



Board of County Commissioners
Hearing Date: August 26, 2026
Canyon County Development Services Department

CR2023-0004 / LACY

APPLICANT/REPRESENTATIVE: TJ Wellard, Skinner Land Survey

PROPERTY OWNER: Debra Lacy Living Trust

REQUEST: Conditionally Rezone 6.4± acres from “A” (Agricultural) to “CR-RR” (CR-Rural Residential) for the purpose of creating three (3) residential parcels. (Platting will be required)

LOCATION: 18247 Goodson Road, Caldwell, ID

ANALYST: Deb Root, Principal Planner

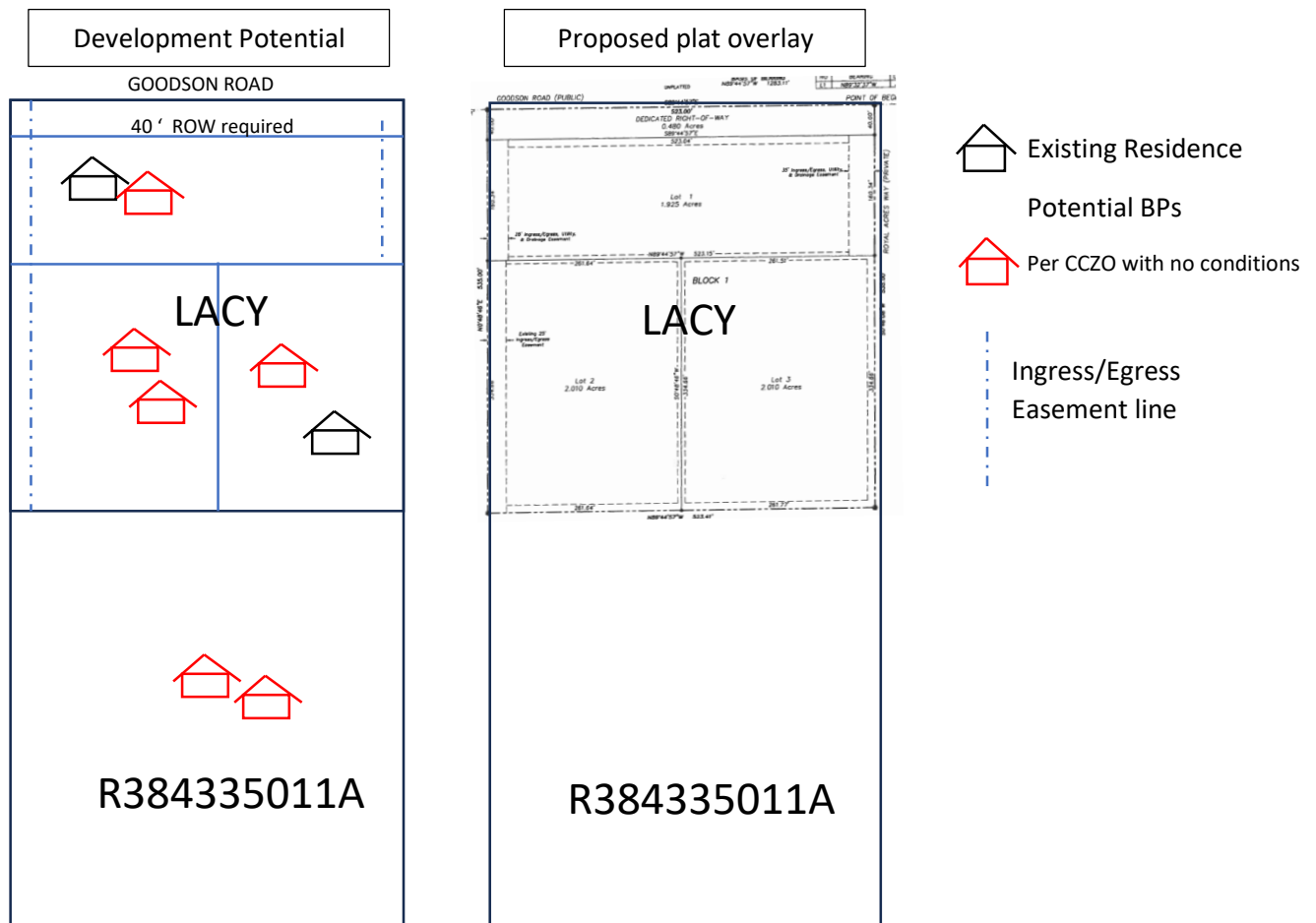
P&Z RECOMMENDATION: Denial

SUMMARY:

The applicant requests a conditional rezone from “A” (Agricultural) to “RR” (Residential Rural). The original application included a request to amend the 2030 Comprehensive Plan from Agriculture to Residential. On April 13, 2026, application OR2023-0001, was withdrawn by the applicant representative just prior to the Planning and Zoning Commission hearing. The PZ staff report, written prior to the withdrawal of OR2023-0001, includes that application review. BOCC Exhibit 3 PZ Staff Report Packet includes the same information that the Commission reviewed for this case inclusive of staff’s analysis for the withdrawn case file OR2023-0001.

The Planning & Zoning Commission heard the requested conditional rezone case, CR2023-0004, at a public hearing held on April 16, 2026. After deliberation, the Planning & Zoning Commission recommended **DENIAL** of the conditional rezone request (BOCC Exhibit 1 PZ FCOS and Exhibit 2 PZ Minutes). The P&Z found that the application is not consistent with the Comprehensive Plan. The subject property acts as a rural transition to larger agricultural properties and the Plan does not support residential growth in this area of the county. They found that the agricultural zone is more appropriate and compatible for the area and that the property should remain a transitional area between the productive agriculture to the south and west and the more dense residential to the east. Additionally, rezoning property in an area intended and planned for agricultural use has the potential to promote further residential sprawl in an agricultural zoned and planned area. Acknowledging the existing residential development in the area, the Commission found that rezoning the property to a residential zoning district could serve to provide support for further residential development creep in an area not planned for residential growth. The Commission also acknowledged that Caldwell Fire District has concerns with ongoing rural development and their ability to meet service levels for response (BOCC Exhibit 3.E7).

If approved for the conditional rezone to rural residential, the applicant is proposing three individual residential lots through platting (BOCC Exhibit 3.B2 and 3.B3) and there is a fourth parcel with a residential permit available located to the south of the subject property that takes access via an easement and access point at Goodson Road. The applicant does not desire to provide for a private road/road lot to serve the proposed Lacy lots and the existing parcel to the south. They are currently proposing to have each existing access (east and west) serve two residences thus not triggering the private road lot platting requirement. Staff notes that each of the proposed Lacy parcels would be eligible for a secondary residence unless restricted by a condition prohibiting secondary residences. A private road is required when three residences or inhabited structures are to be served by the road. The property to the south (not a part of this application) would not be subject to the development agreement conditions and under the current zoning code would be eligible for a primary and secondary residence thus requiring a private road at the time of building permit submittal. Staff recommends that a private road lot be required for the west access to serve the existing and available entitlements on both the Lacy property and the south parcel, R38435011A.



For the Lacy subject property, there are development challenges associated with requiring a road lot (minimum of 50 feet wide) that complies with the subdivision code §07-17-31(1)A.2 and provides for the development potential of the affected properties. The existing shop/secondary residence structure would not meet setbacks to the new minimum 50 foot private road lot. Currently the shop is

approximately 56 feet from the west property line. A conforming front setback of 20 feet would be required if a 50 foot road lot is required on the plat. A variance would be required for an approximate six (6) foot front setback from the new private road lot. The Board may consider a condition addressing the non-conforming setback through code section §07-06-07(1) *Restrictions: In approving a conditional rezone application, 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. When the presiding party finds that such conditions, stipulations, restrictions or limitations are necessary, land may be rezoned upon condition that if the land is not used as approved, or if an approved use ends, the land use will revert back to the zone applicable to the land immediately prior to the conditional rezone action.*

In addition to the setback concerns with the existing shop/residence, a 50 foot private road lot would also reduce the calculable residential acreage by approximately 0.62± acres and the required right-of-way dedication is an additional 0.48 ± acres which effectively reduces the number of residential lots that could be created on the Lacy property to two (2) lots with a minimum two acre average lot size. The applicant would need to reduce the number of lots requested in order to comply with the rural residential zoning district requirements and the subdivision code. Staff notes that there may be a few options that the applicant and Board could consider:

1. Potentially change the requested zone to “CR-R1” (CR-Single Family Residential) and restrict the number of lots by condition to the proposed three residential lots with a minimum lot size of 1.7 acres each (5.33 acres /3). BOCC Exhibit 3C.5 Subdivision & Lot Report indicates that the average lot size for the replat of the Stadium No. 2 property is 1.65 acres; Coombes Sub #1 has an average lot size of 1.57 acres, and Stafford Heights Subdivision is 1.87 acre average lot size.
2. There may also be the potential to work with the adjacent property owner to the south. The two property owners may be able to work together to complete a property boundary adjustment to increase the acreage of the Lacy property to meet a two acre minimum average of the Lacy property to offset the acreage for the private road lot that helps to ensure that the southern property is able to develop and/or utilize the existing entitlements.

The applicant provided a letter from Notus-Parma Highway district that indicates that legal access to the subject property does not currently exist for the intended use and that a new commercial approach application to NPHD is required for commercial & multiple residential use (BOCC EXHIBIT 4.1). The challenge with the proposed plan is that the applicant does not desire or intend to provide for a private road lot(s) from either access point.

The property owner, Debra Lacy, applied for and received a change of occupancy permit (BP2026-0364) for the existing shop structure in the northwest corner of the property to recognize the secondary residence (living quarters) located within the shop (BP2005-615 shop only). The C of O was issued on May 29, 2026 after compliance with building conditions of approval and special inspection (SI2026-0029) corrections. The existing connex container was brought into compliance through permitting at this time as well (BP2026-0365). Currently the property is in compliance with the zoning and building codes. The

secondary residence/shop utilizes a shared well with the primary residence and has a separate septic system.

The Draft FCOS (recommendation of denial from the Planning and Zoning Commission) are attached as BOCC Exhibit 1.1; for the Board's convenience, Staff Draft FCOs recommending approval with conditions are attached as BOCC Exhibit 1.2. The Planning and Zoning Commission Minutes may be found in BOCC Exhibit 2. The Staff report packet dated April 16, 2026, and all supporting material are contained in Exhibit 3. Any additional agency & public comments received for the public hearing, or received as a late exhibit at the previous public hearing may be found in Exhibits 4 and 5. Any Additional supporting documentation provided by the applicant to considered by the Board can be found in Exhibit 6.

BOCC EXHIBITS:

1. DRAFT FCO'S:
 1. Planning & Zoning Commission Recommendation FCOs Dated: May 21, 2026
 2. DRAFT staff FCOS for approval and recommended conditions
2. Planning & Zoning Commission Minutes Dated April 16, 2026
3. PZ Staff Report Packet Dated: April 16, 2026 (Exhibits A-F)
4. Agency Comments Received by: August 17, 2026
 1. JUB for NPHD; Received: July 1, 2026
 2. NPHD/JUB response to staff inquiry; June 8, 2026
5. Public Comments Received by: August 17, 2026
 1. Waldenmyer support letter; Received: August 11, 2026
6. Application Materials Received by: August 17, 2026
 1. Debra Lacy letter; Received: August 14, 2026
 2. Representative communication with staff; Received: June 2, 2026

BOARD OF COUNTY COMMISSIONERS

EXHIBIT 1:

DRAFT FCOs



PLANNING OR ZONING COMMISSION
FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:
Lacy- CR2023-0004

The Canyon County Planning and Zoning Commission considers the following:

The applicant Debra Lacy Living Trust requests a **Conditional Rezone** of parcel R38435011 (6.43 acres more or less) "A" (Agricultural) to "CR-RR" (CR-Rural Residential) subject to conditions to be enumerated in a Development Agreement for the purpose of creating a proposed residential subdivision. The property is located at 18181 Goodson Road, 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 OR2023-0001 & CR2023-0004.
 1. All exhibits can be found in the case staff report dated April 16, 2026.
- B. The Planning and Zoning Commission heard this case on April 16, 2026 and forwarded a recommendation of denial to the Board of County Commissioners.

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 §07-06-03 (Comprehensive Plan Amendment Criteria), CCCO §07-06-07 (Conditional Rezones), CCCO §07-10-27 (Land Use Regulations (Matrix)), and §67-6519 (Application Granting Process).
 - a. Notice of the public hearing was provided in accordance with 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).*
 - c. All conditional rezones for land use shall commence within two (2) years of the approval of the board. If the conditional rezone has not commenced within the stated time requirement, the application for a conditional rezone shall lapse and become void. *See CCCO §07-05-01*
2. The commission 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, including subdivision permits. *See I.C. §67-6504, §67-6509.*

**BOCC
EXHIBIT
1**

3. The commission shall have those powers and perform those duties assigned by the board that are provided for in the Local Land Use Planning Act, Idaho Code, title 67, chapter 65, and county ordinances. CCCO §07-03-01, 07-06-05.
4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.
5. 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, CR2023-0004, was presented at a public hearing before the Canyon County Planning and Zoning Commission on April 16, 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 Planning and Zoning Commission decides as follows:

CONDITIONAL REZONE HEARING CRITERIA:

Table 1. Conditional Rezone Standards of Evaluation Analysis

Standards of Evaluation (07-06-07(6) A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:

Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
☐	☒	☐	07-06-07(6)A1	Is the proposed conditional rezone generally consistent with the comprehensive plan;
			Analysis	The proposed conditional rezone from Agricultural to Rural Residential is not generally consistent with the Comprehensive plan. The Commission acknowledges that there are similar residential uses in the nearby area but finds that this property is a transition buffer to the larger agricultural parcels on the western boundary of the pre-existing residential development in this area. The Comprehensive Plan does not support residential growth in this rural area of the county.
				The applicant is requesting to conditionally rezone for the purpose of further dividing the subject property for residential development and creating an additional residential platted subdivision adjacent to agricultural properties. There is not an intended plan for the properties other than to provide for residential development. The two acre minimum average lot size is consistent with many of the developed properties in the immediate area but this 6.43 acre parcel is more appropriate because it provides development transition to the larger agricultural properties to the west.
				Although the requested type of growth is generally in conformance with the area development and with some goals and policies of the 2030 Comprehensive Plan including Policy P4.01.01 which speaks to maintaining a balance between residential growth and agriculture that protects the rural character. Policy

				P4.01.02 indicates that, <i>“Planning, zoning, and land-use decisions should balance the community’s interests and protect private property rights.”</i> P4.03.02 talks about encouraging the development of property that does not fragment existing development patterns. The subject property is not in agricultural production and is not generally agricultural in nature or use, but the property is transitional to the larger agricultural properties in the immediate vicinity and zoned consistent with the Plan. The Plan designates this area as agricultural and does not encourage residential growth in this agriculturally designated area.
☐	☒	☐	07-06-07(6)A2	When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;
			Analysis	In consideration of the surrounding land uses, the proposed conditional zone change to “CR-RR” (CR-Rural Residential) is not more appropriate than the current zoning designation of “A” (Agricultural). The Commission finds that there are dry land agricultural uses. Agriculture is the appropriate designation for this property. The Commission finds that the subject property serves as a transition between more dense residential properties and large parcels of agricultural land to the west and it should remain a transition zone as rezoning to residential would result in the rezoned property to serve as justification to rezone existing agricultural properties further to the west. The 6.43 acre subject property is not and has not been in agricultural production and does not have surface irrigation water available. The property is developed with a single-family residence and also has a shop with unpermitted living quarters. Within the surrounding 1500 foot area there are 49 parcels ranging in size from 0.38 acres to 7.82 acres. There are multiple platted developments lying east of the subject property including Stafford Heights, Coombes Subdivision, The Stadium No. 1 and No. 2, Overview Acres, Elm Crest, Edenbrook, Goodson and Butterfly Ridge. However, the surrounding properties are primarily zoned agricultural and many of the properties are agricultural in nature and use. The average parcel/lot size for the notified properties within 600 feet is 16.29 acres with a median lot size of 4.67 acres (Exhibit C5). Pursuant to Canyon County ordinance §07-10-25: Purposes of Zones: (1) The purposes of the A (Agricultural) Zone are to: A. Promote the public health, safety, and welfare of the people of the County by encouraging the protection of viable farmland and farming operations; B. Limit urban density development to Areas of City Impact in accordance with the comprehensive plan; C. Protect fish, wildlife, and recreation resources, consistent with the purposes of the "Local Land Use Planning Act", Idaho Code title 67, chapter 65; D. Protect agricultural land uses, and rangeland uses, and wildlife management areas from unreasonable adverse impacts from development; and

				E. Provide for the development of schools, churches, and other public and quasi-public uses consistent with the comprehensive plan. (2) The purpose of the R-R (Rural Residential) Zone is to encourage and guide growth in areas where a rural lifestyle may be determined to be suitable. Adjacent Existing Conditions: <table><tr><th>Direction</th><th>Existing Use</th><th>Primary Zone</th><th>Other Zone</th></tr><tr><td>N</td><td>Rural Residential and Agriculture</td><td>Agricultural</td><td>NE-CR-Rural Residential</td></tr><tr><td>S</td><td>Agriculture and Ag Residential</td><td>Agricultural</td><td>na</td></tr><tr><td>E</td><td>Rural Residential and Agricultural</td><td>Agricultural</td><td>CR-Rural Residential</td></tr><tr><td>W</td><td>Agricultural and Ag Residential</td><td>Agricultural</td><td>na</td></tr></table> "A" (Agricultural), "R-R" (Rural Residential), "R-1" (Single-Family Residential), "C-1" (Neighborhood Commercial), "C-2" (Service Commercial), "M-1" (Light Industrial), "CR" (Conditional Rezone) Development has been occurring in this area of the county through the legacy conditional use permit processes to current date were rezoning of the properties have occurred to provide for rural residential development on primarily unfarmed ground in this region. See Exhibits C2, C4, C5. The Plan does not encourage additional residential growth in this area of the county and zoning the subject property to a residential zone may encourage sprawl and continued development of other properties in this area of the county that is not planned for residential growth. Surrounding Land Use Cases: The Stadium Subdivision Lot 1, Block 1 is currently being replatted in phases to reflect the conditions of the development agreement. Phase 1 final plat has been completed with phase 2 and 3 in process. (CR-Rural Residential) Edenbrook Estates Subdivision was completed with the final plat signed in 2024. (CR-Rural Residential) Kimber Ridge phase 1-3 were final platted in 2021-2024 (Rural Residential)	Direction	Existing Use	Primary Zone	Other Zone	N	Rural Residential and Agriculture	Agricultural	NE-CR-Rural Residential	S	Agriculture and Ag Residential	Agricultural	na	E	Rural Residential and Agricultural	Agricultural	CR-Rural Residential	W	Agricultural and Ag Residential	Agricultural	na
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N	Rural Residential and Agriculture	Agricultural	NE-CR-Rural Residential																					
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W	Agricultural and Ag Residential	Agricultural	na																					
☐	☒	☐	07-06-07(6)A3 Analysis	Is the proposed conditional rezone compatible with surrounding land uses; The proposed conditional rezone to "CR-Rural Residential" is not compatible with surrounding land uses. The area is primarily zoned agricultural and is in agricultural production. The subject property serves as a transitional property to the more intense farming operations to the south and west. Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere 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. The surrounding land uses are agricultural, ag-residential, and rural residential development. The area along Goodson Road easterly between the subject property and Interstate 84 is primarily developed as rural residential uses inclusive of single-family residential and hobby or small ag-residential farms. The proposed development of the subject property is not anticipated to negatively impact the existing uses in the immediate area (See Exhibit C2); however, this property is on the western boundary of the legacy growth area and transitions to large agricultural properties and uses. Continued residential growth in this area has the potential to encourage creep and it increases traffic on the very rural roadways which may impact the movement of equipment and farm vehicles in this rural agricultural region of the county. Zoning the property to residential promotes the opportunity for further sprawl into the agricultural areas not currently planned for residential growth.
☐	☒	☐	07-06-07(6)A4	Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?
			Analysis	The proposed conditional rezone will negatively affect the character of the area. Rezoning property to a residential district in an area that is intended and planned for agricultural use has the potential to promote residential sprawl in an agricultural zoned area. The Commission acknowledges that there is residential development in the area due to legacy processes and decisions but finds that rezoning the property to a residential zoning district would impact the character of the area by promoting or providing support for further residential development in an area not planned for residential growth. Character of the Area: This immediate area of the county is a mix of rural residential and agricultural uses with significant residential development of properties along this Goodson Road corridor that is not utilized for crop production due to topography restricting irrigation resources in spite of the existing canal systems that course through the area. Much of the developed property lies above the canals and is therefore not allocated surface irrigation rights. The 6.43 acre subject property is part of a 28.4 acre original parcel that has been divided many times and reflects the uses of this and other properties as rural residential development with an agricultural character. The property is bounded by lots of similar size and use as proposed but this parcel is transitioning to larger productive agricultural properties west of the legacy development. The Commission also notes that there are dry land agricultural uses that may be appropriate for this property. The average parcel size of the properties notified within 600 feet of the subject property is 16.29 with a median lot size of 4.39 acres. This 6.43 acre property serves as a transition parcel to the larger agricultural parcels to the south and west.

			07-06-07(6)A5	Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;
			Analysis	The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein. The Commission, through oral testimony, finds that there is a shared well on the property that will require a "shared well agreement" inclusive of an access and maintenance easement for the operation and maintenance of the well and pipeline serving the two existing structures on the proposed properties. Sewer: The developer proposes individual well and septic for the lots within the development. It is not anticipated that there will be an issue with locating septic systems and replacement fields on the approximate two (2) acre lots if approved. The development plat shall comply with Southwest District Health requirements, a signatory on the final plat. Two septic systems currently exist on the property serving the two structures that are on the property. Water: The developer proposes individual well and septic for the lots within the development. It is not anticipated that there will be an issue with locating individual wells for the proposed development. The development plat shall comply with Southwest District Health requirements, a signatory on the final plat. Per Idaho Statute §42-111 a domestic well may be utilized as follows: (a) The phrase "domestic purposes" or "domestic uses" means: (i) The use of water for homes, organization camps, public campgrounds, livestock, and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use does not exceed thirteen thousand (13,000) gallons per day; Currently there is one well on the property that serves both the primary residence and the shop with living quarters per oral testimony of Debra Lacy. Drainage: Drainage shall be retained on site. An engineered grading and drainage plan should be required at time of building permit application due to the topography of the subject property with slopes in excess of 6 to 12%. Irrigation: The subject property does not have irrigation water available (see Exhibit E6). See "Water" above for permitted usage of domestic well for irrigation purposes. Utility: Idaho Power and Intermountain Gas Company were provided notice of the application for development. No comments were received from those agencies. The existing structures on the property have electrical service. It is not anticipated that services will not be available for the proposed use.

☒	☐	☐	07-06-07(6)A6	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?
			Analysis	The proposed conditional rezone will not require public street improvements in order to provide adequate access to and from the subject property. The proposal is not expected to create undue interference with existing and/or future traffic patterns. Any necessary measures to mitigate traffic impacts are detailed below. The proposed development is not anticipated to create undue interference with existing or future traffic. The development shall meet the requirements of the Notus/Parma Highway District (NPHD) inclusive of access/approach permitting and obtaining district approval as evidenced by NPHD signing the final plat. The development, as proposed, will require the development of a private road lot on the subdivision plat if the rezone is approved. The developer must provide access to the parcel that lies to the south, parcel R38435011A, in conformance with current zoning ordinance requirements for access.
☒	☐	☐	07-06-07(6)A7	Does legal access to the subject property for the conditional rezone exist or will it exist at time of development; and
			Analysis	The subject property has legal access and legal access for the proposed development will exist at the time of the signing of the final plat. See review and analysis detailed below. The subject property is currently developed with a single-family residence that takes access to Goodson Road at the northeast corner of the property. There is also a shared access in the northwest corner that serves the shop with living quarters and parcel R38435011A south of the subject property. NPHD will require that the development comply with the ACCHD Standards Manual and the access will be approved as evidenced by the highway district's signature on the final plat. Adequate access to the property to the south must be provided in accordance with zoning ordinance and subdivision platting requirements. Access in conformance with the current zoning ordinance and subdivision requirements must be provided to parcel R38435011A located on the southern boundary of the subject parcel.
☒	☐	☐	07-06-07(6)A8	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? (Ord. 16-007, 6-20-2016)
			Analysis	The proposed use as a three (3) lot residential subdivision is not anticipated to impact essential public services and facilities including, but not limited to schools, police, fire and emergency medical services. Any necessary measures to mitigate impacts are detailed below.

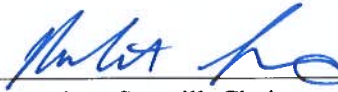
				The services are not anticipated to be negatively impacted by such use, and/or require additional public funding in order to meet the needs created by the requested use. Schools: The subject property lies within the Notus School District. The District was notified of the application. Staff did not receive comment from the school district. Development of two additional properties is not anticipated to significantly impact student enrollment. Police: The Canyon County Sheriff's office was notified of the application for development and no comments were received. Fire protection & Emergency Medical Services: The Caldwell Rural Fire District and EMS were notified of the application. Staff did not receive any comments from EMS. Caldwell Rural Fire indicates that the approximate response time to the site is seven (7) minutes with the nearest station 4.3 miles away. The Fire Department further states that, "ongoing population increases will directly affect service levels until CFD can enhance and expand its operational capabilities." Properties located within 3-4 miles from a fire station are at the limit of effective coverage and may experience service delays. Developments beyond 5 miles are generally not recognized by ISO as having fire protection and response to these areas will be significantly delayed. (Exhibit E7) The following measures will be implemented to mitigate impacts: The Commission and Board may consider restricting the development to one single-family residential unit per lot.
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Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission recommends **DENIAL** of Case #CR2023-0004, a conditional rezone of parcel R38435011, approximately 6.43 acres, from "A" (Agricultural) to "CR-RR" (CR-Rural Residential).

DATED this 21 day of May, 2026.

PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO


Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this 21 day of May, in the year of 2026, before me Caitlin Ross, a notary public, personally appeared Robert Sturgill, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.



Notary: Caitlin Ross

My Commission Expires: 5/7/2031



BOARD OF COUNTY COMMISSIONERS
FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:

Lacy- CR2023-0004

The Canyon County Board of Commissioners consider the following:

The applicant Debra Lacy Living Trust requests a **Conditional Rezone** of parcel R38435011 (6.43 acres more or less) “A” (Agricultural) to “CR-RR” (CR-Rural Residential) subject to conditions to be enumerated in a Development Agreement for the purpose of creating a proposed residential subdivision. The property is located at 18181 Goodson Road, 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 OR2023-0001 & CR2023-0004.
 - 1. All exhibits can be found in the case staff report dated April 16, 2026.
 - 2. The Planning and Zoning Commission heard this case on April 16, 2026 and forwarded a recommendation of denial to the Board of County Commissioners.

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 §07-06-03 (Comprehensive Plan Amendment Criteria), CCCO §07-06-07 (Conditional Rezones), CCCO §07-10-27 (Land Use Regulations (Matrix)), and §67-6519 (Application Granting Process).
 - a. Notice of the public hearing was provided in accordance with 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).*
 - c. All conditional rezones for land use shall commence within two (2) years of the approval of the board. If the conditional rezone has not commenced within the stated time requirement, the application for a conditional rezone shall lapse and become void. *See CCCO §07-05-01*
- 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, including subdivision permits. *See I.C. §67-6504, §67-6509.*

BOCC EXHIBIT
1.2

3. The commission shall have those powers and perform those duties assigned by the board that are provided for in the Local Land Use Planning Act, Idaho Code, title 67, chapter 65, and county ordinances. CCCO §07-03-01, 07-06-05.
4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.
5. 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, CR2023-0004, was presented at a public hearing before the Canyon County Board of Commissioners on August 26, 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 decides as follows:

CONDITIONAL REZONE HEARING CRITERIA:

Table 1. Conditional Rezone Standards of Evaluation Analysis

Standards of Evaluation (07-06-07(6) A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:		
County Ordinance and Staff Review		
Criteria Met?	Code Section	Analysis
Meets Criteria	1	Is the proposed conditional rezone generally consistent with the comprehensive plan;
Analysis		The proposed conditional rezone is not generally consistent with the Comprehensive plan. However, although the Plan designation is Agriculture the Plan supports growth that maintains the rural character and lifestyle of the area. The applicant is requesting to conditionally rezone for the purpose of further dividing the property for residential development and creating an additional residential subdivision that requires platting. There is not an intended plan for the properties other than to provide for residential development. The two acre minimum average lot size is consistent with many of the developed properties in the immediate area. Although the requested type of growth is generally in conformance with the area development and with some goals and policies of the 2030 Comprehensive Plan including Policy P4.01.01 which speaks to maintaining a balance between residential growth and agriculture that protects the rural character. Policy P4.01.02 indicates that, "<i>Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights.</i>" P4.03.02 talks about encouraging the development of property that does not fragment existing development patterns. The subject property is not in production nor are the developed properties immediately adjacent but, the property is on the western boundary of this rural development area along Goodson Road where developed properties transition to large agricultural fields.

	The Board could consider minimizing the impact by restricting the development of this property to two (2) total parcels.			
Criteria Met?	2	When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;		
Meets Criteria				
Analysis	In consideration of the surrounding land uses, the proposed conditional zone change to “CR-RR” (CR-Rural Residential) is as appropriate as the current zoning designation of “A” (Agriculture).			
	The 6.43 acre subject property is not and has not been in agricultural production and does not have surface irrigation water available. The property is developed with a single-family residence and also has a shop with living quarters. Within the surrounding 1500 foot area there are 49 parcels ranging in size from 0.38 acres to 7.82 acres. There are multiple platted developments lying east of the subject property including Stafford Heights, Coombes Subdivision, The Stadium No. 1 and No. 2, Overview Acres, Elm Crest, Edenbrook, Goodson and Butterfly Ridge.			
	Pursuant to Canyon County ordinance §07-10-25: Purposes of Zones:			
	(1) The purposes of the A (Agricultural) Zone are to:			
	A. Promote the public health, safety, and welfare of the people of the County by encouraging the protection of viable farmland and farming operations;			
	B. Limit urban density development to Areas of City Impact in accordance with the comprehensive plan;			
	C. Protect fish, wildlife, and recreation resources, consistent with the purposes of the "Local Land Use Planning Act", Idaho Code title 67, chapter 65;			
	D. Protect agricultural land uses, and rangeland uses, and wildlife management areas from unreasonable adverse impacts from development; and			
	E. Provide for the development of schools, churches, and other public and quasi-public uses consistent with the comprehensive plan.			
	(2) The purpose of the R-R (Rural Residential) Zone is to encourage and guide growth in areas where a rural lifestyle may be determined to be suitable.			
	Adjacent Existing Conditions:			
	Direction	Existing Use	Primary Zone	Other Zone
	N	Rural Residential and Agriculture	Agricultural	NE-CR-Rural Residential
	S	Agriculture and Ag Residential	Agricultural	na
	E	Rural Residential and Agricultural	Agricultural	CR-Rural Residential
	W	Agricultural and Ag Residential	Agricultural	na
	“A” (Agricultural), “R-R” (Rural Residential), “R-1” (Single-Family Residential), “C-1” (Neighborhood Commercial), “C-2” (Service Commercial), “M-1” (Light Industrial), “CR” (Conditional Rezone)			
	Development has been occurring in this area of the county through legacy conditional use permit processes to current date where rezoning of the properties has occurred to provide for rural residential development on primarily unfarmed ground in this region. See Exhibits C2, C4, C5.			

	Surrounding Land Use Cases: The Stadium Subdivision Lot 1, Block 1 is currently being replatted in phases to reflect the conditions of the development agreement. Phase 1 final plat has been completed with phase 2 and 3 in process. (CR-Rural Residential) Edenbrook Estates Subdivision was completed with the final plat signed in 2024. (CR-Rural Residential) Kimber Ridge phase 1-3 were final platted in 2021-2024 (Rural Residential)	
Criteria Met?	3	Is the proposed conditional rezone compatible with surrounding land uses;
Meets Criteria		
Analysis	The proposed conditional rezone to “CR-Rural Residential” is compatible with surrounding land uses. The Board finds that there is substantial residential development in this region and that although on the transitional boundary to larger productive agricultural parcels, the proposed development plan is compatible with the area. Consideration should be given to impact on the property immediately adjacent to the south. The requirement for platting the proposed development has the potential to limit the development on the property to the south due to road/private road requirements. Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere 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. The surrounding land uses are agricultural, ag-residential, and rural residential development. The area along Goodson Road easterly between the subject property and Interstate 84 is primarily developed as rural residential uses inclusive of single-family residential and hobby or small ag-residential farms. The proposed development of the subject property is not anticipated to negatively impact the existing uses in the area. See Exhibit C2. Consideration should be given to the impact upon the property immediately adjacent to the south. Currently the access easement does not comply with the zoning ordinance requirements. The applicant has agreed to provide additional easement width (from 25’ to 28’) to ensure legal access to the parcel (R38435011A). The property has the potential for development of a primary and secondary residence under the current ordinances, The northern 6.43 acre subject property must be platted as a residential subdivision regardless whether two or three lots are approved. Each of the subject property lots could have primary and secondary residences unless restricted by conditions. The applicant is proposing for only one lot to take access to the west approach so that a private road lot is not required on the plat. Staff evaluation of the properties indicates that the western boundary access road should be a road lot on the required subdivision plat to provide for adequate access and development potential of the 6.43 acres to the south. A road lot cannot be less than 50 feet in width per §07-17-31(1)A2, the subject property will not have adequate remaining acreage to create three	

	desired lots and meet the two (2) acre minimum average lot size required for the rural residential zone. With the right of way dedication for Goodson Road, one lot is already proposed to be less than two acres.	
Criteria Met?	4	Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?
Meets Criteria		
Analysis	The proposed conditional rezone will not negatively affect the character of the area. Any necessary measures to mitigate impacts are detailed below. The area consists of a variety of ag-residential and residential lots similar in nature to the requested development. Character of the Area: This area of the county is a mix of rural residential and agricultural uses with significant residential development of properties along this Goodson Road corridor that is not utilized for crop production due to topography restricting irrigation resources in spite of the existing canal systems that course through the area. Much of the developed property lies above the canals and is therefore not allocated surface irrigation rights. The 6.43 acre subject property is part of a 28.4 acre original parcel that has been divided many times and reflects the uses of this and other properties as rural residential development with an agricultural character. The property is bounded by lots of similar size and use as proposed. The larger 19 acre parcel to the west is owned by the Bureau of Reclamation and is not farmed. The region surrounding this legacy development node is agricultural. The following measures will be implemented to mitigate impact The development lot size is restricted to a minimum two (2) acre average providing for a maximum of three (3) total parcels on the 6.43 acers in conformance with zoning and subdivision ordinance requirements. The proposed development, BOCC Exhibit 3B2, shall meet subdivision requirements including the development of a named private road and road lot that shall also serve the 6.43 acres (R38435011A) to the south of the subject property. Currently each parcel that could take access to this proposed access and easement has the potential to develop a secondary residence. A private road is required when there are three or more residences. The majority of the properties in the area are not developed with secondary residences—the hearing body may consider restricting secondary residences on the properties if approved. The hearing body may also consider that two (2) lots of approximately three (3) acres each would be more appropriate for transition to the agricultural region west of the proposed development.	
Criteria Met?	5	Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;
Meets Criteria		
Analysis	The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein. Sewer: The developer proposes individual well and septic for the lots within the development. It is not anticipated that there will be an issue with locating septic systems and replacement fields on the approximate two (2) acre lots if approved. The development plat shall comply with Southwest	

	District Health requirements; a signatory on the final plat. Two septic systems currently exist on the property serving the two residential structures that exist on the property. Water: The developer proposes individual well and septic for the lots within the development. It is not anticipated that there will be an issue with locating individual wells for the proposed development. The development plat shall comply with Southwest District Health requirements; a signatory on the final plat. Per Idaho Statute §42-111 a domestic well may be utilized as follows: (a) The phrase "domestic purposes" or "domestic uses" means: (i) The use of water for homes, organization camps, public campgrounds, livestock, and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use does not exceed thirteen thousand (13,000) gallons per day; Drainage: Drainage shall be retained on site. An engineered grading and drainage plan should be required at time of building permit application due to the topography of the subject property with slopes in excess of 6 to 12%. Irrigation: The subject property does not have irrigation water available (see Exhibit E6). See “Water” above for permitted usage of domestic well for irrigation purposes. Utility: Idaho Power and Intermountain Gas Company were provided notice of the application for development. No comments were received from those agencies. The existing structures on the property have electrical service. It is not anticipated that services will not be available for the proposed use.	
Criteria Met?	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?
Meets Criteria		
Analysis	The proposed conditional rezone may require public street improvements (approach improvements) in order to provide adequate access to and from the subject property. The proposal is not expected to create undue interference with existing and/or future traffic patterns. Any necessary measures to mitigate traffic impacts are detailed below. The proposed development is not anticipated to create undue interference with existing or future traffic. The development shall meet the requirements of the Notus/Parma Highway District (NPHD) inclusive of access/approach permitting and obtaining district approval as evidenced by NPHD signing the final plat. The development, as proposed, will require the development of a private road lot on the subdivision plat if the rezone is approved. The developer must provide access to the parcel that lies to the south, parcel R38435011A, in conformance with current zoning ordinance requirements for access.	

