

The Canyon County Board of Commissioners considered and adopted the following Resolution which shall be effective on the 1st day of October, 2026.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks the Board resolves as follows:

At the recommendation of the Development Services Department, the Board hereby resolves to issue a refund of \$ 7556.25 to Nelson Family Holdings, LLC, Case No. AD2026-0121. Supporting documentation from the Development Services Department is attached.

X Motion Carried Unanimously
____ Motion Carried/Split Vote Below
____ Motion Defeated/Split Vote Below

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

Attest: JESS URRESTI, CLERK



Deputy Clerk

Date: 10/1/26

Resolution No. 26- 180



CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue Ste. 310 • Caldwell, Idaho • 83605 • (208) 402-4162

INTERDEPARTMENT MEMORANDUM

FOR YOUR: ☐ Review ☒ Action ☐ Information

DATE: September 23, 2026

TO: Board of County Commissioners

FROM: Jennifer Almeida, Office Manager

SUBJECT: Refund request – Nelson Family Holdings, LLC – Case No. AD2026-0121

DIRECTOR SIGNATURE: _____

Background:

The applicant submitted an application for administrative divisions within the Apple Valley Subdivision plat and paid a total of \$7,750.00 in fees.

Work Completed:

The initial intake for the application was completed, and the case was assigned to a planner for review. During the review, the planner notified the fire and highway district via email and requested comment on the application. Notus Parma Highway District No. 2 provided comments that were provided to the applicant. After evaluating the comments, the applicant opted to withdraw the application and requested a refund of unused monies.

The application was accepted under the current fee schedule, and the refund request was submitted seven days after acceptance.

Historically, staff recommends retaining 25% of the fee to cover administrative costs. However, retaining 25% of the total fee paid in this instance would equal \$1,937.50. This amount exceeds the actual work completed, as research and decision document preparation had not yet begun.

To ensure a fair and reasonable refund, staff evaluated an alternative calculation:

- A typical land division application fee is **\$775.00**.
- Retaining 25% of a standard fee equals **\$193.75** to cover initial intake costs.
- Applying this standard amount to this case:
 - **\$7,750.00 minus \$193.75 = \$7,556.25.**

Recommendation:

Refund of \$7556.25

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

Building Divsn Email: buildinginfo@canyoncounty.id.gov **Planning Divsn Email:** zoninginfo@canyoncounty.id.gov

Receipt Number: 88814

Date: 9/22/2026

Date Created: 7/2/2026

Receipt Type: Normal Receipt

Status: Active

Customer's Name: Nelson Family Holdings, LLC

Comments: AD2026-0121 & AD2026-0122

Site Address: 32692 APPLE VALLEY RD, Parma ID 83660 / **Parcel Number:** 20075000 0

CHARGES

<u>Item Being Paid For:</u>	<u>Application Number:</u>	<u>Amount Paid:</u>	<u>Prevs Pymnts:</u>	<u>Unpaid Amnt:</u>
Planning - Type B - Administrative Level Applications	AD2026-0121	\$7,750.00	\$0.00	\$0.00
Planning - Type A - Administrative Level Applications	AD2026-0122	\$1,275.00	(\$1,275.00)	\$1,275.00

Sub Total: \$9,025.00

Sales Tax: \$0.00

Total Charges: \$9,025.00

PAYMENTS

<u>Type of Payment:</u>	<u>Check/Ref Number:</u>	<u>Amount:</u>
Check	2175	\$9,025.00

Total Payments: \$9,025.00

ADJUSTMENTS

<u>Type Of Adjustment:</u>	<u>Document Ref:</u>	<u>Amount:</u>	<u>Comments:</u>
Refund	26-151	(\$1,275.00)	Refund pursuant to BOCC reso 26-151

Total Adjustments: (\$1,275.00)

Receipt Balance: (\$1,275.00)

Jennifer Almeida

From: Dane Adams
Sent: Wednesday, September 23, 2026 8:01 AM
To: Jennifer Almeida
Subject: RE: [External] Re: Update on AD2026-0121 and AD2026-0122 (R20075)

Jennifer,

You are correct, they first withdrew the easement reduction and now they are withdrawing the administrative land division.

Sincerely,



Dane Adams

Associate Planner

Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-6607

Email: Dane.Adams@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

From: Jennifer Almeida <Jennifer.Almeida@canyoncounty.id.gov>
Sent: Tuesday, September 22, 2026 4:49 PM
To: Dane Adams <Dane.Adams@canyoncounty.id.gov>
Subject: RE: [External] Re: Update on AD2026-0121 and AD2026-0122 (R20075)

Hi Dane,

Just need clarification on this one. It looks like we took AD2026-0122 to the BOCC in August and a \$1275.00 refund was approved for the easement reduction request(s). Is the applicant now requesting to withdraw the administrative land division and requesting a refund on that? I just want to make sure before I write the memo to the BOCC.

