

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

In the matter of the application of:
Middleton 187 LLC/TBC Land Holdings LLC
(Todd Campbell) – CR2025-0012

The Canyon County Board of County Commissioners
consider the following:

**A Conditional Rezone (CR2025-0012) from “A”
(Agricultural) to “CR-R1” (CR-Single Family
Residential) of parcels R37597, R37602010,
R37605010, R37605 [217 acres more or less], are
located north of Foothill Road, south of Meadow
Park Blvd., between Lansing Lane and Duff Lane,
Middleton, in a portion of the SW ¼ and the SE ¼
of Section 33, T5N, R2W, BM, Canyon County,
Idaho.**

Summary of the Record

1. The record is comprised of the following:
 - A. The record includes all testimony, the staff report, exhibits, and documents in Case File CR2025-0012.
 1. All exhibits can be found in the case staff report dated July 28, 2026.
 2. This case was heard by the Planning and Zoning Commission on February 19, 2026 and forwarded to the Board of County Commissioners with a recommendation of denial.
 3. The Board of County Commissioners heard this case on July 28, 2026; after taking public testimony, deliberation, and review of the conditional rezone criteria; the Board approved the conditional rezone subject to conditions to be enumerated within a development agreement.

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-07 (Conditional Rezones), CCCO §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6511 (Zoning Map Amendments and Procedures), CCCO §09-09-17 (Area of City Impact Agreement), and §67-6519 (Application Granting Process).
 - a. Notice of the public hearings were provided per CCCO §07-05-01 and Idaho Code §67-6509. See case file CR2025-0012.
 - b. The presiding party may establish conditions, stipulations, restrictions, or limitations which restrict and limit the use of the rezoned property to less than the full use allowed under the requested zone, and which impose specific property improvement and maintenance requirements upon the requested land use. Such conditions, stipulations, restrictions, or limitations may be imposed to promote the public health, safety, and welfare, or to reduce any potential damage, hazard, nuisance, or other detriment to persons or property in the vicinity to make the land use more compatible with neighboring land uses. See CCCO §07-06-07(1).
2. The Board has the authority to exercise powers granted to it by the Idaho Local Land Use and Planning Act (“LLUPA”) and can establish its own ordinances regarding land use. See I.C. §67-6504, §67-6511.

3. The Board has the authority to hear this case and make its own independent determination. *See* I.C. §67-6519, §67-6504, 67-6509 & 67-6511.
4. The Board can sustain, modify or reject the Commission’s recommendations. *See* CCCO §07-05-03.
5. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.
6. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record. The County’s hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCCO 07-05-03(1)(I).

The application, CR2026-0012, was presented at a public hearing before the Canyon County Board of County Commissioners on July 28, 2026. Having considered the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Board of County Commissioners decide as follows:

HEARING CRITERIA:

Table 1. Conditional Rezone Standards of Evaluation

Standards of Evaluation – CCCO §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 Review		
Criteria Met?	Code Section	Criteria
Meets Criteria	1	Is the proposed conditional rezone generally consistent with the comprehensive plan?
analysis		The proposed conditional rezone is generally consistent with the Comprehensive Plan as conditioned. The application was submitted under the 2030 Comprehensive Plan (here after “Plan”). The Plan designates the property as ‘Residential’. <i>The ‘Residential’ designation is for residential development. Residential development should promote compatibility with existing agricultural activity</i> (Pg. 25 of the 2030 Comprehensive Plan). The area is transitioning from agriculture to residential with residential development surrounding the subject properties. • The applicant is requesting to conditionally zone the property to “CR-R1” (CR-Single Family Residential). <i>The R1 district promotes and enhances predominantly single-family living areas at a low density standard of typically one (1) unit per acre.</i> ○ At the time of application, September 10, 2025, the subject properties were lying within the boundary of the Middleton area of city impact. On December 30, 2025 the Board of County Commissioners adopted a new area of impact boundary for the City of Middleton which excludes the subject property and surrounding development from the AOI. The developer is proposing a community well and individual septic systems. There is not currently a path to annexation and the developer does not intend to annex this property for development. ○ Additionally, the proposed development is restricted by conditions to a minimum residential lot size of 1.3 acres (see Conditions of Approval attached hereto).