Criteria Met?	7	Does legal access to the subject property for the conditional rezone exist or will it exist at time of development; and
Meets Criteria		
Analysis	The subject property has legal access and legal access for the proposed development will exist at the time of the signing of the final plat. See review and analysis detailed below. The subject property is currently developed with a single-family residence that takes access to Goodson Road at the northeast corner of the property. There is also a shared access in the northwest corner that serves the shop with living quarters and parcel R38435011A (6.43 acres) south of the subject property. NPHD will require that the development comply with the ACCHD Standards Manual and the access will be approved as evidenced by the highway district’s signature on the final plat. Adequate access to the property to the south must be provided in accordance with zoning ordinance and subdivision platting requirements. Access in conformance with the current zoning ordinance and subdivision requirements must be provided to parcel R38435011A located on the southern boundary of the subject parcel.	
Criteria Met?	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? (Ord. 16-007, 6-20-2016)
Meets Criteria		
Analysis	The proposed use as a three (3) lot residential subdivision is not anticipated to impact essential public services and facilities including, but not limited to, schools, police, fire and emergency medical services. Any necessary measures to mitigate impacts are detailed below. The services are not anticipated to be negatively impacted by such use, and/or require additional public funding in order to meet the needs created by the requested use. Schools: The subject property lies within the Notus School District. The District was notified of the application. Staff did not receive comment from the school district. Development of two additional properties is not anticipated to significantly impact student enrollment. Police: The Canyon County Sheriff’s office was notified of the application for development and no comments were received. Fire protection & Emergency Medical Services: The Caldwell Rural Fire District and EMS were notified of the application. Staff did not receive any comments from EMS. Caldwell Rural Fire indicates that the approximate response time to the site is seven (7) minutes with the nearest station 4.3 miles away. The Fire Department further states that, <i>“ongoing population increases will directly affect service levels until CFD can enhance and expand its operational capabilities.”</i> Properties located within 3-4 miles from a fire station are <u>at the limit of effective coverage and may experience service delays</u>. Developments beyond five (5) miles are generally not recognized by ISO as having fire protection and response to these areas will be significantly delayed. (Exhibit E7) The following measures will be implemented to mitigate impacts: The Commission and Board may consider restricting the development to one single-family residential unit per lot.	

ORDER:

Based upon the Findings of Fact, Conclusions of Law, and Order contained herein, the Board of County Commissioners **APPROVES** Case #CR2023-0004, a conditional rezone of parcel R38435011 (6.43 acres) from “A” (Agricultural) to “CR-RR” (CR-Rural Residential) subject to conditions of approval to be enumerated in a development agreement.

For denial:

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

- 1. Submit an application to rezone the property to “CR-R1” (CR-Single Family Residential) to potentially gain approval and obtain the desired number of development lots.
- 2. Reduce the number of development lots requested to comply with the zoning code requirements for this property.

DATED this _____ day of _____, 2026.

CANYON COUNTY BOARD OF COMMISSIONERS

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

	Yes	No	Did Not Vote
_____ Commissioner Leslie Van Beek	_____	_____	_____
_____ Commissioner Brad Holton	_____	_____	_____
_____ Commissioner Zach Brooks	_____	_____	_____

Attest: Jess Urresti, Clerk

By: _____
Deputy

Date: _____

ATTACHMENT A
DRAFT CONDITIONS OF APPROVAL

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
2. The developer shall comply with CCZO §07-06-07 (4): Time Requirements: "All conditional rezones for a land use shall commence within two (2) years of the approval of the board."
3. Platting as a residential subdivision is required for any further division of this 6.43 acre parcel.
4. The preliminary and final plat shall be reviewed by the Caldwell Rural Fire District and a letter of review and approval shall be provided to Development Services prior to the Board of County Commissioners signing the final plat.
5. The development shall comply with the Notus Parma Highway District access requirements as evidenced by the District's signature on the final plat.
6. The developer shall provide legal access to the residential parcel to the south, parcel R38435011A (6.43 acres). The current easement of 25 feet is not sufficient to meet current county road and driveway requirements. The property was created through approval of CU2005-84 for a land division of 12.86 acres more or less into two 6.43 acre parcels.
7. The developer shall locate the access and easement for the subject property and parcel R38435011A in a platted road lot in compliance with 07-17-31(1)A2 along the western boundary of the proposed subdivision.
8. The subject property contains a shop (BP2005-615) with living quarters which is currently a secondary residence on the property. As proposed for division and platting into three lots this shop will become the primary residence on a separate platted parcel. If a new primary residence is constructed the living quarters may be removed or re-classified [permit with the building department] as the secondary residence on the created platted lot.
9. The shop/living quarters should meet setback requirements if a private road lot is required during the subdivision platting process. The front setback; code §07-10-21(1)A1 is a minimum 20 foot front setback "*...measured from the greatest of either the front property line, public street right-of-way line, or private road easement line...*". The Board recognizes the existing shop/residence to be a legal non-conforming structure with a minimum six (6) foot setback from the required private road lot to be located along the western boundary of the subject property from the north property line extending to the southern property boundary.

10. Should the Board and applicant be amenable to modify the conditional rezone to "CR-R1" (CR-Single Family Residential) to provide for the requested development of three (3) total residential lots on the subject property; accounting for the right-of-way dedication for Goodson Road and the private road lot (conditions #7 and #9) the minimum lot size of each platted residential parcel shall be no less than 1.7 acres.
11. The shared well and water lines from the primary residence to the secondary residence/shop shall be located within an easement providing for access, maintenance and repair of that structure.
12. A Shared Well users' agreement shall be established and recorded with the Canyon County Recorder's Office prior to the Board's signature on the final plat.
13. Road Users' agreement(s) for any shared private driveways/roads shall be established and Recorded with the Canyon County Recorders' office prior to the Board's signature on the final plat.

BOARD OF COUNTY COMMISSIONERS

EXHIBIT 2:

HEARING MINUTES



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, April 16, 2026
6:30 P.M.

1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATION BUILDING

Commissioners Present : Brian Sheets, Acting Chairman
 Harold Nevill, Commission Secretary
 Geoff Mathews, Commissioner
 Holley Werhanowicz, Commissioner
 Anita Johnston, Commissioner

Staff Members Present: Dan Lister, Planning Supervisor
 Deb Root, Principal Planner
 Karla Nelson, Principal Planner
 Emily Bunn, Principal Planner
 Dane Adams, Associate Planner
 Caitlin Ross, Hearing Specialist

Acting Chairman Sheets called the meeting to order at 6:30 p.m.

Commissioner Nevill read the testimony guidelines and proceeded to the first business item on the agenda.

Item 1: Consent Agenda – Action Items

A. February 19, 2026 MINUTES

B. March 5, 2026 MINUTES

MOTION: Commissioner Nevill moved to approve the Consent Agenda as amended, seconded by Commissioner Mathews. Voice vote, motion carried.

Item 2A:

Case No. RZ2025-0005 – Whiting: The applicant, Shelley Whiting, requests a rezone of approximately 3.17 acres, Parcel R27949, from the “R-R” (Rural Residential) zone to an “R-1” (Single-Family Residential) zone. The subject property is located at 74 N Pit Lane, Nampa.

Acting Chairman Sheets affirmed the applicant to testify.

Shelley Whiting – (Applicant) IN FAVOR – 74 N. Pit Ln., Nampa, ID 83687

Ms. Whiting turned over her time to her representative Joe Sweet.

Joe Sweet – (Representative) IN FAVOR – 74 N. Pit Ln., Nampa, ID 83687

Mr. Sweet stated that the property is approximately 3.15 acres, that is 134 ft. wide and 1,021 ft. long. The property is located within the impact area and does not have city services. The site is located in Nampa Meridian Irrigation District. The request to rezone fits within the comprehensive plan. Mr. Sweet noted that there are properties that are zoned residential that are smaller in size. The intent is to create a 1.15-acre parcel and two (2) one-acre parcels, although, they are not certain they want to go with a total of three. Providing irrigation water from the ditch would be relatively simple because the ditch runs the entire length of the property. There is currently a pond that contains irrigation water that is pumped into a sprinkler system.

The access will be via the existing approach. Mr. Sweet stated there is a fire station located approximately 1.2 miles away and a hospital within 2 miles.

Commissioner Nevill asked if the applicant considered a conditional rezone. Mr. Sweet stated he was not coached for a conditional rezone. Commissioner Nevill asked whether the request is for two or three lots. Mr. Sweet stated they are leaning more towards two, but it hasn't been decided.

Commissioner Werhanowicz asked if there is a home business on the property. Mr. Sweet stated that he had talked with code enforcement about his mobile business that has no storefront, and there is no violation. He is still talking with Code Enforcement and will rectify any issues.

Acting Chairman Sheets referenced Exhibit D3 and asked if Mr. Sweet had opportunity to talk to the City of Nampa about a pre-annexation agreement. Mr. Sweet stated that they are in the impact zone, but it could be many years before they would be able to annex. He did not reach out to the city himself but has had discussions with Development Services.

Commissioner Johnston asked about the removal of an old Idaho Power easement and if that was completed. Mr. Sweet stated that he has talked with Idaho Power, and the easement doesn't affect their property at all. The easement only comes into the property about five feet. The easement is old and not needed.

Principal Planner Emily Bunn reviewed the Staff Report for the record.

Commissioner Nevill asked about the business on site. Planner Bunn stated that on the site visit, it appeared to be a staging area. Commissioner Nevill asked why this was not conditional. Planner Bunn stated that rezone vs conditional rezone depends on the case. Commissioner Nevill asked about the width of the road and whether a turnaround would be required. Planner Bunn stated that the width for fire code is typically 20 ft. and the requirements for a turnaround would have to be met. Planning Supervisor Lister added that at the time of creating the private road a road user's maintenance agreement will be required. This has to be in place before they can build.

Acting Chairman Sheets asked if the administrative land division process will dictate where easements, well, septic, etc. will be located. Planner Bunn stated that well and septic is handled at the building stage but easements and agreements, yes.

Commissioner Nevill asked about administrative divisions not in residential zoned areas and questioned how roads get put in with no agreements. Planner Bunn stated that land divisions have been occurring since the 80's and the requirements were different. There are currently standards in place requiring road users' agreements.

Commissioner Werhanowicz referenced Exhibit D3 and asked why the city was recommending denial. Planner Bunn stated that Nampa has a new part of their code in which they won't send a letter of approval without a pre-annexation agreement.

Arlynn Hacker – IN OPPOSITION – 43 S. Pit Ln., Nampa, ID 83687

Ms. Hacker stated this area should remain rural agricultural. There are numerous small family farms with livestock. Approval of this request will set a precedent. Ms. Hacker does not want to be annexed by Nampa. She asked the Commission to consider the character of the area. Approval of the request would change the nature of the community.

Commissioner Nevill asked about the rural nature of the area and small farms. He asked if those were hobby farms with animals. Ms. Hacker stated you could designate it as such. Many of the acreages have homes and livestock. Commissioner Nevill asked if the property had good soil or not. Ms. Hacker stated she did not know. Commissioner Nevill asked how long Ms. Hacker had lived at her residence. She replied that they have owned the property since 1982.

Shelley Whiting – (Applicant) REBUTTAL – 74 N. Pit Ln., Nampa, ID 83687

Ms. Whiting stated there are a lot of people who have a lot less acreage than the subject property. The proposal is still very conducive to animals.

Commissioner Nevill asked Planner Bunn to display where the nearest residential zone is located, which was approximately 500 ft.

MOTION: Commissioner Nevill moved to close public testimony on Case No. RZ2025-0005, seconded by Commissioner Mathews. Voice vote, motion carried.

Deliberation:

Commissioner Mathews stated that the proposed rezone fits and does not think it will affect the area. He initially had concerns about secondary residences, but the size of the lots may not accommodate them anyway.

Commissioner Johnston stated she did not have an issue with the proposal. She wanted to ensure that easements are in place for irrigation/ access to irrigation water.

Commissioner Nevill stated that he is not in favor of the rezone and felt it should be a conditional rezone so conditions can be placed for water users' agreements and road users' agreements.

Commissioner Werhanowicz stated she was in agreement with Commissioner Nevill and added that this area is a majority rural residential and agriculture.

Acting Chairman Sheets stated that the Commission is really deciding whether the density is appropriate. He has not heard anything that demonstrates that the density is not appropriate. He was concerned about maintenance agreements but added that based on staff's testimony these will be handled through administrative processes and building permit process.

MOTION: Commissioner Mathews moved to **recommend approval** of Case No. RZ2025-0005 to the Board of County Commissioners and adopting the Findings of Fact & Conclusions of law as presented by staff. Seconded by Acting Chairman Sheets.

Discussion on the Motion:

None.

Roll call vote: 3 in favor, 2 opposed, motion passes.

Item 2B:

Case No. CU2025-0026 – Ruff: The applicant, Tanner Ruff, represented by RIVHAB, PLLC, requests a Conditional Use Permit to expand an existing RV Park on parcel R36962010. The applicant is proposing to add twenty-four (24) RV sites, two (2) shops, a caretaker's residence, a 3-car garage, four (4) rental cabins, an RV wastewater dump station, and two (2) gazebos. The subject property is located at 28522 Lower Pleasant Ridge Road, Wilder.

Acting Chairman Sheets affirmed the applicant to testify.

Madison Socha – (Representative) IN FAVOR – 12644 W. Rosette Dr., Star, ID 83669

Mr. Socha is a licensed Civil Engineer and the representative for the applicants. The location of the property is about 14 miles west of Caldwell adjacent to the Snake River on the west side. On the east side is farmland, to the north and south there are residential parcels. The previous landowner made some alterations and changes to the site that brought the property out of compliance with Canyon County. This occurred before his client purchased the property in late January. They recognize it is out of compliance and have applied for permits. Since his clients purchased the property, they haven't allowed anyone to stay in the non-compliant facilities. He noted similar properties in the area that are RV parks along waterways, Sand Hollow Creek and Martins Landing and Decoy RV Park. He noted that it is not uncommon to see RV parks in the flood zone. He referenced the site plan and noted that there are 13 full RV hookups and those are not in the floodplain. There are five rental cabins, one of which is in the floodplain. Three electrical RV hookups are located in the floodplain. Also, on site there are two gazebos, one bathhouse, a home for the groundskeeper, one metal shop and a dock. They would like to add an RV dump station on site. Mr. Socha stated that they want to be compliant with code. There is currently a wastewater vault in the floodplain which will be capped and removed. He also stated that they would remove the rental cabin from the floodplain. All electrical RV hookups that are in the floodplain would be raised to the correct elevation. They understand that a floodplain development permit would be required for all structures along with a flood evacuation plan. They have been in contact with Southwest District Health, and the site is suitable for the drain field being proposed. A septic permit would be required for the tank and a tank only permit would be required for the dump station. Golden Gate Highway District has noted that a traffic impact study is not required. An approach permit and minimum driveway spacing requirements will need to be met. Mr. Socha has been in contact with Chelsea Dame, Historic Preservation Officer, and will continue that coordination. They are proposing new signage closer to the road along the fence line to assist people to the site. Safer access to the Snake River will also be provided.

Commissioner Nevill asked Mr. Socha if they agreed with the recommended conditions of approval. Mr. Socha requested that condition no. 10 be removed and noted other RV parks in the County that encourage long-term stays. He also had questions about 7 a, b, & c. and stated that they already have an easement. He also noted condition 11 in regard to rental agreements/noise. He does not see a need for this. There will be emergency contacts on site. He also stated that the cabin would be removed from the floodplain but wanted to keep it on site if possible. There would be a total of five rental cabins. Commissioner Nevill asked if there had ever been any kind of rip rap to prevent erosion. Mr. Socha did not. He did note that he is a Water Resource Engineer, and he does not see erosion being an issue at this point. Commissioner Nevill asked if the applicant would have any issue with allowing the Historical Society to complete investigations/inspections. Mr. Socha noted that currently they are not impacting much on the site.

Associate Planner Dane Adams reviewed the Staff Report for the record.

Commissioner Nevill asked Planner Adams to discuss the conditions noted in Mr. Socha's testimony and the rationale for recommendation. Planner Adams noted Article 4 of Canyon County Code and it being the closest code to address time limits and stays for RV parks. Planner Adams addressed condition no. 7 that a road user's maintenance agreement would still be required. Planning Supervisor stated that the finalized and approved parking and circulation plan will be signed by the fire district. Planner Adams stated that condition no. 11 is a standard condition used on RV parks. Planning Supervisor noted the conditions are recommended and the Commission can modify them. He also noted that RVs are short term (recreational) in the code not long term. Commissioner Nevill asked about the abatement of code violations. Planning Supervisor noted that as part of the abatement the applicant has applied for a CUP to attempt to get compliance. The CUP code does not allow the Commission to review the violation, rather, to determine whether or not the CUP request meets code. Commissioner Nevill stated he was trying to determine sequence. Planning Supervisor stated that the findings are to determine whether the use should be approved.

Commissioner Mathews asked about condition 2A and what constituted modification. Planner Adams stated this would be increasing the number of RV sites or increasing the intensity of the use.

Acting Chairman Sheets asked for clarification on the time limits and the number of cabins. He asked staff if they had any problem with the potential relocation of the fifth cabin. Staff did not have issue with the number of cabins. Acting Chairman Sheets asked about the time frames/ length of stays for the RV park. Planner Adams noted the condition was written in accordance with article four of the code and the time limits were added so the use would not become a mobile home park.

Planning Supervisor Lister stated that part of this is a legal non-conforming use. If the conditional use permit were to be denied they could still have 13 units. It's when they expand or extend the use that all of it would have to come into compliance.

Acting Chairman Sheets affirmed the witnesses to testify.

Testimony:

Russell Ruff – IN FAVOR– 200 Clear Creek Dr., Meridian, ID 83646

Mr. Ruff stated that when they purchased the property in January of 2025, he spent a great deal of time with Deb Root as well as Dan Lister who helped them get up to speed about all the non-compliance issues. They have been working for the past 14 months to get to this point. Mr. Ruff stated that he is concerned about the condition regarding the length of stay. The verbiage copied out of chapter four is in regard to county owned RV parks not privately owned parks which fall under chapter seven. Mr. Ruff has called every single RV park that is privately owned and none of them have a length of stay restriction. If this is imposed, they won't be able to operate as an RV park. The cabins would be affordable, and they'd have something for everyone. A privately owned park has to generate a profit and the restriction on the amount of stay would impact that.

Commissioner Werhanowicz asked Mr. Ruff if he had article 7 in front of him and what it stated. Mr. Ruff stated in the definitions of 07-02-03 it contains no length of stay limit. The word "temporary" is in the RV definition but it is not numerically defined. He noted that they already have a self-imposed length of stay restriction because there are only 12 sites with full connections (water, sewer, and power). The additional sites being requested would only have power. Tanks get full after a few days, and you'd have to hook up and move. His vision for the full connection sites would be a temporary and affordable place to stay, for example, someone who has experienced flood damage and need a place to stay or grandparents in town visiting grandkids over the summer. Weekenders needing a short-term stay would be in the electric only sites.

Acting Chairman Sheets asked what the minimum length of stay would be that they would be willing to accept. Mr. Ruff stated that it would be best to have no restrictions at all. There is a restriction by FEMA on the sites that are located in the floodplain, which is 180 days. The remaining power only sites are just not conducive for long-term stays. Mr. Ruff does not want to deny a long-term stay.

Commissioner Nevill asked Planning Supervisor Lister if the other RV parks mentioned were set up before code changes. Planning Supervisor Lister stated that there was a point in time when they were allowed. He also noted that some of them are in city which operated under a different code. The Decoy RV Park is an old legal non-conforming use, and they can't expand or extend. Today's code doesn't allow for those types of densities.

Commissioner Mathews asked if the length of stay was increased to 180 if it would still fit. Planning Supervisor Lister stated that the code provides a baseline for the length of 90 days per calendar year, after that you would have to wait a year before you get another 90 days.

MOTION: Commissioner Nevill moved to close public testimony on Case No. CU2025-0026, seconded by Commissioner Mathews Voice vote, motion carried.

Deliberation:

Commissioner Mathews suggested a change to condition 8a, to state five proposed rental units and changing the length of stay from 90 days to 180 days on condition no. 10.

Commissioner Nevill stated he was okay with most of the recommended conditions and suggested addition of verbiage that states any increase would require a modification to the conditional use permit.

Planning Supervisor Lister recommended 7A and 7B be removed because condition no. 1 takes care of it all. The development has to be compliant with federal, state, and county laws. When they come in for a building permit, if it's off a private road, the permit won't be issued until they've met every requirement for the road.

Commissioner Nevill agreed with the removal of 7A and 7B and the modification to condition no. 10 noted by Commissioner Matthews.

Commissioner Johnston wanted to make sure they aren't being more restrictive than they need to be. She referenced condition 2B and suggested a word change from "remove" to "relocate."

Planner Adams clarified if the Commission wanted to state within 90 days the applicant shall relocate the rental cabin that is located within the FEMA floodplain to a location outside of the floodplain. Acting Chairman Sheets stated that makes sense to him.

MOTION: Commissioner Mathews moved to **approve** Case No. CU2026-0026, with modifications to conditions as follows: Condition 2A to state no more than 36 RV's, two shops, a manufactured home, three car garage, five rental cabins, an RV dump station and two gazebos on site and any increase in the number of RV's or rental cabins shall require a modification to the conditional use permit. Change the wording from "remove" to "relocate" outside of the floodplain. Delete condition 7a and 7b. Change condition 8a to state five rental cabins. Condition 10, to state no person, party, or organization shall be permitted to camp more than 180 days within a calendar year. Seconded by Commissioner Nevill.

Discussion on the Motion:

None.

Roll call vote: 5 in favor, 0 opposed, motion passes.

Item 2C:

Case No. RZ2025-0004 – Slazas: The applicant, Kevin and Kimberly Slazas, requests to conditionally rezone approximately 7.83 acres, Parcel R33822102, from an "A" (Agricultural) zone to a "CR-R-1" (Conditional Rezone - Single Family Residential) zone. The request includes a development agreement limiting the future subdivision into no more than three (3) residential lots and prohibiting secondary dwellings on the two (2) lots that are proposed to be approximately 1.25 acres in size. The subject property is located at 7718 Elko Lane, Middleton, also referenced as Lot 3, Block 1 of Blue Heron Subdivision.

Acting Chairman Sheets affirmed the applicant to testify.

Kevin Slazas (Applicant) IN FAVOR –7718 Elko Ln., Middleton, ID 83644

Mr. Slazas stated they purchased their property in 2020. The approach to the property is through the Solitude Creek Subdivision. The lots within Solitude Creek range from a half-acre to roughly one acre in size. The property is currently irrigated with surface water. A portion of the property is in hay. When they purchased

the property, they brought in over and underground power. Mr. Slazas stated that they are requesting to parcel off a couple lots. They have spoken with Idaho Power, and they have determined there is enough power for two lots. Each lot would have a private well and septic system. They currently utilize propane. Mr. Slazas noted that there is a year around ditch that flows the length of their property on the south. There is a bridge that crosses over the canal. They have spoken with Middleton Mill Ditch Company and they don't have any problem with the usage of the road with the understanding that the ditch company would need access for clean-up. Mr. Slazas stated that as of February 25 the setbacks for wastewater has changed and they are fine as far as wastewater goes. They currently have eight water shares that would be assigned to new neighbors. A new pump would need to be put in to irrigate out of the canal.

Commissioner Nevill asked if a private road would be required. Planner Nelson stated it would have to be a private road up to the point where a shared driveway would extend to the two new lots. There is an existing private road through Solitude Creek Subdivision. A road user's maintenance agreement would be required as well. Commissioner Nevill asked the applicant to further explain the irrigation of the property. Mr. Slazas stated it is very convoluted, but they get their water through a pump, it goes through the neighbor's property, and it pumps to the far east of his property. From there it is piped underground to the subject property. It is flood irrigated through 12-inch gated pipe, which does not work well. Flood irrigation would not be adequate for the new lots. The proposal is to draw water out of the canal. The canal is 40 ft wide, and a pump would have to be used to get the water out. A pressurized irrigation system with a water user's maintenance agreement would be used.

Commissioner Mathews asked for clarification in regard to the easement for the two lots. Mr. Slazas stated there is a ditch on both sides of the canal. The irrigation district does not care how it is used so long as it is kept available. They did suggest that it not be paved as they do run heavy equipment on it.

Acting Chairman Sheets asked if there was anything documented in regard to the agreement with the irrigation district. Mr. Slazas stated that he thought the rezone needed to be approved first. Acting Chairman Sheets asked if the setbacks noted in testimony were Southwest District Health setbacks. Mr. Slazas stated they were. Acting Chairman Sheets noted that the only documentation in the packet was in regard to the possible use of an incinerator back in 2024. Mr. Slazas noted that the bridge was approved by the ditch company and fire district when it was built.

Principal Planner Karla Nelson reviewed the Staff Report for the record.

Commissioner Nevill stated he is concerned about access and asked Planner Nelson to clarify the colored map in their packet. Planner Nelson described the colored areas / access. She also noted that during the Preliminary Plat process access would have to be determined and shown along with the necessary agency approvals.

Acting Chairman Sheets asked about the setbacks with Southwest District Health. Planner Nelson stated a lot depends on the soil testing which has not been completed yet. This would determine if 100 ft would be enough or if it needed to be 200 ft. If 200 ft was required, they would not have enough room therefore an incinerator or easement would be used. The 200 ft would be from the bank of the canal. Acting Chairman Sheets stated he is concerned about the potential of heavy equipment on the bridge. Also, if the bridge was to go out there is not alternative access. Planning Supervisor noted the request is a rezone, and the plat would require the access to shown.

Acting Chairman Sheets affirmed the witnesses to testify.

Testimony:

Craig Lee – IN NEUTRAL– 189 W. Claire, Meridian, ID 83646

Mr. Lee stated he is the owner to the south of the site and was also the developer of Solitude Creek. He states that the density fits with the character and the nature of the area, however he does think that most of the issues will be down the road and conditions do matter. They looked at purchasing this property but were told by Southwest District Health that you cannot locate a septic system on the west side because the lot is deep enough to meet setbacks. Mr. Lee stated that they completed soils tests on the south, and you can't put them closer than 200 ft. They tried to get that changed this year and Southwest District Health wouldn't do it. If the property was developed on the east side, there would be enough room and there would be better access. Mr. Lee also noted that their view would not be blocked if the property was developed on the east side. He noted that the bridge crossing is more like a culvert.

Commissioner Nevill asked if both accesses onto the subject property go over the culvert crossing, and not an actual bridge. Mr. Lee stated that it was correct.

Kevin Slazas (Applicant) REBUTTAL –7718 Elko Ln., Middleton, ID 83644

Mr. Slazas stated that the culvert is fully engineered, and they've had fire trucks over it as well as full concrete trucks. He has no concern about the suitability of the structure.

Commissioner Johnston asked if an incinerator would be used if it doesn't meet septic requirements. Mr. Slazas stated that if they can't meet septic requirements, they won't go any further with the project. Commissioner Johnston asked if he would be willing to locate the development to the other side of the property. Mr. Slazas stated not at this time and that the idea was Mr. Lee's, not his.

Acting Chairman Sheets asked about the access to the bridge and asked for clarity. Mr. Slazas stated they have a shared road use agreement, and they share access equally over that road. If he needs to tighten it up legally, he can, but it has worked up to this point. Acting Chairman Sheets noted that the lot stops at the edge of the adjacent subdivision, then the bridge, and asked about the legal access to the bridge over the water. Mr. Slazas stated that he has an access agreement with Middleton Mill Irrigation. Planner Nelson stated there is an agreement allowing the construction of the bridge, but she did not see it to be an easement across the property. Planner Nelson stated that a condition could be added that detailed easement information be provided prior to the Board of County Commissioners' hearing.

Commissioner Werhanowicz asked staff if the deed defined Mr. Slazas as being the dominant easement holder. Planner Nelson stated that the deed describes a 30 ft. easement but her reading of the deed appears to put the easement on the eastern side of the parcel based on the Blue Heron Subdivision plat. Planner Nelson referenced the mention of having to widen the culvert bridge. The private road standards only require the road to be 20 ft. wide physically so the bridge itself wouldn't necessarily need to widen, but the easement needs to be 50 ft. wide.

MOTION: Commissioner Mathews moved to close public testimony on Case No. RZ2025-0004, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Commissioner Mathews stated that before a recommendation is made to the Board, the question of proof of access hasn't been answered. He wished to table the case to obtain that information.

Commissioner Nevill said he is not opposed to tabling but noted a condition could be added that the information be provided prior to the Board's hearing.

Acting Chairman Sheets referenced Commissioner Mathews' comments and stated findings have to be made for the rezone that support their recommendation. He needs more information for this application in regard to setbacks for septic systems, legal access, or any potential alternative access. He also noted concerns about the plans to use the irrigation company's ditch road as a shared driveway.

Planning Supervisor Lister provided a potential date of June 4th.

MOTION: Commissioner Sheets moved to **table to a date certain of June 4th, 2026** for Case No. RZ2025-0004, to allow time for more information to get gathered in regard to legal access and Southwest District Health setbacks. Seconded by Commissioner Werhanowicz.

Discussion on the Motion:

None.

Roll call vote: 5 in favor, 0 opposed, motion passes.

Item 2D:

Case No. OR2023-0001 & CR2023-0004 – Lacy: The applicant requests a comprehensive plan map amendment for Parcel R38435011, approximately 6.4 acres, to change the future land use designation from "agriculture" to "rural residential" (OR2023-0001). The request includes a conditional rezone of the subject parcel from an "A" (Agricultural) zone to a "CR-R-R" (Conditional Rezone - Rural Residential) zone (CR20023-0004). The conditional rezone request includes a development agreement. The subject property is located at 18247 Goodson Road, Caldwell.

Planner Deb Root noted that the applicant's representative withdrew the Comprehensive Plan Amendment portion of the request and only the conditional rezone will be heard.

Acting Chairman Sheets affirmed the applicant to testify.

Tanya Orton– (Representative) IN FAVOR – 17338 Sunnydale Pl., Caldwell, ID 83607

Ms. Orton stated this property was originally part of a 28-acre parcel that has been split over the years. She proceeded to read the property history from the staff report. She noted that there has been a pattern of this area being divided through administrative splits or conditional rezones. The site is agricultural in the comprehensive plan, but the area is unique in that it is up on a knoll and there are no irrigation water rights to the properties. The subject property is located higher than the irrigation canals and is non-viable. They are only able to water enough of their property to grow their garden and the immediate area around their home. During the last conditional use or conditional rezone, two access points were created. One serves as the driveway to their home, and one serves as access to the parcel to the south. The applicants have a shop on the front corner of the parcel that will be an ADU. The proposed lots will be a size that will allow for well and septic and will also conform to the agricultural zone. 40 ft. along Goodson will be dedicated to the highway district during the platting stage. They are also creating a 28 ft. ingress/egress for a private road on the west side. Because of the constraints of the site, they will request a width variance of the private road.

Commissioner Nevill noted that staff is recommending denial, but provided conditions of approval should the Commission vote to approve. He asked if she had the opportunity to review those proposed conditions and if there were any issues with them. Ms. Orton stated they have been reviewed and asked if condition no. 6 could be reworded. The ingress/egress on the west side was originally created with the previous conditional rezone that easement was grandfathered at the 25 ft. The request would be to maintain that.

Acting Chairman Sheets asked why the Comprehensive Plan Map amendment was removed. Ms. Orton stated that staff was recommending denial of the Comprehensive Plan Map Amendment but not for the conditional rezone and they wanted to remove the barrier.

Principal Planner Deb Root reviewed the Staff Report for the record.

Commissioner Werhanowicz asked how far the shop would sit from the easement. Planner Root stated that the shop appears to be approximately 56 ft. from the property line.

Commissioner Matthews asked if the current owner of the property is the owner that developed the other sites from the original. Planner Root stated the current owner is the developer of the 12 acres. She is also the owner asking to develop the 6.43 acres.

Planning Supervisor Dan Lister noted that if non-conforming uses are expanded or extended, they have to meet today's requirements. This is expanding the use, so today's access requirements have to be met.

Testimony:

Tanya Orton--REBUTTAL -- 17338 Sunnydale Pl., Caldwell, ID 83607

Ms. Orton stated that they would like to comply with the 28 ft. wide easement. They are also willing to work with the highway district to seek any variances and comply with any legal access needs there. This is a transitional area, and they believe that actually allowing the two acre lots will make it more productive as they will now have more water available to it from a domestic well (up to ½ acre). The well on site is currently shared, so an easement will be created for that. The test holes have been dug for the septic systems. Right now, there are two existing septic systems that have been approved through Southwest District Health. The applicant is working on completing the full approval for the change of occupancy in the living quarters in the shop.

Commissioner Nevill asked if the water was shared from the primary residence to the shop. Ms. Orton stated, yes. Commissioner Nevill referenced the proposed lot layout and pointed out that the water from the house which is in lot 3 has to cross property lines to get to the shop which is on lot 1. Ms. Orton stated that was correct, so that is why the easement would be critical to have in place. Commissioner Nevill also suggested a water user's maintenance agreement.

Planner Root suggested a condition that there be a shared well agreement put into place as well as an easement over the pipeline with sufficient area to maintain access and maintain the wellhead to the shop.

Ms. Orton wanted to ensure that they understood the road requirements/standards. Planning Supervisor Lister indicated that he would speak with the representative after the hearing.

MOTION: Commissioner Mathews moved to close public testimony on Case No. CR2023-0004 seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Commissioner Mathews stated that the aerials appear to show a transitional property separating residential sites from larger agricultural properties. He noted a concern about rezoning this parcel to residential may encourage further rezones westward. He is in favor of denial.

Commissioner Nevill agreed with Commissioner Matthews and stated he is also not in favor. He stated that it is zoned for agriculture, and it should be kept as agriculture.

Commissioner Johnston stated she does not necessarily believe that this property could ever be in agriculture due to lack of water and the location being on a hill. She stated that they can't farm it, and they should be allowed to do something else with it.

Acting Chairman Sheets stated that the proposal is not in line with the Comprehensive Plan. The proposed zone is not more appropriate than the current zone. There are opportunities for non-irrigated land to be used for agricultural purposes. If that were the case every acre of land in sagebrush would be designated as residential. He understands the reason for the request, but it is not in the plan. It is not within the plan to continue residential growth in this area. He also noted that the rezone is not compatible with the surrounding land uses and would negatively affect the character of the area by continuing residential sprawl in agriculture areas.

MOTION: Commissioner Nevill moved to **recommend denial** to the Board of County Commissioners, for Case No. CR2023-0004, finding that the proposed use is not consistent with the comprehensive plan. Criteria no. 2, that the use is not more appropriate. Criteria no. 3, that the proposed use is not compatible. Criteria no. 4, that the proposed use will negatively affect the character of the area. Seconded by Commissioner Mathews.

Discussion on the Motion:

Commissioner Mathews added that the subject property is a transition between more dense residential properties and large parcels of land to the west. It should remain a transition zone as rezoning to residential would result in the rezoned properties serving as justification to rezone existing ag properties to the west.

Commissioner Nevill agreed with the added justification provided by Commissioner Matthews.

Roll call vote: 4 in favor, 1 opposed, motion passed.

3. DIRECTOR, PLANNER, COMMISSION COMMENTS:

Planning Supervisor Lister stated that there are applications for filling Commissioner Dorsey's seat, and they are being reviewed.

