



**CITY OF NAMPA**  
**Regular Council Meeting**  
**April 3, 2023**  
**City Hall – 411 Third Street South**  
**Livestreaming at <https://livestream.com/cityofnampa>**  
**Regular Council – 5:30 PM**  
**Public Hearings – 6:00 PM\***

**Call to Order and Pledge to Flag**

**Invocation** Deb Curry – Eagle Christian Church-West Valley

**Roll Call**

**Proposed Amendments to Agenda**

**Adoption of Agenda (Action Item)**

**(1) Consent Agenda (Action Items)**

*All matters listed within the Consent Agenda are considered to be routine by the Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember so requests in which case the item will be removed from the Consent Agenda and placed on the Regular Agenda.*

- 1-1. Minutes
  - a. Regular Council Meeting – March 20, 2023
  - b. Special Council Meeting – March 16, 2023
  - c. Planning & Zoning Commission – March 14, 2023
  - d. Golf Commission – February 21, 2023
  - e. Design Review Committee – January 17, 2023
  - f. Venue Management Advisory Commission – February 16, 2023
  - g. Arts & Historic Preservation Commission – February 13, 2023
  - h. Housing Authority – January 11, 2023
  - i. Housing Authority – February 8, 2023
- 1-2. The City Council dispenses with the three (3) reading rule of Idaho code § 50-902 for all ordinances
- 1-3. Plat Approvals
  - a. Final
    - Final Plat Approval of Sunnyvale East No 1 Subdivision in a RMH (Multiple-Family Residential) zoning district - a 6.31 acre portion of parcel #R3142800000) at 0 W Karcher Rd (located in the NE 1/4 of Section 18, T3N, R2W, BM) for Kent Brown representing MM and T Holdings LLC (SPF-00229-2023). Original Concept: 88 units on 22 lots and 5 common lots.



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1-4. Authorize Public Hearings

- a. Reconsideration of the Annexation and Zoning to BC (Community Business) zoning district for 4.69 acres addressed as 2522 & 2508 N Middleton Rd (Parcel #R244560040 & #R2445600600 located in the SW 1/4 of Section 8, T3N, R2W, BM), Conditional Use Permit for a Multiple Family Development in a BC (Community Business) Zoning District on 12.48 acres addressed as 2440 & 0 Karcher Rd, 2522 & 2508 N Middleton Rd (Parcel #R2445600700, #R24456007B1, #R244560040 & #R2445600600 located in the SW 1/4 of Section 8, T3N, R2W, BM), and potential development agreement for the Northwest Village development for Randy Haverfield, representing TV Holdings, LLC & Zion Ventures, LLC (ANN-00253-2022 & CUP-00295-2022). Original Concept: Mixed Use Development with 1 commercial building and 264 dwelling units in 11 apartment buildings. To be considered by City Council on April 17, 2023.
- b. Vacation of a 30' wide right-of-way easement that no longer serves a city or agency purpose, in order to build an accessory building on the property at 2634 Wagon Wheel Rd (parcel #R2754300000 located in the Lot 1, Block 4 of Valley Ranch Estates Subdivision in the NW 1/4 of Section 2, T2N, R2W, BM) for John Hess (VAC-00060-2023). To be considered by City Council on April 17, 2023.
- c. Variance from NCC 10-11-4.E for minimum side and rear yard setbacks to vary the 5 foot setback requirement and allow a 3.4 foot setback for a structure and a 1.1 foot setback for a concrete block retaining wall located at 1805 Checola St (R3215900000 in the SE 1/4 of Section 33, T3N, R2W, BM) for Tealeys Land Surveying representing Samuel Jorgenson (VAR-00140-2023). To be considered by City Council on April 17, 2023.
- d. Variance to the lot size requirement in Nampa City Code Section 10-10-5.H to create a buildable lot for a house and shop in the RD (Two-Family Residential-Duplex) zoning district, on a .5 acre parcel at 0 E Sherman #R3183401300 and a .76 acre parcel at 0 E Sherman Ave #R3183400000 (located in the SW 1/4 of Section 26, T3N, R2W, BM) for Jerry Boyce (VAR-00141-2023). Original Concept: Allow for larger lot sizes to provide for septic systems when constructing a single-family residence and shop. To be considered by City Council on April 17, 2023.