Thanks,



Jennifer Almeida

Jennifer Almeida

From: Dane Adams
Sent: Wednesday, September 16, 2026 4:23 PM
To: DSD Admin
Subject: FW: [External] Re: Update on AD2026-0121 and AD2026-0122 (R20075)

Good afternoon,

Here is a refund request for AD2026-0121. I was assigned the case, sent noticing to highway and fire districts, then reached out to the applicant requesting an updated survey reflecting the agency comments and what was needed to match our code. I will forward that email shortly.

Please let me know if you have any questions.

Sincerely,



Dane Adams

Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-6607

Email: Dane.Adams@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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From: Kim Nelson <nelsonfarms0409@gmail.com>
Sent: Wednesday, September 16, 2026 9:35 AM
To: Dane Adams <Dane.Adams@canyoncounty.id.gov>
Subject: Re: [External] Re: Update on AD2026-0121 and AD2026-0122 (R20075)

Dane:

We've decided to go a different direction on the property and would like to withdraw the application AD2026-0121 on the property R20075. Please advise regarding the refund of fees paid for the application. Thank you for your assistance.

Kim Nelson, Registered Agent
Nelson Family Holdings, LLC

208 340-0477

On Thu, Aug 6, 2026, 11:44 AM Kim Nelson <nelsonfarms0409@gmail.com> wrote:

Dane:

If it makes any difference on the refund, a planner did suggest that we request the reduced easement. I didn't know then there were conditions that had to be met (other than cost) but did my best when I was told about obstacles, slopes & documenting them for the justification.

I appreciate your help regarding the refund. Thanks.

Kim Nelson

208 340-0477

On Wed, Aug 5, 2026, 4:49 PM Dane Adams <Dane.Adams@canyoncounty.id.gov> wrote:

Good afternoon,

I wanted to confirm that you are requesting a withdrawal of AD2026-0122. If so, I will forward this to our administration team and see if there is a possibility of a refund for any unused monies.

Please let me know if you have any questions.

Sincerely,



Dane Adams

Associate Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-6607

Email: Dane.Adams@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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From: Kim Nelson <nelsonfarms0409@gmail.com>
Sent: Wednesday, August 5, 2026 3:09 PM
To: Dane Adams <Dane.Adams@canyoncounty.id.gov>
Subject: [External] Re: Update on AD2026-0121 and AD2026-0122 (R20075)

Hello:

Okay. Let's just go without the easement reductions.

Thank you.

Kim Nelson
208 340-0477

On Wed, Jul 22, 2026, 1:33 PM Dane Adams <Dane.Adams@canyoncounty.id.gov> wrote:

Good afternoon,

I have been the planner assigned to your administrative land division (AD2026-0121) and easement reduction (AD2026-0122). After reviewing your easement reduction request, staff will need more evidence on how the physical characteristics of the site are requiring the easement reduction.

Please note that the driveway/ private road does not need to be the width of the easement; it just has to meet the standards outlined in 07-10-03. The easement just establishes legal access and ensures that future planning is not impacted.

Sincerely,



Dane Adams

Associate Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-6607

Email: Dane.Adams@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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Jennifer Almeida

From: Dane Adams
Sent: Wednesday, September 16, 2026 4:24 PM
To: DSD Admin
Subject: FW: Action items needed for AD2026-0121
Attachments: Response Letter_AD2026-0122-11Aug2026.pdf

Here is the email referenced in my previous email. Thank you!

Sincerely,



Dane Adams

Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-6607

Email: Dane.Adams@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

From: Dane Adams
Sent: Tuesday, August 18, 2026 4:06 PM
To: nelsonfarms0409@gmail.com
Subject: Action items needed for AD2026-0121

Good afternoon,

I am currently drafting the staff report for AD2026-0121 (Administrative Land Division of Parcel R20075), and we received the attached comment from Notus-Parma Highway District (NPHD) regarding the division. Before moving forward, please submit a new draft record of survey showing the following;

- At least a 28ft easement providing access to Parcel 18 on the survey per NPHD (60ft minimum if it is anticipated to be a private road per Canyon County Development Services (DSD).
- Please show the required dedicated Right-of-Way (ROW) along Apple Valley Road (which is 40-ft from centerline) and along Grandview Road (which is 30-ft from centerline) on the survey per NPHD.
- Please update the survey to reflect that the 30' easement running East/ West (currently listed as an irrigation easement) is also unmaintained public ROW per NPHD.

- Please update the survey to show 60ft easements for any easement being created for use as a shared driveway or private road, per DSD.

Other items needed prior to moving forward with the requested administrative land division.