	○ There is significant residential development on all sides of the property inclusive of residential development created through rezones, administrative land divisions, and legacy conditional use permit processes. The average lot size for the 13 platted subdivisions that are surrounding the subject properties is 1.66 acres (BOCC Exhibit 3.C2f.2). The average lot size for the five (5) platted “R1” zoned subdivisions located on the adjacent boundaries is 1.32 acres. The average lot size for the 103 notified properties within 600 feet (inclusive of the subject parcels) is 6.04 acres with a median lot size of 1.41 acres. See Case Maps BOCC Exhibit 3: C2a, C2e, and C2f. Although the property (217± acres) is in agricultural production, and the Plan promotes preservation of agricultural lands; the property is designated as ‘Residential’ on the Future Land Use Map and many goals and policies in the Plan support the development of the subject property as residential: ▪ As conditioned the request is consistent with, but not limited to, the following goals and policies. ▪ <u>Property Rights</u> ▪ <i>Protect the integrity of individual property rights while safeguarding public health, safety, and welfare. (G1.01.00)</i> ▪ <i>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. (G1.01.00)</i> ▪ <u>Land Use & Community Design</u> ▪ <i>Maintain a balance between residential growth and agriculture that protects the rural character. (P4.01.01)</i> ▪ <i>Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights. (P4.01.02)</i> ▪ <i>Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning. (G4.03.00)</i> ▪ <i>Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns. (P4.03-02)</i> Note: The request for development is located between parcels that have already been divided and where fragmentation has already occurred. ▪ <i>Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and, in some instances, may require conditions of approval to promote compatibility (P4.03.03).</i> ▪ <i>Development design should improve the area's character and be compatible with the community's visual appearance and the natural environment. (G4.06.00)</i> ▪ <i>Incorporate community design features that promote public health, safety, and welfare. (P4.06.01)</i> ▪ <i>Development should sustainably provide roadway and pathway connections, downward lighting, drainage, stormwater runoff, landscaping, revegetation of disturbed areas, underground utilities, and weed control. (P4.06.03)</i> ▪ <i>Maintain and enhance the aesthetic beauty of the County. (G4.08.00)</i> ▪ <i>Encourage developments to incorporate place-making as part of the design of the site. (P4.08.02)</i> - Mitigation Measures: • Conditions Applied: Condition #9: as conditioned the proposed lot sizes are commensurate with previously approved residential subdivisions and land divisions in the area (BOCC Exhibits 3.C2a and 3.C2f). Conditions #6 & #7: Pathways are required for the collector roadways including Meadow Park Boulevard and Willis
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Road. Additionally, pathway connections can be accomplished through conditions to place the Williams Northwest gas pipeline easement and BCID irrigation easements and facilities in common lots to be maintained by the homeowners with either improved or natural pathways and landscaping to maintain and control weeds in these common areas. The developer's draft plan suggests that the existing drainageway, ponds, and some surrounding steep ground will also be placed in common areas.

- Natural Resources

- *Protect and enhance waterways, groundwater, wetlands, wildlife habitat, air, soils, and other natural resources. (P5.01.01)*
- *Incorporate existing natural features as amenities in development design. (P5.01.02)*
 - **Condition Applied:** The development is conditioned to require drainage, ponds, irrigation structures, and the Williams Northwest gas pipeline being placed in common lots with improved pathways to be owned and maintained by the homeowners' association. (Condition #6, #7, #8, #9, & #21)
- *Encourage the protection of groundwater and surface water quality and quantity in land use through drought-tolerant design and community systems. (P5.01.02)*
- *Encourage subdivisions over fifteen lots to install community water systems. (P5.01.04)*
 - **Condition Applied:** The development is conditioned to be served by a community water system as well as requiring that a pressurized irrigation system utilizing surface irrigation water be installed (Conditions #8 and #17).
- *Protect Canyon County inhabitants' health, safety, and welfare by reducing the risk and effects of natural and human-made hazards. (G5.05.00)*
- *Mitigate development in hazardous areas or require site planning or construction techniques to mitigate the hazard. (P5.05.01)*
- The property consists of undulating topography and contains significant slopes with portions of the properties exceeding 15% (BOCC EXHIBIT 3C2i.)

Conditions Applied: The developer shall meet the requirements of CCZO §07-17-33 (1) Hillside Development; inclusive of all required data reports, grading and drainage plans, development standards, vegetation and re-vegetation and maintenance plans (Condition #14). Additionally, engineered grading and drainage plans for all development lots are required to ensure that stormwater is retained on each individual lot as development occurs (Condition #15).