1-5. Authorize to Proceed with Bidding Process

- a. Authorize the Engineering Division to proceed with the formal bidding process for the Culvert Replacement Tenmile Creek at Franklin Boulevard project. (Approved in FY23 Budget)
- b. Authorize the Engineering Division to proceed with the formal bidding process for the Franklin Rd Widening project. (Approved in FY23 Budget)



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1-6. Authorization for Execution of Contracts and Agreements

- a. Authorize Mayor to sign, (1) Agreement to Waive First Right of Refusal and Terminate Lease with 43rd State Holdings, LLC dated May 19, 2020, and (2) Nampa Municipal Airport Land Lease Agreement and Memorandum of Lease with Brian Deeds, effective April 7, 2023, for Lot 2355. (Approved by Legal)
- b. Authorize Mayor to sign Public Art Easement Agreement with Leavitt & Associates for the installation of a new Dewey Palace Hotel Mural. (Approved by Legal)

1-7. Formal Findings

- a. Findings of Denial for the Comprehensive Plan Map Amendment from Commercial to Industrial designation, Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) zoning district, & potential Development Agreement at 1508 & 1510 W Karcher Rd. (parcel #s R2446800000 & R2446900000, located in the SE 1/4 of Section 8, T3N, R2W, BM) for Tyler Delay representing Doris Young (CMA-00055-2022 & ZMA-00170-2022).
- b. Findings of Approval for the Nampa City Code Text Amendment to change Title 5, Chapter 2, Tree Service to add definitions, add references to the Treasure Valley Tree Selection Guide, add where signs and other items can be located, clarify permit requirements, describe Heritage Trees, clarify licensing and safety procedures, add suspension authority, describe front yard trees, add a section for utilities and tree mitigation for new development; Title 10 Planning and Zoning, Chapter 3-Establishment of Districts and Provisions for Nonconforming Uses to include changing footnotes for Cluster Developments; Chapter 6-AG Agriculture District for changes to density requirements; Chapter 7-RA Suburban Residential for changes to density requirements; Chapter 8-RS Single-Family Residential District for changes to density requirements; Chapter 10-RD Two-Family Residential District for changes to density requirements; Chapter 11-RML Limited Multiple Family Residential District for changes to density requirements; Chapter 12-RMH Multiple Family Residential District for changes to density requirements; Chapter 13-RP Residential Professional for changes to density requirements; Chapter 22-Off Street Parking and Loading for drought tolerant landscaping requirements; Chapter 26-Planned Unit Developments and Master Planned Communities in regards to density, lot sizes, open space calculations, ratio of land uses in mixed use developments, add section for Cottage/Cluster developments; Chapter 27-Subdivisions in regards to density, lot sizes, open space calculations, remove Cottage/Cluster developments; Chapter 31-Airport Zoning to rescind the entire chapter and adopt a new specific area plan chapter that includes the airport overlay district, the State Highway 16 Specific Area Plan, State Highway 20/26 Specific Area Plan and reserves space for future Specific Area and Corridor Plans; Chapter 33-Landscaping and Corridor Beautification to include drought tolerant landscaping provisions, for the City of Nampa (ZTA-00030-2022).



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- c. Findings of Approval for the Nampa City Code Text Amendment to change Title 10 Planning & Zoning, Chapter 34 Design Review and adopt the associated Design Review Guideline document. Changes to Chapter 34 include: Reference to the new guideline document; add the IP (Industrial Park), IL (Light Industrial) and IH (Heavy Industrial) zoning districts to the applicability of the chapter; clarify multiple-family units; add exception for IL and IH zoned projects to be reviewed by staff; add that significant IL and IH design exception requests shall go to Design Review Committee; reorder paragraphs in 10-34-10.A for clarity; change primary wall facades to 3 materials, leaving other walls with 2 materials; add requirements for metal sided structures; change wall lengths on standard commercial structures to 50' for jogs and offsets; add durable materials to description of trash enclosures; add section 10-34-10B with all new requirements for IL and IH zoned properties (ZTA-00028-2022).

1-8. Miscellaneous items

- a. Nampa Housing Authority Report on Audited Basic Financial Statements and Additional Information for the Year Ended September 30, 2022.