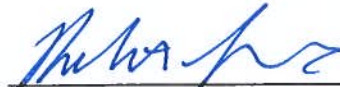
Commissioner Nevill stated that he will not be in attendance at the second hearing in May and the first hearing in June.

4. ADJOURNMENT:

MOTION: Commissioner Nevill moved to adjourn, seconded by Commissioner Werhanowicz. Voice vote, motion carried. Hearing adjourned at 11:05 P.M.

An audio recording is on file in the Development Services Departments' office.

Approved this 18th day of June, 2026


Robert Sturgill, Chairman

ATTEST


Jennifer Almeida, Office Manager

BOARD OF COUNTY COMMISSIONERS

EXHIBIT 3:

STAFF REPORT PACKET



Planning Commission
Hearing Date: April 16, 2026
Canyon County Development Services Department

STAFF REPORT

CASE NUMBER: **WITHDRAWN** / CR2023-0004
APPLICANT/REPRESENTATIVE: Skinner Land Survey, T.J. Wellard
PROPERTY OWNER: Debra Lacy Living Trust

APPLICATION: **Withdrawn (April 13, 2026) prior to PZ hearing**
Conditional Rezone (Rural Residential 6.4± acres)

LOCATION: **18247 Goodson Road**
R38435011 6.4 (+/-acres)

ANALYST: **Deb Root, Principal Planner**

REQUEST:

The applicant Debra Lacy Living Trust requests a Comprehensive Plan Amendment to modify the Agricultural designation to Residential and concurrently requests a conditional rezone of the 6.4 acre property from Agricultural "A" to CR-Rural Residential "CR-RR" for the purpose of creating a proposed three (3) lot subdivision.

PUBLIC NOTIFICATION:

Neighborhood meeting conducted on:	February 9, 2023
JEPA notice sent on:	N/A
Agency and Full Political notice:	October 9, 2024, March 12, 2026
Neighbor notification within 600 feet mailed on:	March 12, 2026
Newspaper notice published on:	February 24, 2026
Notice posted on site on:	February 25, 2026

1. BACKGROUND:

The property was part of an original parcel, R38435 (28.24± ac), that was administratively split into two parcels in 1983. In 1988 the 25.2± ac was divided further through an unauthorized division. CU2004-568 was approved for the 12.85 subject property to recognize the 1988 action providing for one residential building permit on R38485011. In 2005, a conditional use permit, CU2005-84 (Mel & Debra Lacy), was approved to further divide the subject parcel into two approximate 6.43 acre parcels. The adjacent 12.33 acres was also subsequently divided by LS2005-110 into four parcels of non-viable farmland and then two of those parcels were divided by conditional use permit and platted as Stafford Heights, a four-lot development. The historic pattern of this immediate area has been a progression of divisions into smaller lots to accommodate residential uses. Exhibit C11 documents these splits visually.

The applicant applied for the required entitlements on February 23, 2023. The current request is to subdivide approximately 6.43 acres into three lots. The applicant has applied for a comprehensive plan

BOCC EXHIBIT
3

map amendment to designate the property as Residential on the Future Land Use Map. They have also applied to conditionally rezone the subject property to "CR-RR" (CR-Rural Residential). There are currently eight parcels on the original 28.24 acres. If the conditional rezone is approved, the property will require platting as a residential subdivision.

2. HEARING BODY ACTION:

Pursuant to Canyon County Ordinance Article 07-06-01 (3) requests for comprehensive plan changes and ordinance amendments may be consolidated for notice and hearing purposes. Although these procedures can be considered in tandem, pursuant to Idaho Code section 67-6511(b), the commission, and subsequently the board, shall deliberate first on the proposed amendment to the comprehensive plan; then, once the commission, and subsequently the board, has made that determination, the commission, and the board, should decide the appropriateness of a rezone within that area. This procedure provides that the commission, and subsequently the board, considers the overall development scheme of the county prior to consideration of individual requests for amendments to zoning ordinances. The commission, and subsequently the board, should make clear which of its findings relate to the proposed amendment to the comprehensive plan and which of its findings relate to the request for an amendment to the zoning ordinance.

Pursuant to Canyon County Ordinance Article 07-06-07(1) Restrictions: In approving a conditional rezone application, 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. When the presiding party finds that such conditions, stipulations, restrictions or limitations are necessary, land may be rezoned upon condition that if the land is not used as approved, or if an approved use ends, the land use will revert back to the zone applicable to the land immediately prior to the conditional rezone action.

Additionally, pursuant to Canyon County Ordinance Article 07-06-07(3) Conditional Rezoning Designation: Such restricted land shall be designated by a CR (conditional rezoning) on the official zoning map upon approval of a resolution by the board for an "order of intent to rezone." An "order of intent to rezone" shall be submitted to the board for approval once the specific use has commenced on the property and all required conditions of approval have been met and any required improvements are in place. Land uses that require approval of a subdivision shall have an approved final plat in accordance with this chapter before the "order of intent to rezone" is submitted for approval by the board. Designation of a parcel as CR shall not constitute "spot" zoning and shall not be presumptive proof that the zoning of other property adjacent to or in the vicinity of the conditionally rezoned property should be rezoned the same.

Should the Commission wish to approve the subject conditional rezone, all applicable Canyon County standards pertaining to the required development agreement shall be strictly adhered to.

The commission should consider the procedures outlined above within Canyon County Ordinance 07-06-01(3).

OPTIONAL MOTIONS:

Comprehensive Plan Amendment—Agriculture to Residential

Approval of the Comprehensive Plan Amendment: “I move to approve OR2023-0001, Lacy Comprehensive Plan Amendment changing the Future Land Use designation from Agriculture to Residential, finding the application **meets** the criteria for approval under Article 07.06.03 of Canyon County Zoning Regulations, **finding that**; [Cite reasons for approval & Insert any additional conditions of approval].

Denial of the Comprehensive Plan Amendment: “I move to deny OR2023-0001, Lacy Comprehensive Plan Amendment, finding the application **does not** meet the criteria for approval under Article 07.06.05 of Canyon County zoning Regulations, **finding that** [cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5))].

Note: If the Commission denies the Comprehensive Plan Amendment; the Commission can consider the application for a conditional rezone separately from the Comprehensive Plan amendment if the conditional rezone maintains the rural character of the area and agricultural zoning components.

Conditional Rezone—Agricultural to Conditionally zoned Rural Residential (CR-RR)

Approval of the Application: “I move to approve CR2023-0004, Lacy Conditional Rezone, finding the application **meets** the criteria for approval under Article 07.06.07 of Canyon County Zoning Regulations, **with the conditions listed in the staff report, finding that**; [Cite reasons for approval & Insert any additional conditions of approval].

Denial of the Application: “I move to deny CR2023-0004, Lacy Conditional Rezone, finding the application **does not** meet the criteria for approval under Article 07.06.07 of Canyon County Zoning Regulations, **finding that** [cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5))].

Table the Application: “I move to continue OR2023-0001 / CR2023-0004, Lacy Conditional Rezone, to a [date certain or uncertain]

3. HEARING CRITERIA

Table 1. Comprehensive Plan Amendment Criteria Analysis

HEARING CRITERIA §07-06-03 (1): The commission shall review the particular facts and circumstances of each proposed comprehensive plan amendment and make a recommendation regarding the same to the board. The commission and the board shall determine whether the proposed amendment meets the requirements of the Local Land Use Planning Act (LLUPA), Idaho Code title 67, chapter 65, and is consistent with the comprehensive plan's purposes, goals and policies:

Compliant			County Ordinance and Staff Review													
Yes	No	N/A	Code Section	Analysis												
☐	☒	☐	07-06-03 (1)A	Is the requested type of growth generally in conformance with the comprehensive plan;												
			Staff Analysis	The 2030 Plan Future Land Use (FLU) designation for this area of the county is 'Agriculture'. The primary zoning classification is "A" (Agricultural). The current use of the property is residential with an approximate half acre patch of berry bushes and the remainder consisting of dry land. The overall area is comprised of primarily agricultural uses as designated in the plan. The area is not planned for residential, however, there is residential development and residential zoning in the immediate area including rural residential and single family residential. Legacy conditional use permit processes and administrative land division processes have allowed for clustered development inclusive of platted subdivisions along this Goodson Road corridor in rural Canyon County. The 2030 Plan strongly encourages the preservation of agriculture and agricultural lands. It also recognizes that some areas are suited for residential growth that can maintain the rural character of the area. Although the requested type of growth is generally in conformance with the area development and with some goals and policies of the 2030 Comprehensive Plan including Policy P4.01.01 which speaks to maintaining a balance between residential growth and agriculture that protects the rural character and Policy P4.03.02 talks about encouraging the development of property that does not fragment existing development patterns; establishing a 'Residential' designation where there is no plan for continued growth or planned residential development is consistent with the current designation and overall 2030 Plan. Modifying the 2030 Plan to designate this property as 'Residential' indicates a trend in development towards residential that is not supported by the Plan.												
☐	☒	☐	07-06-03 (1)B	When considering the surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation;												
			Staff Analysis	In consideration of the immediate surrounding land uses, the proposed Comprehensive Plan amendment to Residential <u>is not</u> more appropriate than the current comprehensive plan designation of Agriculture. The primary zone and land use in the vicinity is Agriculture with rural residential development along the Goodson Road corridor. <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="3">Adjacent Existing Comprehensive Plan Designation:</th> </tr> <tr> <th>Direction</th> <th>Existing Designation</th> <th>Existing Land Use</th> </tr> </thead> <tbody> <tr> <td>N</td> <td>Agriculture</td> <td>Rural Residential along road corridor and Agricultural</td> </tr> <tr> <td>S</td> <td>Agriculture</td> <td>Primarily Agricultural</td> </tr> <tr> <td>E</td> <td>Agriculture</td> <td>Rural Residential along road corridor and north of irrigation lateral</td> </tr> </tbody> </table>	Adjacent Existing Comprehensive Plan Designation:			Direction	Existing Designation	Existing Land Use	N	Agriculture	Rural Residential along road corridor and Agricultural	S	Agriculture	Primarily Agricultural
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				W Agriculture and one parcel of Conservation/Open Space Agricultural & Bureau of Reclamation parcel Residential, Agriculture, Commercial, Industrial, Conservation and Public/Open Space
				There is a pattern of rural residential land use along the Goodson Road corridor with parcels having been divided into lots of similar sizes to the applicant's proposal. Much of the residential development has been created through land divisions and legacy conditional use permit development. There is a large residential development, The Stadium, located to the northeast and two older platted developments including Coombes Subdivision and Stafford Heights in the immediate vicinity. The subject property does not have irrigation water rights available and is currently developed as a residential property with a single-family residence and a shop with unpermitted living quarters. The existence of residential development, much of what was approved twenty years ago, is not justification for amending the 2030 Plan adopted more recently in 2030 which calls for this area to be Agriculture not Residential.
			07-06-03 (1)C	Is the proposed comprehensive plan amendment compatible with surrounding land uses;
☐	☒	☐	Staff Analysis	The proposed comprehensive plan amendment may be compatible with surrounding land uses although there are no residential designations on the current Comprehensive Plan Future Land Use Map. The 2030 Plan, as adopted in 2022, did not contemplate encouraging additional residential development in this area of the county. Creating Residential designations in areas where agriculture is the primary use throughout the area is counter to the overall goal of the Plan to preserve agriculture. The requested use could potentially be accomplished through the conditional rezone process in alignment with the goals and policies of the plan. Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere 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. The subject property is 6.43 acres and contains a residence and a shop with a currently unpermitted living quarters. There are 49 parcels and lots within 1500 feet of the subject property that range in size from 0.38 acres to 7.82 acres. It is not anticipated that the proposed use will conflict with existing uses in the area. The conditional rezone request is to provide for the division of the parcel to be divided into three residential properties in conformance with the Rural Residential zoning provisions. This property lies on the western edge of where

				the clustered development has occurred previously. The existing property is transitional to the larger productive agricultural properties in the area.
☐	☒	☐	07-06-03 (1)D	Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted; and
			Staff Analysis	Development trends in the general area do not indicate that the current designation and circumstances have changed since the comprehensive plan was adopted. Staff notes that this specific area is currently developed as rural residential along this section of Goodson Road corridor easterly to the interstate, however, the Plan does not support residential growth in this area of the county at this time. The overarching goal of the 2030 Plan is the preservation of agriculture and agricultural lands in the county. The plan also recognizes that growth and housing is important and that maintaining the character of the area should be considered. This area of development to the east of this parcel has previously been identified for rural residential either through plan designation or public hearing actions. The Plan designation of Agriculture for this area ensures that requests are reviewed in order to minimize the potential impact to agriculture and the agricultural properties that can be affected by residential development in a primarily agricultural region. The subject property is in an area that has already been developed for residential purposes under former policies. The development has primarily been occurring on properties that do not have irrigation water due to topography and orientation to the existing canal systems. The Plan does not encourage further residential growth in this region. Development of The Stadium properties that is currently occurring to the east along Goodson Road was originally approved in 2005 by conditional use permit and then conditionally rezoned to preserve development rights through the market downturn under former policies.
☒	☐	☐	07-06-03 (1)E	Will the proposed comprehensive plan amendment impact public services and facilities. What measures will be implemented to mitigate impacts? (Ord. 11-003, 3-16-2011)
			Staff Analysis	The proposed comprehensive plan amendment is not anticipated to impact public services and facilities. Any necessary measures to mitigate impacts are detailed below. The requested Plan amendment to designate the property as Residential for the purpose of developing the 6.43 acre subject property as a Rural Residential subdivision is not anticipated to affect public services and facilities. The properties will be served by individual wells and septic systems and have access to the existing public road, Goodson Road. Caldwell Rural Fire indicates that the approximate response time to the site is seven (7) minutes with the nearest station 4.3 miles away. The Fire Department further states that, "ongoing population increases will directly affect service levels

			until CFD can enhance and expand its operational capabilities.” Properties located within 3-4 miles from a fire station are at the limit of effective coverage and may experience service delays. Developments beyond 5 miles are generally not recognized by ISO as having fire protection and response to these areas will be significantly delayed. (Exhibit E7) The following measures will be implemented to mitigate impacts: The property, if approved for the conditional zoning to Rural Residential with a minimum average lot size of two (2) acres provides for a maximum of three lots.
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Table 1. Conditional Rezone Standards of Evaluation Analysis

Standards of Evaluation (07-06-07(6) A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:				
Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
			07-06-07(6)A1	Is the proposed conditional rezone generally consistent with the comprehensive plan;
			Staff Analysis	The proposed conditional rezone is not generally consistent with the Comprehensive plan. However, although the Plan designation is Agriculture the Plan supports growth that maintains the rural character and lifestyle of the area. The applicant is requesting to conditionally rezone for the purpose of further dividing the property for residential development and creating an additional residential subdivision that requires platting. There is not an intended plan for the properties other than to provide for residential development. The two acre minimum average lot size is consistent with many of the developed properties in the immediate area. Although the requested type of growth is generally in conformance with the area development and with some goals and policies of the 2030 Comprehensive Plan including Policy P4.01.01 which speaks to maintaining a balance between residential growth and agriculture that protects the rural character. Policy P4.01.02 indicates that, <i>“Planning, zoning, and land-use decisions should balance the community’s interests and protect private property rights.”</i> P4.03.02 talks about encouraging the development of property that does not fragment existing development patterns. The subject property is not in production nor are the developed properties immediately adjacent but, the property is on the western boundary of this rural development area along Goodson Road where developed properties transition to large agricultural fields. The Commission could consider minimizing the impact by restricting the development of this property to two (2) total parcels.
☒	☐	☐		

			07-06-07(6)A2	When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;																	
			Staff Analysis	In consideration of the surrounding land uses, the proposed conditional zone change to "CR-RR" (CR-Rural Residential) is as appropriate as the current zoning designation of "A" (Agriculture). The 6.43 acre subject property is not and has not been in agricultural production and does not have surface irrigation water available. The property is developed with a single-family residence and also has a shop with unpermitted living quarters. Within the surrounding 1500 foot area there are 49 parcels ranging in size from 0.38 acres to 7.82 acres. There are multiple platted developments lying east of the subject property including Stafford Heights, Coombes Subdivision, The Stadium No. 1 and No. 2, Overview Acres, Elm Crest, Edenbrook, Goodson and Butterfly Ridge. Pursuant to Canyon County ordinance §07-10-25: Purposes of Zones: (1) The purposes of the A (Agricultural) Zone are to: A. Promote the public health, safety, and welfare of the people of the County by encouraging the protection of viable farmland and farming operations; B. Limit urban density development to Areas of City Impact in accordance with the comprehensive plan; C. Protect fish, wildlife, and recreation resources, consistent with the purposes of the "Local Land Use Planning Act", Idaho Code title 67, chapter 65; D. Protect agricultural land uses, and rangeland uses, and wildlife management areas from unreasonable adverse impacts from development; and E. Provide for the development of schools, churches, and other public and quasi-public uses consistent with the comprehensive plan. (2) The purpose of the R-R (Rural Residential) Zone is to encourage and guide growth in areas where a rural lifestyle may be determined to be suitable. Adjacent Existing Conditions: <table border="1"> <thead> <tr> <th>Direction</th> <th>Existing Use</th> <th>Primary Zone</th> <th>Other Zone</th> </tr> </thead> <tbody> <tr> <td>N</td> <td>Rural Residential and Agriculture</td> <td>Agricultural</td> <td>NE-CR-Rural Residential</td> </tr> <tr> <td>S</td> <td>Agriculture and Ag Residential</td> <td>Agricultural</td> <td>na</td> </tr> <tr> <td>E</td> <td>Rural Residential and Agricultural</td> <td>Agricultural</td> <td>CR-Rural Residential</td> </tr> <tr> <td>W</td> <td>Agricultural and Ag Residential</td> <td>Agricultural</td> <td>na</td> </tr> </tbody> </table> "A" (Agricultural), "R-R" (Rural Residential), "R-1" (Single-Family Residential), "C-1" (Neighborhood Commercial), "C-2" (Service Commercial), "M-1" (Light Industrial), "CR" (Conditional Rezone)	Direction	Existing Use	Primary Zone	Other Zone	N	Rural Residential and Agriculture	Agricultural	NE-CR-Rural Residential	S	Agriculture and Ag Residential	Agricultural	na	E	Rural Residential and Agricultural	Agricultural	CR-Rural Residential	W
Direction	Existing Use	Primary Zone	Other Zone																		
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S	Agriculture and Ag Residential	Agricultural	na																		
E	Rural Residential and Agricultural	Agricultural	CR-Rural Residential																		
W	Agricultural and Ag Residential	Agricultural	na																		

				Development has been occurring in this area of the county through the legacy conditional use permit processes to current date were rezoning of the properties have occurred to provide for rural residential development on primarily unfarmed ground in this region. See Exhibits C2, C4, C5. Surrounding Land Use Cases: The Stadium Subdivision Lot 1, Block 1 is currently being replatted in phases to reflect the conditions of the development agreement. Phase 1 final plat has been completed with phase 2 and 3 in process. (CR-Rural Residential) Edenbrook Estates Subdivision was completed with the final plat signed in 2024. (CR-Rural Residential) Kimber Ridge phase 1-3 were final platted in 2021-2024 (Rural Residential)
☒	☐	☐	07-06-07(6)A3	Is the proposed conditional rezone compatible with surrounding land uses;
			Staff Analysis	The proposed conditional rezone to "CR-Rural Residential" is compatible with surrounding land uses. Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere 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. The surrounding land uses are agricultural, ag-residential, and rural residential development. The area along Goodson Road easterly between the subject property and Interstate 84 is primarily developed as rural residential uses inclusive of single-family residential and hobby or small ag-residential farms. The proposed development of the subject property is not anticipated to negatively impact the existing uses in the area. See Exhibit C2.
☒	☐	☐	07-06-07(6)A4	Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?
			Staff Analysis	The proposed conditional rezone will not negatively affect the character of the area. Any necessary measures to mitigate impacts are detailed below. Character of the Area: This area of the county is a mix of rural residential and agricultural uses with significant residential development of properties along this Goodson Road corridor that is not utilized for crop production due to topography restricting irrigation resources in spite of the existing canal systems that course through the area. Much of the developed property lies above the canals and is therefore not allocated surface irrigation rights. The 6.43 acre subject property is part of a 28.4 acre original parcel that has been divided many times and reflects the uses of this

				and other properties as rural residential development with an agricultural character. The property is bounded by lots of similar size and use as proposed. The larger 19 acre parcel to the west is owned by the Bureau of Reclamation and is not farmed. The region surrounding this legacy development node is agricultural. The following measures will be implemented to mitigate impact The development lot size is restricted to a minimum two (2) acre average providing for a maximum of three (3) total parcels on the 6.43 acers in conformance with zoning and subdivision ordinance requirements. The proposed development shall meet subdivision requirements including the development of a named private road lot that shall also serve the 6.43 acres (R38435011A) to the south of the subject property. The majority of the properties in the area are not developed with secondary residences—the commission may consider restricting secondary residences on the properties if approved. The Commission may also consider that two (2) lots of approximately three (3) acres would be more appropriate for transition to the agricultural region west of the proposed development.
☒	☐	☐	07-06-07(6)A5	Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;
			Staff Analysis	The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein. Sewer: The developer proposes individual well and septic for the lots within the development. It is not anticipated that there will be an issue with locating septic systems and replacement fields on the approximate two (2) acre lots if approved. The development plat shall comply with Southwest District Health requirements; a signatory on the final plat. Two septic systems currently exist on the property serving the two structures that are on the property. Water: The developer proposes individual well and septic for the lots within the development. It is not anticipated that there will be an issue with locating individual wells for the proposed development. The development plat shall comply with Southwest District Health requirements; a signatory on the final plat. Per Idaho Statute §42-111 a domestic well may be utilized as follows: (a) The phrase "domestic purposes" or "domestic uses" means: (i) The use of water for homes, organization camps, public campgrounds, livestock, and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use does not exceed thirteen thousand (13,000) gallons per day;

				Drainage: Drainage shall be retained on site. An engineered grading and drainage plan should be required at time of building permit application due to the topography of the subject property with slopes in excess of 6 to 12%. Irrigation: The subject property does not have irrigation water available (see Exhibit E6). See "Water" above for permitted usage of domestic well for irrigation purposes. Utility: Idaho Power and Intermountain Gas Company were provided notice of the application for development. No comments were received from those agencies. The existing structures on the property have electrical service. It is not anticipated that services will not be available for the proposed use.
☒	☐	☐	07-06-07(6)A6	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?
			Staff Analysis	The proposed conditional rezone will not require public street improvements in order to provide adequate access to and from the subject property. The proposal is not expected to create undue interference with existing and/or future traffic patterns. Any necessary measures to mitigate traffic impacts are detailed below. The proposed development is not anticipated to create undue interference with existing or future traffic. The development shall meet the requirements of the Notus/Parma Highway District (NPHD) inclusive of access/approach permitting and obtaining district approval as evidenced by NPHD signing the final plat. The development, as proposed, will require the development of a private road lot on the subdivision plat if the rezone is approved. The developer must provide access to the parcel that lies to the south, parcel R38435011A, in conformance with current zoning ordinance requirements for access.
☒	☐	☐	07-06-07(6)A7	Does legal access to the subject property for the conditional rezone exist or will it exist at time of development; and
			Staff Analysis	The subject property has legal access and legal access for the proposed development will exist at the time of the signing of the final plat. See review and analysis detailed below. The subject property is currently developed with a single-family residence that takes access to Goodson Road at the northeast corner of the property. There is also a shared access in the northwest corner that serves the shop with living quarters and parcel R38435011A south of the subject property. NPHD will require that the development comply with the ACCHD Standards Manual and the access will be approved as evidenced by the highway district's signature on the final plat. Adequate access to the property to the south must be provided in accordance with zoning ordinance and subdivision platting requirements.

				Access in conformance with the current zoning ordinance and subdivision requirements must be provided to parcel R38435011A located on the southern boundary of the subject parcel.
☒	☐	☐	07-06-07(6)A8	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? (Ord. 16-007, 6-20-2016)
			Staff Analysis	The proposed use as a three (3) lot residential subdivision is not anticipated to impact essential public services and facilities including, but not limited to schools, police, fire and emergency medical services. Any necessary measures to mitigate impacts are detailed below. The services are not anticipated to be negatively impacted by such use, and/or require additional public funding in order to meet the needs created by the requested use. Schools: The subject property lies within the Notus School District. The District was notified of the application. Staff did not receive comment from the school district. Development of two additional properties is not anticipated to significantly impact student enrollment. Police: The Canyon County Sheriff's office was notified of the application for development and no comments were received. Fire protection & Emergency Medical Services: The Caldwell Rural Fire District and EMS were notified of the application. Staff did not receive any comments from EMS. Caldwell Rural Fire indicates that the approximate response time to the site is seven (7) minutes with the nearest station 4.3 miles away. The Fire Department further states that, "ongoing population increases will directly affect service levels until CFD can enhance and expand its operational capabilities." Properties located within 3-4 miles from a fire station are at the limit of effective coverage and may experience service delays. Developments beyond 5 miles are generally not recognized by ISO as having fire protection and response to these areas will be significantly delayed. (Exhibit E7) Staff recommends that a condition be placed requiring fire district review and approval for the required subdivision plat. Evidence of condition compliance will be a letter of review and approval for the final plat from the fire district. The following measures will be implemented to mitigate impacts: The Commission and Board may consider restricting the development to one single-family residential unit per lot.

4. AGENCY COMMENTS:

Agencies including the Canyon County Sheriff's Office, Canyon County Paramedics/EMT, Caldwell Rural Fire District, Black Canyon Irrigation District, Notus-Parma Highway District, Notus School District, Idaho Transportation Department, Idaho Power, Intermountain Gas, CenturyLink, Ziply, Canyon County Assessor's Office, Canyon County Building Department, Canyon County Code Enforcement Department, Canyon County Engineering, Canyon County Soil Conservation District, and Southwest District Health were notified of the subject application.

Staff received agency responses from Notus Parma Highway District, ITD, Soil Conservation District, DSD Engineering, Southwest District Health, Caldwell Rural Fire District, and Black Canyon Irrigation District. All agency comments received by the aforementioned materials deadline are located in Exhibit E.

Pursuant to Canyon County Ordinance 01-17-07B Materials deadline, the submission of late documents or other materials does not allow all parties time to address the materials or allow sufficient time for public review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

5. PUBLIC COMMENTS:

Staff received one written public comments by the materials deadline of April 6, 2026. One public comment was received in opposition to the application for a Comprehensive Plan Amendment and Rezone citing that it is continued residential creep in an agricultural area. All public comments received by the aforementioned materials deadline are located in Exhibit F.

Pursuant to Canyon County Ordinance 01-17-07B Materials deadline, the submission of late documents or other materials does not allow all parties time to address the materials or allow sufficient time for public review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

6. SUMMARY & RECOMMENDED CONDITIONS:

In consideration of the application and supporting materials, staff concludes that the proposed comprehensive plan amendment should be **denied** as the area is not planned for residential development. The conditional rezone is minimally compliant with Canyon County Ordinance 07-06-05 as the proposed development is not incompatible with the existing development in the area; however, there is no specific plan in the application materials to protect or preserve agriculture consistent with current policies for a conditional rezone in an agricultural region. A full analysis is detailed within the staff report.

The Commission can determine that the application is not in conformance with the Comprehensive Plan and not change the designation on the Future Land Use Map to Residential. The Commission may also consider the application for the conditional rezone on its own merit and approve the conditional rezone to rural residential which reflects the type of rural development in the immediate vicinity of the property with minimal impact to the surrounding properties or area.

Should the Commission approve the conditional rezone application, staff recommends the following conditions be attached:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
2. The developer shall comply with CCZO §07-06-07 (4): Time Requirements: "All conditional rezones for a land use shall commence within two (2) years of the approval of the board."
3. Platting as a residential subdivision is required for division of this 6.42 acre parcel.
4. The preliminary and final plat shall be reviewed by the Caldwell Rural Fire District and a letter of review and approval shall be provided to Development Services prior to the Board of County Commissioners signing the final plat.
5. The development shall comply with the Notus Parma Highway District access requirements as evidenced by the District's signature on the final plat.
6. The developer shall provide legal access to the residential parcel to the south, parcel R38435011A (6.43 acres). The current easement of 25 feet is not sufficient to meet current county road and driveway requirements. The property was created through approval of CU2005-84 for a land division of 12.86 acres more or less into two 6.43 acre parcels as shown on ROS#20060628.
7. The subject property contains a shop (BP2005-615) with an unpermitted living quarters. The developer had a special inspection completed in October of 2025 (Exhibit C12). The developer shall submit a proof of completion for the listed items in the special inspection and complete a change of occupancy permit for the structure as a residence.
8. The accessory shop must be permitted as a residence in order to standalone on a lot created through the subdivision development. If a new primary residence is constructed the living quarters can be removed or re-classified as the secondary residence on the created platted lot.
9. The shop/living quarters must meet setback requirements if a private road lot is required during the platting process. A private road lot is required if the road will serve three residential properties/residences in accordance with CCCO §07-10-03 and §07-17-31.

7. EXHIBITS:

A. Draft FCOs

B. Application Packet & Supporting Materials

1. Master Application
2. Letter of Intent
3. Site Plan (proposed plat)
4. Land Use Worksheet and Subdivision Worksheet
5. Other Application Materials/Communication

C. Supplemental Documents

1. Parcel Tool
2. Small Aerial Photo
3. Future Land Use Map
4. Zoning and Classification Map
5. Subdivision Map and Report
6. Case Map and Report
7. Lot Classification Map

8. Soil, Prime Farm Lands and Report
9. Contour and Slope % Map
10. Staff Property Research

D. Site Visit Photos:

E. Agency Comments Received by: April 6, 2026

1. Notus Parma Hwy (JUB); Received: September 29, 2025 (amendment)
1.1.
2. ITD; Received: October 10, 2024
3. Canyon Soil Conservation District; October 10, 2024
4. DSD Engineering; November 7, 2024
5. Southwest District Health; October 10, 2024
6. Black Canyon Irrigation District; September 29, 2025
7. Caldwell Rural Fire District; April 3, 2026

F. Public Comments Received by: April 6, 2026

1. Ottens; April 2, 2026

EXHIBIT A:
DRAFT FCOs



PLANNING OR ZONING COMMISSION
FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:

Lacy- OR2023-0001

The Canyon County Planning and Zoning Commission considers the following:

The applicant Debra Lacy Living Trust requests a **Comprehensive Plan Amendment** to modify the Agricultural designation to Residential for a 6.43 acre parcel R38435011 and concurrently requests a conditional rezone of the 6.43 acre property from Agricultural "A" to CR-Rural Residential "CR-RR" for the purpose of creating a proposed three (3) lot subdivision. The property is located at 18181 Goodson Road, 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 OR2023-0001 & CR2023-0004

1. All exhibits can be found in the case staff report dated April 16, 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 §07-06-03 (Comprehensive Plan Amendment Criteria), CCCO §07-10-27 (Land Use Regulations (Matrix)), and §67-6519 (Application Granting Process).
 - a. Notice of the public hearing was provided in accordance with CCCO §07-05-01 and Idaho Code §67-6509.
2. The commission 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, including subdivision permits. See I.C. §67-6504, §67-6509.
3. The commission shall have those powers and perform those duties assigned by the board that are provided for in the Local Land Use Planning Act, Idaho Code, title 67, chapter 65, and county ordinances. CCCO §07-03-01, 07-06-05.
4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.
5. No plan shall be effective unless adopted by resolution by the governing board. A resolution enacting or amending a plan or part of a plan may be adopted, amended, or repealed by definitive reference to the specific plan document. A copy of the adopted or amended plan shall accompany each adopting resolution and shall be kept on file with the city clerk or county clerk. See I.C. §67-6509(c).

The application, OR2023-0001, was presented at a public hearing before the Canyon County Planning and Zoning Commission on April 16, 2026. Having considered all the written and documentary evidence, the

**EXHIBIT
A1**

record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Planning and Zoning Commission decides as follows:

COMPREHENSIVE PLAN AMENDMENT HEARING CRITERIA:

Table 1. Comprehensive Plan Amendment Criteria Analysis

HEARING CRITERIA §07-06-03 (1): The commission shall review the particular facts and circumstances of each proposed comprehensive plan amendment and make a recommendation regarding the same to the board. The commission and the board shall determine whether the proposed amendment meets the requirements of the Local Land Use Planning Act (LLUPA), Idaho Code title 67, chapter 65, and is consistent with the comprehensive plan's purposes, goals and policies:				
Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
☐	☒	☐	07-06-03 (1)A	Is the requested type of growth generally in conformance with the comprehensive plan;
			Staff Analysis	The 2030 Plan Future Land Use (FLU) designation for this area of the county is 'Agriculture'. The primary zoning classification is "A" (Agricultural). The current use of the property is residential with an approximate half acre patch of berry bushes and the remainder consisting of dry land. The overall area is comprised of primarily agricultural uses as designated in the plan. The area is not planned for residential, however, there is residential development and residential zoning in the immediate area including rural residential and single family residential. Legacy conditional use permit processes and administrative land division processes have allowed for clustered development inclusive of platted subdivisions along this Goodson Road corridor in rural Canyon County. The 2030 Plan strongly encourages the preservation of agriculture and agricultural lands. It also recognizes that some areas are suited for residential growth that can maintain the rural character of the area. Although the requested type of growth is generally in conformance with the area development and with some goals and policies of the 2030 Comprehensive Plan including Policy P4.01.01 which speaks to maintaining a balance between residential growth and agriculture that protects the rural character and Policy P4.03.02 talks about encouraging the development of property that does not fragment existing development patterns; establishing a 'Residential' designation where there is no plan for continued growth or planned residential development is consistent with the current designation and overall 2030 Plan. Modifying the 2030 Plan to designate this property as 'Residential' indicates a trend in development towards residential that is not supported by the Plan.
☐	☒	☐	07-06-03 (1)B	When considering the surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation;
			Staff Analysis	In consideration of the immediate surrounding land uses, the proposed Comprehensive Plan amendment to Residential is <u>not</u> more appropriate than the current comprehensive plan designation of Agriculture. The primary zone and

				land use in the vicinity is Agriculture with rural residential development along the Goodson Road corridor. <table><tr><th colspan="3">Adjacent Existing Comprehensive Plan Designation:</th></tr><tr><th>Direction</th><th>Existing Designation</th><th>Existing Land Use</th></tr><tr><td>N</td><td>Agriculture</td><td>Rural Residential along road corridor and Agricultural</td></tr><tr><td>S</td><td>Agriculture</td><td>Primarily Agricultural</td></tr><tr><td>E</td><td>Agriculture</td><td>Rural Residential along road corridor and north of irrigation lateral</td></tr><tr><td>W</td><td>Agriculture and one parcel of Conservation/Open Space</td><td>Agricultural & Bureau of Reclamation parcel</td></tr><tr><td colspan="3">Residential, Agriculture, Commercial, Industrial, Conservation and Public/Open Space</td></tr></table> There is a pattern of rural residential land use along the Goodson Road corridor with parcels having been divided into lots of similar sizes to the applicant’s proposal. Much of the residential development has been created through land divisions and legacy conditional use permit development. There is a large residential development, The Stadium, located to the northeast and two older platted developments including Coombes Subdivision and Stafford Heights in the immediate vicinity. The subject property does not have irrigation water rights available and is currently developed as a residential property with a single-family residence and a shop with unpermitted living quarters. The existence of residential development, much of what was approved twenty years ago, is not justification for amending the 2030 Plan adopted more recently in 2030 which calls for this area to be Agriculture not Residential.	Adjacent Existing Comprehensive Plan Designation:			Direction	Existing Designation	Existing Land Use	N	Agriculture	Rural Residential along road corridor and Agricultural	S	Agriculture	Primarily Agricultural	E	Agriculture	Rural Residential along road corridor and north of irrigation lateral	W	Agriculture and one parcel of Conservation/Open Space	Agricultural & Bureau of Reclamation parcel	Residential, Agriculture, Commercial, Industrial, Conservation and Public/Open Space		
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☐	☒	☐	<table><tr><td>07-06-03 (1)C</td><td>Is the proposed comprehensive plan amendment compatible with surrounding land uses;</td></tr><tr><td>Staff Analysis</td><td> The proposed comprehensive plan amendment may be compatible with surrounding land uses although there are no residential designations on the current Comprehensive Plan Future Land Use Map. The 2030 Plan, as adopted in 2022, did not contemplate encouraging additional residential development in this area of the county. Creating Residential designations in areas where agriculture is the primary use throughout the area is counter to the overall goal of the Plan to preserve agriculture. The requested use could potentially be accomplished through the conditional rezone process in alignment with the goals and policies of the plan. Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere 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 </td></tr></table>	07-06-03 (1)C	Is the proposed comprehensive plan amendment compatible with surrounding land uses;	Staff Analysis	The proposed comprehensive plan amendment may be compatible with surrounding land uses although there are no residential designations on the current Comprehensive Plan Future Land Use Map. The 2030 Plan, as adopted in 2022, did not contemplate encouraging additional residential development in this area of the county. Creating Residential designations in areas where agriculture is the primary use throughout the area is counter to the overall goal of the Plan to preserve agriculture. The requested use could potentially be accomplished through the conditional rezone process in alignment with the goals and policies of the plan. Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere 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																		
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				from or conditions upon a proposed use to minimize interference and conflicts with existing uses. The subject property is 6.43 acres and contains a residence and a shop with a currently unpermitted living quarters. There are 49 parcels and lots within 1500 feet of the subject property that range in size from 0.38 acres to 7.82 acres. It is not anticipated that the proposed use will conflict with existing uses in the area. The conditional rezone request is to provide for the division of the parcel to be divided into three residential properties in conformance with the Rural Residential zoning provisions. This property lies on the western edge of where the clustered development has occurred previously. The existing property is transitional to the larger productive agricultural properties in the area.
☐	☒	☐	07-06-03 (1)D	Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted; and
			Staff Analysis	Development trends in the general area do not indicate that the current designation and circumstances have changed since the comprehensive plan was adopted. Staff notes that this specific area is currently developed as rural residential along this section of Goodson Road corridor easterly to the interstate, however, the Plan does not support residential growth in this area of the county at this time. The overarching goal of the 2030 Plan is the preservation of agriculture and agricultural lands in the county. The plan also recognizes that growth and housing is important and that maintaining the character of the area should be considered. This area of development to the east of this parcel has previously been identified for rural residential either through plan designation or public hearing actions. The Plan designation of Agriculture for this area ensures that requests are reviewed in order to minimize the potential impact to agriculture and the agricultural properties that can be affected by residential development in a primarily agricultural region. The subject property is in an area that has already been developed for residential purposes under former policies. The development has primarily been occurring on properties that do not have irrigation water due to topography and orientation to the existing canal systems. The Plan does not encourage further residential growth in this region. Development of The Stadium properties that is currently occurring to the east along Goodson Road was originally approved in 2005 by conditional use permit and then conditionally rezoned to preserve development rights through the market downturn under former policies.