- Schools

- *Ensure adequate school facilities and services meet the community's education, social, and recreational needs. (G6.01.00)*
- *Consider cumulative impact residential development will have on the capacity of schools. (P6.01.01)*
- *Strive for better connectivity, safer access, and pedestrian-friendly transportation options to schools. (G6.01.00) (see Conditions #6 & #7)*
- *New development within one mile of existing or planned schools should provide adequate pedestrian and bicycle access for school children and internal and connecting roads and pathways. (P6.01.01)*
 - **Condition Applied:** Developer shall provide as part of the preliminary plat application, a plan for bus stops in coordination with the bus company. This shall be evidenced by a letter from the bus company having reviewed and approved the proposed plan (Condition #10). See also Land Use and Community Design section for additional conditions.

- Housing

- *"Encourage opportunities for a diversity of housing choices in the County." (G11.01.00)*

	▪ <i>“Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural land and natural resources.”</i> (G11.02.00) See above discussion regarding surrounding development. Although the subject properties combine to make a larger 217 acre agricultural field, the properties around it have already been fragmented and developed as residential. ▪ <u>Agriculture</u> ▪ <i>“Encourage non-agricultural related development to the cities, areas of city impact, and other clearly defined and planned development areas.”</i> (P12.01.02) At the time of application the subject property was within the Middleton area of city impact. The Canyon County Future Land Use for this area has consistently been designated residential and development trends support residential in this area. <i>See the supporting findings and evidence in criteria# 2, 3 & 4.</i>								
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-R1” (CR-Single Family Residential) is as appropriate as the current zoning designation of “A” (Agricultural). As conditioned, the rezone to “CR-R1” (CR-Single Family Residential) is appropriate. The Board determined that this area is trending toward residential development and as conditioned with a community water system and a minimum residential lot size of 1.3 acres consistent with the adjacent developments (Cascade Hills, C3, C4 and Meadow Bluff Estates) average lot size, the proposed zone change is appropriate for this area. Analysis: The subject properties are currently in agricultural production but they are located within an area that has been trending toward residential for many years (See BOCC Exhibit 3.C2f.) The developments along Foothill Road were zoned Rural Residential when the Official Zoning Ordinance and maps were adopted in 1979. The property is surrounded by residential development. The zoning designations of “R1” (Single Family Residential) and “RR” (Rural Residential) in the area reflect a trend toward single family residential development. See criteria 1 above. Pursuant to Canyon County ordinance 07-10-25 (3), The purpose of the “R1” (Single-Family Residential) zone is to promote and enhance predominantly single-family living areas at a low density standard. The average lot size for the thirteen (13) platted subdivisions surrounding the subject properties is 1.66 acres (BOCC Exhibit 3.C2f.2). The average lot size for the five (5) “R1” zoned subdivisions located on the adjacent boundaries is 1.32 acres. The average lot size for the 103 notified properties within 600 feet (inclusive of the subject parcels) is 6.04 acres with a median lot size of 1.41 acres. See Case Maps BOCC Exhibits 3.C2a, 3.C2e, and 3.C2f. Adjacent Existing Conditions: “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)								
		<table><tr><th>Direction</th><th>Existing Conditions</th><th>Primary Zone</th><th>Other Zones</th></tr><tr><td>N</td><td>Agricultural, residential subdivisions</td><td>R1/AG</td><td>CR-R1/CR-RR</td></tr></table>	Direction	Existing Conditions	Primary Zone	Other Zones	N	Agricultural, residential subdivisions	R1/AG
Direction	Existing Conditions	Primary Zone	Other Zones						
N	Agricultural, residential subdivisions	R1/AG	CR-R1/CR-RR						