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**(2) Items Moved From Consent Agenda (Action Items)**

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**(3) Proclamations**

- 3-1. 2C Kids Week
- 3-2. Sexual Assault Awareness Month
- 3-3. Child Abuse Prevention & Awareness Month
- 3-4. Fair Housing Month

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**(4) Public Forum**

Nampa residents wishing to speak on an agenda (5 person limit) or non-agenda item (5 person limit); 3-minute limit per speaker. ***Comments related to Zoning and Land Use matters may only be made during properly noticed Public Hearings.***

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**(5) Agency & Commission Reports**

- 5-1. None



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**(6) Staff Communications**

- 6-1. Update on New Agenda Management Software (One Meeting) – Char Tim, City Clerk’s Office
- 6-2. Update on the Elevated Water Tank Replacement Project – Daniel Badger, Engineering
- 6-3. Public Works Staff Report – Tom Points

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**(7) New Business**

- 7-1. **Action Item:** Approve allocation of remaining Blue Cross of Idaho Foundation Grant funds in the amount of \$14,000 to be used toward the “Remember Our Children” initiative to provide public education toward pedestrian safety and driver awareness.
- 7-2. **Action Item:** Family Justice Center requesting approval to apply for the Enhanced Collaborative Model Task Force to Combat Human Trafficking Grant from the Office for Victims of Crime, in the amount of \$750,000 over a 3-year period.
- 7-3. **Action Item:** Authorize Traffic Division to install signs for four senior citizen designated parking spaces, two spaces in the Downtown Parking Garage and two spaces on 12th Ave S, in the amount of \$325.00.
- 7-4. **Action Item:** Authorize City Engineer to change the speed limit on North Pilatus Lane and East Cessna Way from 20 MPH to 30 MPH.
- 7-5. **Action Item:** Award bid and authorize Mayor to sign contract with Triple G Construction Inc. for the Hugh Nichols Public Safety Building TMC & IMC Remodel Project for the base bid of \$296,410 with an additional \$56,048 add alternate, totaling \$352,458. (Approved in FY23 Budget) (Approved by Legal)
- 7-6. **Action Item:** Adopt Resolution declaring the City’s intent to execute the Idaho Department of Environmental Quality Loan Agreement, as amended, for \$105,000,000 and authorizing the Mayor to sign Amendment #3 of Wastewater Loan Offer Agreement. (Approved by Legal)
- 7-7. **Action Item:** Authorize Mayor and Public Works Director to sign task order with Advanced Control Systems, LLC for the Nampa Waterworks Cellular Communication Upgrade to the SCADA Software System in the amount of \$84,978.00 T&M NTE. (Approved in FY23 Budget)
- 7-8. **Action Item:** Authorize Mayor and Public Works Director to sign purchase order for seventy-four (74) additional water meters with Core & Main, not to exceed the approved fiscal year 2023 Water Division budget amount of \$57,366.40. (Approved in FY23 Budget)



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## **(8) Public Hearings**

- 8-1. **Action Item:** Amendment to Title 5 of the Nampa City Code to require business licensing for Massage Establishments and to establish fees.
- a. **Action Item:** 1<sup>st</sup> reading of ordinance and approval of publication of ordinance summary amending Nampa City Code to add Title 5, Chapter 7 – Massage Establishment Licensing. (Approved by Legal)
- 8-2. **Action Item:** Annexation and Zoning to GB1 (Gateway Business) zoning district and potential development agreement for a 16.71 acre portion of parcel #R3047700000 at 15918 Star Rd (located in a portion of the NW 1/4 of Section 17, T3N, R1W, BM) for Baron Properties - Shannon Ely representing BPS Nampa MC LLC (ANN-00265-2022). Original Concept: 5 mixed-use commercial buildings - larger commercial/smaller warehouses that also contain commercial frontage.
- 8-3. **Action Item:** Zoning Map Amendment from BN (Neighborhood Business) to BC (Community Business) zoning district; and potential development agreement; for the Greenhurst Square project at 2310 12th Ave Rd (Parcel # R0931950200); totaling approximately 1.03 acres (located in the NW 1/4 of Section 3, T2N, R2W, BM) for Mason & Associates representing Mikes Place LLC (ZMA-00171-2022). Original Concept: Upzone to allow more uses, including a "Vape Shop".
- 8-4. **Action Item:** Annexation and Zoning to RS6 (Single-Family Residential) zoning district for a 3.35 acre Parcel #R2115000000 at 2702 Southside Blvd (located in a portion of the NW 1/4 of Section 1, T2N, R2W, BM) for Buddhist Society of Idaho (ANN-00267-2023). Original Concept: Annexation for development of a Buddhist monastery and grounds to be split as a separate parcel from existing residential.

