van Beek referenced the official recommendation of denial from the Planning and Zoning commission and the "boots on the ground testimony" from residents about quality of life and a traffic death in the area.
 - (PT00H12H00S) Commissioner Brooks referenced a letter from the City of Nampa staff which stated they had no concerns with the project.

- (16:45) A staff member referenced "Exhibit 9," a late submission from the public, to make a correction regarding the ingress/egress direction for the board's deliberation.

Context and Background

1. **Contextual Information** – The hearing was for a conditional use permit on a property located within Canyon County but also within the City of Nampa's area of impact. The Planning and Zoning commission had previously recommended denial of the application. The discussion revolved around whether a set of proposed conditions would be sufficient to mitigate the impacts of the proposed business use in a residential/rural area.
2. **Related Events** – Commissioner Van Beek mentioned the historical presence of the Nampa Airport since 1929 to establish the area's long-standing character (00:07:44). She also referenced the lack of a "joint powers agreement with NAMPA" (00:09:00), which appeared to be a factor in the jurisdictional complexity of the application.
3. **Potential Impact** – The decision on this permit could influence how the county handles future development applications in areas where its jurisdiction overlaps with a city's area of impact, particularly where no joint powers agreement exists. The continuance of the hearing prolonged the uncertainty for the applicant and local residents. The Chairman's final decision would be critical, either approving a contentious project or denying it, which could lead to an appeal from the applicant.

Argumentative Behavior

- **Challenging Statements:** Commissioner Brooks directly challenged Commissioner Van Beek's position, stating it was "unwarranted to be more concerned for the city of Nampa than the city of Nampa is for itself" (00:13:51).
- **Expressing Defiance:** Commissioner Van Beek expressed a firm disagreement with the applicant's approach of proceeding with a non-conforming structure and then seeking approval, stating, "I don't really agree with that" (00:08:15).
- **Engaging in Debates:** The entire deliberation between Commissioner Van Beek and Commissioner Brooks was a debate, presenting opposing interpretations of the facts and appropriate actions. There was also a brief, tense exchange over procedural correctness when one commissioner misspoke about closing the hearing versus closing testimony (00:06:40 - 00:06:56).
- **Questioning Legitimacy:** While not overtly hostile, the discussion about which set of conditions to use (staff-proposed vs. late-exhibit from protestors) and the confusion over different versions of the documents (00:17:23 - 00:18:35) involved the commissioners questioning the basis and correctness of the information they were being asked to consider.