☒	☐	☐	07-06-03 (1)E	Will the proposed comprehensive plan amendment impact public services and facilities. What measures will be implemented to mitigate impacts? (Ord. 11-003, 3-16-2011)
			Staff Analysis	The proposed comprehensive plan amendment is not anticipated to impact public services and facilities. Any necessary measures to mitigate impacts are detailed below. The requested Plan amendment to designate the property as Residential for the purpose of developing the 6.43 acre subject property as a Rural Residential subdivision is not anticipated to affect public services and facilities. The properties will be served by individual wells and septic systems and have access to the existing public road, Goodson Road. Caldwell Rural Fire indicates that the approximate response time to the site is seven (7) minutes with the nearest station 4.3 miles away. The Fire Department further states that, “ongoing population increases will directly affect service levels until CFD can enhance and expand its operational capabilities.” Properties located within 3-4 miles from a fire station are at the limit of effective coverage and may experience service delays. Developments beyond 5 miles are generally not recognized by ISO as having fire protection and response to these areas will be significantly delayed. (Exhibit E7) The following measures will be implemented to mitigate impacts: The property, if approved for the conditional zoning to Rural Residential with a minimum average lot size of two (2) acres provides for a maximum of three lots.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission recommends **denial of Case #OR2023-0001**, a comprehensive plan map amendment of parcel R38435011, approximately 6.43 acres, from a “Agriculture” designation to a “Residential” designation.

DATED this _____ day of _____, 2026.

**PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO**

Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this ____ day of _____, in the year of 2026, before me _____, a notary public, personally appeared _____, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.

Notary: _____

My Commission Expires: _____



PLANNING OR ZONING COMMISSION
FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:

Lacy- CR2023-0004

The Canyon County Planning and Zoning Commission considers the following:

The applicant Debra Lacy Living Trust requests a **Conditional Rezone** of parcel R38435011 (6.43 acres more or less) "A" (Agricultural) to "CR-RR" (CR-Rural Residential) subject to conditions to be enumerated in a Development Agreement for the purpose of creating a proposed residential subdivision. The property is located at 18181 Goodson Road, 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 OR2023-0001 & CR2023-0004.

1. All exhibits can be found in the case staff report dated April 16, 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 §07-06-03 (Comprehensive Plan Amendment Criteria), CCCO §07-06-07 (Conditional Rezones), CCCO §07-10-27 (Land Use Regulations (Matrix)), and §67-6519 (Application Granting Process).
 - a. Notice of the public hearing was provided in accordance with 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).*
 - c. All conditional rezones for land use shall commence within two (2) years of the approval of the board. If the conditional rezone has not commenced within the stated time requirement, the application for a conditional rezone shall lapse and become void. *See CCCO §07-05-01*
2. The commission 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, including subdivision permits. *See I.C. §67-6504, §67-6509.*

EXHIBIT
A2

3. The commission shall have those powers and perform those duties assigned by the board that are provided for in the Local Land Use Planning Act, Idaho Code, title 67, chapter 65, and county ordinances. CCCO §07-03-01, 07-06-05.
4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.
5. 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, CR2023-0004, was presented at a public hearing before the Canyon County Planning and Zoning Commission on April 16, 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 Planning and Zoning Commission decides as follows:

CONDITIONAL REZONE HEARING CRITERIA:

Table 1. Conditional Rezone Standards of Evaluation Analysis

Standards of Evaluation (07-06-07(6) A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:					
Compliant			County Ordinance and Staff Review		
Yes	No	N/A	Code Section	Analysis	
			07-06-07(6)A1	Is the proposed conditional rezone generally consistent with the comprehensive plan;	
			Analysis	The proposed conditional rezone is not generally consistent with the Comprehensive plan. However, although the Plan designation is Agriculture the Plan supports growth that maintains the rural character and lifestyle of the area. The applicant is requesting to conditionally rezone for the purpose of further dividing the property for residential development and creating an additional residential subdivision that requires platting. There is not an intended plan for the properties other than to provide for residential development. The two acre minimum average lot size is consistent with many of the developed properties in the immediate area. Although the requested type of growth is generally in conformance with the area development and with some goals and policies of the 2030 Comprehensive Plan including Policy P4.01.01 which speaks to maintaining a balance between residential growth and agriculture that protects the rural character. Policy P4.01.02 indicates that, <i>"Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights."</i> P4.03.02 talks about encouraging the development of property that does not fragment existing development patterns. The subject property is not in production nor are the developed properties immediately adjacent but, the property is on the western	
☒	☐	☐			

				boundary of this rural development area along Goodson Road where developed properties transition to large agricultural fields. The Commission could consider minimizing the impact by restricting the development of this property to two (2) total parcels.													
☒	☐	☐	07-06-07(6)A2	When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;													
			Analysis	In consideration of the surrounding land uses, the proposed conditional zone change to “CR-RR” (CR-Rural Residential) is as appropriate as the current zoning designation of “A” (Agriculture). The 6.43 acre subject property is not and has not been in agricultural production and does not have surface irrigation water available. The property is developed with a single-family residence and also has a shop with unpermitted living quarters. Within the surrounding 1500 foot area there are 49 parcels ranging in size from 0.38 acres to 7.82 acres. There are multiple platted developments lying east of the subject property including Stafford Heights, Coombes Subdivision, The Stadium No. 1 and No. 2, Overview Acres, Elm Crest, Edenbrook, Goodson and Butterfly Ridge. Pursuant to Canyon County ordinance §07-10-25: Purposes of Zones: (1) The purposes of the A (Agricultural) Zone are to: A. Promote the public health, safety, and welfare of the people of the County by encouraging the protection of viable farmland and farming operations; B. Limit urban density development to Areas of City Impact in accordance with the comprehensive plan; C. Protect fish, wildlife, and recreation resources, consistent with the purposes of the "Local Land Use Planning Act", Idaho Code title 67, chapter 65; D. Protect agricultural land uses, and rangeland uses, and wildlife management areas from unreasonable adverse impacts from development; and E. Provide for the development of schools, churches, and other public and quasi-public uses consistent with the comprehensive plan. (2) The purpose of the R-R (Rural Residential) Zone is to encourage and guide growth in areas where a rural lifestyle may be determined to be suitable. Adjacent Existing Conditions: <table><tr><th>Direction</th><th>Existing Use</th><th>Primary Zone</th><th>Other Zone</th></tr><tr><td>N</td><td>Rural Residential and Agriculture</td><td>Agricultural</td><td>NE-CR-Rural Residential</td></tr><tr><td>S</td><td>Agriculture and Ag Residential</td><td>Agricultural</td><td>na</td></tr><tr><td>E</td><td>Rural Residential and Agricultural</td><td>Agricultural</td><td>CR-Rural Residential</td></tr></table>	Direction	Existing Use	Primary Zone	Other Zone	N	Rural Residential and Agriculture	Agricultural	NE-CR-Rural Residential	S	Agriculture and Ag Residential	Agricultural	na	E
Direction	Existing Use	Primary Zone	Other Zone														
N	Rural Residential and Agriculture	Agricultural	NE-CR-Rural Residential														
S	Agriculture and Ag Residential	Agricultural	na														
E	Rural Residential and Agricultural	Agricultural	CR-Rural Residential														

				W Agricultural and Ag Residential Agricultural na "A" (Agricultural), "R-R" (Rural Residential), "R-1" (Single-Family Residential), "C-1" (Neighborhood Commercial), "C-2" (Service Commercial), "M-1" (Light Industrial), "CR" (Conditional Rezone) Development has been occurring in this area of the county through the legacy conditional use permit processes to current date were rezoning of the properties have occurred to provide for rural residential development on primarily unfarmed ground in this region. See Exhibits C2, C4, C5. Surrounding Land Use Cases: The Stadium Subdivision Lot 1, Block 1 is currently being replatted in phases to reflect the conditions of the development agreement. Phase 1 final plat has been completed with phase 2 and 3 in process. (CR-Rural Residential) Edenbrook Estates Subdivision was completed with the final plat signed in 2024. (CR-Rural Residential) Kimber Ridge phase 1-3 were final platted in 2021-2024 (Rural Residential)
☒	☐	☐	07-06-07(6)A3	Is the proposed conditional rezone compatible with surrounding land uses;
			Analysis	The proposed conditional rezone to "CR-Rural Residential" is compatible with surrounding land uses. Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere 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. The surrounding land uses are agricultural, ag-residential, and rural residential development. The area along Goodson Road easterly between the subject property and Interstate 84 is primarily developed as rural residential uses inclusive of single-family residential and hobby or small ag-residential farms. The proposed development of the subject property is not anticipated to negatively impact the existing uses in the area. See Exhibit C2.
☒	☐	☐	07-06-07(6)A4	Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?
			Analysis	The proposed conditional rezone will not negatively affect the character of the area. Any necessary measures to mitigate impacts are detailed below. Character of the Area: This area of the county is a mix of rural residential and agricultural uses with significant residential development of properties along this Goodson Road

			corridor that is not utilized for crop production due to topography restricting irrigation resources in spite of the existing canal systems that course through the area. Much of the developed property lies above the canals and is therefore not allocated surface irrigation rights. The 6.43 acre subject property is part of a 28.4 acre original parcel that has been divided many times and reflects the uses of this and other properties as rural residential development with an agricultural character. The property is bounded by lots of similar size and use as proposed. The larger 19 acre parcel to the west is owned by the Bureau of Reclamation and is not farmed. The region surrounding this legacy development node is agricultural. The following measures will be implemented to mitigate impact The development lot size is restricted to a minimum two (2) acre average providing for a maximum of three (3) total parcels on the 6.43 acres in conformance with zoning and subdivision ordinance requirements. The proposed development shall meet subdivision requirements including the development of a named private road lot that shall also serve the 6.43 acres (R38435011A) to the south of the subject property. The majority of the properties in the area are not developed with secondary residences—the commission may consider restricting secondary residences on the properties if approved. The Commission may also consider that two (2) lots of approximately three (3) acres would be more appropriate for transition to the agricultural region west of the proposed development.
☒	☐	☐	07-06-07(6)A5 Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;
			Analysis The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein. Sewer: The developer proposes individual well and septic for the lots within the development. It is not anticipated that there will be an issue with locating septic systems and replacement fields on the approximate two (2) acre lots if approved. The development plat shall comply with Southwest District Health requirements; a signatory on the final plat. Two septic systems currently exist on the property serving the two structures that are on the property. Water: The developer proposes individual well and septic for the lots within the development. It is not anticipated that there will be an issue with locating individual wells for the proposed development. The development plat shall comply with Southwest District Health requirements; a signatory on the final plat. Per Idaho Statute §42-111 a domestic well may be utilized as follows: (a) The phrase "domestic purposes" or "domestic uses" means: (i) The use of water for homes, organization camps, public campgrounds, livestock, and for any other purpose in connection therewith, including irrigation

				of up to one-half (1/2) acre of land, if the total use does not exceed thirteen thousand (13,000) gallons per day; Drainage: Drainage shall be retained on site. An engineered grading and drainage plan should be required at time of building permit application due to the topography of the subject property with slopes in excess of 6 to 12%. Irrigation: The subject property does not have irrigation water available (see Exhibit E6). See "Water" above for permitted usage of domestic well for irrigation purposes. Utility: Idaho Power and Intermountain Gas Company were provided notice of the application for development. No comments were received from those agencies. The existing structures on the property have electrical service. It is not anticipated that services will not be available for the proposed use.
☒	☐	☐	07-06-07(6)A6	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?
			Analysis	The proposed conditional rezone will not require public street improvements in order to provide adequate access to and from the subject property. The proposal is not expected to create undue interference with existing and/or future traffic patterns. Any necessary measures to mitigate traffic impacts are detailed below. The proposed development is not anticipated to create undue interference with existing or future traffic. The development shall meet the requirements of the Notus/Parma Highway District (NPHD) inclusive of access/approach permitting and obtaining district approval as evidenced by NPHD signing the final plat. The development, as proposed, will require the development of a private road lot on the subdivision plat if the rezone is approved. The developer must provide access to the parcel that lies to the south, parcel R38435011A, in conformance with current zoning ordinance requirements for access.
☒	☐	☐	07-06-07(6)A7	Does legal access to the subject property for the conditional rezone exist or will it exist at time of development; and
			Analysis	The subject property has legal access and legal access for the proposed development will exist at the time of the signing of the final plat. See review and analysis detailed below. The subject property is currently developed with a single-family residence that takes access to Goodson Road at the northeast corner of the property. There is also a shared access in the northwest corner that serves the shop with living quarters and parcel R38435011A south of the subject property. NPHD will require that the development comply with the ACCHD Standards Manual and the

				access will be approved as evidenced by the highway district's signature on the final plat. Adequate access to the property to the south must be provided in accordance with zoning ordinance and subdivision platting requirements. Access in conformance with the current zoning ordinance and subdivision requirements must be provided to parcel R38435011A located on the southern boundary of the subject parcel.
☒	☐	☐	07-06-07(6)A8	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? (Ord. 16-007, 6-20-2016)
			Analysis	The proposed use as a three (3) lot residential subdivision is not anticipated to impact essential public services and facilities including, but not limited to schools, police, fire and emergency medical services. Any necessary measures to mitigate impacts are detailed below. The services are not anticipated to be negatively impacted by such use, and/or require additional public funding in order to meet the needs created by the requested use. Schools: The subject property lies within the Notus School District. The District was notified of the application. Staff did not receive comment from the school district. Development of two additional properties is not anticipated to significantly impact student enrollment. Police: The Canyon County Sheriff's office was notified of the application for development and no comments were received. Fire protection & Emergency Medical Services: The Caldwell Rural Fire District and EMS were notified of the application. Staff did not receive any comments from EMS. Caldwell Rural Fire indicates that the approximate response time to the site is seven (7) minutes with the nearest station 4.3 miles away. The Fire Department further states that, "ongoing population increases will directly affect service levels until CFD can enhance and expand its operational capabilities." Properties located within 3-4 miles from a fire station are at the limit of effective coverage and may experience service delays. Developments beyond 5 miles are generally not recognized by ISO as having fire protection and response to these areas will be significantly delayed. (Exhibit E7) The following measures will be implemented to mitigate impacts: The Commission and Board may consider restricting the development to one single-family residential unit per lot.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission recommends **approval** of Case #CR2023-0004, a conditional rezone of parcel R38435011, approximately 6.43 acres, from “A” (Agricultural) to “CR-RR” (CR-Rural Residential) subject to conditions attached hereto to be enumerated in a Development Agreement.

DATED this _____ day of _____, 2026.

**PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO**

Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this _____ day of _____, in the year of 2026, before me _____, a notary public, personally appeared _____, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.

Notary: _____

My Commission Expires: _____

ATTACHMENT A
DRAFT CONDITIONS OF APPROVAL

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
2. The developer shall comply with CCZO §07-06-07 (4): Time Requirements: "All conditional rezones for a land use shall commence within two (2) years of the approval of the board."
3. Platting as a residential subdivision is required for division of this 6.42 acre parcel.
4. The preliminary and final plat shall be reviewed by the Caldwell Rural Fire District and a letter of review and approval shall be provided to Development Services prior to the Board of County Commissioners signing the final plat.
5. The development shall comply with the Notus Parma Highway District access requirements as evidenced by the District's signature on the final plat.
6. The developer shall provide legal access to the residential parcel to the south, parcel R38435011A (6.43 acres). The current easement of 25 feet is not sufficient to meet current county road and driveway requirements. The property was created through approval of CU2005-84 for a land division of 12.86 acres more or less into two 6.43 acre parcels as shown on ROS#20060628.
7. The subject property contains a shop (BP2005-615) with an unpermitted living quarters. The developer had a special inspection completed in October of 2025 (Exhibit C12). The developer shall submit a proof of completion for the listed items in the special inspection and complete a change of occupancy permit for the structure as a residence.
8. The accessory shop must be permitted as a residence in order to standalone on a lot created through the subdivision development. If a new primary residence is constructed the living quarters can be removed or re-classified as the secondary residence on the created platted lot.
9. The shop/living quarters must meet setback requirements if a private road lot is required during the platting process. A private road lot is required if the road will serve three residential properties/residences in accordance with CCCO §07-10-03 and §07-17-31.

EXHIBIT B:
APPLICATION PACKET AND MATERIALS

MASTER APPLICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633



PROPERTY OWNER	OWNER NAME: Debra Lacy Living Trust
	MAILING ADDRESS: 18181 Gudson Rd. CALDWELL, ID 83607
	PHONE: EMAIL:

I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If owner(s) are a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign.

Signature: Debra L. Lacy

Date: 2/9/23

(AGENT) ARCHITECT ENGINEER BUILDER	CONTACT NAME: T.J. WELLARD
	COMPANY NAME: SKINNER LAND SURVEY
	MAILING ADDRESS: 17842 SAND HOLLOW ROAD CALDWELL, ID 83607
	PHONE: 208-454-0933 EMAIL: tj@skinnerlandsurvey.com

SITE INFO	STREET ADDRESS: 18247 Gudson Road	
	PARCEL #: R3843501100	LOT SIZE/AREA: 6.4 AC
	LOT: BLOCK: SUBDIVISION:	
	QUARTER: NE SECTION: 24 TOWNSHIP: 5N RANGE: 4W	
	ZONING DISTRICT: AG FLOODZONE (YES/NO):	

HEARING LEVEL APPS	☐ CONDITIONAL USE	☒ COMP PLAN AMENDMENT	☒ CONDITIONAL REZONE
	☐ ZONING AMENDMENT (REZONE)	☐ DEV. AGREEMENT MODIFICATION	☐ VARIANCE > 33%
	☐ MINOR REPLAT	☐ VACATION	☐ APPEAL
	☒ SHORT PLAT SUBDIVISION	☐ PRELIMINARY PLAT SUBDIVISION	☐ FINAL PLAT SUBDIVISION

DIRECTORS DECISION APPS	☐ ADMINISTRATIVE LAND DIVISION	☒ EASEMENT REDUCTION	☐ SIGN PERMIT
	☐ PROPERTY BOUNDARY ADJUSTMENT	☐ HOME BUSINESS	☐ VARIANCE 33% >
	☐ PRIVATE ROAD NAME	☐ TEMPORARY USE	☐ DAY CARE
	☐ OTHER		

CASE NUMBER: CR2023-0004, SD2023-0005 DATE RECEIVED: 2/23/23

RECEIVED BY: Maddy Vander Veen

APPLICATION FEE: \$5,910.00 ☒ MO CC CASH

2,800
1,400
1,680
+ 30 + 80
5,910

Revised 1/3/21

EXHIBIT
B1

January 23, 2023

The Debra Lacy Living Trust
Job No. NV0722

Letter of Intent

Canyon County Development Services,

+ Comprehensive Plan Amendment

We are requesting a map amendment (conditional rezone) of Parcel R3843501100 from A(agricultural) to RR(Rural-residential). The 6.426 acres is currently designated as agricultural in the 2030 comprehensive plan. The land has no surface irrigation water rights. The land is not used for agricultural production. Sprinkling of the yard and watering the berry bushes is by the domestic well. The adjacent land use is all residential. Most of the parcels were created by the Administrative Land Division process. Outside of those is actual cultivated land which has surface irrigation water, none of which is adjacent to the subject property. Three residential subdivisions are nearby, Stafford Heights, Coombes Subdivision and The Stadium Subdivision.

Access will be taken from existing gravel driveways. Adjacent properties have easement rights along the East and West boundary. We will be adding additional easement width to meet current standards. We will be requesting those easement widths be recognized. The current driveways will be utilized for access to the new lots. All new lots will be served by individual wells and septic systems. The subdivision will only create 2 new buildable lots with one lot being with the existing house. The owner's children are planning on building on the new lots to help the owner keep the property.

The request is consistent with the policies and goals of the comprehensive plan as defined below.

Private Property Rights

G1.01.00 Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.

P1.01.01 No person should be deprived of private property without due process of law.

G1.02.00 Acknowledge the responsibilities of each property owner as a steward of the land, use their property wisely, maintain it in good condition and preserve it for future generations without becoming a public nuisance.

Population

G2.01.00 Incorporate population growth trends & projections when making land-use decisions.

P2.01.01 Plan for anticipated population and households that the community can support with adequate services and amenities.

G2.02.00 Promote housing, business, and service types needed to meet the demand of the future and existing population.

Land Use and Community Design

G4.01.00 Support livability and high quality of life as the community changes over time.

P4.01.01 Maintain a balance between residential growth and agriculture that protects the rural character.

G4.02.00 Ensure that growth maintains and enhances the unique character throughout the County

P4.02.01 Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses.

P4.03.02 Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns.

G4.04.00

Concentrate future higher density residential growth in appropriate areas in and around existing communities while preserving and enhancing the County's agricultural and rural character.

P4.04.05

Encourage buffering and/or transitional uses between residential and more impactful uses to promote the health and well-being of existing and future residents.

P4.05.01 Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators.

Transportation Goals, Policies, and Actions

G8.02.00 Provide safe transportation improvements for all users and connections to adjacent areas.

P8.02.01 Promote public safety through safe design.

Housing Goals, Policies, and Actions

G11.01.00 Encourage opportunities for a diversity of housing choices in the County.

P11.01.01 Encourage a variety of housing sizes that meet the needs of families, various age groups, and incomes.

G11.02.00 Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural land and natural resources.

P11.02.01 Encourage subdivisions to locate where adequate services and infrastructure exists or can be provided.

Agriculture Goals, Policies, and Actions

G12.01.00 Protect agricultural lands for long-term agricultural production from the encroachment of incompatible uses.

P12.01.02 Encourage non-agricultural related development to the cities, areas of city impact, and other clearly defined and planned development areas.



Thomas J. Wellard, PLS
Rodney Clark, PE

The surrounding land use is rural residential. Much of the land surrounding the parcel is not farmable due to no surface irrigation water. This land has been split up for residential use. The subject parcel is not adjacent to any farmed land.

We have not identified any negative impacts to the character of the area. If any are identified, we will address.

We appreciate your consideration of this request and hope you find our application in compliance and approve our request.

Respectfully submitted,

T.J. Wellard, PLS
Skinner Land Survey
208-454-0933
tj@skinnerlandsurvey.com

SASKATOON HILL SUBDIVISION

A PORTION OF THE NE 1/4 NE 1/4 OF SECTION 24,
TOWNSHIP 5 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
CANYON COUNTY, IDAHO
2023

NOTES:

1. This development recognizes Section 22-4503, Idaho Code, Right to Farm, which states: "No agricultural operation or an appurtenance to it shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after the same has been in operation for more than one (1) year, when the operation was not a nuisance at the time the operation began; provided that the provisions of this section shall not apply whenever a nuisance results from the improper or negligent operation of any agricultural operation or and appurtenance to it."

2. Water for domestic purposes shall be supplied by single party wells. Sanitary restrictions designating areas reserved for well installation shall be subject to the approval of Southwest District Health.

3. Sewage disposal shall be by individual septic systems. Sanitary restrictions designating areas reserved for the construction of drain fields shall be subject to the approval of Southwest District Health.

9. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.

10. No permanent structure shall be located closer than seventy feet (70') to any section or quarter line preserved for a future road unless the highway district having jurisdiction waives the seventy foot (70') setback requirement.

11. UNLESS OTHERWISE NOTED, EASEMENT WIDTHS SHALL BE:
10 FEET ALONG SUBDIVISION BOUNDARY, 5 FEET ON EACH SIDE OF INTERIOR LOT LINES IF A LOT LINE IS MOVED, THE EASEMENT(S) SHALL MOVE WITH THE LOT LINE, PROVIDED THAT UTILITIES HAVE NOT BEEN INSTALLED WITHIN THE EASEMENT(S)

E1/16S Corner
Section 13
CP&FR Inst. No.
2007028554

E1/16N Corner
Section 24
CP&FR Inst. No.
067233

4. This development recognizes and is in compliance with Idaho Code 31-3805. The development lies within the Black Canyon Irrigation District but has no surface irrigation water rights.

5. The subject property is currently zoned RR(Rural-Residential).

6. The development is 6.426 acres.

7. This development consists of 3 residential lots.

8. Post development storm water run-off from each lot is to be managed by landscaping measures, swales, ditches and similar retention methods, wholly on the lot generating the run-off. The design, construction and maintenance of these facilities is to be the responsibility of each lot owner.

UNPLATTED
BASIS OF BEARING
N89°44'57"W 1283.11'

LINE TABLE		
NO	BEARING	LENGTH
L1	N89°32'37"W	39.05'

POINT OF BEGINNING

Section Corner
Section 18
CP&FR Inst. No.
2020045308

NE Section Corner
Section 24
CP&FR Inst. No.
2007028557

STAFFORD HEIGHTS SUBDIVISION
BK: 42 PG: 1

Reference Survey:
Inst. No. 2006049167
Stafford Heights Subdivision
Book 42, Page 1

Reference Deed:
Inst. No. 2022028369

0' 50' 100'
Scale: 1" = 50'

LEGEND

- ⊙ BRASS CAP MONUMENT - FOUND
- ⊕ ALUMINUM CAP MONUMENT - FOUND
- ⊙ 5/8" REBAR - FOUND
- ⊙ 1/2" REBAR - FOUND & PULLED
- ⊙ 5/8" x 24" REBAR - SET
- ⊙ 1/2" x 24" REBAR - SET
- PROPERTY BOUNDARY LINE
- - - SECTION/ALIQUOT PART LINE
- - - INGRESS/EGRESS, UTILITY, IRRIGATION & DRAINAGE EASEMENT LINE

Surveyor's Narrative:

This survey was performed at the request of Debra Lacy to subdivide the property described in the reference deed to create additional building lots. Section control and existing property corner monuments were located and held as shown. The boundary was held as previously established in Record of Survey Inst. No. 2006049167. The basis of bearing and elevations for this survey was established by GNSS observations, projected to the Idaho State Plane Coordinate system, West Zone, NAD83 datum. Elevations are NAVD83 datum. All bearings shown are on grid azimuth and all distances are ground at project elevation.



EXHIBIT
B3

REVISIONS

2	
1	

Sheet 1 of 2

Drawn By: ZCL	Skinner Land Survey 17842 Sand Hollow Road Caldwell, Idaho 83607 (208)-454-0933 WWW.SKINNERLANDSURVEY.COM surveys@skinnerlandsurvey.com
Date: Jan. 5, 2023	
Surveyed By: ZCL	
Job No. NV0722	

BOOK _____ PAGE _____

OWNERS' CERTIFICATE

I, Debra Lou Lacy, Trustee of The Debra Lacy Living Trust, say I am the owner of this property, being more particularly described in the legal description below, state that it is my intention to include said property in the subdivision plat, and that I do for myself, heirs, transferees, successors and assigns. The public streets and rights-of-ways shown on this plat are dedicated to the public forever. The easements shown on the plat are not dedicated to the public but intended only for the right and purpose set forth on the plat and no structures other than those for Utility, Irrigation and Drainage purposes are to be erected within limits of the easements.

This parcel is a portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24 in Township 5 North, Range 4 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

BEGINNING at the Northeast corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ (NE Section Corner, Section 24), a found 5/8 inch diameter rebar;

thence North 89°44'57" West along the North boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 700.40 feet to the TRUE POINT OF BEGINNING, a found $\frac{1}{2}$ inch meter rebar reset with a 5/8 x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence South 00°46'08" West a distance of 535.00 feet to a found $\frac{1}{2}$ inch diameter rebar reset with a 5/8 x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence North 89°44'57" West a distance of 523.41 feet to a found $\frac{1}{2}$ inch diameter rebar reset with a 5/8 x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence North 00°48'46" East a distance of 535.00 feet to a point on the North boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, a found $\frac{1}{2}$ inch diameter rebar reset with a 5/8 x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence South 89°44'57" East along said North boundary a distance of 523.00 feet to the TRUE POINT OF BEGINNING, said parcel being 6.426 acres more or less, and being subject to any and all easements and rights of way of record or implied.

Debra Lou Lacy, Trustee

ACKNOWLEDGEMENT

STATE OF IDAHO)
)S.S.
COUNTY OF CANYON)

On this _____ day of _____, in the year of 20____, before me, the undersigned, a notary public, personally appeared Debra Lou Lacy, Trustee of The Debra Lacy Living Trust, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.

SASKATOON HILL SUBDIVISION

A PORTION OF THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 24,
TOWNSHIP 5 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
CANYON COUNTY, IDAHO
2023

SURVEYOR'S CERTIFICATE

I, Thomas J. Wellard, P.L.S., do hereby certify that I am a professional land surveyor licensed by the State of Idaho, and that this plat, as described in the certificate of owners' and the attached plat, was drawn from an actual survey made on the ground under my direct supervision and accurately represents the points platted thereon in conformity with the State of Idaho codes relating to plats, surveys and the corner perpetuation and filing act, Idaho Code 55-1601 through 55-1612.

Thomas J. Wellard



P.L.S. 15352

CERTIFICATION AND APPROVAL OF
SOUTHWEST DISTRICT HEALTH DEPARTMENT

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be re-imposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval.

Southwest District Health Department

Date

APPROVAL OF NOTUS-PARMA HIGHWAY DISTRICT

Notus-Parma Highway District No. 2 does hereby accept this plat and the dedicated public streets, highways and rights-of-way as are depicted on this plat, in accordance with the provisions of I.C. § 50-1312. Private streets depicted on this plat are not maintained by or under the jurisdiction of the Highway District. There is no legal obligation or assurances that the private streets will be accepted as public streets in the future.

Chairman

Date

CERTIFICATION AND APPROVAL OF COUNTY SURVEYOR

I, the undersigned, Professional Land Surveyor, for Canyon County, Idaho do hereby certify that I have checked this plat and that it complies with the State of Idaho Code relating to plats and surveys.

County Surveyor

Date

CERTIFICATE OF COUNTY TREASURER

I, Tracie Lloyd, County Treasurer in and for the County of Canyon, State of Idaho, per the requirements of I.C.50-1308, do hereby certify that any and all current and/or delinquent County Property Taxes for the property included in this proposed subdivision have been paid in full. This certificate is valid for the next thirty (30) days only.

County Treasurer

Date

APPROVAL OF BOARD OF COUNTY
COMMISSIONERS OF CANYON COUNTY

Accepted and approved this _____ day of _____, 20____ by
by the Canyon County Commissioners, Canyon County, Idaho.

Chairman

Clerk

COUNTY RECORDER'S CERTIFICATE

INSTRUMENT NUMBER: _____ FEE _____

STATE OF IDAHO } S.S.
COUNTY OF CANYON }

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS
FILED AT THE REQUEST OF SKINNER LAND
SURVEY Co. AT _____ MINUTES PAST _____ O'CLOCK
____ M. THIS _____ DAY OF _____ 20____
IN BOOK _____ OF SURVEYS, AT PAGE _____

EX-OFFICIO RECORDER _____ DEPUTY _____

Sheet 2 of 2

Drawn By: ZCL	Skinner Land Survey 17842 Sand Hollow Road Caldwell, Idaho 83607 (208)-454-0933 www.skinnerlandsurvey.com surveys@skinnerlandsurvey.com
Date: March 29, 2022	
Surveyed By: ZCL	
Job No. FE2422	

BOOK _____ PAGE _____

LAND USE WORKSHEET

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx

Phone: 208-454-7458

Fax: 208-454-6633



Required for Conditional Use Permit, Comprehensive Plan and Zoning Ordinance Amendment Applications

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

GENERAL INFORMATION

- 1. DOMESTIC WATER:** ☒ Individual Domestic Well ☐ Centralized Public Water System ☐ City
☐ N/A – Explain why this is not applicable: _____
☒ How many Individual Domestic Wells are proposed? 2

- 2. SEWER (Wastewater)** ☒ Individual Septic ☐ Centralized Sewer system
☐ N/A – Explain why this is not applicable: _____

3. IRRIGATION WATER PROVIDED VIA:

- ☐ Surface ☐ Irrigation Well ☒ None

4. IF IRRIGATED, PROPOSED IRRIGATION:

- ☐ Pressurized ☐ Gravity

5. ACCESS:

- ☒ Frontage ☒ Easement Easement width 25' & 35' Inst. # _____

6. INTERNAL ROADS:

- ☐ Public ☐ Private Road User's Maintenance Agreement Inst # _____

7. FENCING

- ☐ Fencing will be provided (Please show location on site plan)

Type: _____ Height: _____

8. STORMWATER:

- ☒ Retained on site ☐ Swales ☐ Ponds ☐ Borrow Ditches

☐ Other: _____

9. SOURCES OF SURFACE WATER ON OR NEARBY PROPERTY: (i.e. creeks, ditches, canals, lake)

NONE

RESIDENTIAL USES

1. NUMBER OF LOTS REQUESTED:

- ☒ Residential 2 new lots ☐ Commercial _____ ☐ Industrial _____
☐ Common _____ ☐ Non-Buildable _____

2. FIRE SUPPRESSION:

- ☐ Water supply source: NONE

3. INCLUDED IN YOUR PROPOSED PLAN?

- ☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☒ None

NON-RESIDENTIAL USES

1. SPECIFIC USE: NA

2. DAYS AND HOURS OF OPERATION:

- ☐ Monday _____ to _____
☐ Tuesday _____ to _____
☐ Wednesday _____ to _____
☐ Thursday _____ to _____
☐ Friday _____ to _____
☐ Saturday _____ to _____
☐ Sunday _____ to _____

3. WILL YOU HAVE EMPLOYEES? ☐ Yes If so, how many? _____ ☐ No

4. WILL YOU HAVE A SIGN? ☐ Yes ☐ No ☐ Lighted ☐ Non-Lighted

Height: _____ ft Width: _____ ft. Height above ground: _____ ft

What type of sign: _____ Wall _____ Freestanding _____ Other

5. PARKING AND LOADING:

How many parking spaces? _____

Is there is a loading or unloading area? _____

SUBDIVISION WORKSHEET

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #310, Caldwell, ID 83605

zoninginfo@canyoncounty.id.gov

Phone: 208-454-7458

Fax: 208-454-6633



GENERAL

1. HOW MANY LOTS ARE YOU PROPOSING?
Residential 3 Non-buildable 0 Common 0
2. AVERAGE LOT SIZE OF THE RESIDENTIAL PARCELS
2.142 ACRES

IRRIGATION

1. IRRIGATION WATER IS PROVIDED VIA: NONE
☐ Irrigation Well ☐ Surface Water
2. WHAT PERCENTAGE OF THE PROPERTY HAS WATER? 0 %
3. HOW MANY INCHES OF WATER ARE AVAILABLE TO PROPERTY? NA
4. HOW DO YOU PLAN TO RETAIN STORM AND EXCESS WATER ON EACH LOT?
SEE NOTE ON PLAT #8
5. HOW DO YOU PLAN TO PROCESS STORM WATER / EXCESS IRRIGATION WATER PRIOR TO IT ENTERING THE ESTABLISHED DRAINAGE SYSTEM?
NA

ROADS

1. ROADS WITHIN THE DEVELOPMENT WILL BE:
☐ Public ☐ Private ☒ N/A

* Private Road names must be approved by the County and the private road application submitted with the Preliminary Plat*

HILLSIDE DEVELOPMENT

1. OF THE TOTAL LOTS REQUESTED, HOW MANY OF THE LOTS WILL CONTAIN SLOPES GREATER THAN 15%?
Residential 0 Non-Buildable 0 Common 0
2. WILL THE PROPOSED ROAD (S) BE LOCATED WITHIN ANY AREA THAT HAS SLOPES GREATER THAN 15%?
☐ YES ☐ NO NA

*If YES, a grading plan is required.

