



**BOARD OF COUNTY COMMISSIONERS**  
**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

In the matter of the application of:

**CR2024-0005 – Young**

The Canyon County Board of County Commissioners considers the following:

- 1) Conditional Rezone of Parcel R30121120, approximately 13.70 acres, from an “A” (Agricultural) Zone to a “CR-R-R” (Conditional Rezone-Rural Residential) Zone subject to a development agreement.
- 2) The subject property is located at 9121 Chaparral Ranch Drive, Nampa: also referenced as Lot 9, Block 2 of the Chaparral Ranch Subdivision, a portion of the SW¼ of Section 14, T2N, R3W, BM, Canyon County, Idaho.

**Summary of the Record**

1. The record is comprised of the following:
  - A. The record includes all testimony, the staff report, exhibits, and documents in Case File CR2024-0005.
    1. All stated exhibits are located in the case staff report, dated January 22, 2026.

**Applicable Law**

1. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-07 (Conditional Rezones), CCCO §07-10-27 (Land Use Regulations (Matrix)), and Idaho Code §67-6511 (Zoning Map Amendments and Procedures) and §67-6519 (Application Granting Process).
  - a. Notice of the public hearing was provided per CCCO §07-05-01 and Idaho Code §67-6509.
  - b. The presiding party may establish conditions, stipulations, restrictions, or limitations which restrict and limit the use of the rezoned property to less than the full use allowed under the requested zone, and which impose specific property improvement and maintenance requirements upon the requested land use. Such conditions, stipulations, restrictions, or limitations may be imposed to promote the public health, safety, and welfare, or to reduce any potential damage, hazard, nuisance, or other detriment to persons or property in the vicinity to make the land use more compatible with neighboring land uses. *See CCCO §07-06-07(1).*
2. The Board has the authority to exercise powers granted to it by the Idaho Local Land Use and Planning Act (“LLUPA”) and can establish its own ordinances regarding land use. *See I.C. §67-6504, §67-6511.*
3. The Board has the authority to hear this case and make its own independent determination. *See I.C. §67-6519, §67-6504, 67-6509 & 67-6511.*
4. The Board can sustain, modify or reject the Commission’s recommendations. *See CCCO §07-05-03.*
5. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. *CCZO §07-05-03.*
6. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and

statutory provisions, pertinent constitutional principles and factual information contained in the record. The County's hearing procedures, adopted per Idaho Code §67-6534, require that final decisions be in the form of written findings, conclusions, and orders. CCCO 07-05-03(1)(I).

**The application, CR2024-0005, was presented at a public hearing before the Canyon County Board of County Commissioners on January 22, 2026, and continued to March 5, 2026, and March 24, 2026. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Board of County Commissioners decides as follows:**

#### **CONDITIONAL REZONE CRITERIA – CCZO §07-06-07(6)**

##### **1. Is the proposed conditional rezone generally consistent with the comprehensive plan?**

**Conclusion:** The request is generally consistent with the 2030 Canyon County Comprehensive Plan.

**Findings:** (1) The 2030 Canyon County Comprehensive Plan designates the parcel as “agricultural” on the future land use map. However, the plan acknowledges that smaller lots similar to the requested 5-acre minimum lot size can be consistent with the agricultural designation.

(2) The request aligns with the following goals and policies of the 2030 Canyon County Comprehensive Plan:

- Property Rights – Goal 1: “Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.”
- Property Rights – Policy 1: “No person shall be deprived of private property without due process of law.”
- Property Rights – Policy 3: “Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals.”
- Population – Policy 1: “Plan for anticipated population and households that the community can support with adequate services and amenities.”
- Population – Goal 2: “Promote housing, business, and service types needed to meet the demand of the future and existing population.”
- Economic Development – Goal 5: “Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability.”
- Land Use – Policy 1.1: “Maintain a balance between residential growth and agriculture that protects the rural character.”
- Land Use – Policy 1.2: “Planning, zoning, and land-use decisions should balance the community’s interests and protect private property rights. “
- Land Use – Goal 2: “Ensure that growth maintains and enhances the unique character throughout the County.”
- Land Use – Goal 3: “Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning. “
- Land Use – Policy 3.2: “Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns.”
- Land Use – Policy 3.3: “Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility.”
- Land Use – Goal 7: “Protect rural qualities that make the County distinct and conserve and enhance the elements contributing to the good quality of life. “
- Land Use – Policy 7.1: “Plan land uses that are compatible with the surrounding community.”