		Meadow Bluff Estates, Cascade Hills, Gray Hawk, Moon Shadow Est., Port of Chance		
	E	Agricultural, C3 & C4 Subdivisions, Ridge at Quail Hollow, Wyatt’s Hollow, Sloviaczek Sub	R1/AG	CR-R1/CR-RR
	S	Agricultural dry land/ Rural Residential, Gjerde View Sub, Country Foothills Sub, JPS Sunrise Est., Bernice Estates	AG/RR	City of Middleton
	W	Agricultural and AG Rural Residential, Killdeer Meadow Sub, Smith Ridge Est., Turner’s Skyline Sub.	AG	RR/City
	Surrounding Land Use Cases: • Turner’s Skyline Sub. (1972 AG zone w/subsequent land divisions), JP’s Sunrise Estates (1983 AG zone) Country Foothills (1994 RR zone), Gjerde View Subdivision (1971 RR zone w/subsequent land divisions), Hunter’s Ridge Subdivision (1979 zoned RR w/subsequent land divisions) • Meadow Bluff Estates (2020 R1 zone RZ-PH2018-0016, SD2020-0007, FP-SD2020-0045) • C3 Subdivision: RZ2020-0006, PP-SD2020-0011/FP-SD2021-0004 recorded Nov. 2021 zoned R1 • C4 Subdivision: RZ2021-0010, PP-SD2021-0008, FP-2022-0004 zoned R1 • Proposed C5 Subdivision: (proposing CR-R1) CR2022-0025 (Denied), PP-SD2022-0025 (Not heard) • Cascade Hills No. 1 & 2: RZ2018-0026, PP-SD2019-0012, FP-SD2020-0018, FP-SD2021-0019 • MDC, LLC/Carter: CR2022-0016 (163 acres “A” to “CR-RR”)			
Criteria Met?	3	Is the proposed conditional rezone compatible with surrounding land uses?		
Meets Criteria				
Analysis	The proposed rezone to “CR-R1” (CR-Single Family Residential) as conditioned, is compatible with surrounding residential and agricultural land uses. See Criteria 1 & 2 above for additional development information. The application for a conditional rezone with the intent to develop 217 acres as a residential development in an area with a Plan designation of Residential, surrounded by residential development, is compatible with the existing rural residential and single-family residential development. Conditions applied will help to mitigate concerns with compatibility including larger 1.3 acre lots, common areas for the Williams Northwest gas pipeline, common areas for Black Canyon Irrigation structures, drainages, and easements, compliance with the Hillside Development code, and connecting pathways within the development and along roadways to provide for pedestrian connectivity and safety. Additionally, the offsite construction of traffic signals at the intersections of State Highway 44, Duff and Lansing prior to the approval of the first phase final plat will help to mitigate traffic concerns indicated in public testimony, agency responses, and staff analysis. (See Conditions of Approval attached hereto). Analysis: 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 challenges for this area of the county and the potential impacts to existing properties are that the road infrastructure, school capacity, and the ability for emergency services to respond timely in the area are not keeping pace with development. The specific impacts of development are unknown and will be reviewed by affected agencies at the time of preliminary plat. Additional conditions may be applied during the development phases to address specific requirements and impacts. The developer’s letter of intent and draft concept development plan indicated that there could be up to 165 one acre residential lots (BOCC Exhibits 3.B2 and 3.B3). As conditioned, the number of lots is projected to be 120 or fewer residential lots due to requirements of common lots for existing gas pipeline, irrigation structures, and drainages (Conditions 18, 19, & 21) as well as requiring lot sizes to be a minimum of 1.3 acres (Condition 9) commensurate with the average lot size of the five, “R1” zoned, developments adjacent to the subject properties. A community water system versus individual wells will further reduce potential impacts to surrounding properties (Condition 8).	
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. The Board finds that the area is trending toward residential and has been for many years. They acknowledge that this is a large agricultural property, however, it is enclaved by residential development. Testimony has indicated the difficulty in moving farm equipment in this area. As conditioned, the development will be reflective of the properties and development trends in the area. Additionally, improvements made to offsite facilities will help to mitigate some of the traffic and safety concerns expressed by the public. Analysis: The developer is proposing a “CR-R1” (CR-Single Family Residential) zone which typically provides for low density development of one (1) SFR unit per acre. The character of the area is both agricultural and residential. This area has been trending toward residential for many years (BOCC Exhibit 3.C2.f). The developer has agreed to a 1.3 acre minimum lot size and to placing the gas pipeline and all BCID irrigation and drainage facilities, easements, and pathways in common lots thus reducing the number of potential residential development lots on the approximate 217 acres. The residential development will be consistent with the existing development on the boundaries of the property. (see BOCC Exhibits 3.C2a, 3.C2e and 3.C2f) Character of the Area: Currently the subject property is irrigated farmland and is in agricultural production. The character of the area is and has historically been transitioning from Agriculture to Residential as evidenced by the surrounding platted developments (BOCC Exhibit 3.C2f). The city limits of Middleton are within one quarter (¼) mile to the south and one half (½) mile to the west and southwest. Star city limits are also located approximately 1.25 miles southeasterly of the property from Lansing Lane. There is existing residential development, approved development, and proposed development in the immediate vicinity of the subject properties. There are 71 platted developments within one mile of the proposed development (BOCC Exhibit 3.C2f.1). The surrounding platted lot sizes in the immediate vicinity of the property range from one-half (1/2) acre to ten (10) acres. The thirteen platted developments adjacent to the subject properties and in the immediate vicinity north of Foothill Road, have an average lot size of 1.66 acres (BOCC Exhibit 3.C2f.2). Five more recently platted developments (2020-2023) located immediately adjacent to the property have an average lot size of 1.32 acres and are zoned “R1” (Single Family Residential). There are eleven (11) unplatted agriculturally zoned parcels adjacent on the southern boundary of the subject properties ranging in size from 2.54 acres to 16.05 acres. Only two of the eleven are in agricultural production; the balance of the properties located	