SUBDIVISION WORKSHEET

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #310, Caldwell, ID 83605

zoninginfo@canyoncounty.id.gov

Phone: 208-454-7458

Fax: 208-454-6633



SUBDIVISIONS WITHIN AN AREA OF CITY IMPACT

NA

1. WILL YOU BE REQUESTING WAIVERS OF SUBDIVISION IMPROVEMENT REQUIREMENTS FROM THE CITY?

☐ YES ☐ NO

2. IF YES, WHICH WAIVERS WILL YOU BE REQUESTING?

☐ CURBS ☐ GUTTERS ☐ SIDEWALKS ☐ STREETLIGHTS ☐ LANDSCAPING

NEIGHBORHOOD MEETING SIGN-UP

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx

Phone: 208-454-7458

Fax: 208-454-6633



NEIGHBORHOOD MEETING SIGN UP SHEET

CANYON COUNTY ZONING ORDINANCE §07-01-15

Applicants shall conduct a neighborhood meeting for any proposed comprehensive plan amendment, zoning map amendment (rezone), subdivision, variance, conditional use, zoning ordinance map amendment, or other requests requiring a public hearing.

SITE INFORMATION

Site Address: 18247 Goodson Rd	Parcel Number: R384350110	
City: CALDWELL	State: ID	ZIP Code: 83607
Notices Mailed Date: January 23, 2023	Number of Acres: 6.4	Current Zoning: AG
Description of the Request: Conditional Rezone		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: T.J. WELLARD		
Company Name: Skinner Land Survey		
Current address: 1742 S. Hixson Road		
City: CALDWELL	State: ID	ZIP Code: 83607
Phone: 208-454-0932	Cell: —	Fax: —
Email: tj@skinnerlandsurvey.com		

MEETING INFORMATION

DATE OF MEETING: 2/9/23	MEETING LOCATION: 18247 Goodson Rd	
MEETING START TIME: 12:10	MEETING END TIME: 1:30 pm	
ATTENDEES:		
NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. Dave Taylor	[Signature]	18057 Goodson Road
2. Willy Schmidt	[Signature]	4295 W. Dillon Dr. Weidman
3. Art Ruiz + Pam	[Signature]	26868 Royal Acres Way - Caldwell
4. Jan Wetzel	[Signature]	26932 Royal Acres Way
5. Mark [Signature]	[Signature]	18181 Goodson Rd.
6.		
7.		
8.		
9.		

10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.

NEIGHBORHOOD MEETING CERTIFICATION:

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accordance with Canyon County Zoning Ordinance § 07-01-15.

APPLICANT/REPRESENTATIVE (Please print):

TJ WELLARD

APPLICANT/REPRESENTATIVE (Signature):



DATE: 2 / 9 / 20

AFTER RECORDING, PLEASE RETURN TO:

Curry D. Andrews, Attorney at Law
Estate Protection & Planning, PLLC
202 Idaho St., American Falls, ID 83211

(208) 226-5138 Office

Send Tax Statements to:

The Debra Lacy Living Trust
Attn. Debra Lou Lacy, Trustee
18181 Goodson Rd.
Caldwell, Idaho 83607
(208) 573-3319

2022-028369

RECORDED

06/01/2022 08:02 AM

CHRIS YAMAMOTO
CANYON COUNTY RECORDER

Pgs=2 JWINSLOW

\$15.00

TYPE: DEED

ESTATE PROTECTION & PLANNING,
ELECTRONICALLY RECORDED

GRANTORS: DEBRA LOU LACY, AN UNMARRIED WOMAN
GRANTEE: DEBRA LOU LACY, TRUSTEE OF THE DEBRA LACY LIVING TRUST DATED
APRIL 22, 2022, AND ANY AMENDMENTS THERETO
PARCEL NO: 05N04W240155 (38435011 0)

WARRANTY DEED

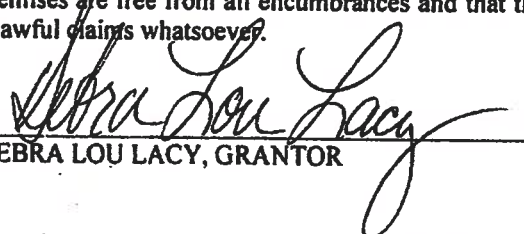
THE UNDERSIGNED Grantor, DEBRA LOU LACY, AN UNMARRIED WOMAN, hereby grants, bargains, sells, conveys and confirms her undivided interest as transferred under Instrument No. 2022-028318 to DEBRA LOU LACY, TRUSTEE OF THE DEBRA LACY LIVING TRUST DATED APRIL 22, 2022, AND ANY AMENDMENTS THERETO, the following property, legally described as:

SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION

TOGETHER WITH ALL APPURTENANCE AND SUBJECT TO: TAXES, EASEMENTS, RESTRICTIONS, COVENANTS, ENCUMBRANCES AND ASSESSMENTS AS SHOWN OF RECORD.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that the premises are free from all encumbrances and that the said Grantor will warrant and defend the same from all lawful claims whatsoever.

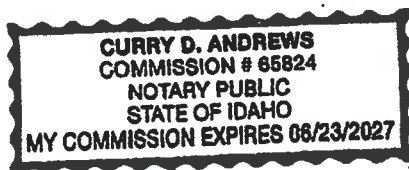
DATED this 30 day of May, 2022.

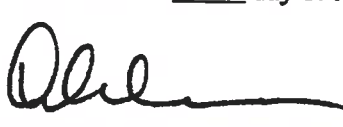

DEBRA LOU LACY, GRANTOR

STATE OF IDAHO)
) ss.
COUNTY OF POWER)

On this day personally appeared before me DEBRA LOU LACY, to me known to be the individual described herein and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 30th day of May, 2022




NOTARY PUBLIC in and for the State of IDAHO,
Residing in: American Falls, Idaho.
My Commission Expires: June 23, 2027

Canyon County Development Services
111 N. 11th Ave. Room 310, Caldwell, ID 83605
(208) 454-7458

Building Division Email: buildinginfo@canyoncounty.id

Planning Division Email: zoninginfo@canyoncounty.id

Receipt Number: 78179

Date: 2/24/2023

Date Created: 2/24/2023

Receipt Type: Normal Receipt

Status: Active

Customer's Name: Debra Lacy

Comments: CR2023-0004

CHARGES

<u>Item Being Paid For:</u>	<u>Application Number:</u>	<u>Amount Paid:</u>	<u>Prevs Pymnts:</u>	<u>Unpaid Amnt:</u>
Planning - Conditional Rezone with Development Agreement	CR2023-0004	\$1,400.00	\$0.00	\$0.00
Planning - Combining Preliminary and Final Plats - Short Plat - No Improvements Required	CR2023-0004	\$1,680.00	\$0.00	\$0.00
Planning - Combining Preliminary and Final Plats Additional Per Lot Fee (Per Application)	CR2023-0004	\$30.00	\$0.00	\$0.00
Planning - Comprehensive Plan Amendment	CR2023-0004	\$2,800.00	\$0.00	\$0.00

Sub Total: \$5,910.00

Sales Tax: \$0.00

Total Charges: \$5,910.00

PAYMENTS

<u>Type of Payment:</u>	<u>Check/Ref Number:</u>	<u>Amount:</u>
Check	2553	\$5,910.00

Total Payments: \$5,910.00

ADJUSTMENTS

Receipt Balance: \$0.00

Canyon County Development Services
111 N. 11th Ave. Room 310, Caldwell, ID 83605
(208) 454-7458

Building Division Email: buildinginfo@canyoncounty.id **Planning Division Email:** zoninginfo@canyoncounty.id

Receipt Number: 78177

Date: 2/24/2023

Date Created: 2/24/2023

Receipt Type: Normal Receipt

Status: Active

Customer's Name: Debra Lacy

Comments: SD2023-0005

CHARGES

<u>Item Being Paid For:</u>	<u>Application Number:</u>	<u>Amount Paid:</u>	<u>Prevs Pymnts:</u>	<u>Unpaid Amnt:</u>
Planning - Multiple Director Decisions without Notification on Single Application	SD2023-0005	\$80.00	\$0.00	\$0.00

Sub Total: \$80.00

Sales Tax: \$0.00

Total Charges: \$80.00

PAYMENTS

<u>Type of Payment:</u>	<u>Check/Ref Number:</u>	<u>Amount:</u>
Check	2554	\$80.00

Total Payments: \$80.00

ADJUSTMENTS

Receipt Balance: \$0.00

EXHIBIT C:
SUPPLEMENTAL DOCUMENTS

R38435011 PARCEL INFORMATION REPORT

4/17/2025 8:24:46 AM

PARCEL NUMBER: R38435011

OWNER NAME: LACY DEBRA LIVING TRUST

CO-OWNER:

MAILING ADDRESS: 18181 GOODSON RD CALDWELL ID 83607

SITE ADDRESS: 18247 GOODSON RD

TAX CODE: 0820000

TWP: 5N **RNG:** 4W **SEC:** 24 **QUARTER:** NE

ACRES: 6.43

HOME OWNERS EXEMPTION: No

AG-EXEMPT: No

DRAIN DISTRICT: NOT In Drain Dist

ZONING DESCRIPTION: AG / AGRICULTURAL

HIGHWAY DISTRICT: NOTUS-PARMA HWY #2

FIRE DISTRICT: CALDWELL RURAL FIRE

SCHOOL DISTRICT: NOTUS SCHOOL DIST #135

IMPACT AREA: NOT In Impact Area

FUTURE LAND USE 2011-2022 : AG

FLU Overlay Zone Desc 2030:

FLU RR Zone Desc 2030:

FUTURE LAND USE 2030: AG

IRRIGATION DISTRICT: BLACK CANYON IRRIGATION DIST

FEMA FLOOD ZONE: X **FLOODWAY:** NOT In **FLOODWAY FIRM PANEL:** 16027C0100F

WETLAND: NOT In WETLAND

NITRATE PRIORITY: NO Nitrate Prio

FUNCTIONAL Classification: COLLECTOR

INSTRUMENT NO. : 2022028369

SCENIC BYWAY: NOT In Scenic Byway

LEGAL DESCRIPTION: 24-5N-4W NE TX 02334 NENE LX TX 06579

PLATTED SUBDIVISION:

SMALL CITY ZONING:

SMALL CITY ZONING TYPE:



DISCLAIMER:

1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS. POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER.
2. THIS FORM DOES NOT CALCULATE DATA FOR PARCELS INSIDE CITY LIMITS SO WATCH YOURSELVES.
3. WETLANDS CLASSIFICATION WILL POPULATE IF "ANY" PORTION OF SAID PARCEL CONTAINS A DELINEATED WETLAND.
4. COLLECTORS AND ARTERIALS ARE BASED ON THE SHERIFFS CENTERLINE WITH AN ADDITIONAL 100 FOOT BUFFER.

CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR MISUSE OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.

EXHIBIT
C1

IMAGES WERE FLOWN IN THE FALL OF 2020.

Lacy Small Air Photo 1 Mile

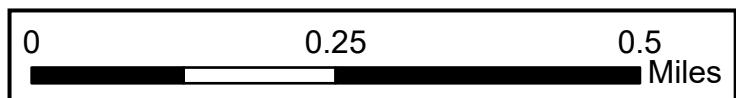
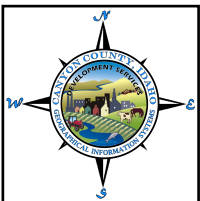
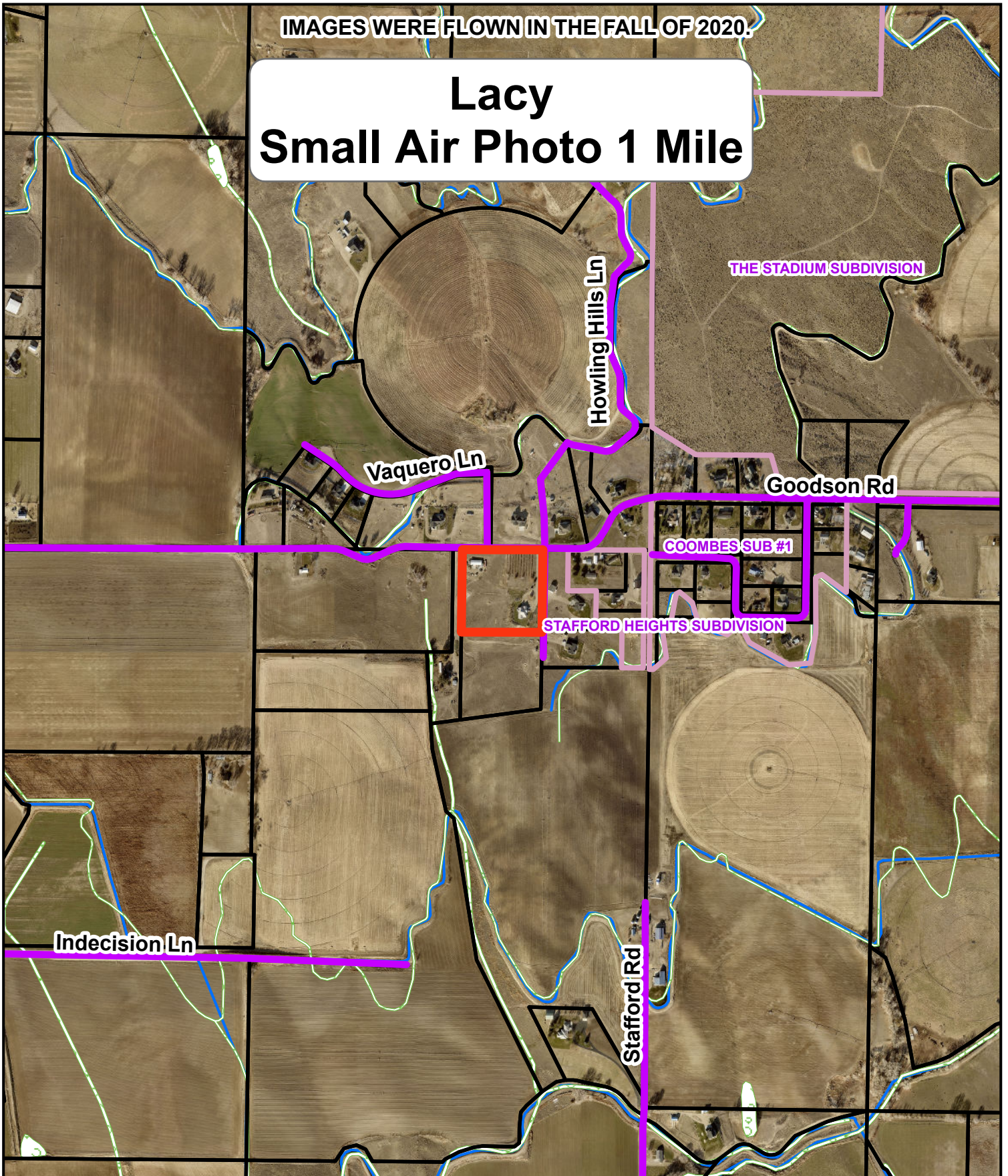
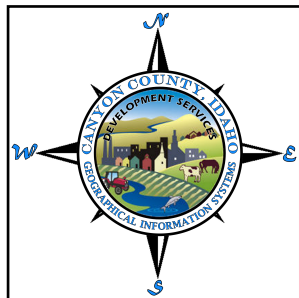
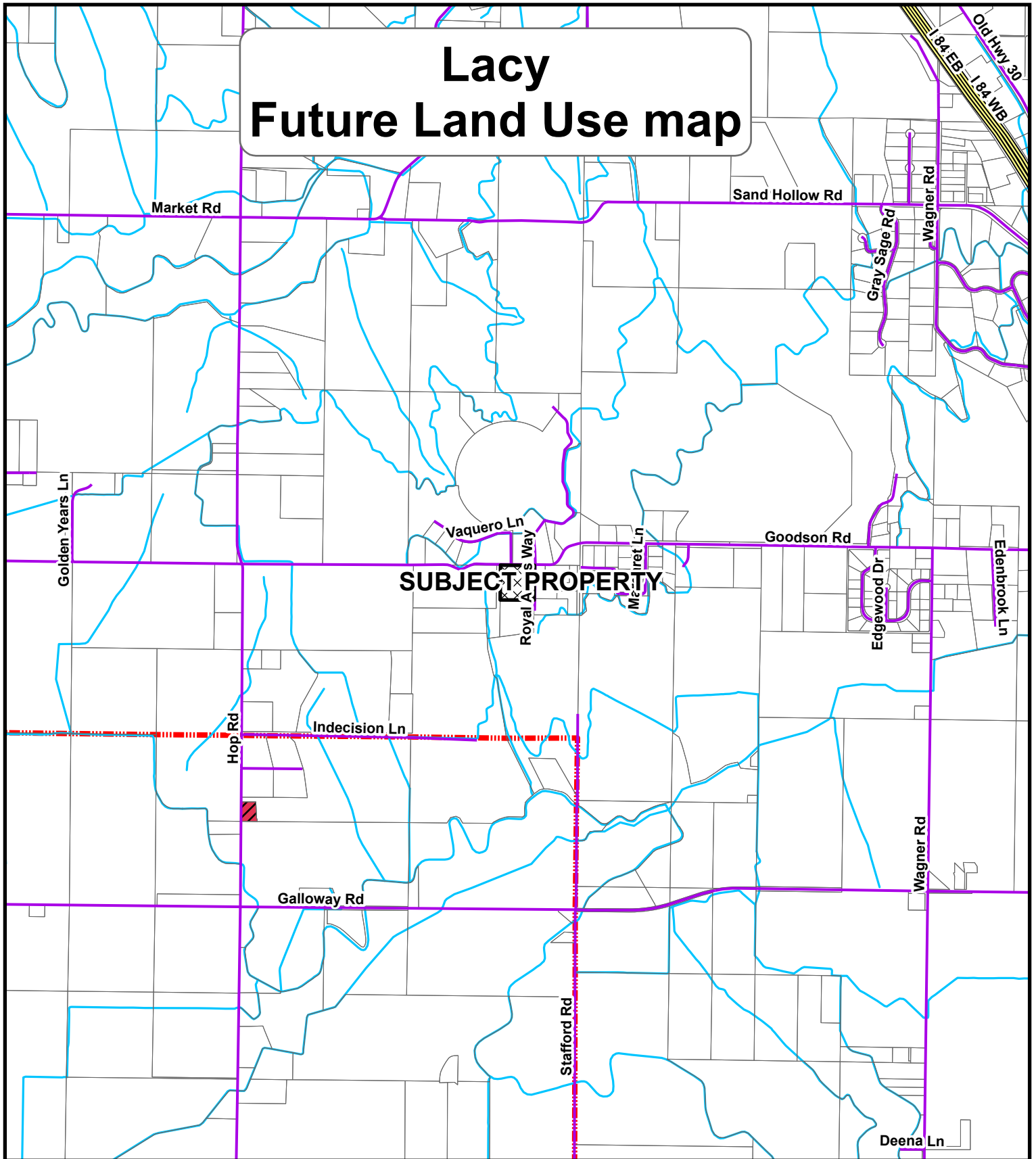


EXHIBIT
C2

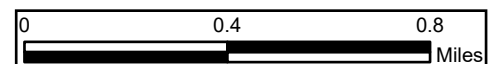
Lacy Future Land Use map



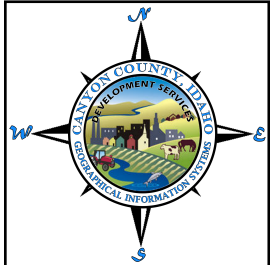
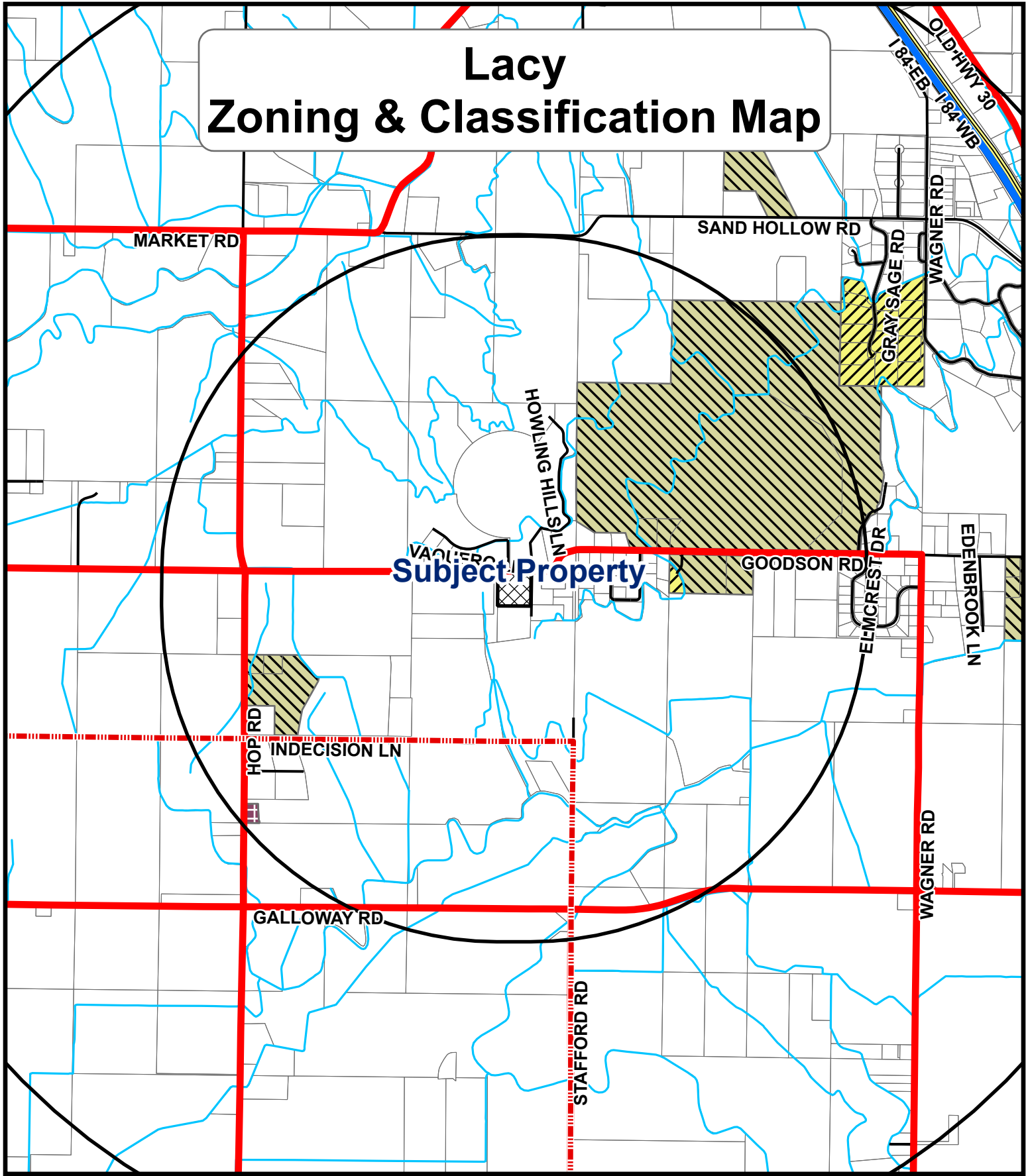
Legend Future Land Use 2030

- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL

EXHIBIT
C3

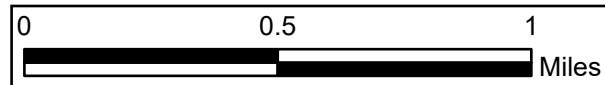


Lacy Zoning & Classification Map

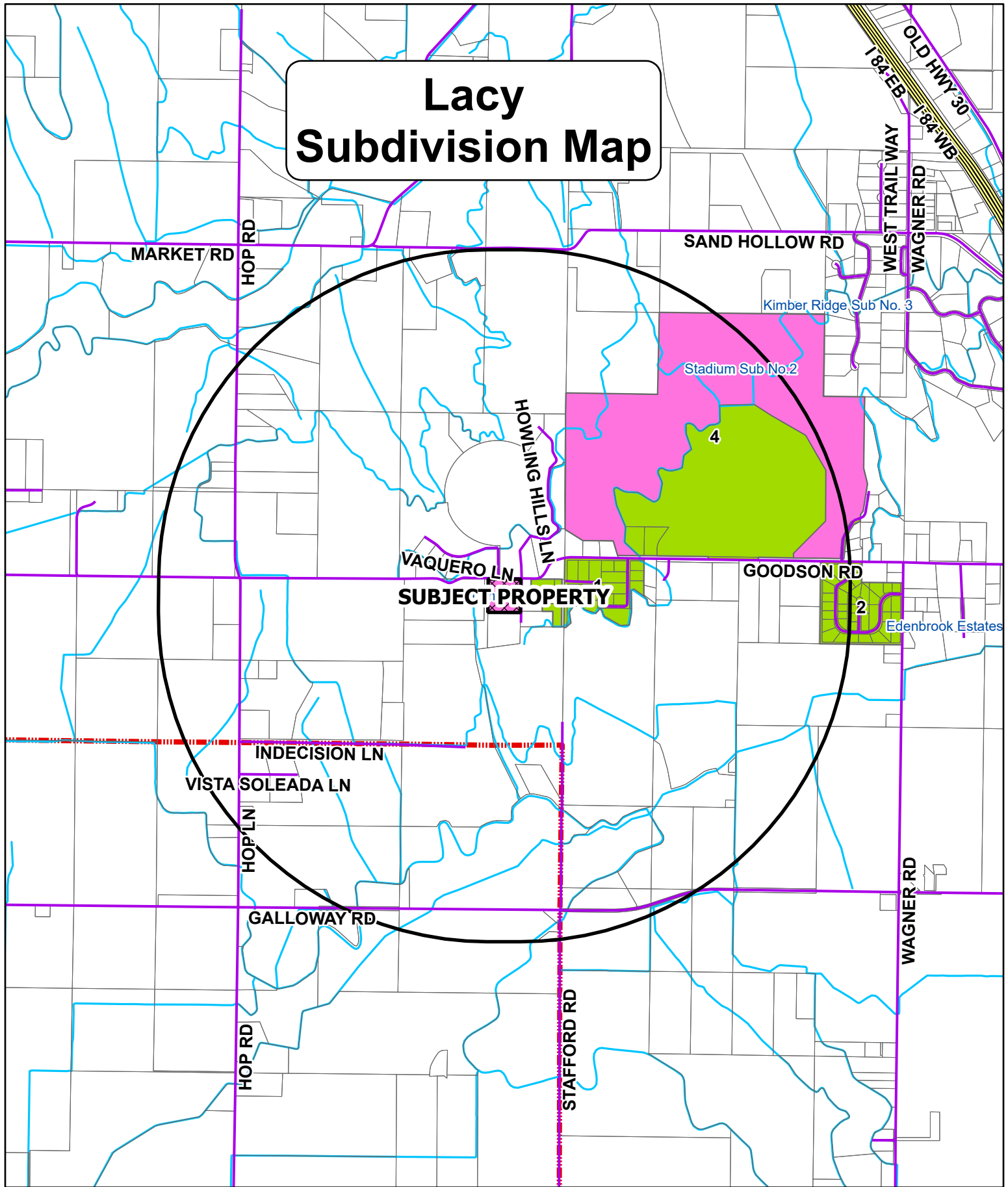


Current Zoning		ITD Functional Classification	
	RR		C1
	CR-RR		CR-C1
	R1		C2
	CR-R1		CR-C2
	R2		M1
	C		CR-M1
			M2
			AG
			Interstate
			Major Collector
			Minor Arterial
			Minor Collector
			Other Principal Arterials

EXHIBIT
C4



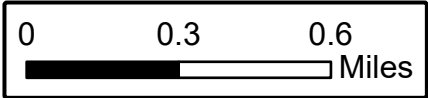
Lacy Subdivision Map



SUBDIVISIONS
Plat Type, Plat Status

- Preliminary, Approved
- Preliminary, Pending

EXHIBIT
C5



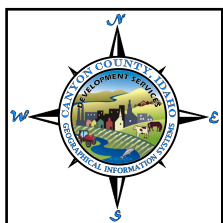
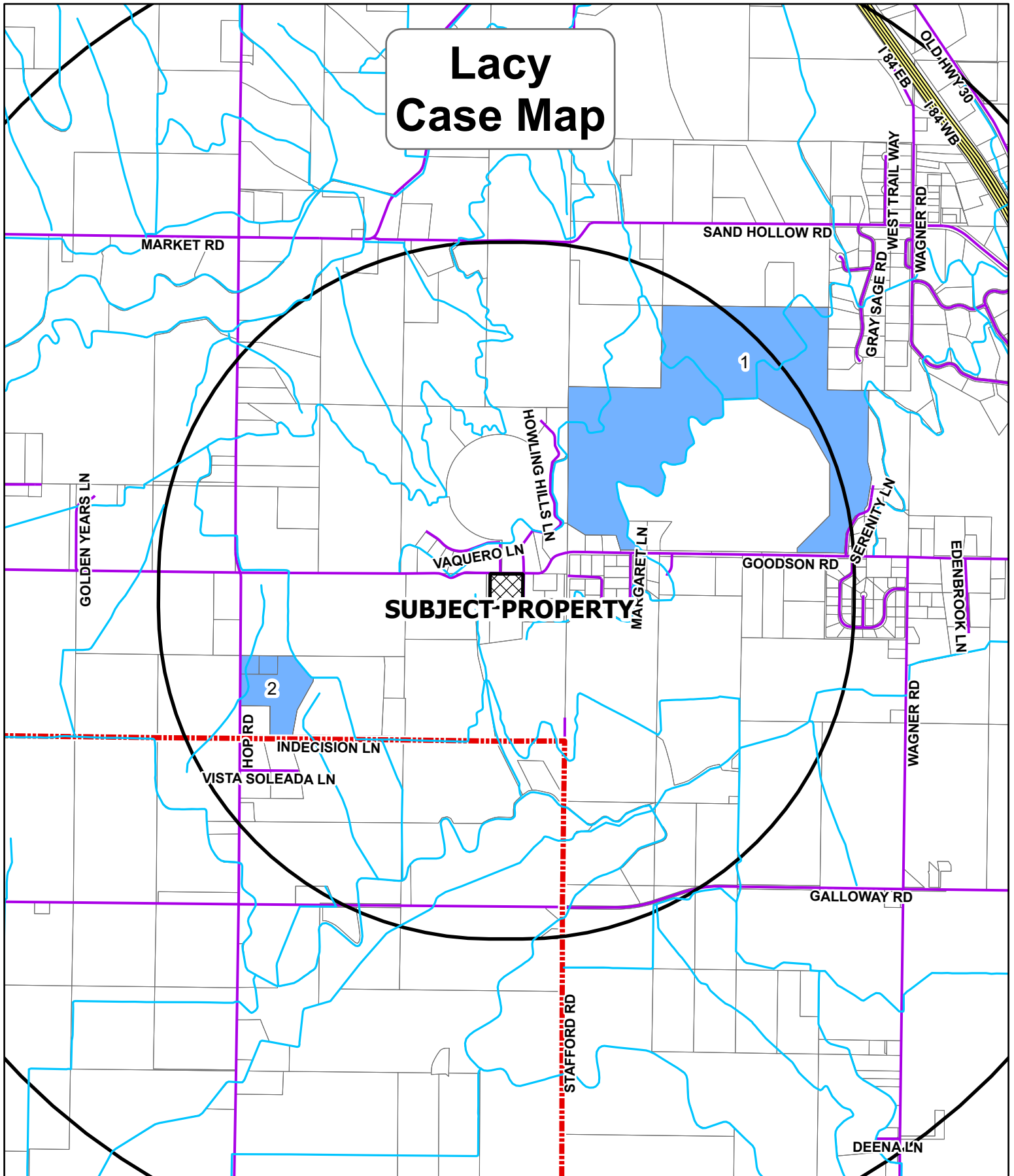
SUBDIVISION & LOT REPORT				
NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE	
4	423.57	65	6.52	
NUMBER OF SUBS IN PLATTING	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE	
2	228.29	139	1.64	
NUMBER OF LOTS NOTIFIED	AVERAGE	MEDIAN	MINIMUM	MAXIMUM
20	16.29	4.67	1.65	102.51
NUMBER OF MOBILE HOME PARKS	ACRES IN MHP	NUMBER OF SITES	AVG HOMES PER ACRE	MAXIMUM
0	0	0	0	0

PLATTED SUBDIVISIONS							
SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF...	Year
COOMBES SUB #1	1	5N3W19	25.10	16	1.57	COUNTY (Canyon)	1972
ELM CREST SUB	2	5N3W19	35.23	41	0.86	COUNTY (Canyon)	1973
STAFFORD HEIGHTS SUBDIVISION	3	5N4W24	5.60	3	1.87	COUNTY (Canyon)	2008
THE STADIUM SUBDIVISION	4	5N3W18	357.64	5	71.53	COUNTY (CANYON)	2018

SUBDIVISIONS IN PLATTING						
SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE			
Stadium Sub No.2	221.86	136	1.63			
Saskatoon Hill Sub	6.43	3	2.14			

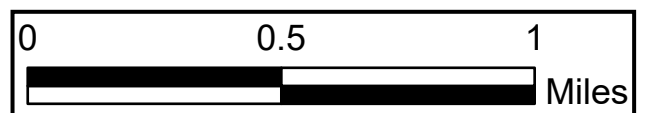
MOBILE HOME & RV PARKS						
SUBDIVISION NAME	SITE ADDRESS	ACRES	NO. OF SPACES	UNITS PER ACRE	CITY OF...	