- Housing – Goal 1: “Encourage opportunities for a diversity of housing choices in the County.”
  - Housing – Goal 2: “Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural and natural resources.”
- (3) The request **does not align** with the following goals and policies of the 2030 Comprehensive Plan:
- Land Use – Policy 5.2: “Consider development on poor soils (Class 4 or higher) that will not interfere with viable agricultural operations in the area.”
  - Agriculture – Goal 1: “Protect agricultural lands for long-term agricultural production from the encroachment of incompatible uses.”
  - Agriculture – Policy 1.1: “Preserve and maintain agriculturally designated lands for agricultural use.”
  - Policy No. 1.5: “Direct development to land with lower irrigatable soil classifications as determined by Canyon Coil Conservation District or by the USDA Natural Resources Conservation Service.”
  - Policy No. 3.1: “Restrict residential development that impacts aerial application flight patterns and operations.”
  - Policy No. 3.2: “Place new structures appropriately to minimize disruption to aerial application flight patterns.”
- (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CR2024-0005.
- (5) Evidence includes associated findings and evidence supported within this document.

**2. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?**

**Conclusion:** When considering the surrounding land uses, the request is more appropriate than the current designation of “A”.

- Findings:**
- (1) The surrounding area contains agricultural and rural residential zoning and uses. Residential zoning (RR and CR-RR) and uses are found north of Deer Flat Road within a half-mile radius of the subject property in the North Fork Ranch, Crystal Lakes, and Reece Estates Subdivisions (Exhibit B2.2, B2.4, and B2.5). Within one (1) mile of the subject property, there are 14 platted subdivisions (Exhibit B2.4 and B2.5) with an average lot size (4.3 acres) that is smaller than the minimum 5-acre lots proposed.
  - (2) The subject parcel is within the Chaparral Ranch Subdivision, where the majority of lots are less than 5 acres, and the adjacent Sky Ranch Estates Subdivision has an average lot size of 2.06 acres. While these older subdivisions are zoned “A” (Agricultural), the majority of lot sizes are functionally more aligned with the “RR” Rural Residential zone.
  - (3) The conditional rural residential (CR-R-R) zone with a 5-acre minimum lot size condition is more appropriate than the Agricultural (A) zone because the surrounding area on the north side of Deer Flat Road is an area where a rural lifestyle is suitable.
  - (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. 2024-0005.
  - (5) Evidence includes associated findings and evidence supported within this document.

**3. Is the proposed conditional rezone compatible with surrounding land uses?**

**Conclusion:** The proposed zoning map amendment from Agricultural (A) to Conditional Rezone-Rural Residential (CR-RR) is not compatible with the surrounding land uses in the area.

**Findings:** (1) Pursuant to CCCO §07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere with or conflict with or negatively impact one another, and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses.

- a. The parcel is within a landing strip approach zone for a neighboring private airstrip. Existing plat notes for the Chaparral Ranch Subdivision restrict buildings and trees to be less than 200-feet in height, require best management erosion control measures, and detail that the existence and operation of the neighboring airstrip must be disclosed in the sale of each lot. On the upper left corner of the Chaparral Ranch Subdivision Plat, note number three (3) states that the subject property is restricted to the location of structures that would interfere with the approach and take-off pattern of the airstrip and shall comply with Federal Aviation Administration (FAA) requirements (**Staff Report Exhibit B3**).
- b. Testimony provided by the nearby airstrip operators indicates that rezoning the subject property to a residential zone has the potential to negatively impact the continuing operation of the airstrip, including the approach and take-off pattern. (**Staff Report Exhibit E1**).
- c. Due to the neighboring private airstrip and lack of specificity on building envelopes, the Board of County Commissioners finds the proposed Conditional Rezone - Rural Residential (CR-RR) zone to be incompatible with surrounding land uses.

(2) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CR2024-0005.

(3) Evidence includes associated findings and evidence supported within this document.

**4. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?**

**Conclusion:** The request would negatively affect the character of the area by disrupting the established layout of the Chaparral Ranch Subdivision. This layout intentionally placed larger lots along Deer Flat Road to serve as a transitional buffer that allowed for only minimal development within the approach zone of the private airstrip located directly to the east.

**Findings:** (1) The surrounding area is characterized by residential and agricultural uses (**Staff Report Exhibits B2.1, B2.2, and B2.4**). To the north and northeast, there are large residential lots in platted subdivisions, many contain pastures and animals (**Staff Report Exhibits B2.4, C1, C3, and C5**). To the west, there are two large vacant lots between the subject property and the Crystal Lakes Subdivisions. Productive agricultural fields are found to the south (**Staff Report Exhibits B2.1, C3, C2, and C13**). Directly to the east, there is a private airstrip followed by residential properties (**Staff Report Exhibit B2.1, B2.2, and C8**).

(2) The Chaparral Ranch Subdivision was platted with larger lots along Deer Flat Road within the approach zone of the nearby private airstrip. Plat note number three (3) states that the Lot 9, Block 2 (the subject property) is restricted to the location of erecting structures that would

interfere with the approach and take off pattern of the airstrip and shall comply with Federal Aviation Administration (FAA) requirements (**Staff Report Exhibit B3**).