	between the subject property and Foothill Road are comprised of primarily dry ground, most containing rural residential development. Many of those properties contain areas of significant slope exceeding 15%. The developed lots located within the City of Middleton in subdivisions including Victory Heights, Falcon Valley 1-6, and Waterford average approximately 0.29 acres per lot. The surrounding zoning is agricultural, rural residential, and single-family residential (BOCC Exhibits 3.C2e and 3.C2f). Testimony indicated that there are agricultural properties and uses occurring on the various parcels in the near vicinity of the subject property. These mixed ag/residential uses have proven to be compatible and are an integral part of the character of the area. The property sizes and uses vary significantly within a quarter mile of the properties and transition to larger open spaces to the northwest where the topography lends itself to more productive farmland with less fragmentation and residential development. See mitigation measures identified in Criteria 1-3.	
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 is anticipated to have adequate sewer, water, drainage, irrigation, and utilities to accommodate the potential development at the time of preliminary and final plat. Additional reviews, engineering and conditions will be applied to the preliminary and final plat requirements to ensure that the facilities and services are provided. Utilities, irrigation and drainage structures and easements will be placed in common lots as conditioned. Analysis: <u>Sewer:</u> - The applicant proposes individual septic systems for each development lot. The development will be required to meet the requirements for Southwest District Health at the time of platting and development. Southwest District Health is a signatory on the final plat. <u>Water:</u> - The developer shall provide a community water system to serve the development lots and fire hydrants for fire suppression. Additionally, the developer will require all homes within the development to have fire suppression sprinklers (see Conditions #8 and #13). Additionally, a condition has been established requiring the installation of operable fire hydrants (minimum of 2-5 hydrants) within the development (Condition #11). The fire department will have opportunity for review, comments and conditions at time of preliminary and final plat applications. <u>Drainage:</u> The property is a sloping bowl with some areas of significant slope. There is also a drainage with ponds that traverses the property from east to west. At the time of platting, all irrigation, drainage plans, and development engineering shall be provided and reviewed for additional conditions and requirements. As conditioned the irrigation and drainage facilities and easements shall be placed in common lots to be owned and maintained by the Homeowners' Association. (Conditions 14, 16-20) <u>Irrigation:</u> The subject property lies within the Black Canyon Irrigation District and will be required to comply with district requirements and state code with regards to irrigation facilities, easements, and drainages (BOCC Exhibit 3.E4). All irrigation and drainage facilities and easements shall be placed in common lots to be owned and maintained by the Homeowners' Association (BOCC Exhibit 3.E4) (Condition 18	