Lacy Case Map



YEAR			
2023	2020		
2022	2019		
2021	2018		

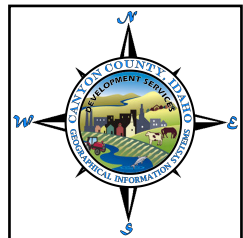
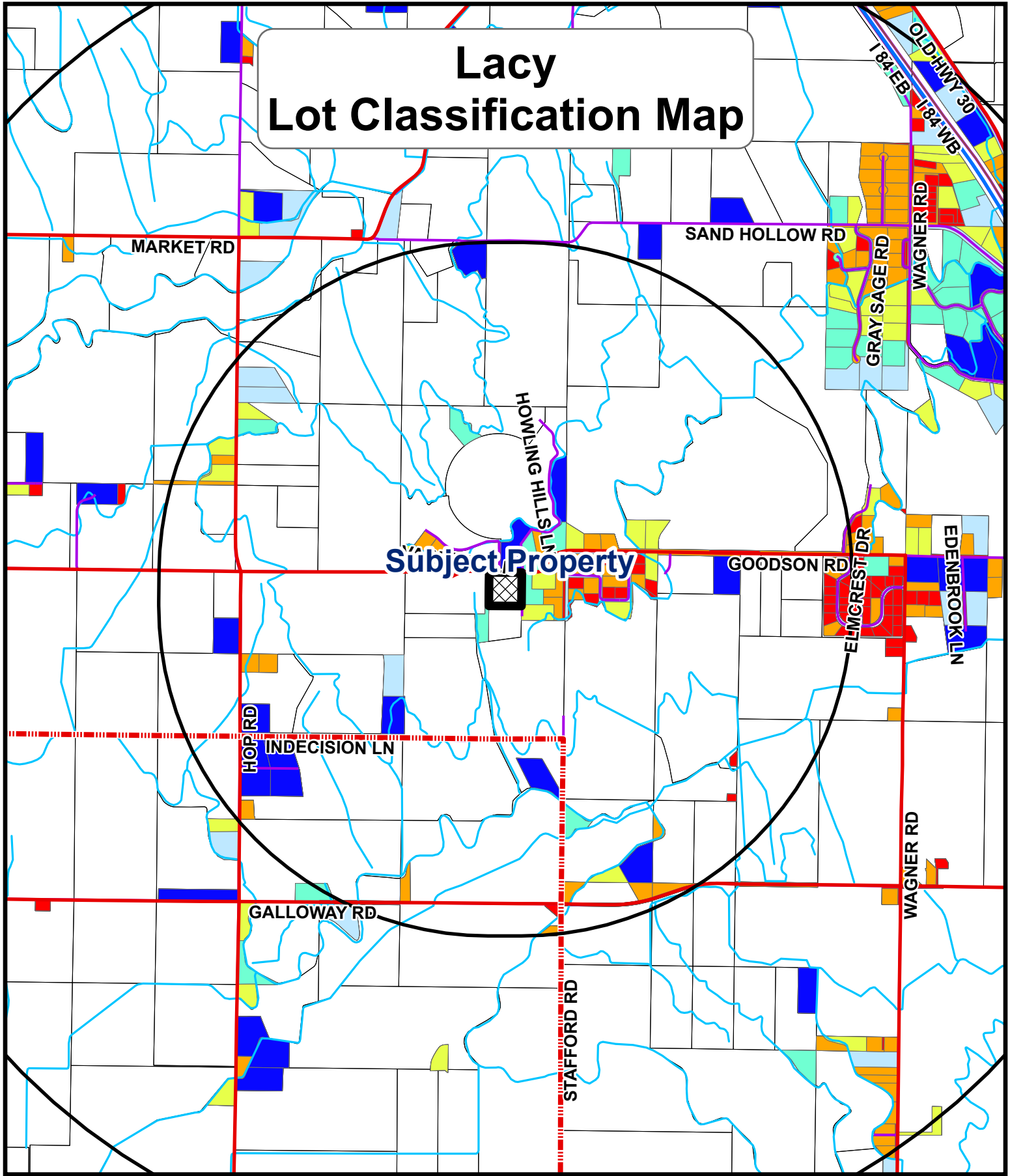
EXHIBIT
C6



CASE SUMMARY

ID	CASENUM	REQUEST	CASENAME	FINALDECIS
22835	SD2020-0027	Prelim Plat - Stadium Sub 2	Stadium Sub 2	APPROVE
4409	CR2021-0013	Rezone AG to CR-RR	Stark	APPROVED

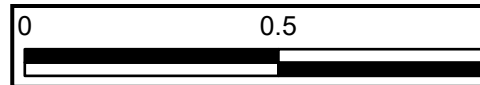
Lacy Lot Classification Map



Legend	
■	0.0 - 1.0
■	1.1 - 2.0
■	2.1 - 3.0
■	3.1 - 4.0
■	4.1 - 5.0
■	5.1 - 6.0

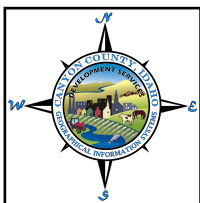
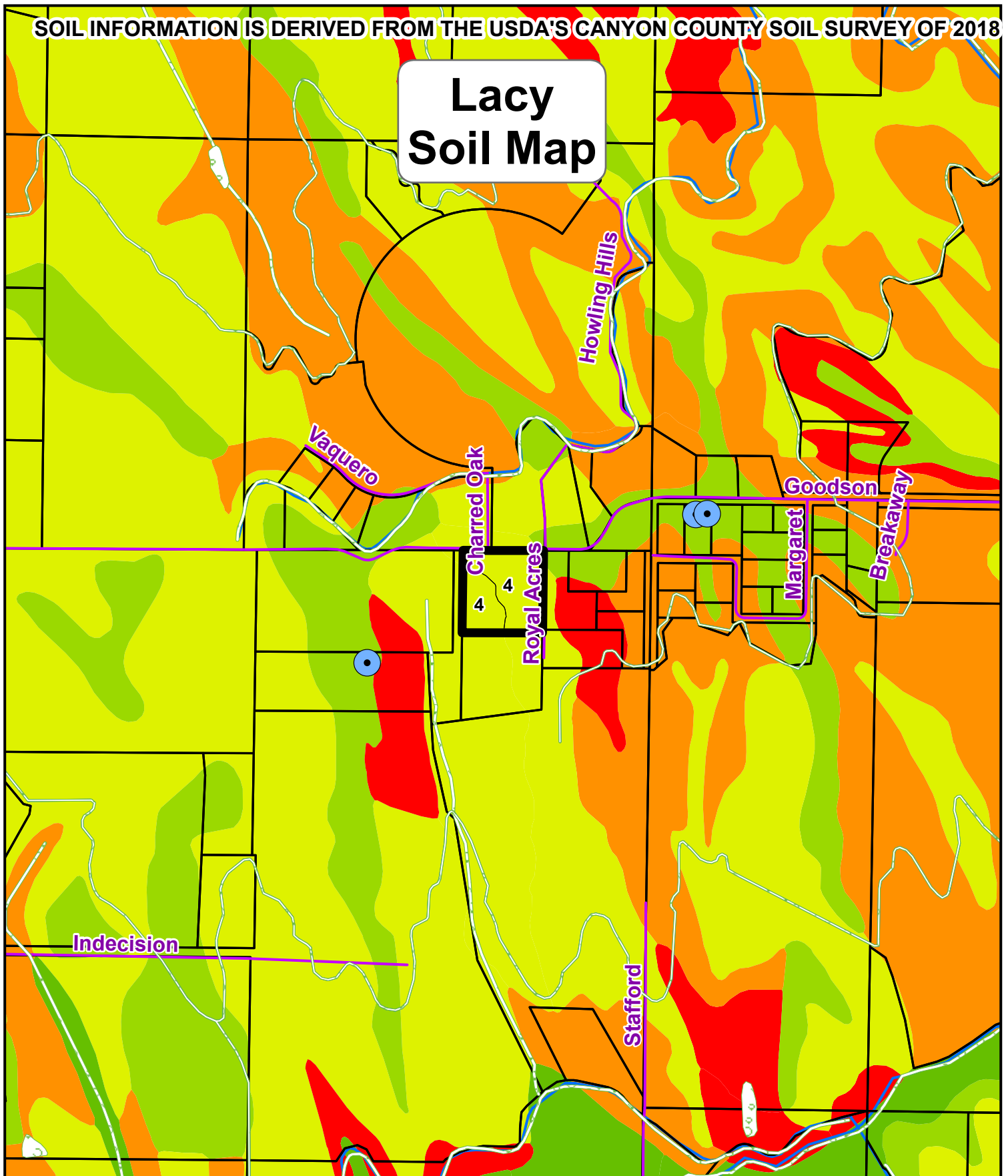
ITD Functional Classification	
—	Interstate
—	Minor Arterial
—	Major Collector
—	Minor Collector
—	Other Principal Arterials

EXHIBIT
C7



SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018

Lacy Soil Map



Nitrate Priority Wells

- 0.005000 - 2.000000
- 2.000001 - 5.000000
- 5.000001 - 10.000000
- ▲ 10.000001 - 49.800000

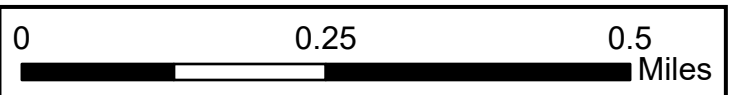


IDWR_2C_Geothermal_



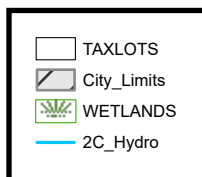
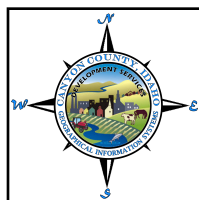
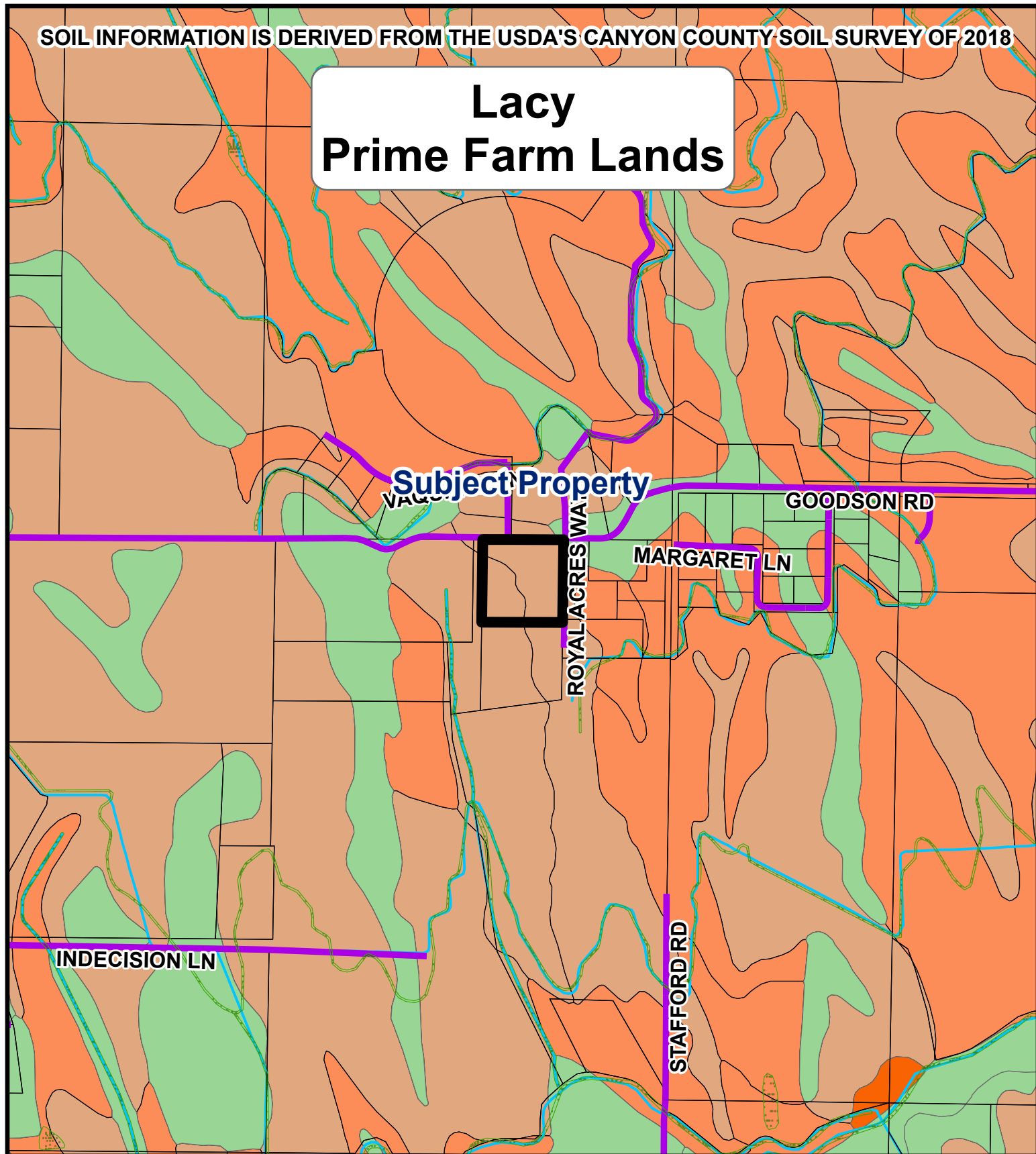
Wetlands

EXHIBIT
C8



SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018

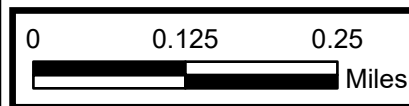
Lacy Prime Farm Lands



FARMLAND

- Farmland of statewide importance
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Not prime farmland
- Water/Gravel Pit/ Rock outcrop/ Riverwash/ Terrace Escarpments
- Prime farmland if irrigated
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and reclaimed of excess salts and sodium

EXHIBIT
C8



SOIL REPORT

SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
3	MODERATELY SUITED SOIL	1709.56	0.04	0.61%
4	MODERATELY SUITED SOIL	95514.36	2.19	34.12%
4	MODERATELY SUITED SOIL	182678.80	4.19	65.27%
		279902.72	6.43	100%

FARMLAND REPORT

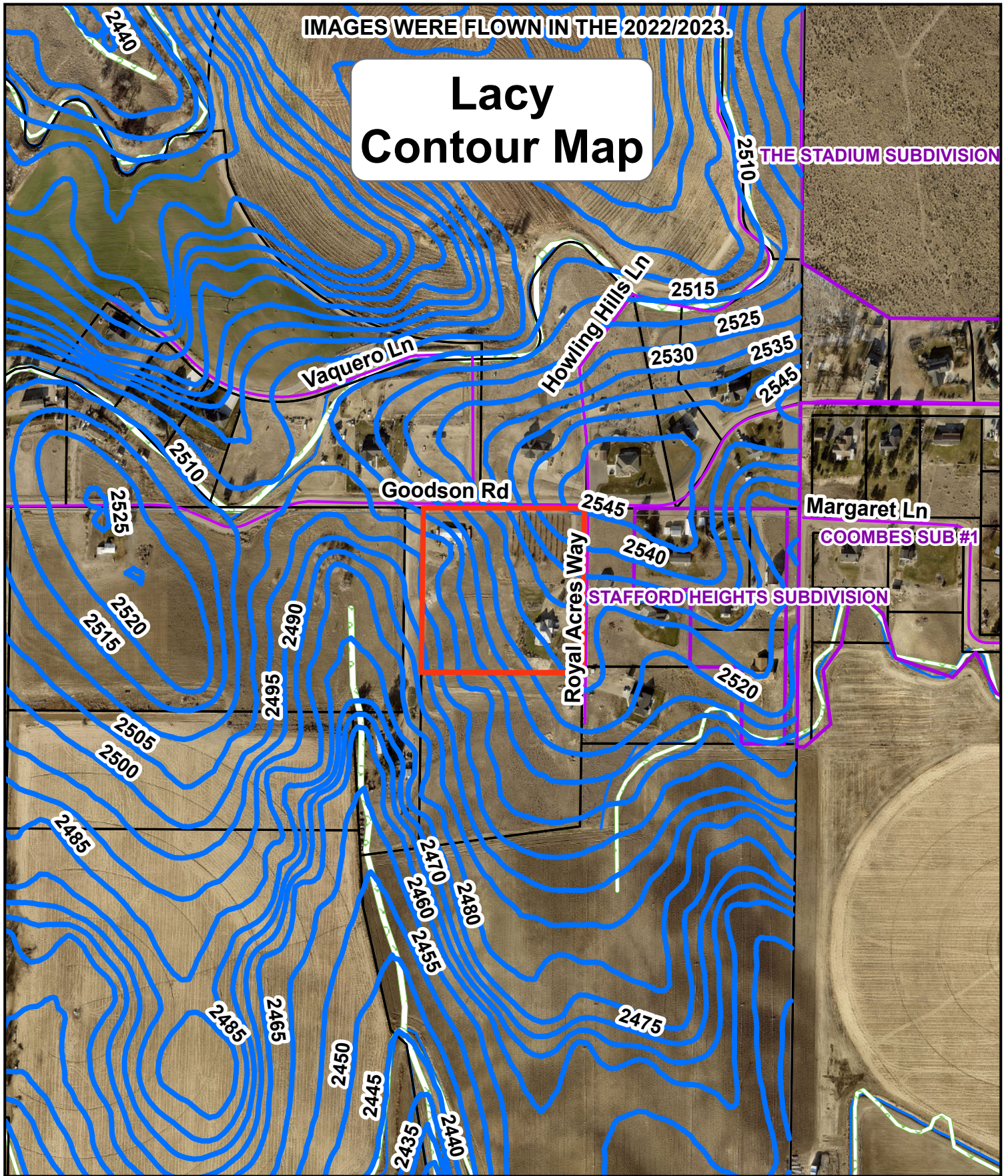
SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
EsB	Prime farmland if irrigated	1709.56	0.04	0.61%
LkC	Farmland of statewide importance, if irrigated	95514.36	2.19	34.12%
EvC	Farmland of statewide importance, if irrigated	182678.80	4.19	65.27%
		279902.72	6.43	100%

SOIL INFORMATION IS DERIVED FROM THE USDA's CANYON COUNTY SOIL SURVEY OF 2018

GRADE	SOILTYPE
1	BEST SUITED SOIL
2	BEST SUITED SOIL
3	MODERATELY SUITED SOIL
4	MODERATELY SUITED SOIL
5	LEAST SUITED SOIL
6	LEAST SUITED SOIL
7	LEAST SUITED SOIL
8	LEAST SUITED SOIL
9	LEAST SUITED SOIL

IMAGES WERE FLOWN IN THE 2022/2023.

Lacy Contour Map



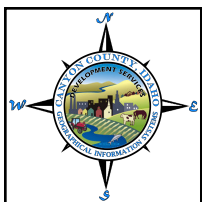
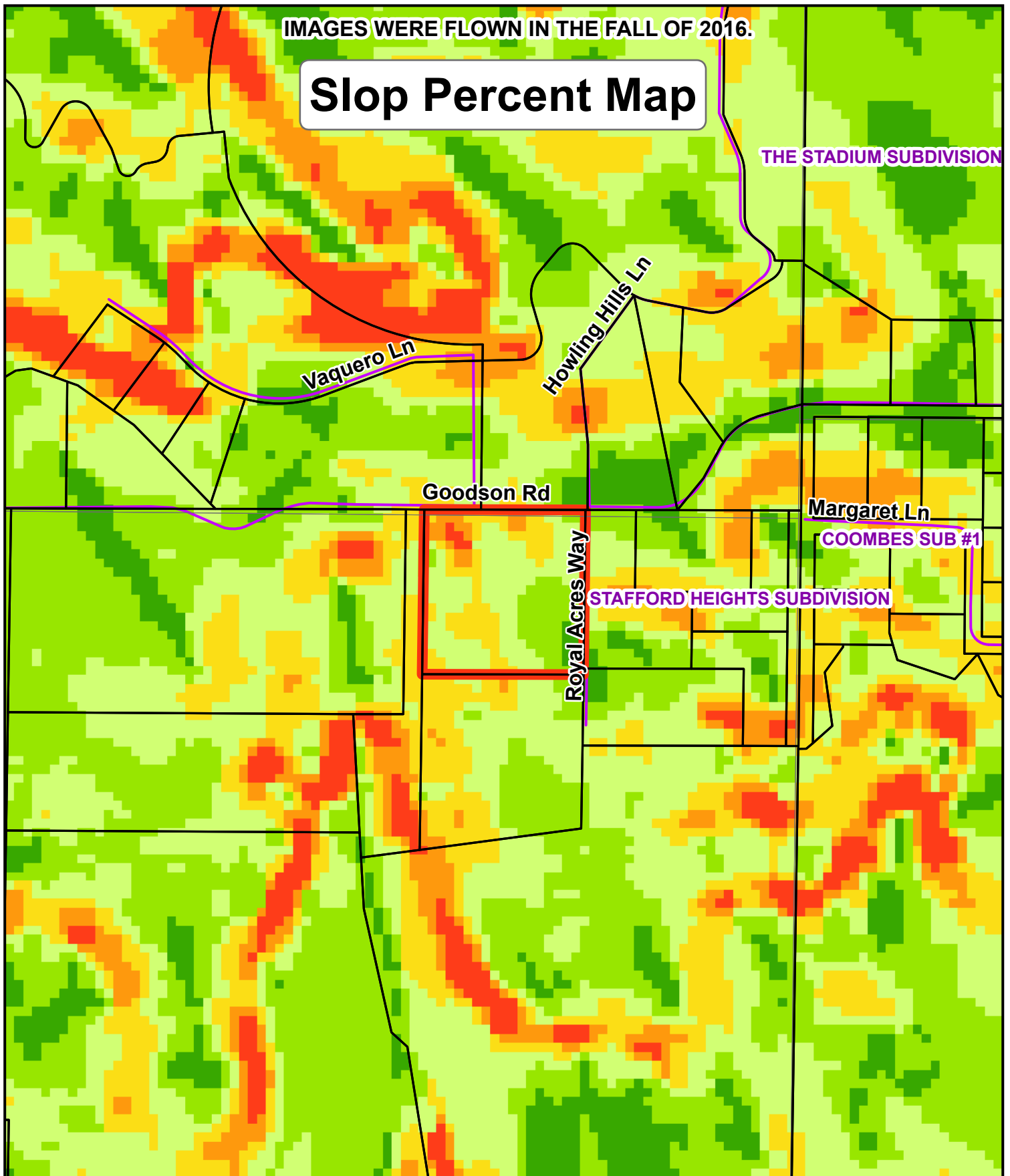
- Legend
- SUBJECT_PROPERTY
 - TaxParcels
 - SectionContours
 - Wetlands

0 200 400 600 Feet

EXHIBIT
C9

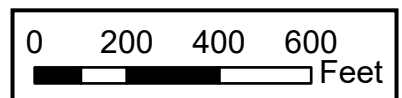
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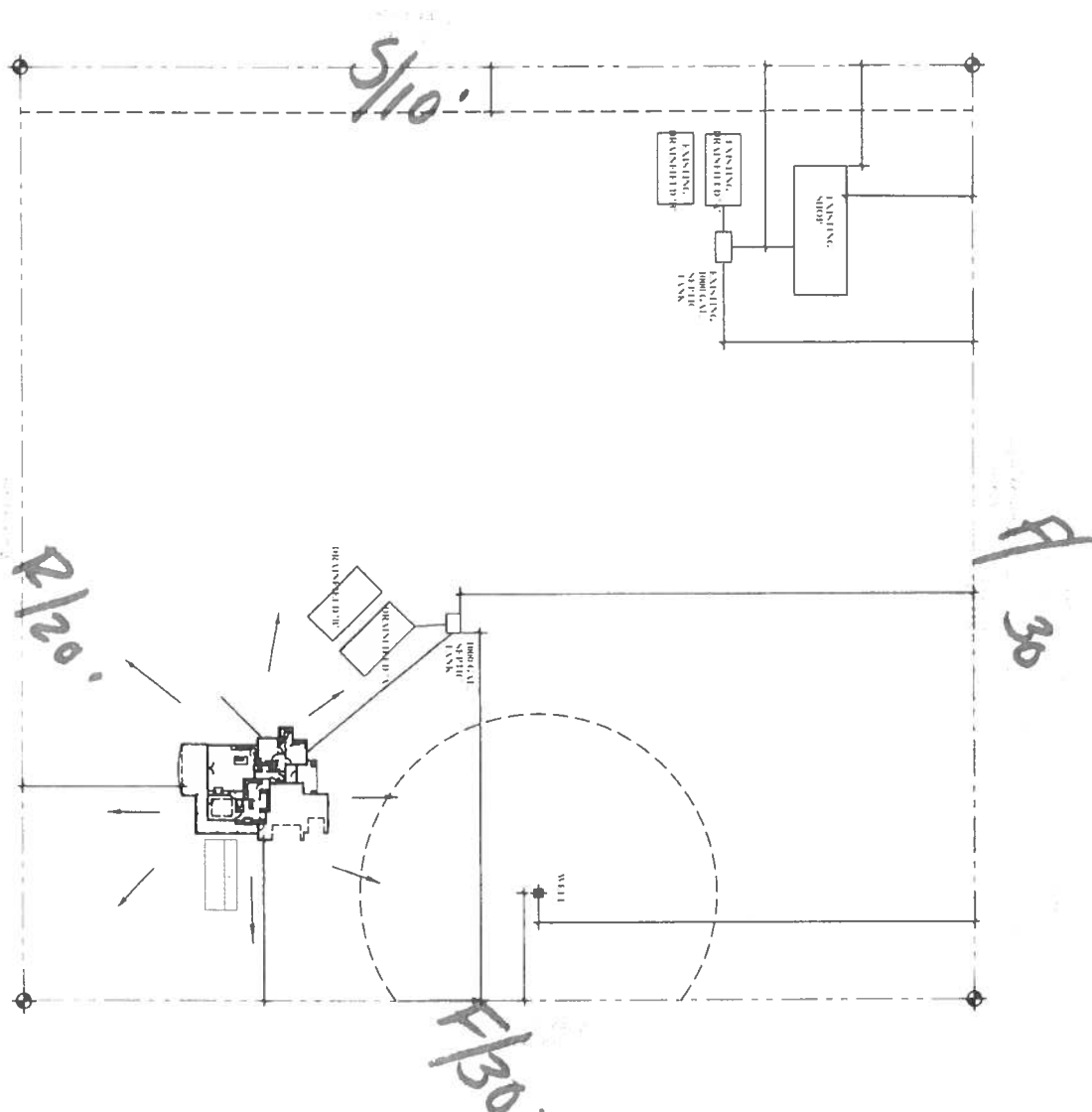
Slop Percent Map



Slop Percent

0.001 - 3	9.001 - 12
3.001 - 6	12.001 - 14.999
6.001 - 9	15 - 202.718





NOTES

LEGAL DESCRIPTION

SITE PLAN



**LACY
RESIDENCE**

**EXHIBIT
C10**

APPLICATION AND PERMIT TO USE RIGHT-OF-WAY
APPROACHES AND OTHER

LOT SPLIT ☐ APPROACH ☒ OTHER-DESCRIBE ☐ _____
ROAD NAME: Goodson Rd LOCATION BETWEEN Hop RD. & Wagner RD.

ROAD CLASSIFICATION: ARTERIAL ☐ COLLECTOR ☐ OTHER ☒ Approach is

PUBLIC ROAD SURFACE TYPE: DIRT ☐ GRAVEL ☐ PAVEMENT ☒ located along

TWENTY-FIVE DOLLAR (\$25.00) FEE PAID: YES ☐ NO ☐

Submit a sketch of proposed lot split for attachment

EAST property line
Approach will require pipe

NAME _____

PHONE NO. _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

SIGNATURE OF APPLICANT AND DATE _____

LOT SPLIT WITH DESIGNATED APPROACH LOCATION APPROVED.

SIGNATURE OF DIRECTOR OF HIGHWAYS _____

DATE _____

COMPLETE IF - APPLYING FOR CONSTRUCTION PERMIT

NOTICE:

This permit shall not be valid for construction until, or unless, the provisions of Idaho Code Title 55, Chapter 22 have been complied with.

PRIOR TO EXCAVATION, CALL DIGLINE
1 (800) 342-1585

PERMIT EXPIRES SIXTY (60) DAYS FROM ISSUE DATE. ALL WORK MUST BE COMPLETED PRIOR TO SIXTY (60) DAYS. DEPOSIT WILL BE FORFEITED AT END OF SIXTY (60) DAYS UNLESS OTHER ARRANGEMENTS ARE MADE WITH THIS OFFICE.

TYPE OF APPROACH: RESIDENCE ☒ COMMERCIAL ☐ FIELD ☐ OTHER ☐

I CERTIFY THAT I AM THE OWNER OR AUTHORIZED REPRESENTATIVE OF THE PROPOSED PROPERTY TO BE SERVED AND AGREE TO DO THE WORK REQUESTED HEREON IN ACCORDANCE WITH THE GENERAL PROVISIONS PRINTED ON THE REVERSE SIDE. THE SPECIAL PROVISIONS AND THE PLANS MADE A PART OF THIS PERMIT.

MEL A LACY
NAME 675 S. Linder Rd
ADDRESS Meridian ID 83642
CITY _____ STATE _____ ZIP _____

PHONE NO. _____

MEL A Lacy
SIGNATURE OF AUTHORIZED REPRESENTATIVE AND DATE _____

PERMIT FEE PAID: YES ☐ \$25.00 NO ☐

DEPOSIT PAID: YES ☒ AMOUNT 225.00 NO ☒

Submit a sketch of approach for attachment

Will send sketch
P.O. Box 719
Parma 83660

12' x 30' residential culvert
12' x 40' commercial culvert
No culvert required at this time

SUBJECT TO ALL TERMS, CONDITIONS AND PROVISIONS SHOWN ON THIS FORM, OR ATTACHMENTS, PERMISSION IS HEREBY GRANTED TO THE ABOVE NAMED APPLICANT TO PERFORM THE WORK AS DESCRIBED.

SIGNATURE/HIGHWAY DISTRICT PERSONNEL: Earl V. Bantam

DATE: 2-04-05

COPIES OF PERMIT MUST BE PRESENT AT WORK SITE DURING CONSTRUCTION

APPLICATION AND PERMIT TO USE RIGHT-OF-WAY
APPROACHES AND OTHER

LOT SPLIT ☐ APPROACH ☒ OTHER-DESCRIBE ☐

ROAD NAME: Carlson Rd LOCATION BETWEEN Hop RD. & WAGNER RD.

ROAD CLASSIFICATION: ARTERIAL ☐ COLLECTOR ☐ OTHER ☒ approach location

PUBLIC ROAD SURFACE TYPE: DIRT ☐ GRAVEL ☐ PAVEMENT ☒ alongside west property line

TWENTY-FIVE DOLLAR (\$25.00) FEE PAID: YES ☐ NO ☐

Submit a sketch of proposed lot split for attachment

NAME

PHONE NO.

ADDRESS

CITY

STATE

ZIP

SIGNATURE OF APPLICANT AND DATE

LOT SPLIT WITH DESIGNATED APPROACH LOCATION APPROVED.

SIGNATURE OF DIRECTOR OF HIGHWAYS

DATE

COMPLETE IF - APPLYING FOR CONSTRUCTION PERMIT

NOTICE:

This permit shall not be valid for construction until, or unless, the provisions of Idaho Code Title 55, Chapter 22 have been complied with.
PRIOR TO EXCAVATION, CALL DIGLINE
1 (800) 342-1585

PERMIT EXPIRES SIXTY (60) DAYS FROM ISSUE DATE. ALL WORK MUST BE COMPLETED PRIOR TO SIXTY (60) DAYS. DEPOSIT WILL BE FORFEITED AT END OF SIXTY (60) DAYS UNLESS OTHER ARRANGEMENTS ARE MADE WITH THIS OFFICE.

TYPE OF APPROACH: RESIDENCE ☐ COMMERCIAL ☒ FIELD ☐ OTHER ☐

I CERTIFY THAT I AM THE OWNER OR AUTHORIZED REPRESENTATIVE OF THE PROPOSED PROPERTY TO BE SERVED AND AGREE TO DO THE WORK REQUESTED HEREON IN ACCORDANCE WITH THE GENERAL PROVISIONS PRINTED ON THE REVERSE SIDE. THE SPECIAL PROVISIONS AND THE PLANS MADE A PART OF THIS PERMIT.

NAME

PHONE NO.

ADDRESS

CITY

STATE

ZIP

SIGNATURE OF AUTHORIZED REPRESENTATIVE AND DATE

PERMIT FEE PAID:

YES ☐

\$25.00

NO ☐

DEPOSIT PAID:

YES ☐

AMOUNT 225.00

NO ☒

Submit a sketch of approach for attachment

12" x 30' residential culvert

12" x 40' commercial culvert

No culvert required at this time

SUBJECT TO ALL TERMS, CONDITIONS AND PROVISIONS SHOWN ON THIS FORM, OR ATTACHMENTS, PERMISSION IS HEREBY GRANTED TO THE ABOVE NAMED APPLICANT TO PERFORM THE WORK AS DESCRIBED.

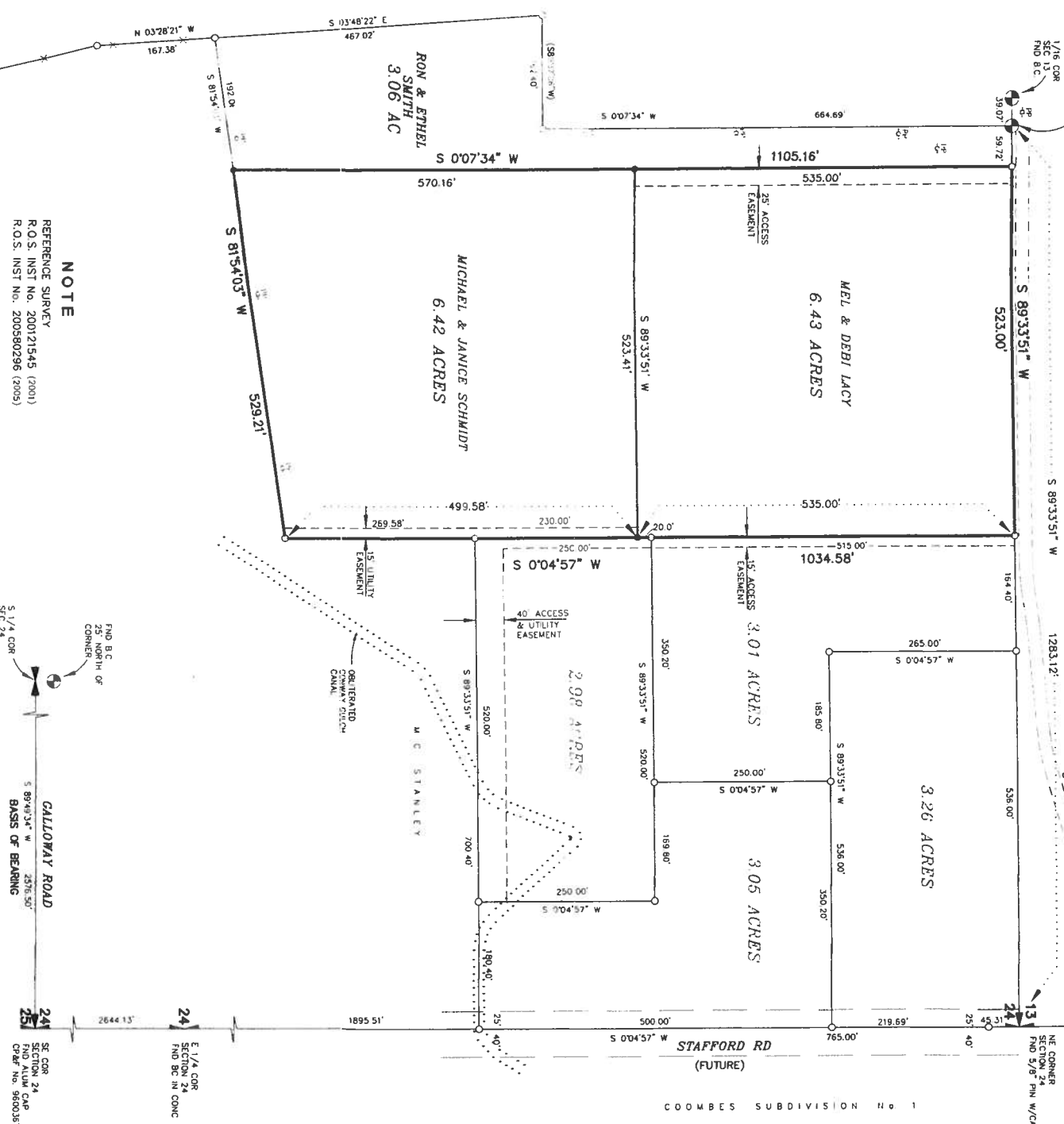
SIGNATURE/HIGHWAY DISTRICT PERSONNEL:

DATE:

COPY OF PERMIT MUST BE PRESENT AT WORK SITE DURING CONSTRUCTION

1/16 COR
SEC 24
FND B.C.
CPR No. 867233

1/16 COR
SEC 13
FND B.C.