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## **(9) Unfinished Business**

- 9-1. **Action Item:** 1<sup>st</sup> reading of ordinance and approval of publication of ordinance summary for the Nampa City Code Text Amendment to change Title 5, Chapter 2, Tree Service to add definitions, add references to the Treasure Valley Tree Selection Guide, add where signs and other items can be located, clarify permit requirements, describe Heritage Trees, clarify licensing and safety procedures, add suspension authority, describe front yard trees, add a section for utilities and tree mitigation for new development; Title 10 Planning and Zoning, Chapter 3-Establishment of Districts and Provisions for Nonconforming Uses to include changing footnotes for Cluster Developments; Chapter 6-AG Agriculture District for changes to density requirements; Chapter 7-RA Suburban Residential for changes to density requirements; Chapter 8-RS Single-Family Residential District for changes to density requirements; Chapter 10-RD Two-Family Residential District for changes to density requirements; Chapter 11-RML Limited Multiple Family Residential District for changes to density requirements; Chapter 12-RMH Multiple Family Residential District for changes to density requirements; Chapter 13-RP Residential Professional for changes to density requirements; Chapter 22-Off Street Parking and Loading for drought tolerant landscaping requirements; Chapter 26-Planned Unit Developments





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and Master Planned Communities in regards to density, lot sizes, open space calculations, ratio of land uses in mixed use developments, add section for Cottage/Cluster developments; Chapter 27-Subdivisions in regards to density, lot sizes, open space calculations, remove Cottage/Cluster developments; Chapter 31-Airport Zoning to rescind the entire chapter and adopt a new specific area plan chapter that includes the airport overlay district, the State Highway 16 Specific Area Plan, State Highway 20/26 Specific Area Plan and reserves space for future Specific Area and Corridor Plans; Chapter 33-Landscaping and Corridor Beautification to include drought tolerant landscaping provisions, for the City of Nampa (ZTA-00030-2022). **(PH was 03-20-2023)** (Approved by Legal)

- 9-2. **Action Item:** 1<sup>st</sup> reading of ordinance for the Annexation and Zoning to IL (Light Industrial) zoning district and potential development agreement; at 0 & 16989 Madison Rd, (parcels #R3100900000 & R3104700000) totaling 21.09 acres and located in the N 1/2 of Section 10, T3N, R2W, BM) for William Juarez representing Jim Cox (ANN-00227-2021). Original Concept: A partially completed office industrial building at 16989 Madison and construction of a 4,800 sf shop with 3 overhead doors, an office, restroom, utility room and storage on the property addressed as 0 Madison Rd. **(PH was 04-18-2022)** (Approved by Legal)
- 9-3. **Action Item:** 1<sup>st</sup> reading of ordinance and approval of publication of ordinance summary for the Nampa City Code Text Amendment to change Title 10 Planning & Zoning, Chapter 34 Design Review and adopt the associated Design Review Guideline document. Changes to Chapter 34 include: Reference to the new guideline document; add the IP (Industrial Park), IL (Light Industrial) and IH (Heavy Industrial) zoning districts to the applicability of the chapter; clarify multiple-family units; add exception for IL and IH zoned projects to be reviewed by staff; add that significant IL and IH design exception requests shall go to Design Review Committee; reorder paragraphs in 10-34-10.A for clarity; change primary wall facades to 3 materials, leaving other walls with 2 materials; add requirements for metal sided structures; change wall lengths on standard commercial structures to 50' for jogs and offsets; add durable materials to description of trash enclosures; add section 10-34-10B with all new requirements for IL and IH zoned properties (ZTA-00028-2022). **(PH was 03-20-2023)** (Approved by Legal)
- 9-4. **Action Item:** 1st reading of ordinance of the City of Nampa, Idaho, confirming the assessment roll for Local Improvement District No. 160. **(PH was 03-06-2023)** (Approved by Legal)