	& 19). The development will have pressurized irrigation system to be provided to all lots within the development. (see Condition 17) <u>Utilities:</u> Utilities are provided in the area to adjacent developments. Staff did not receive agency responses indicating that utilities would not be provided and therefore anticipate that utilities will be available at the time of development. For specific conditions for sewer, water, drainage, and irrigation see Conditions of Approval attached hereto.	
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 development will require public street improvements, inclusive of offsite locations. Prior to the submission of a preliminary plat the developer is required to complete a traffic impact study (TIS) (Conditions 1 & 4). The scope of the TIS (BOCC Exhibit 3.E.1) shall be approved by Highway District 4. Currently the level of service (LOS) at State Highway 44 for both Duff and Lansing is rated below a LOS D during peak traffic hours. The Board indicates that this situation has occurred over time through a cumulative affect of smaller developments and city developments outpacing the infrastructure. The Board is concerned with adding additional trips to the current system but recognizes the benefits of the applicant’s commitment to improving both intersections, Duff and Lansing at Hwy 44, to signalized intersections in conjunction with HD4 and Idaho Transportation Department requirements prior to the Board signing the first phase Final Plat (see Condition #3). This mitigation measure will help to address public concerns regarding traffic safety in this area. Additional impact fees and/or mitigation will be required by HD4 at the time of preliminary plat and final plat review and approval, which is anticipated to contribute to addressing the concerns with the Duff and Lansing intersections at Purple Sage Road. Additionally, upon completion of the development, there will be two collector roads, Willis and Meadow Park Blvd., connecting Duff and Lansing. The Board finds that through public testimony and agency comments, that this area of the county is challenged by transportation infrastructure lagging behind development pressures but finds that the developer has committed to infrastructure improvements that will help to mitigate impact and benefit this region of the county. Analysis: Highway District 4 (HD4) indicates in BOCC Exhibit 3.E1 that the intersections at Duff and Lansing intersecting with State Highway 44 currently operate below a level of service D (LOS D) during peak hours and “will require improvements to accept the additional traffic demand from this or other developments proposed in the area.” HD4 and ITD are working to develop projects to provide improvements, but they are in preliminary planning stages only and the improvements are not funded. Lansing Lane is classified as a minor arterial roadway and Duff Lane is classified as a principal arterial roadway on the functional classification maps adopted by the county. Dedication of a 50 foot half-width right-of-way will be required on Duff and Lansing at time of preliminary plat. Meadow Park Street located along the northern boundary is classified as a collector roadway and will require right-of-way dedication. At the time of application the subject properties were within the Middleton area of city impact. On December 30, 2025 a new impact area was adopted and the subject properties currently are not located within the area of city impact. A condition has been placed to require that the detached pathway on the existing western portion of the Meadow Park Street be extended along the portion of roadway bounding the subject properties at the time of development (see Condition # 6).	

	HD4 indicates that a traffic impact study (TIS) will be required at the time of preliminary plat submission and that the scope of the TIS should be approved by the highway district prior to the study being completed (BOCC Exhibit 3.E1) (see Condition 4). The following measures will be implemented to mitigate impacts: HD4 indicates that “<i>traffic impacts from the proposed development will be mitigated through a variety of means, including but not limited to requirements to improve or contribute proportionate share contributions to SH44 intersections; right-of-way dedications for Duff Lane and Lansing Lane; public roadway improvements; transportation impact fees; or a combination of these measures.</i>” HD4 reviews and is a signatory on all final plats associated with this development. See also Conditions of Approval attached hereto.	
Criteria Met?	7	Does legal access to the subject property for the conditional rezone exist or will it exist at time of development?
Meets Criteria		
Analysis	Legal access exists for the conditional rezone and/or will exist at the time of the development. See the review and analysis detailed below. Analysis: HD4 indicates in BOCC Exhibit 3.E1 that legal access exists to the property. The subject properties have frontage on Duff Lane, Lansing Lane and access from Meadow Park Drive. There are currently four unimproved agricultural accesses that exist as outlined in BOCC Exhibit 3.E1. The concept plan, BOCC Exhibit 3.B3, shows one access to Duff and one access to Lansing consistent with the previously approved access locations for Farmington Hills preliminary plat which would generally be acceptable to HD4 but final access approval will be evaluated at time of preliminary plat.	
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?
Meets Criteria		
Analysis	The proposed residential development resulting from the conditional rezone may impact essential public services and facilities, including, but not limited to, schools, police, fire, and emergency medical services. The cumulative impact of development and the failure of many bonds and levies in area of the county have strained the resources of the essential public services including schools and emergency services. The developer has committed to improving the transportation infrastructure at two critical intersections that serve the public, the schools and emergency services personnel (see Condition #3). Mr. Campbell has also committed to the School Superintendent, Marc Gee, to contribute \$1500 per residential development lot to the Middleton school district at the time of final plat for each phase of the development (BOCC Exhibit 3.E2) (see Condition #23). Although the Board recognizes this will not build a school and that it is a one-time fee per lot, a teacher in the Middleton District testified at the hearing that it “<i>will help the school district, every bit helps</i>”. The Board also finds that the fire district, emergency services and the sheriff’s office did not respond to the agency request for comment and therefore the impact to those services are unknown and difficult to mitigate. A condition has been placed that fire hydrants will be provided within the development property (see Condition #11). Hydrants in the area will help to also provide better fire protection for area residents. Additionally, the developer has committed to requiring that all homes within the development will be equipped with fire sprinkler suppression systems (see Condition #13). The fire district will also review the preliminary plat submission and additional conditions may be placed to ensure compliance with fire district requirements (see Condition #1 and #12). The Board finds that the contributions by the developer as conditioned will help to mitigate some regional impacts to essential services.	