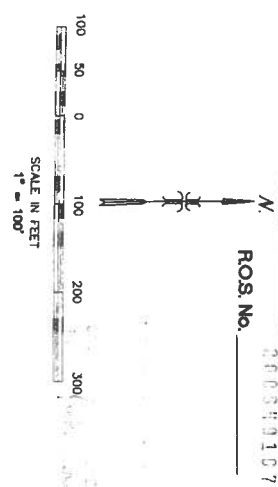
NOTE

REFERENCE SURVEY
R.O.S. INST No. 200121545 (2001)
R.O.S. INST No. 200580296 (2005)

S 1/4 COR
SEC 24
FND R/R SPICE
CPR No. 779689

GALLOWAY ROAD
BASIS OF BEARING
S 89°43'34" W 2576.50'

SEC COR
SECTION 24
CAP
CPR No. 9600387



- LEGEND**
- SURVEY BOUNDARY
 - PARCEL LINE
 - RIGHT OF WAY LINE
 - - - EASEMENT LINE
 - 1/2" REBAR SET W/CAP L.S. No. 884
 - FOUND BRASS CAP R/W MARKER
 - FOUND 5/8" REBAR
 - FOUND 1/2" REBAR
 - ⊕ FOUND SECTION CORNER
 - ⊕ FOUND 1/4 CORNER

CERTIFICATE OF SURVEYOR

I do hereby certify that I am a Land Surveyor, licensed by the State of Idaho and that this map was prepared from a survey made under my supervision, and is an accurate representation of said survey.

R.D. Critser, L.S.



RECORDERS CERTIFICATE

State of Idaho) SS
County Of Canyon)
Filed for record at request of R.D. Critser at page _____ of Book _____
at _____ minutes past _____ o'clock _____ m., this _____ day of _____
200 ____
By _____ Deputy

RECORD OF SURVEY

FOR
LACY / SCHMIDT

LOCATED IN THE NE 1/4 NE 1/4
SECTION 24, T.3N., R.4W., B.14
CANYON COUNTY, IDAHO

CRITSER LAND SURVEYS

L.S. No. 884

324-8824

Scale: 1" = 100' Draft: SFT Check: DC Date: 5/30/06
Dwg No.: 123456 Sht. 1 of 1 Job No.:



**BEFORE THE CANYON COUNTY
HEARING EXAMINER**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

IN THE MATTER OF AN APPLICATION BY:)

MEL & DEBI LACY)

CASE # CU2005-84

FOR A CONDITIONAL USE PERMIT)

PARCELS # R38435-011

I. APPLICATION PROCESS (CCCO 07-07-03)

1.1 LEGAL

Mel & Debi Lacy are requesting a Conditional Use Permit to divide approximately 12.85 acres into two (2) residential lots in an "A" (Agricultural) Zone. The subject property is located on the south side of Goodson Road, approximately 3/4 mile east of the intersection of Hop Road and Goodson Road, Caldwell, Idaho, in a portion of the NE 1/4 of Section 24, T5N, R4W, BM.

1.2 PROCEDURAL HISTORY

On September 8, 2005, staff notified other agencies of this application and solicited their comments. On October 11, 2005, persons owning property within 3/4 mile of the site were notified of the hearing by mail. On October 10, 2005 notice of the hearing was published in the Idaho Press Tribune. On October 20, 2005, notice of the public hearing was posted on the subject property.

II. PROPERTY REVIEW

2.1 PROPERTY HISTORY

The subject property was once part of an approximately 28.24 acre parcel. In 1983 the property was administratively divided into two parcels, creating a 3.06 acre parcel and a 25.18 acre parcel. Another division took place in 1988 dividing the 25.18 acre parcel into two parcels consisting 12.85 acres (the subject property) and 12.33 acres. The Development Services Department does not have any documentation of this division. In December of 2005 a Conditional Use (CU2004-568) permit was granted recognizing the previous division of property.

III. PUBLIC HEARING

The Hearing Examiner, M. Jerome Mapp, opened public testimony.

- 3.1** Planner for the Development Services Department, Joshua Johnson reviewed the staff report for the record.

3.2 WITNESSES SIGNED UP IN FAVOR: Michael D. Schmidt.

3.3 WITNESSES TESTIFYING IN FAVOR: Michael D. Schmidt.

Michael D. Schmidt - Representative

- Mr. Schmidt stated the written approval and recording of the road usage on the west side of the property still needs to be obtained.
- Stated the land is dry pasture and there are weeds on the property.
- Stated to the east there has been an administrative split on two (2), four (4) acre lots.
- On exhibit B.3 he pointed out where the access will be located.

3.4 NO NEUTRAL WITNESSES.

3.5 NO WITNESSES IN OPPOSITION.

The Hearing Examiner, M. Jerome Mapp closed public testimony.

IV. FINDINGS OF FACT (CCCO 07-07-05)

4.1 Whether the proposed use is permitted in the zone by Conditional Use Permit?

Mr. Mapp cited the following from the staff report:

Yes, 07-10-19 (3) J.

4.2 A statement of the nature of the request.

Mr. Mapp cited the following from the staff report:

The applicant proposes to divide approximately 12.85 acres into two (2) 6.425 acre plots.

4.3 Whether the proposed use is consistent with the Comprehensive Plan.

Mr. Mapp cited the following from the staff report:

A. Page 75 & 76: Guidelines to be used in administering the plan.

B. This request is consistent with the following Comprehensive Plan provisions.

Property Rights:

In the 1994 Legislative Session, Idaho Code 67-8001, 8002, and 8003 were adopted to establish a process to better provide that land use policies, restrictions, conditions, and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of private property. It is the policy of the County to comply with the requirements of the Idaho Code provisions.

Population Policy No. 1:

To provide the planning base for an anticipated population of at least 105,000 by the year 2000, and 120,000 by the year 2010. This policy estimates and anticipates an annual increase of approximately 1.2 percent between 1990 and 2000, and could reach 1.5 percent between 2000 and 2010. This policy also recognizes that planning policies combined with past trends can anticipate the location of the expected population reasonably close and that the intent of the plan is to forecast and plan for the needs of population growth areas in terms of future facilities and services.

Population Policy No. 4:

To locate future population in areas outside of best suited and moderately suited agricultural areas. This policy recognizes that productive agricultural areas are considered developed and to change the existing land use pattern to another land use or to mixtures of potentially conflicting land uses may cause irreparable damage to both the area and the agricultural industry of the county. This policy underscores other policies of the plan which seek to encourage the protection of prime "best suited" agricultural lands for the production of food and fibre. The county also recognizes that certain "moderately suited" and "least suited" agricultural areas may be considered for residential development through the Conditional Use Permit or Conditional Rezone process. These processes however, require careful consideration of the impact(s) that development may have on existing and surrounding land uses while taking into account both citizen and pertinent agency inputs. Urban and urban-type residential development is encouraged within incorporated cities and their corresponding areas of impact.

C. This request is not consistent with the following Comprehensive Plan provisions:

Property Rights:

In the 1994 Legislative Session, Idaho Code 67-8001, 8002, and 8003 were adopted to establish a process to better provide that land use policies, restrictions, conditions, and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of private property. It is the policy of the County to comply with the requirements of the Idaho Code provisions.

Population Policy No. 3:

To encourage future population to locate within incorporated cities and/or "Areas of City Impact". This policy recognizes that population growth and the resulting development activity should occur where public infrastructure, services and facilities are available or where they are planned and will be provided in the near future.

Overall Land Use Policy No. 1:

To encourage orderly growth throughout Canyon County while avoiding scattered development of land that may result in either or both of the following:

(A) An adverse impact upon water quality, water supply, irrigation ditches, canals and systems, sewage disposal, public safety and emergency services, educational facilities and

surroundings, transportation and transportation facilities, and other desired and essential services; and

(B) The unnecessary imposition of an excessive expenditure of public funds for delivery of desired and essential services.

Overall Land Use Policy No. 7:

To encourage development in those areas of the county which provide the most favorable conditions for future community services.

Economic Policy No. 1:

To encourage development of additional employment opportunities and economic diversity in Canyon County. This policy establishes an estimated employment forecast of approximately 52,000 jobs by the year 2,000, and a forecast to about 63,000 jobs by the year 2010. This increase corresponds to an increase of 2.4 percent per year in the 1990 to 2000 decade to approximately 2.1 percent per year in the 2000 to 2010 decade.

- 4.4 **Whether the proposed use will be injurious to other property in the immediate vicinity and/or will negatively change the essential character of the area?**

Mr. Mapp cited the following from the staff report:

If the project is developed as described in the applicant's Letter of Intent, then the proposed use will not be injurious to land uses on other properties in the immediate vicinity and will not change the essential character of the area.

- 4.5 **Whether, if applicable, adequate water, sewer, irrigation and drainage and storm water drainage facilities and utility systems are to be provided to accommodate said use?**

Mr. Mapp cited the following from the staff report:

If the project is developed and operated as described in the applicant's Letter of Intent, then adequate sewer, drainage facilities, and utility systems will be provided to accommodate said use as described below.

- A. Sewer: Individual septic systems.
- B. Water: Individual domestic wells.
- C. Drainage: No changes are proposed.
- D. Utilities: Currently provided to the subject property.

The subject property is **not within** a nitrate priority area as determined by the Department of Environmental Quality.

- 4.6 **Whether legal access to the subject property for the development exists or will exist at the time of final plat?**

Mr. Mapp cited the following from the staff report:

The property will be accessed by a private road owned by the neighbors.

4.7 Whether there will be undue interference with existing or future traffic patterns.

Mr. Mapp cited the following from the staff report:

The addition of these two (2) lots will not significantly impact the traffic patterns surrounding the subject property.

4.8 Whether essential services are to be provided to accommodate said use such as, but not limited to, school facilities, police and fire protection, emergency medical services, and whether or not services will be negatively impacted by such use or will require additional public funding in order to meet the needs created by the requested use.

Mr. Mapp cited the following from the staff report:

No other agencies have responded with any information regarding this request.

V. CONCLUSIONS OF LAW

The Canyon County Hearing Examiner is authorized to hear this case and to make a decision. Standards noted under Section III of the Staff Report were followed, which allowed for the procedures and processes of this hearing to be conducted.

ORDER OF DECISION

Based on the Findings of Fact, Conclusions of Law and the reasons stated, the Canyon County Hearing Examiner orders Case # **CU2005-84** a request by Mel & Debi Lacy for a **Conditional Use Permit** to divide approximately 12.85 acres into two (2) residential lots in an "A" (Agricultural) Zone, is **approved** with the following **conditions**:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the property.
2. Include the right to farm statement per Canyon County Zoning Ordinance 07-17-19(3) D 7
3. If roads within the development are to remain privately maintained, a Road User's Maintenance Agreement shall be entered into by all future landowners within the proposed subdivision, and said agreement shall be recorded with the Canyon County Recorder's Office and a copy shall be provided to the Development Services Department.
4. A Water User's Maintenance Agreement shall be entered into by all future landowners within the proposed subdivision, and said agreement shall be recorded with the Canyon County Recorder's Office and a copy shall be provided to the Development Services Department.
5. The applicant shall meet the requirements of the Southwest District Health Department (Exhibit C.1).
6. The project will commence within three (3) years and be completed within five (5) years.

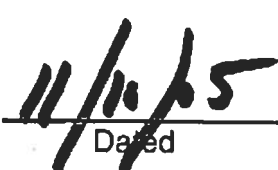
Notice of Appellate Procedure

Pursuant to the provisions of Chapter 7, Article 3 of the Canyon County Code of Ordinances, an affected person aggrieved by this decision may file an appeal with the Development Services Department, together with the filing fee, within fifteen (15) calendar days after the date of the written decision. A certified copy of the file will be delivered to the Canyon County Board of Commissioners, which will schedule and conduct the appeal hearing.

WRITTEN FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER WAS APPROVED BY THE
CANYON COUNTY HEARING EXAMINER AT A SCHEDULED MEETING HELD NOVEMBER 10, 2005.

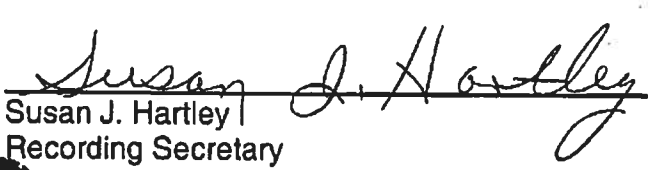


Madeline Mapp
Canyon County Hearing Examiner

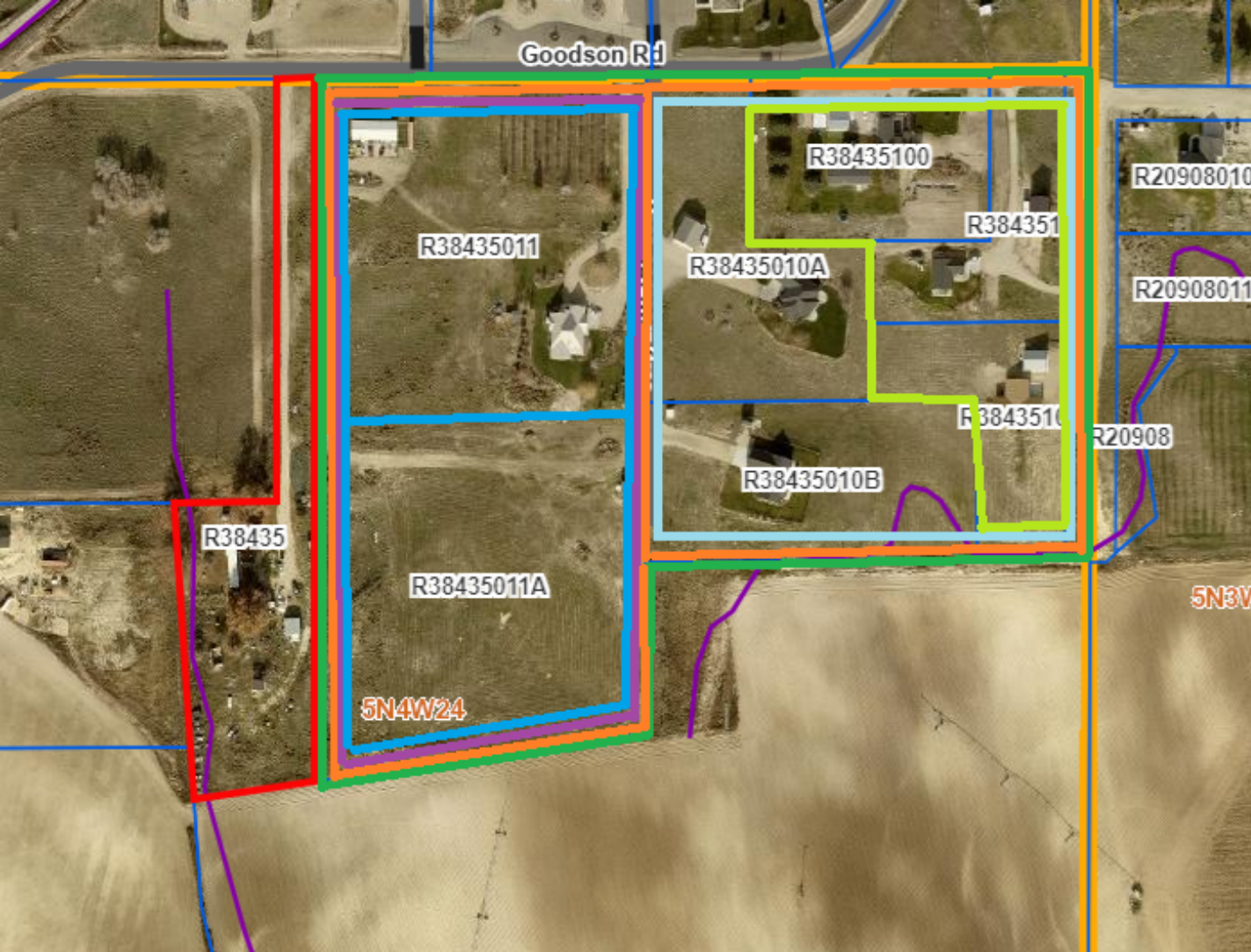


Dated

ATTEST:



Susan J. Hartley
Recording Secretary



- Red & Green first division '83
3.06 ac and 25.18 ac
- Apprx 25 acres into 12.85
and 12.33 parcels in 1988
without an application
- CU2004-568 to obtain one
residential permit on the
12.85 acres-approved
- LS2005-110 non-viable
divide 12.33 into four (4)
parcels
- Platted as residential
subdivision 2008
Stafford Heights Sub
through a conditional use
permit-not rezoned.
- CU2005-84 to split the
12.85 acres into two
parcels each with a BP.

INSPECTION RESULTS

Canyon County
Development Services Department
111 North 11th Ave., Suite 310, Caldwell, ID 83605
For Inspections Call: (208) 454-7460



Scan This Code to View
Inspection Results Online.

Result:	Complete	Date:	10/6/2025
Permit No.:	SI2025-0079	Site Address:	18247 GOODSON RD
Inspection Type:	Special Inspections	Inspector:	SCOTT HILLMAN (208)366-9094

At time of inspection I observed a portion of the shop permitted under BP2005-615 had been converted to a residence approximately 800sf in size. The converted space meets the size requirements for a residential occupancy and contains the necessary elements of a residence. As there was an original separation between what is now the garage and dwelling, there was no new construction involved with the change of use. The original permit had progressed to the point of a Final inspection, but a reinspection was never performed.

The portion of the shop which has been converted to a residence was initially constructed as a separate space from the "garage" portion of the structure, as stated by the home owner. Based on the corrections listed in the 3-31-15 Final inspection in CAPS, the permit for the Accessory Structure only needed to pass MEP final inspections, SWDH approval, and finish insulation to pass. I observed Electrical and Plumbing rough inspection stickers in the electrical panel in the converted residence. As this work was initially permitted it is likely that the old permits could be completed and Final inspections Passed. The Mechanical systems at the time of construction would have fallen under our purview. There is a mechanical permit, MC2006-726, which appears to be for the in-floor heating system. This permit also passed the rough inspection and would need to pass a Final inspection. This mechanical permit does NOT explicitly include the bathroom ventilation fan, which would have required a permit at the time. Also, there is no range hood vent installed. A range hood vent may NOT be a requirement provided there is natural ventilation in the space.

Following is a summary of items that will need to be addressed to complete a change of occupancy:

- 1- Pass a Final Electrical inspection with DOPL, this would include any portion of the in-floor heating system that falls under their purview.
- 2- Pass a Final Plumbing inspection with DOPL, this would include the bathroom and any portion of the in-floor heating system that falls under their purview.
- 3- Pass a Final inspection for all mechanical systems not included in the permit for the in-floor heating system. This would include the bathroom fan, mini-split system, and range hood vent (if required).
- 4- Pass a Final inspection for the in-floor heating system. As this was originally permitted with our office, a Special Inspection could be performed to close out this old permit.
- 5- Provide a landing at the egress door on the east side of the building, minimum 3' x 3'.
- 6- Ensure that smoke and CO detector(s) are installed and functioning.
- 7- Provide a self-closing fire door per R302.5.1 between the garage and residence.
- 8- Provide dwelling-garage separation between the garage and residence per R302.6. Separation to extend from the floor to the ceiling. Material to be not less than 5/8-inch Type X gypsum board, or equivalent, applied to the garage side.
- 9- At the floor of the storage area above the residence (bathroom area), provide/ensure nominal 3/4" wood structural panels or equivalent to maintain garage-dwelling separation.
- 10- Protect penetrations in the garage dwelling separation wall per R302.5.2 & R302.5.3. The PVC pipe penetrating the garage wall shall be removed and covered, or, protected with an appropriate intumescent pipe collar.
- 11- Apply for a Change of Use/Occupancy permit with Canyon County.

EXHIBIT
C12

EXHIBIT D:
SITE VISIT PHOTOS

EXHIBIT
D

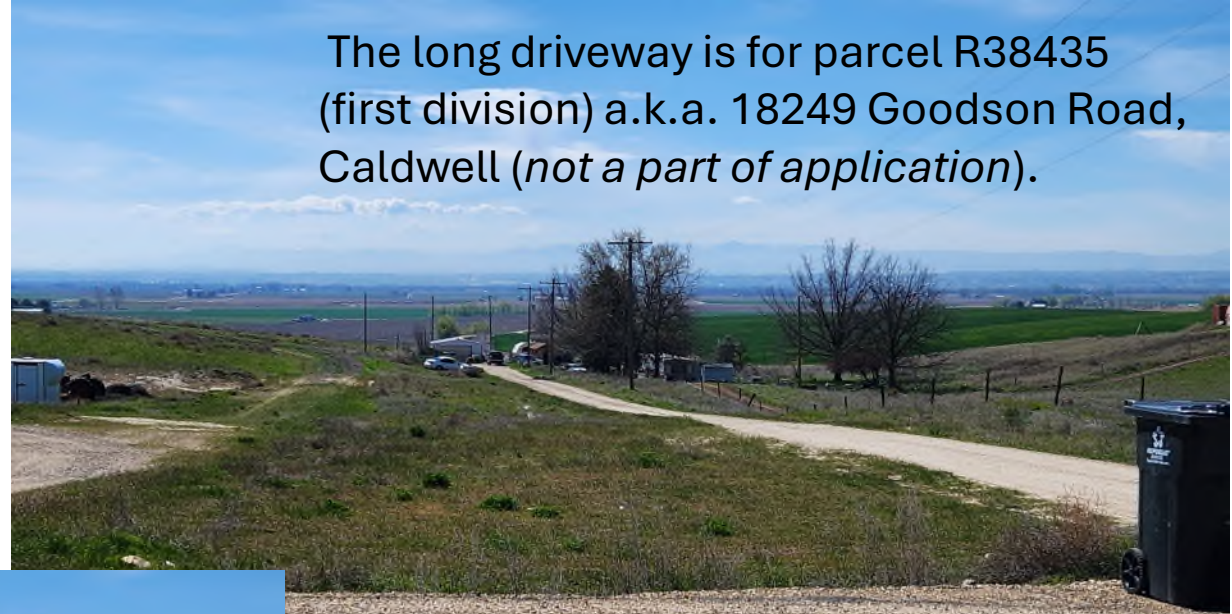
Subject Property: R38435011A Google Maps Street View image date September 2025
South from Goodson Road near center of property





Subject property west driveway and secondary residence 18247 Goodson Rd, Caldwell (small apt. in shop)

Pictures taken April 6, 2026



The long driveway is for parcel R38435 (first division) a.k.a. 18249 Goodson Road, Caldwell (*not a part of application*).



The proposed private road to serve the properties runs parallel approximately 40 feet from edge of the adjacent driveway to the west. As proposed the access would serve three properties requiring a private road lot for the purpose of platting.



Subject property eastern driveway
and primary residence 18181
Goodson Rd, Caldwell



Subject property from northwest
corner looking southeast towards
primary residence 18181 Goodson
Rd, Caldwell



Goodson Road looking down private road,
Royal Acres Way, adjacent to east
boundary of subject property

Pictures taken
April 6, 2026



From east of the property on Goodson Road looking southeasterly across property to primary residence on knoll. Picture taken April 6, 2026





Subject Property: R38435011A Google Maps Street View image date September 2025
South from Goodson Road with primary residence in distance behind rows of berry bushes along the road frontage.



Subject Property: R38435011A Google Maps Street View image date September 2025
East driveway approach to subject property on the left side Goodson Road facing westerly.



Subject Property: R38435011A Google Maps Street View image date September 2025
Facing easterly on Goodson Road; Bureau of Reclamation property on right with subject property on the right in distance



Subject Property: R38435011A Google Maps Street View image date September 2025
Facing easterly on Goodson Road; Bureau of Reclamation property on right with subject property on the right in distance



Subject Property: R38435011A Google Maps Street View image date September 2025
Facing westerly on Goodson Road; subject property on left at second access

EXHIBIT E:
AGENCY COMMENTS



J-U-B COMPANIES



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

October 25, 2024

Amended: September 29, 2025

Dan Lister
daniel.lister@canyoncounty.id.gov
111 North 11th Ave., Ste. 310
Caldwell, ID 83605

RE: CASE NO. CR2023-0004 AND OR2023-0001, DEBRA LACEY TRUST

Dear Dan:

On behalf of the Notus Parma Highway District No. 2 (NPHD), I have reviewed the application dated 10/10/2024, for the property located at 18247 Goodson Road for the subject Parcel #R38435011.

Goodson Road is under the jurisdiction of the NPHD. The functional classification for Purple Sage Rd. per NPHD's 2017 Transportation Plan is a Major Collector roadway. Existing right-of-way (R/W) at the subject parcel and along the centerline of Goodson Road appears to be a 50-ft wide prescriptive easement (25-ft each side of roadway centerline).

Legal access to the subject parcel does not currently exist for the intended use. The applicant will be required to submit an approach application that meets the current Association of Canyon County Highway District Standards.

At this time and based upon said written information provided with the application, the following Conditions of Approval apply:

1. Application requirements shall meet 2022 ACCHD Standards.
- ~~2. A Traffic Impact Study (TIS) is required per ACCHD Section 2010 Land Use Applications. The P&Z hearing should be delayed until the TIS is complete.~~
- ~~3. The TIS will determine mitigation of traffic impacts from the proposed residential development. Details of the TIS scope will be determined at a scoping meeting with the Applicant, their traffic engineer, and the NPHD. The TIS shall include the following:~~
 - ~~a. Trip generation by the facility operations~~
 - ~~b. Site access including potential turn lanes~~
 - ~~c. Designated route to State Highway~~
 - ~~d. Proposed secondary access (if any)~~
 - ~~e. Intersection operation and level of service along said route~~
 - ~~f. Structural capacity of Purple Sage Rd. and designated route~~
 - ~~g. Calculation of proportionate share of costs by the Applicant for mitigation improvements and roadway reconstruction.~~

- ~~4. Completion of the TIS for the required improvements (yet to be determined) shall be listed as a specific Condition of Approval in the event the Comprehensive Plan Map Amendment and Conditional Rezone is approved.~~
- ~~5. TIS mitigation improvements by the Applicant shall require a separate engineering plan approval and construction permits from the NPHD for Goodson Rd.~~
6. NPHD requires 80-ft width (40-ft half width) ultimate R/W dedicated from the centerline of a local rural road or the Section/Quarter Section Line, whichever is greater, from the applicant per ACCHD Section 3030 Right of Way.
7. Rural Roadway Spacing or Rural Roadway Driveway Spacing shall be per ACCHD Section 3061 Intersection and Approach Policy per the intended use.

NPHD reserves the right to provide amended comments/conditions of approval in the event of application revision or when additional information becomes available.

NPHD requests Canyon County Development Services incorporate these comments into proposed Conditions of Approval for consideration/approval by the Planning & Zoning Commission and the Canyon County Commissioners in the event the Comprehensive Plan Map Amendment and Conditional Rezone is approved.

Respectfully,

J-U-B ENGINEERS, Inc.

Timothy Blair, P.E. (ID, OR)

Area Manager - Meridian

CC:

- Lynn Troxel, NPHD#2 Director of Highways
- Jay Kiiha, White Peterson

Debbie Root

From: Tim Blair <tblair@jub.com>
Sent: Tuesday, September 30, 2025 7:46 AM
To: Debbie Root
Subject: [External] RE: OR2023-0001 AND CR2023-0004 Debra Lacy Living Trust
Attachments: CR2023-0004 OR2023-0001 Goodson Rd_29Sep2025.pdf

2nd Try with Attachment.

Timothy Blair, P.E. (ID, OR)

From: Tim Blair
Sent: Monday, September 29, 2025 4:16 PM
To: Debbie Root <droot@canyonco.org>
Cc: Lynn Troxel (lynntroxel@nphd.net) <lynntroxel@nphd.net>; Genia Watkins (gwatkins@nphd.net) <gwatkins@nphd.net>
Subject: RE: OR2023-0001 AND CR2023-0004 Debra Lacy Living Trust

Hey good afternoon, Debbie – Thanks for circling back on this. Attached is an updated response letter and conditions of approval. Rural Roadway Driveway spacing will need to meet current ACCHD standards so the applicant will need to apply for a new approach permit from the Highway District. Depending upon spacing, all three residential lots may need to access Goodson Road from the same approach location.

Tim
Timothy Blair, P.E. (ID, OR)

From: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Sent: Monday, September 22, 2025 1:55 PM
To: Lynn Troxel <lynntroxel@nphd.net>
Subject: OR2023-0001 AND CR2023-0004 Debra Lacy Living Trust

Lynn,

Hope this finds you well. I am in the process of reviewing an application that was recently reassigned to me and in reading the agency comments I note that the NPHD is requesting a TIS for a three lot development on 6.4 acres out off of Goodson Road. This seems out of the norm to me so I am reaching out to verify the requirement as it is outside of the normal standards. If you need the TIS completed could you provide the context? There is currently one single family residence on the property and a barn. Each takes access separately.

Again, is a TIS warranted to two additional residential lots?



Respectfully,

Deb Root, MBA
Canyon County Development Services
debbie.root@canyoncounty.id.gov
208-455-6034

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This email has been scanned for viruses and malware, and may have been automatically archived.



Joshua Johnson

From: Sage Huggins
Sent: Tuesday, October 15, 2024 11:46 AM
To: Dan Lister
Subject: CR2023-0004/ OR2023-0001 Comment

Hey Dan,

Just reviewed the agency notice for case CR2023-0004/OR2023-0001. It looks like the applicant is not proposing any private roads, so I assume no more than two dwellings will utilize the same access/easements.

I do not see any comment in there paperwork about secondary residence possibilities but I did want to mention there is potential to trigger the private road requirement (07-10-03: PRIVATE ROAD AND DRIVEWAY REQUIREMENTS) if secondary residences are pulled on lots that have shared driveways.

Thanks,

Sage Huggins
GIS Analyst
Canyon County Development Services
Sage.Huggins@canyoncounty.id.gov
208-455-6036

Joshua Johnson

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Thursday, October 10, 2024 6:00 AM
To: Dan Lister
Cc: Amber Lewter
Subject: [External] RE: Initial Agency OR2023-0001 & CR2023-0004 Lacy

After careful review of the transmittal submitted to ITD on October 9, 2024, regarding OR2023-0001 & CR2023-0004 Lacy, the Department has no comments or concerns to make at this time.

Thank you,



Niki Benyakhlef
Development Services Coordinator

District 3 Development Services
O: 208.334.8337 | C: 208.296.9750
Email: niki.benyakhlef@itd.idaho.gov
Website: itd.idaho.gov

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Sent: Wednesday, October 9, 2024 3:49 PM
To: 'krantz@notusschools.org' <krantz@notusschools.org>; 'Irishard@cityofcaldwell.org' <Irishard@cityofcaldwell.org>; 'aperry@cityofcaldwell.org' <aperry@cityofcaldwell.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'gwatkins@nphd.net' <gwatkins@nphd.net>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingram@idahopower.com' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'mkelly@idahopower.com' <mkelly@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'contract.administration.bid.box@ziply.com' <contract.administration.bid.box@ziply.com>; 'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawford <Brian.Crawford@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Cassie Lamb <Cassie.Lamb@canyoncounty.id.gov>; Eric Arthur <Eric.Arthur@canyoncounty.id.gov>; Kathy Husted <Kathleen.Husted@canyoncounty.id.gov>; Tony Almeida <tony.almeida@canyoncounty.id.gov>; Sage Huggins <Sage.Huggins@canyoncounty.id.gov>; Assessor Website <2cAsr@canyoncounty.id.gov>; 'Richard Sims' <middletown.rich@gmail.com>; 'westerninfo@idwr.idaho.gov' <westerninfo@idwr.idaho.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'idahoaaa@gmail.com' <idahoaaa@gmail.com>
Subject: Initial Agency OR2023-0001 & CR2023-0004 Lacy

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Joshua Johnson

From: Richard Sims <middletown.rich@gmail.com>
Sent: Thursday, October 10, 2024 8:52 AM
To: Dan Lister
Subject: [External] zoning request response

Good Morning,

The Canyon County Soil Conservation District has no comments for:

RZ2023-0003

OR2023-0001&CR2023-0004

OR2023-0003

RZ2023-0004

District has no comments

Thank you for request.

Richard Sims
Associate Supervisor



Canyon County, 111 North 11th Avenue, #310, Caldwell, ID 83605

▪ Engineering Division ▪

To: Dan Lister, Canyon County Development Services Department

Subject: Response to Case No. CR2023-0004 & OR2023-0001

Date: November 07, 2024

Dear Mr. Lister,

This letter outlines our engineering review for Case Nos. CR2023-0004 and OR2023-0001 regarding the proposed comprehensive plan map amendment and conditional rezone request for 18247 Goodson Road, Caldwell.

1. Infrastructure and Traffic Considerations

- **Road Access and Traffic Impact:** Transitioning to rural residential zoning may increase traffic, impacting Goodson Road's capacity and condition. To support safe and efficient access, a Traffic Impact Study (TIS) is recommended to evaluate current road conditions and forecast the impact of additional residential usage.
 - **Recommendation:** We advise the applicant to coordinate with the Notus-Parma Highway District #2 to conduct the TIS, ensuring that ingress/egress points meet county and district safety standards for both existing and anticipated future traffic.

2. Utility and Drainage Requirements

- **Stormwater Management:** Although the property lies within Flood Hazard Zone X, effective stormwater control remains crucial. Increased residential development may alter existing runoff patterns, potentially affecting adjacent properties and nearby irrigation infrastructure.
- **Water and Wastewater Services:** To ensure the sustainability of rural residential zoning, the applicant should provide detailed plans for water supply and wastewater management that account for the needs of additional residential units. These plans should demonstrate sufficient capacity and outline preventative measures for protecting existing agricultural land and nearby infrastructure from any utility-related impacts.
 - **Recommendation:** We suggest collaboration with the Black Canyon Irrigation District to ensure that stormwater runoff does not impact nearby canals or

**EXHIBIT
E4**



Canyon County, 111 North 11th Avenue, #310, Caldwell, ID 83605

▪ Engineering Division ▪

agricultural land. A comprehensive drainage plan should be submitted, detailing how stormwater will be managed on-site to prevent adverse effects.

Conclusion

To support informed decision-making, we recommend that the applicant address these engineering-related concerns before finalizing the rezone request. We are available to discuss any technical clarifications or further requirements as needed.

Please do not hesitate to reach out should you require further information or clarification on these recommendations.

Sincerely,
Dalia Alnajjar
Engineering Supervisor
Canyon County Engineering Department

Dan Lister

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Thursday, October 10, 2024 11:00 AM
To: Dan Lister
Subject: [External] RE: Initial Agency OR2023-0001 & CR2023-0004 Lacy

Hi Dan,

As per request for comments:

- 1.) Will a Nutrient Pathogen Study be required? **No, the project is NOT in a designated Nitrate Priority Area.**
- 2.) Will adequate sanitary systems be provided to accommodate the use? **Proposed septic systems and site suitability has not been determined for this project.**
- 3.) Any concerns about the use or request for rezoning? If so, are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and nearby city? **No, not at this time.**

Applicant will need to schedule a pre-development meeting with SWDH to discuss the details of this project.

Let me know if you have any questions.

Thank you,



Check out our new online self-service portal here! [PORTAL](#)

Anthony Lee, RS/BS | Land Development Senior
o 208.455.5384 | c 208.899.1285 | f 208.455.5300
anthony.lee@swdh.id.gov | SWDH.org
13307 Miami Ln., Caldwell, ID 83607

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>

Sent: Wednesday, October 9, 2024 3:49 PM

To: 'krantz@notusschools.org' <krantz@notusschools.org>; 'lrichard@cityofcaldwell.org' <lrichard@cityofcaldwell.org>; 'aperry@cityofcaldwell.org' <aperry@cityofcaldwell.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'gwatkins@nphd.net' <gwatkins@nphd.net>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'e Ingram@idahopower.com' <e Ingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'mkelly@idahopower.com' <mkelly@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'contract.administration.bid.box@ziply.com' <contract.administration.bid.box@ziply.com>; 'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>; Mitch Kiester <Mitch.Kiester@swdh.id.gov>; Anthony Lee <Anthony.Lee@swdh.id.gov>; 'D3Development.services@itd.idaho.gov' <D3Development.services@itd.idaho.gov>;

Debbie Root

From: Derick Corell <dcorell@rh2.com>
Sent: Monday, September 29, 2025 2:38 PM
To: Debbie Root
Cc: Dan Lister; Don Popoff; Mike Meyers
Subject: RE: [External] RE: R38435011 Debra Lacy: OR2023-0001/CR2023-0004

Deb –

Glad we could clarify regarding Debra Lacy application.

We have been proceeding with response based on impact to BCID and will continue this approach.

Thank you for an open line of communication, let me know if you need anything else.

Thanks,
Derick

Derick Corell EIT | RH2 Engineering, Inc.