- (3) Email correspondence from the Idaho Division of Aeronautics on August 22, 2025, details that the FAA does not regulate land use decisions, but if structures are built that impede landing and take-off, the FAA could remove a private airstrip's legal designation (**Staff Report Exhibit D8**).
- (4) The conditional rezone request includes conditions to allow for the division of the property into no more than two (2) parcels with a minimum lot size of five (5) acres. However, building envelopes have not been identified, and impacts to the neighboring air strip and area character could result from unrestricted placement of residential structures.
- (5) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were notified on June 5, 2025. A newspaper notice was published on August 5, 2025. Property owners within 600' were notified by mail on July 31, 2025. Full political notice was provided on July 31, 2025. The property was posted on August 5, 2025. Comments received from the nearby airstrip property owners indicate that rezoning the subject property could negatively impact airstrip operations and safety.
- (6) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CR2024-0005.
- (7) Evidence includes associated findings and evidence supported within this document.

**5. Will adequate facilities and services including sewer, water, drainage, irrigation, and utilities be provided to accommodate proposed conditional rezone?**

**Conclusion:** Adequate sewer, drainage, irrigation, and stormwater drainage facilities and utility systems will be provided to accommodate the proposed zoning map amendment at the time of any development.

- Findings:**
- (1) The existing residence is served with an individual septic system, and a new individual septic system will be requested for the new lot during the subdivision process. This parcel is not within a nitrate priority area. Per Southwest District Health, a pre-development meeting and subdivision approval process will be required for the new septic system.
  - (2) The existing residence is served with an individual well, and a second individual well is requested. Development shall comply with Idaho Department of Water Resources standards at the time of subdivision/building permit.
  - (3) Stormwater is proposed to be handled with borrow ditches.
  - (4) The property is served with pressurized irrigation via a private well. A 50-foot wide easement will be placed on the west side of the new parcel to maintain access to irrigation risers and the well.
  - (5) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CR2024-0005.
  - (6) Evidence includes associated findings and evidence supported within this document.

**6. Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?**

**Conclusion:** The proposed conditional rezone will not require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns created by the proposed development.

- Findings:** (1) Idaho Transportation Department noted that the proposal does not meet thresholds for a Traffic Impact Study, nor does it pose any safety concerns (Exhibit D2)
- (2) Comments from Nampa High District No. 1 detail that no new access is permitted on Deer Flat Road. New access will come from Chaparral Ranch Drive and will need to meet ACCHD spacing requirements. A land split application, fee, and a sketch that identifies the new lot and any new point of access will be required with the subsequent subdivision application.
- (3) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CR2024-0005.
- (4) Evidence includes associated findings and evidence supported within this document.

**7. Does legal access to the subject property for the conditional rezone exist or will it exist at time of development?**

**Conclusion:** The subject property does have legal access for the conditional rezone, and access will exist at the time of development.

- Findings:** (1) The subject property has frontage on Deer Flat Road and Chaparral Ranch Drive. Deer Flat Road is classified as a Rural Minor Arterial, and no new direct access is permitted (Exhibit D1). Chaparral Ranch Drive is classified as a low-volume local roadway. Legal access is allowed through the existing accesses onto Chaparral Ranch Drive. Any new point of access on Chaparral Ranch Drive will need to meet ACCHD spacing requirements.
- (2) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CR2024-0005.
- (3) Evidence includes associated findings and evidence supported within this document.

**8. Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire, and emergency medical services? What measures will be implemented to mitigate impacts?**

**Conclusion:** As conditioned, essential services will not be impacted.

- Findings:** (1) All affected agencies were notified per CCZO §07-05-01.
- (2) No comments were received by Nampa School District #131, Canyon County Sheriff's Office, or Canyon County's Emergency Management. The proposed minimal addition of one (1) residential lot is not anticipated to impact essential public services and facilities.
- (3) Nampa Fire Department, on behalf of Upper Deer Flat Fire Protection District, commented that the rezone would not have a negative impact on the service level (Exhibit D5). Chaparral Ranch Subdivision notes detail that fire hydrants must have a minimum flow of 500 gallons per minute for 24 hours and that homes built more than 150 feet from a street will have to meet county standards for surface, width, and emergency turnarounds (Exhibit B3).
- (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CR2024-0005.
- (5) Evidence includes associated findings and evidence supported within this document.

**Order**

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Board of County Commissioners **denies** Case # CR2024-0005, a conditional rezone of parcel R30121120 from an "A" (Agricultural) zone to a "CR-R-R" (Conditional Rezone – Rural Residential) zone.

Pursuant to Idaho Code Section 67-6519, the following actions may be taken to obtain approval:

1. Provide building envelopes for the proposed development that limit impacts to the approach and take-off pattern of the nearby private airstrip.

DATED this 8th day of June, 2026.

CANYON COUNTY BOARD OF COMMISSIONERS

- Motion Carried Unanimously
- Motion Carried/Split Vote Below
- Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
<u>Not in attendance</u> Commissioner Leslie Van Beek	_____	_____	_____
<u>Brad Holton</u> Commissioner Brad Holton	X	_____	_____
<u>Zach Brooks</u> Commissioner Zach Brooks	X	_____	_____

Attest: Jess Urresti, Clerk

By: J. Hoff  
Deputy

Date: \_\_\_\_\_