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**(10) Pending Ordinances** (Postponed Due to Lack of Supporting Documentation)

- 10-1. Zoning Map Amendment from BC (Community Business) to RS6 (Single Family Residential 6,000 sq. ft.) and Modification of Development Agreement Ordinance #3561 rescinding the conditions for a commercial building to match nearby architectural facades, building orientation, limiting impact of commercial lighting and fencing to the neighborhood, specifying commercial signage, landscaping, etc. for a commercial building at 904 7th Ave N (a .58 acre portion of land in the Sylvan Heights Subdivision in the NE 1/4 of Section 22, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County, Idaho) for James K. Hagen representing Zechariah P. Dean (ZMA 125-20, DAMO 038-20) **(PH was 12-07-2020)** (with City Attorney for ordinance and DA)



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- 10-2. Zoning Map Amendment from RS6 (Single Family Residential 6,000 sf) to RP (Residential Professional) zoning district; and potential development agreement, at 3 N Midland Blvd. - Parcel # R1613101000; (a .45 acre parcel located in the SE 1/4 of Section 20, T3N, R2W, BM) for Ronald J Pierce (ZMA 159-21). Original Concept: to allow the conversion of an existing home into a three- bedroom apartment upstairs and two office spaces downstairs (**PH was 02-22-2022**)
- 10-3. Zoning Map Amendment from BC (Community Business) to IL (Light Industrial) zoning district and potential development agreement at 2912 Caldwell Blvd (Parcel # R2046900000); a 35.88 acre parcel (located in the NE 1/4 of Section 7, T3N, R2W, BM) for Jeff Bower/Givens Pursley LLP representing Black Creek Ltd. Partnership & Pleasant Valley Ltd Partnership (ZMA-00167-2022). Original Concept: Development of a Class A industrial business park with two buildings totaling approximately 670,000 SF. (**PH was 08-01-2022**)
- 10-4. Annexation and Zoning to IL (Light Industrial) zoning district and potential development agreement for four parcels totaling 35.86 acres addressed as 0 Ustick Rd (parcels #R3436101000, R3436101100, R3436101200, & R3436301000, located in the SW ¼ of Section 33, T4N, R2W, BM), for River Range Idaho LLC representing Dana Devlin and Hilda Devlin (ANN-00254-2022). Original Concept: Future industrial development. (**PH was 01-17-2023**)
- 10-5. Expansion of the Nampa Area of City Impact, amending Section 10-30-3 of the Nampa City Code and adopting the revised Area of City Impact Geographic Area Map. (**PH was 02-06-2023**) (Pending Canyon County Board of Commissioners' approval)
- 10-6. Annexation and Zoning to RD Townhouse (Residential Duplex) zoning district, potential development agreement, and Subdivision Preliminary Plat for Lady Bird Landing Subdivision at 3809 & 0 Greenhurst Rd (Parcels #R2909800000 & R909701200, totaling 3.333 acres in the NW ¼ of Section 1, T2N, R2W, BM), for Adam and Canada Bayne (ANN-00260-2022 & SPP-00118-2022). Revised Concept: 25 townhouse units in 9 buildings, 1 private shared road, and 6 common lots. (**PH was 02-21-2023**)
- 10-7. Annexation and Zoning to RD (Two-Family Residential - Duplex) zoning district and potential development agreement for 905 Midland Blvd (a 1.33 acre parcel #R3136000000 located in the SE ¼ of Section 17, T3N, R2W, BM, Nampa), for Blake Wolf, representing Lance & Racheal Givens (ANN-00264-2022). Original Concept: Annex for a future subdivision to 2-unit townhomes in 6 buildings - for a total of 12 units. (**PH was 03-06-2023**)

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## **(11) Executive Sessions**

- 11-1. **Action Item:** Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206 (1)(a).
  - Idaho Code 74-206 (1)(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need.

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## **Adjournment**





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## **Next Meeting**

### **Regular Council at 5:30 PM – Monday, April 17, 2023 - City Council Chambers**

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- ◆ Individuals, who require language interpretation or special assistance to accommodate physical, vision, hearing impairments, please contact the City Clerk’s Office at Nampa City Hall, (208) 468-5415. Requests should be made at least three (3) days prior to the meeting to allow time to arrange accommodations
- ◆ Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to participate actively in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the City Clerk