C: 986.777.0464
O: 208.907.0520

From: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Sent: Monday, September 29, 2025 12:00 PM
To: Derick Corell <dcorell@rh2.com>
Cc: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Subject: RE: [External] RE: R38435011 Debra Lacy: OR2023-0001/CR2023-0004

Derick,

Thank you for the specific response to my request on the Debra Lacy application. I noted some conflicting information so reached out specifically to ensure we notated the application and reports correctly.

It is difficult to ask agencies to respond to all notifications since we have to do so many full political notifications that have no direct impact to many agencies. The correct response is “no” we do not need or require that you respond to every notification. It is important to have comments if in your district or potentially having impact to your facilities.

Respectfully,

Deb Root, MBA
Canyon County Development Services
debbie.root@canyoncounty.id.gov
208-455-6034

EXHIBIT
E6

From: Derick Corell <dcorell@rh2.com>
Sent: Tuesday, September 23, 2025 1:44 PM
To: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Cc: 'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>; Mike Meyers

<mikem@blackcanyonirrigation.com>; Don Popoff <dpopoff@rh2.com>; Amber Lewter
<Amber.Lewter@canyoncounty.id.gov>

Subject: [External] RE: R38435011 Debra Lacy: OR2023-0001/CR2023-0004

Hi Deb –

I have reviewed the property in question with the District. The applicant is correct and has no surface water rights (Parcel R38435011).

I also noticed in our records we received a hearing notification a ways back for this specification applicant (October 9, 2024, from Amber).

No response was provided, and review notes indict similar findings for no surface water rights.

Please let me know if you would prefer a response to all notifications even if BCID has no comments.

Thanks,
Derick

Derick Corell EIT | RH2 Engineering, Inc.

C: 986.777.0464

O: 208.907.0520

dcorell@rh2.com

From: Debbie Root <Debbie.Root@canyoncounty.id.gov>

Sent: Monday, September 22, 2025 2:09 PM

To: 'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>

Cc: Derick Corell <dcorell@rh2.com>

Subject: R38435011 Debra Lacy: OR2023-0001/CR2023-0004

Black Canyon Irrigation District,

Our records indicate that this property is in the Black Canyon Irrigation District. The property owner indicates that there are no water rights in an application we have in our office.

I am just confirming whether or not the property has access to BCID irrigation surface water or not? Parcel R38435011 aka 18181 Goodson Road owned by Debra Lacy.

Respectfully,

Deb Root, MBA

Canyon County Development Services

debbie.root@canyoncounty.id.gov

208-455-6034



18090 Goodson Rd

Image © 2025 Vexcel Imaging US, Inc.

Go



Date: 04/03/2026

Canyon County Development Services
Rezone / Zoning Map Amendment
Parcel: R3843501100
Re: Case Number: CR2023-004

The Caldwell Rural Fire District has reviewed the application and can approve the applicants request regarding Rezoning subject to compliance with all the following code requirements and conditions set forth by the 2018 International Fire Code (IFC) as adopted by the Idaho State Fire Marshal's Office.

Details:

Station 18 707 Notus Rd. Caldwell

National Standards for Travel Time (90% of time) for first arriving unit:	4 minutes
Nearest Fire Station:	Station 18
Closest fire station (in miles) to site:	4.3 Miles
Approximate response time to site:	7 minutes
Will this development have other significant impacts on the ability to provide services?	No
Will this development necessitate additional fire resources and/or equipment beyond current levels? <i>If yes, please explain under "Adverse Impact Comments, Recommendations, and Fiscal Impact".</i> • Ongoing population increases will directly affect service levels until CFD can enhance and expand its operational capabilities.	No

Distance from Station	Service Expectation	Staffing & Apparatus	Typical Response Time Goal
-----------------------	---------------------	----------------------	----------------------------



0–1 mile	Immediate—high-priority	First-due company (engine)	≤4min travel, ≤5min total
1–2 miles	Very rapid—high-priority	First-due company, backup	≤4min travel, ≤5min total
2–3 miles	Rapid—standard coverage	First-due w/ backup	≤6min travel, ≤9min total (full alarm)
3–4 miles	Slower—moderate	Closest available, limited	6–8min travel
4–5 miles	Extended	Closest company, delayed	>8min travel, variable

Properties located 3–4 miles from a fire station are at the limit of effective coverage and may experience service delays.

Developments beyond 5 miles are generally not recognized by ISO as having fire protection, and response to these areas will be significantly delayed.

Conditions for Canyon County Rural Construction:

Commercial & Residential building plans shall be submitted to the Canyon County Development Services Department first. Once the Canyon County Development Services Department provides the applicant with receipt of fees, the applicant can then submit the project to the Caldwell Fire Department through the Caldwell City's CitizenServe (CS) & Project Dox (PD) portal. The CS portal will issue the project an "FCP" number for tracking purposes and be assigned to a plan reviewer. [Citizenserve Online Portal](#)

The application can be found at [Permits/Inspections | Caldwell, ID](#)

General Requirement:

Fire Department required fire Water, Access, and Street Identification shall be installed prior to construction or storage of combustible materials on site. Provisions may be made for temporary access and identification measures.

Homes constructed on new parcels will be subject to water supply requirements (depending on size) and access requirements for fire, police and EMS services.



Specific building construction requirements of the International Building Code, International Fire Code. However, these provisions are best addressed by a licensed Architect at time of building permit application.

Regards,

Joseph Bongiorno
Fire Prevention Office
Caldwell Rural Fire Protection District
jbongiorno@cityofcaldwell.org

EXHIBIT F:
PUBLIC COMMENTS

To: Canyon County Planning and Zoning Commission
Re: Case No. CR2023-0004 and OR2023-0001
Date: April 2, 2026

We are neighbors living about a quarter of a mile to the east of this proposed development.

We are writing because this request is a further fulfillment of our predictions made to the County 15 years ago when protesting the (now approved) 200 lot subdivision across from our home on Goodson in an area designated in your comprehensive plan as agricultural, an area once primarily agricultural with a few homes and a small 10 lot subdivision (on dry land on a hill).

At that time the justification was made that due to housing a mile east of our home, and several administrative lot splits that increased the number of houses along Goodson, that this area (despite being in agricultural use) should be designated rural residential. Then over the past years came request after request for zone changes until the proliferation of homes now extends down Goodson more than a half a mile to our west. And each time someone wants to change the zone from agricultural to residential, the previous development is used as justification and the County approves it. This is zone creep one property at a time making us believe that there is no real protection of ag land in this county.

This continual creep of the residential zones seems to violate your own policies stated in the comprehensive Plan including:

P4.01.01 Maintain a balance between residential growth and agriculture that protects the rural character.

P4.03.01 Designate areas that may be appropriate for industrial, commercial, and residential land uses while protecting and conserving farmland and natural resources.

P4.03.02 Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns.

A4.04.02c Align zoning districts with communities, corridors, and landscapes to achieve consistency in the development pattern while protecting natural resources and farmland.

P4.05.01 Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators.

G4.07.00 Protect rural qualities that make the County distinct and conserve and enhance the elements contributing to a good quality of life.

P4.07.02 Discourage incompatible development near existing agricultural businesses that would cause the operator undue hardship through complaints, traffic, or other complications

All that said, in good conscious, we do not protest our neighbor trying to obtain 2 additional lots on their 6 acre piece of land, considering they are already surrounded on all sides 2 to 3 acre lots. Our concern is that this move simply adds to the residential creep into ag land and frankly will be used as justification when the next property owner decides to quit farming or a developer asks for a residential zone change. In addition, the zoning requested allows for 1 acre lots, allowing for further division of this land in the future.

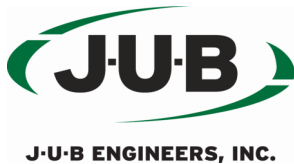
We were once told by a developer that we were being selfish in opposing their development. They said we got to live in the 'country' and should not deny others the same opportunity. But the reality is that our fears have come to pass - we do not live in the 'country' anymore due to the inappropriate creep of subdivisions in our area.

Mark and Teri Ottens
17949 Goodson Rd
Caldwell, ID 83607

BOARD OF COUNTY COMMISSIONERS

EXHIBIT 4:

AGENCY COMMENTS



J-U-B COMPANIES



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

October 25, 2024

Amended: September 29, 2025

Amended: July 1, 2026

Dan Lister
daniel.lister@canyoncounty.id.gov
111 North 11th Ave., Ste. 310
Caldwell, ID 83605

RE: **CASE NO. CR2023-0004 AND OR2023-0001, DEBRA LACEY TRUST**

Dear Dan:

On behalf of the Notus Parma Highway District No. 2 (NPHD), I have reviewed the application dated 10/10/2024, for the property located at 18247 Goodson Road for the subject Parcel #R38435011.

Goodson Road is under the jurisdiction of the NPHD. The functional classification for Purple Sage Rd. per NPHD's 2017 Transportation Plan is a Major Collector roadway. Existing right-of-way (R/W) at the subject parcel and along the centerline of Goodson Road appears to be a 50-ft wide prescriptive easement (25-ft each side of roadway centerline).

Legal access to the subject parcel does not currently exist for the intended use. The applicant will be required to [submit a new commercial approach application to NPHD to re-construct the existing approach \(located adjacent the Easterly property line to Goodson Road\) into a Commercial & Multiple Residential approach per Standard Drawing ACCHD-106 application](#) that meets the current Association of Canyon County Highway District Standards. [Approach reconstruction would be required after the new approach permit is submitted and approved.](#)

At this time and based upon said written information provided with the application, the following Conditions of Approval apply:

1. Application requirements shall meet 2022 ACCHD Standards.
- ~~2. A Traffic Impact Study (TIS) is required per ACCHD Section 2010 Land Use Applications. The P&Z hearing should be delayed until the TIS is complete.~~
- ~~3. The TIS will determine mitigation of traffic impacts from the proposed residential development. Details of the TIS scope will be determined at a scoping meeting with the Applicant, their traffic engineer, and the NPHD. The TIS shall include the following:~~
 - ~~a. Trip generation by the facility operations~~
 - ~~b. Site access including potential turn lanes~~
 - ~~c. Designated route to State Highway~~
 - ~~d. Proposed secondary access (if any)~~
 - ~~e. Intersection operation and level of service along said route~~
 - ~~f. Structural capacity of Purple Sage Rd. and designated route~~

**BOCC EXHIBIT
4.1**

- ~~g. Calculation of proportionate share of costs by the Applicant for mitigation improvements and roadway reconstruction.~~
- ~~4. Completion of the TIS for the required improvements (yet to be determined) shall be listed as a specific Condition of Approval in the event the Comprehensive Plan Map Amendment and Conditional Rezone is approved.~~
- ~~5. TIS mitigation improvements by the Applicant shall require a separate engineering plan approval and construction permits from the NPHD for Goodson Rd.~~
6. NPHD requires 80-ft width (40-ft half width) ultimate R/W dedicated from the centerline of a local rural road or the Section/Quarter Section Line, whichever is greater, from the applicant per ACCHD Section 3030 Right of Way.
7. Rural Roadway Spacing or Rural Roadway Driveway Spacing shall be per ACCHD Section 3061 Intersection and Approach Policy per the intended use.

NPHD reserves the right to provide amended comments/conditions of approval in the event of application revision or when additional information becomes available.

NPHD requests Canyon County Development Services incorporate these comments into proposed Conditions of Approval for consideration/approval by the Planning & Zoning Commission and the Canyon County Commissioners in the event the Comprehensive Plan Map Amendment and Conditional Rezone is approved.

Respectfully,

J-U-B ENGINEERS, Inc.

Timothy Blair, P.E. (ID, OR)

Area Manager - Meridian

CC:

- Lynn Troxel, NPHD#2 Director of Highways
- Jay Kiiha, White Peterson

Debbie Root

From: Tim Blair <tblair@jub.com>
Sent: Monday, June 8, 2026 10:43 AM
To: Debbie Root
Cc: Lynn Troxel (lynntroxel@nphd.net)
Subject: RE: [External] RE: OR2023-0001 AND CR2023-0004 Debra Lacy Living Trust

Good morning Debbie – Thanks for reaching out and I included responses to your questions below in red.

Tim
Timothy Blair, P.E. (ID, OR)

From: Lynn Troxel <lynntroxel@nphd.net>
Sent: Monday, June 8, 2026 6:56 AM
To: Tim Blair <tblair@jub.com>
Subject: [EXTERNAL] FW: [External] RE: OR2023-0001 AND CR2023-0004 Debra Lacy Living Trust

From: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Sent: Tuesday, June 2, 2026 2:13 PM
To: Lynn Troxel <lynntroxel@nphd.net>
Subject: FW: [External] RE: OR2023-0001 AND CR2023-0004 Debra Lacy Living Trust

Lynn,

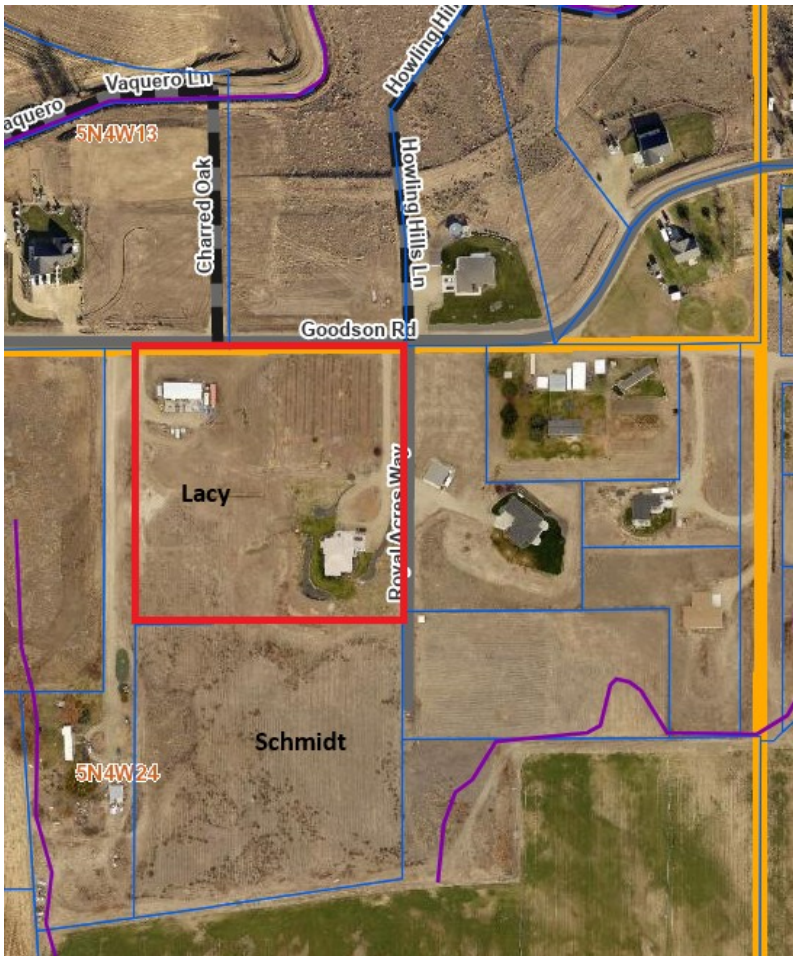
Who knew you'd be on popularity list this week. I am looking at the Debra Lacy case file (R38435011) for a conditional rezone and eventually a plat if the rezone is approved.

Currently I am trying to understand required roadway dedications for Goodson Road in this area. JUB indicated that the ROW dedication is 40' half width for Goodson at this location. **Goodson Rd is a Major Collector that requires 80-ft width (40-ft half width) ultimate R/W dedicated.** But the development, The Stadium plat, to the east required to dedicate 50 feet half width? **If I recall correctly the Stadium Development needed additional RW for extreme cut/fill sections.** Just trying to understand that and make sure that 40' is correct at this location.

(Makes a difference as I look at setbacks for the existing shop)

Also, TJ Wellard, indicated that he is working with you guys on the driveways and that you are not likely to make them change the two access points currently on the property when the plat is reviewed? Tim (JUB) indicated in a follow-up email that one of them may have to be removed or combined ...I am assuming because nothing matches up out there with regards to the driveways on Lacy's property and adjacent development. **I don't have enough information to speak to this scenario. It will depend upon if the plat that gets submitted meets ACCHD Standards for driveway separation or if the applicant submits a variance application to NPHD for a non-standard approach.**

The west access point also provides access to the six acre parcel to the south of the Lacy property and it has a building permit available.



Royal Acres Way does not serve the Lacy property.

Lacy provides easement from west access to the Schmidt property to the south with a BP available.

Shop is approx. 65 feet from section line and property line so 40' dedication they could still meet RR Zone 20' front setback -- although doesn't meet 70 section line setback...

Respectfully,

Deb Root, MBA
Canyon County Development Services
debbie.root@canyoncounty.id.gov
208-455-6034

From: Tim Blair <tblair@jub.com>
Sent: Tuesday, September 30, 2025 7:46 AM
To: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Subject: [External] RE: OR2023-0001 AND CR2023-0004 Debra Lacy Living Trust

2nd Try with Attachment.

Timothy Blair, P.E. (ID, OR)

From: Tim Blair
Sent: Monday, September 29, 2025 4:16 PM
To: Debbie Root <droot@canyonco.org>
Cc: Lynn Troxel (lynntroxel@nphd.net) <lynntroxel@nphd.net>; Genia Watkins (gwatkins@nphd.net) <gwatkins@nphd.net>
Subject: RE: OR2023-0001 AND CR2023-0004 Debra Lacy Living Trust

Hey good afternoon, Debbie – Thanks for circling back on this. Attached is an updated response letter and conditions of approval. Rural Roadway Driveway spacing will need to meet current ACCHD standards so the applicant will need to apply for a new approach permit from the Highway District. Depending upon spacing, all three residential lots may need to access Goodson Road from the same approach location.

Tim
Timothy Blair, P.E. (ID, OR)

From: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Sent: Monday, September 22, 2025 1:55 PM
To: Lynn Troxel <lynntroxel@nphd.net>
Subject: OR2023-0001 AND CR2023-0004 Debra Lacy Living Trust

Lynn,

Hope this finds you well. I am in the process of reviewing an application that was recently reassigned to me and in reading the agency comments I note that the NPHD is requesting a TIS for a three lot development on 6.4 acres out off of Goodson Road. This seems out of the norm to me so I am reaching out to verify the requirement as it is outside of the normal standards. If you need the TIS completed could you provide the context? There is currently one single family residence on the property and a barn. Each takes access separately.

Again, is a TIS warranted to two additional residential lots?



Respectfully,

Deb Root, MBA
Canyon County Development Services
debbie.root@canyoncounty.id.gov
208-455-6034

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BOARD OF COUNTY COMMISSIONERS

EXHIBIT 5:

PUBLIC COMMENTS

WRITTEN TESTIMONY IN SUPPORT OF CONDITIONAL REZONE

Case No. CR2023-0004 | Parcel R38435011

To: Canyon County Board of County Commissioners

Re: Conditional Rezone from Agricultural (A) to Conditional Rezone – Rural Residential (CR-RR)

Property: Goodson Road, Canyon County, Idaho

Dear Commissioners:

We respectfully submit this written testimony in support of our request for a conditional rezone of Parcel R38435011 from Agricultural (A) to Conditional Rezone – Rural Residential (CR-RR). We understand and respect the County's desire to preserve the rural character of Goodson Road and the surrounding area.

We share that goal.

Our request is not for another subdivision or a multi-home development. We are asking for a limited rural-residential use that will allow our family to establish **one permanent family home**, preserve the remaining family property, and live next to Adam's mother so that we can help her care for and manage the land as she gets older.

A Family Need and a Commitment to Preserve the Property

Adam's father recently passed away, leaving his mother with the responsibility of managing a property that has become increasingly difficult for her to handle alone. This land represents years of work, sacrifice, and a dream that Adam's father built with his own hands.

Our plan is to purchase the portion of the property associated with this request and build our family home there. By living next to Adam's mother, we will be able to help with maintenance, property management, and the ongoing responsibilities of caring for the remaining family land.

We are trying to create a long-term family solution that keeps the property together and cared for, rather than allowing it to become unmanageable and eventually leave the family.

This Is Not the Type of Subdivision the County Is Trying to Prevent

We understand that the Planning and Zoning Commission recommended denial because of concerns that the area does not need additional subdivisions and that the rural character of Goodson Road should be preserved.

We respectfully believe our proposal addresses that concern rather than conflicts with it. We are not builders or developers seeking to maximize the number of residential lots. We are not proposing a neighborhood, multiple homesites, or a speculative development project.

Our intention is limited to one home for our family. We have no plans to create additional residential lots or pursue further development of the property. We are willing to work with the County on reasonable conditions in the development agreement that make the limited purpose of this request clear and protect against future development inconsistent with that purpose.

The Property's Agricultural Potential Is Limited

BOCC EXHIBIT
5.1

We also ask the County to consider the actual characteristics of this particular parcel. The land is barren and does not have water rights. It is not currently being used as productive irrigated agricultural ground, and our understanding is that it does not have the water rights necessary to support conventional agricultural use.

Our proposed use would not take productive irrigated farmland out of agricultural production. Instead, our plan is to establish one rural residence and provide water through a private well, subject to all applicable County and health requirements.

We believe this distinction is important when considering whether this particular parcel is better suited to remain exclusively Agricultural or whether a limited rural-residential use is appropriate.

The Surrounding Area Is Changing

We also recognize that the broader Goodson Road area has been experiencing significant property turnover and increasing residential development. Properties in the area have been purchased and developed, including by builders. We are not arguing that this means the County should allow unrestricted development. Rather, we believe it demonstrates that the area is experiencing a transition in land use.

Our request is intentionally a very small and limited part of that transition: one rural homesite on an existing family property, rather than a large residential project.

Why Conditional Rural Residential Is Appropriate

We believe the requested CR-RR zoning is appropriate because it can provide a controlled and limited residential use while allowing the County to place conditions on the property. The County's Comprehensive Plan recognizes residential development as a future land-use category and states that residential development should be compatible with existing agricultural activity.

Our proposal is consistent with that approach. We are not asking for unrestricted urban-style development. We are asking for one rural family residence that can coexist with the surrounding rural landscape and allow the remaining family property to stay intact.

Our Commitment

Our family's goal is simple: **one property, one family, one home**. We want to preserve what Adam's father worked so hard to build, keep the land in the family, establish our permanent home, and be close enough to help Adam's mother as she continues to manage the property.

We understand that any residence must meet applicable requirements for access, water, septic, setbacks, fire protection, and other development standards. We are willing to comply with those requirements and with reasonable conditions the County believes are necessary to protect the rural character of the area.

Our Request

We respectfully ask the Board of County Commissioners to approve Case CR2023-0004 and the requested conditional rezone from Agricultural (A) to Conditional Rezone – Rural Residential (CR-RR).

We believe this is a reasonable, limited, and responsible use of this particular property. It provides our family with a permanent home, allows us to care for Adam's mother and the remaining land, and helps preserve the family property rather than turning it into a larger development.

We sincerely appreciate your time and consideration and respectfully ask that you allow our family the opportunity to preserve what Adam's father worked so hard to build.

Respectfully submitted,

Adam & Mary Waldenmyer

208-407-8734

Marywaldenmyer@gmail.com

Adwaldenmyer@gmail.com

Debbie Root

From: Mary Waldenmyer <marywaldenmyer@gmail.com>
Sent: Tuesday, August 11, 2026 8:28 PM
To: Debbie Root
Cc: adam waldenmyer
Subject: [External] Subject: CR2023-0004 – Written Testimony – Parcel R38435011 – Goodson Road



[CR2023-0004_Written_Testimony_Final.pdf](#)

Dear Ms. Root,

Please find attached our written testimony in support of Case CR2023-0004, Parcel R38435011, regarding the requested conditional rezone from Agricultural (A) to Conditional Rezone – Rural Residential (CR-RR).

We respectfully ask that this testimony be included in the hearing packet for the Board of County Commissioners' consideration.

Thank you very much for your time and assistance.

Respectfully,

Adam and Mary Waldenmyer

BOARD OF COUNTY COMMISSIONERS

EXHIBIT 6:

NEW/REVISED APPLICATION MATERIALS

Debbie Root

From: Debra Lacy <debraloulacy@icloud.com>
Sent: Friday, August 14, 2026 2:06 PM
To: Debbie Root
Subject: [External] Re: Letter for county

Sent from my iPad

On Aug 14, 2026, at 2:05 PM, Mark Peterson <mbpeterson2015@gmail.com> wrote:

Canyon county commissioners, Thank you for allowing us to submit this testimony.

My name is Debra Lacy. My husband and I purchased this property to be used as our primary residence. In 2006 We started to build the shop first, which is when Mel, my husband caught West Nile virus that put him in the hospital for 6mon. Because the virus took out his ability to walk he was wheelchair bound. In 2017, Mel was able to gain back some strength and wanted to start building our dream home while still in the wheelchair. In 2019 With the help of family and friends, we were able to move into our home ADA accessible for his comfort. Mel was able to enjoy it until 2022 when he died of a heart attack. Loosing him was devastating to me since I was working a full time job and unable to take care of 6 1/2 acres by myself. Our dream diminished. This is when my son and his wife, my daughter and her husband stepped up and said they would help take care of this property that we so loved.

Since we owned this property in 2005, there has been an influx of houses being built through this area. "The stadium" subdivision has been approved for 80 houses to be built. Across the street from us is 8 new houses that have been built. I feel that the past commissioners allowed this because there isn't anything you can do in this area, where the soil isn't conducive to farming.

On April 26, 2026 the planning and zoning commission denied our request by saying we could dry farm or dry graze on this property .

According to Farmbrite who is the software for farmers record keeping, their quote;

On 2 acres of dry unirrigated land, you cannot support a full sized cow purely on grazing. Dry land produces very little grass, so a standard cow/calf pair usually needs 2-10 acres depending

On the climate. However, you can keep zero to 2 animals if you plan to buy and feed them extra hay everyday. This would take 6 yrs to break even.

County press is quoted in saying;

Dry farming; growing crops without irrigation by relying on stored soil moisture, is historically rare in canyon county idaho. Because the region is part of the arid treasure valley with low annual rainfall of around 10" per year. Commercial agriculture relies heavily on an extensive network of surface water and ground water.

Because of the soil is made up of clay and sand throughout the property with noxious weeds plus the fact that the previous owner sold the water rights to this land, no agriculture

would be able to produce any crops or livestock. The wind dries everything up, there isn't a wind break around except for the trees that we planted around the house.

This split that I am asking for is so that my son and his wife and family can build just one house. This will help me out tremendously. I am 64yrs old and need to be able to manage this property with the help of my children and leave a legacy for my grandchildren.

Thank you

Debbie Root

From: TJ Wellard <TJ@skinnerlandsurvey.com>
Sent: Tuesday, June 2, 2026 10:43 AM
To: Debbie Root
Subject: Re: [External] Re: Staff Report and recommendations

We are working with the Highway District, it doesn't sound like they will take away our existing approaches, I am trying to get them to send you a confirmation of that. They already "re-approved" the shop access with no issues. With that we will probably shift the new lots access to the existing house access to avoid the private road issue along the West boundary. Since we applied for this back in 2023 do you think we can still get an easement reduction for that easement?

Thanks,

T.J. Wellard, PLS

Skinner Land Survey

17842 Sand Hollow Road
Caldwell, Idaho 83607
208-454-0933
www.skinnerlandsurvey.com
ID PLS #15352, OR PLS #88835

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From: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Sent: Monday, June 1, 2026 3:02 PM
To: TJ Wellard <TJ@skinnerlandsurvey.com>
Subject: RE: [External] Re: Staff Report and recommendations

TJ,

At the hearing and after I spoke with Tanya and we discussed some of what was covered in the hearing as well as getting the shop brought into conformance. I thought I was waiting for a new site plan and possible reduction of the number of lots or change of access points but if not then I will go ahead and schedule for hearing. If the west access has to be a private road lot serving three lots inclusive of the 6 acres to the south then there is not enough acreage remaining to create three lots with a 2 acre minimum average.

I'm ok scheduling and moving it forward with the recommendation of denial, the BOCC probably will approve the conditional rezone but we still have to make the plat work and meet the average lot size inclusive of the road lot.

I will request a hearing date.

Respectfully,

Deb Root, MBA
Canyon County Development Services
debbie.root@canyoncounty.id.gov
208-455-6034

From: TJ Wellard <TJ@skinnerlandsurvey.com>
Sent: Monday, June 1, 2026 3:04 PM
To: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Cc: 'debraloulacy@icloud.com' <debraloulacy@icloud.com>
Subject: Re: [External] Re: Staff Report and recommendations

Hey Deb,

I just got off the phone with Debra Lacy and she was telling me you were waiting on us to ask for a hearing date with the BOCC. Is this a new process? I thought they were automatically scheduled from one to the next. If that isn't the case then please get us scheduled.

Thanks,

T.J. Wellard, PLS

Skinner Land Survey

17842 Sand Hollow Road
Caldwell, Idaho 83607
208-454-0933
www.skinnerlandsurvey.com
ID PLS #15352, OR PLS #88835

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From: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Sent: Monday, April 13, 2026 9:58 AM
To: TJ Wellard <TJ@skinnerlandsurvey.com>; 'debraloulacy@icloud.com' <debraloulacy@icloud.com>
Cc: brentorton@ortonengineers.com <brentorton@ortonengineers.com>; Orton Engineering <office@ortonengineers.com>; Dan Lister <Dan.Lister@canyoncounty.id.gov>; Joshua Johnson

<Joshua.Johnson@canyoncounty.id.gov>

Subject: RE: [External] Re: Staff Report and recommendations

TJ and team,

To clarify, the Comprehensive Plan Amendment would still very likely be required if you applied today. DSD would continue to discourage residential development in an area that the County determined was **not planned for residential growth** (deny the application for amendment of Plan to Residential). The conditional rezone needs to show how the property remains in compliance with the agricultural uses and characteristics of the area. Continued division into smaller residential parcels with no plan or intent that the property have an agricultural characteristic of an agricultural use (hobby farm, animals, etc.) **is not** in keeping with the agricultural character and uses in this area especially to the south and west of the subject property where the parcels are much larger agricultural fields.

Further, the hearing bodies could still deny the conditional rezone as it is not in conformance with the Comprehensive Plan.

Respectfully,

Deb Root, MBA
Canyon County Development Services
debbie.root@canyoncounty.id.gov
208-455-6034

From: TJ Wellard <TJ@skinnerlandsurvey.com>

Sent: Monday, April 13, 2026 9:18 AM

To: Debbie Root <Debbie.Root@canyoncounty.id.gov>; 'debraloulacy@icloud.com' <debraloulacy@icloud.com>

Cc: brentorton@ortonengineers.com; Orton Engineering <office@ortonengineers.com>

Subject: Re: [External] Re: Staff Report and recommendations

We are requesting the withdrawal of the Comprehensive Plan Amendment, OR2023-0001 portion of our application. It is now understood that this administration is no longer requiring it as part of our conditional rezone, and we are requesting a refund of the fees paid associated with that portion of the application.

Thanks,

T.J. Wellard, PLS

Skinner Land Survey

17842 Sand Hollow Road
Caldwell, Idaho 83607
208-454-0933
www.skinnerlandsurvey.com
ID PLS #15352, OR PLS #88835
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From: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Sent: Monday, April 13, 2026 8:01 AM
To: TJ Wellard <TJ@skinnerlandsurvey.com>; 'debraloulacy@icloud.com' <debraloulacy@icloud.com>
Cc: brentorton@ortonengineers.com <brentorton@ortonengineers.com>; Orton Engineering <office@ortonengineers.com>
Subject: RE: [External] Re: Staff Report and recommendations

TJ,

Yes, an email specifically requesting to withdraw the Comprehensive Plan Amendment, OR2023-0001, and request a refund of the fees paid for that specific portion of the application.

Respectfully,

Deb Root, MBA
Canyon County Development Services
debbie.root@canyoncounty.id.gov
208-455-6034

From: TJ Wellard <TJ@skinnerlandsurvey.com>
Sent: Monday, April 13, 2026 8:58 AM
To: Debbie Root <Debbie.Root@canyoncounty.id.gov>; 'debraloulacy@icloud.com' <debraloulacy@icloud.com>
Cc: brentorton@ortonengineers.com; Orton Engineering <office@ortonengineers.com>
Subject: Re: [External] Re: Staff Report and recommendations

What do you need from me to withdraw the Comp Plan Amendment and request the refund? Does an email suffice?

Thanks,

T.J. Wellard, PLS

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From: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Sent: Friday, April 10, 2026 2:21 PM
To: TJ Wellard <TJ@skinnerlandsurvey.com>; 'debraloulacy@icloud.com' <debraloulacy@icloud.com>; Jay Gibbons <Jay.Gibbons@canyoncounty.id.gov>; Dan Lister <Dan.Lister@canyoncounty.id.gov>; Joshua Johnson <Joshua.Johnson@canyoncounty.id.gov>
Cc: brentorton@ortonengineers.com <brentorton@ortonengineers.com>; Orton Engineering <office@ortonengineers.com>
Subject: RE: [External] Re: Staff Report and recommendations

Mr. Wellard,

In speaking with my team it has been determined that you may formally withdraw the Comprehensive Plan Amendment application and request a refund of the fees prior to the hearing and our management team will work towards refunding approximately 75% of the fees.

Respectfully,

Deb Root, MBA
Canyon County Development Services
debbie.root@canyoncounty.id.gov
208-455-6034

From: TJ Wellard <TJ@skinnerlandsurvey.com>
Sent: Friday, April 10, 2026 2:12 PM
To: Debbie Root <Debbie.Root@canyoncounty.id.gov>; 'debraloulacy@icloud.com' <debraloulacy@icloud.com>; Jay Gibbons <Jay.Gibbons@canyoncounty.id.gov>; Dan Lister <Dan.Lister@canyoncounty.id.gov>; Joshua Johnson <Joshua.Johnson@canyoncounty.id.gov>
Cc: brentorton@ortonengineers.com; Orton Engineering <office@ortonengineers.com>
Subject: [External] Re: Staff Report and recommendations

Dear Deb,

I am writing to express my significant frustration with the current situation surrounding our application. We have waited nearly three years for this hearing, and it is now apparent that the DSD department is no longer supporting the approach we were explicitly instructed to pursue at the time of submission. This has resulted in wasted application fees, substantial time and effort on our part, and increased risk that the application may not be approved.

While I understand staff turnover has been significant since our original submission, the underlying ordinance has not changed. It feels as though the goalposts have been moved—if we are even playing the same game.

I am aligned with the direction you have suggested. However, the previous administration effectively made amendment of the Comprehensive Plan a de facto requirement for any approval, even though it

was never something we wanted or intended to pursue. To avoid wasting additional time for all parties, my strong recommendation is that we simply withdraw the Comprehensive Plan amendment portion of the application.

In light of this, I believe it would be appropriate and fair for the County to refund the fees specifically associated with that portion of the application.

My second major concern involves the County's apparent insistence that the landowner grant additional easement access to an existing, conforming parcel that they do not own. The southern parcel already benefits from an existing easement and has a permit available; it is not part of this application. I do not believe the County has the legal authority to require our client to provide additional easement rights to an adjoining property owner. Should the County maintain this position, we will have no choice but to request a formal takings analysis, as this would effectively constitute a regulatory taking of private land.

Finally, please be advised that Tonya Orton of Orton Engineering will be attending the hearing in my place, as I have a prior commitment that evening. She is fully prepared to represent our position.

If you have any questions or if you would like to discuss these matters further before the hearing, please do not hesitate to contact me.

Thank you for your attention to these issues.

Thanks,

T.J. Wellard, PLS

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From: Debbie Root <Debbie.Root@canyoncounty.id.gov>

Sent: Friday, April 10, 2026 12:32 PM

To: TJ Wellard <TJ@skinnerlandsurvey.com>; 'debraloulacy@icloud.com' <debraloulacy@icloud.com>

Subject: Staff Report and recommendations

TJ and Debra

I wanted to let you know that I have recommended denial of the Comprehensive Plan Amendment as this is not an area that the County desires to encourage additional residential development by placing a residential designation on the Comprehensive Plan Future Land Use Map.

I encouraged the PZ to consider the Conditional Rezone on its own merit. I have suggested conditions and noted items that must be remedied on the proposed plat which may affect the lot count due to the requirement of a private road lot.

If you have concerns please reach out early next week.

The staff report is located at: <https://landhearingsagenda.canyoncounty.id.gov/Landing> then go to April 16 Lacy and then to Staff Report

Respectfully,

Deb Root, MBA
Canyon County Development Services
debbie.root@canyoncounty.id.gov
208-455-6034