- Please either vacate the unmaintained public ROW or enter into a license agreement with NPHD per NPHD.

Please let me know if you have any questions.

Sincerely,



Dane Adams

Associate Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-6607

Email: Dane.Adams@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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THE
LANGDON
GROUP



J-U-B ENGINEERS, INC.



GATEWAY
MAPPING
INC.

August 11, 2026

Canyon County Development Services Department
Attn: Dane Adams
dane.adams@canyoncounty.id.gov
111 N 11th Ave., Ste 140
Caldwell, ID 83605

RE: Case No. AD2026-0122

To Whom it may concern:

On behalf of Notus Parma Highway District No. 2 (NPHD), J-U-B Engineers has reviewed the proposed lot splits of Parcel R2007500000 for transportation and access impacts in accordance with the *2022 ACCHD Highway Standards and Development Procedures*. Below are our Conditions of Approval on the proposed lot splits:

- The proposed action will increase the number of dwelling units but is not expected to generate significant additional traffic, so a Traffic Impact Study is not required.
- Existing permitted Ingress/Egress access for the future intended use does not exist. An approach permit is required for all points of ingress/egress to the maintained public road right-of-way. There shall be no revision to, addition to, or change of use to an existing approach to the maintained public right-of-way except by a new permit (*ACCHD Section 3061.090*).
 - New accesses must meet current ACCHD driveway spacing requirements and approach policies (*ACCHD Section 3061*). Apple Valley Road is considered a Major Collector, so the minimum driveway spacing requirement is 330 ft. Grandview Road is considered a Local Road, so the minimum driveway spacing requirement is 140 ft (*ACCHD Section 3061.010*).
 - Residential approaches that serve three or more lots require a minimum 24-ft wide Commercial Approach Per (*Standard Drawing ACCHD-106*).
- Per ACCHD Section 2010.090, lots formed by administrative land division shall be configured to provide access to each parcel in accordance with these standards. Private road lots or ingress/egress easements may be required to serve parcels without public road frontage, or where access restrictions are imposed due to sight distance, proximity to existing or future intersections, or roadway functional classification.
 - Parcel 18, shown on the Nelson Family Holdings LLC Record of Survey, dated 11/20/2025, does not meet current standards. A dedicated 28-ft minimum ingress/egress & utility easement will be required for Parcel 18 through Parcel 17 to access Apple Valley Road.
- Per ACCHD Section 2010.090, administrative land divisions creating more than three (3) new residential lots may be treated as subdivisions at the direction of the District, and be subject to conditions for improvements and/or right-of-way dedication in accordance with these standards. Existing 25-ft of prescriptive right-of-way shown along Apple Valley Road and Grandview Road on the Nelson Family Holdings LLC Record of Survey, dated 11/20/2025, does not meet current standards.



- (Per ACCHD Section 3030 Right of Way)
 - The required width of right of way to be dedicated along Apple Valley Road (Major Collector) is 80-ft (40-ft from centerline).
 - The required width of right of way to be dedicated along Grandview Road (Local Road) is 60-ft (30-ft from centerline).
- The Nelson Family Holdings LLC Record of Survey, dated 11/20/2025, shows a 30 ft Irrigation Easement running east/west through the parcel. The 30 ft easement shown is unmaintained public Right-of-Way and needs to be updated and reflected as such in the Record of Survey.
- The existing 30 ft east/west and 30 ft north/south unmaintained public Rights-of-Way that run through the parcel and/or parcels must either be vacated or remain via Right-of-Way use license agreement(s) with NPHD (ACCHD Section 2010.100 & 2140).

Right-of-Way Vacation Process

- A Right-of-way Vacation/Abandonment/Dedications/Validation fee plus any additional cost will need to be paid in full to NPHD.
- Applicant is required to have a Professional Land Surveyor registered in the state of Idaho to prepare a Record of Survey ROS, Legal Descriptions and Exhibits for the subject's parcels to define the existing prescriptive Rights of Way to be vacated.
 - Dedicated permanent 30-ft Ingress/Egress and Utility Easements will also need to be included and defined to accommodate access and existing utilities through the subject parcels.
- A public hearing will need to be held at Notus Parma Highway District, after the Record of Survey, Legal Descriptions and Exhibits are prepared.
- Pending the outcome of the Public Hearing, the Board of Directors will vote on a decision to approve or deny the right of way vacation.
- Applicant is required to provide a certified appraisal for the ROW being vacated if approved.

These comments are based on the information currently provided, and the District reserves the authority to review and require additional comments or conditions if new or revised information becomes available.

Respectfully,

Cooper Felton, PE
J-U-B ENGINEERS, Inc.

CC:

- Lynn Troxel, NPHD#2 Director of Highways
- Genia Watkins, NPHD#2 Secretary/Treasurer