Analysis:

This application is for a conditional rezone. A specific development plan has not been proposed or submitted. This area of the county and the City of Middleton has experienced significant and rapid growth. The citizenry has been reluctant to fund fire, EMS, and school services through multiple bond and levy elections. Agencies were notified of the application including the Sheriff's department, Middleton Fire Department, Canyon County Emergency Services and Middleton School District. Services have been affected by cumulative development in the area. The proposed development is similar in nature to the developments that have been approved in the county jurisdiction. The proposed development properties when fully developed with connecting collector roads will provide for improved response capability as it will provide for multiple route options connecting Duff and Lansing Lanes. Locating operational fire hydrants will help to provide for improved fire response capabilities for the area.

Schools:

Marc Gee, Middleton School District Superintendent, has indicated that funding has been obtained to construct the first phase of an additional elementary school in this service area. BOCC Exhibit 3.E2 indicates that the new elementary school will be located near Hwy 44 and Kingsbury Road with an expected completion between the fall of 2027 and 2028. Mr. Gee indicates that as redistribution happens, each of the elementary schools will be under capacity. He further states that the developer has committed to the previous agreement between the District and the developer, for providing \$1500 per residential lot to assist with school infrastructure needs with fees to be paid to the school district prior to the Board's signature for each phase final plat (see Condition #23).

Police:

The Sheriff's office did not provide comment.

Fire protection & Emergency Medical Services:

The Middleton Fire Department and Emergency Services did not provide comment for the rezone. The fire district will have opportunity to review, provide comments and conditions at the time of preliminary plat and final plats, as well as, at the time of each residential building permit application.

The following measures will be implemented to help to mitigate impacts:

- The developer proposes to pay a \$1500 per residential lot to help offset development related infrastructure requirements within the school district. (Condition #23)
- The development upon completion, will be required to build-out two collector roadways providing much needed alternate routes between Lansing Lane and Duff Lane. Connecting infrastructure provides emergency services with alternative route options to serve customers within the service areas. (Conditions 1 & 5)
- Developer shall comply with agency requirements including review and approval by the fire district on the preliminary and final plats. (Conditions 1 & 12)
- The Developer will provide operational fire hydrants within the development. (Condition 11)
- Each residence will be constructed with fire suppression sprinklers. (Condition 13)
- Improvements at the intersections of Duff and Lansing with Hwy 44 are expected to improve public safety with benefits to emergency services and the schools in the area. (Condition 3)

Table 2. Area of City Impact

CCCO §09-09-01: Middleton Area of City Impact (Plans and Ordinances/Map) Ordinance Applicable Ordinances and Standards: Within the Star area of city impact, the following ordinances apply, 09-09-13 Applicable Ordinances: Canyon County Zoning Ordinance and Canyon County Subdivision Ordinance shall apply.		
County Ordinance and Review		
Criteria Met?	Code Section	Criteria
Meets Criteria	09-09-17	Application Procedures
Analysis	Area of City Impact: The City of Middleton was notified of the application and provided more than 30 days to respond with comment. No comments were received from the City of Middleton with regards to this conditional rezone application. On December 30, 2025 the Board of County Commissioners amended the area of city impact for the City of Middleton. The subject properties no longer lie within the boundaries of the Middleton area of city impact. However, the application was filed when the property was located within the Middleton AOI and is subject to any requirements applicable.	

NOTIFICATION AND COMMENTS:

Notice of the public hearing was provided as per CCCO §07-05-01. Agencies were notified on September 20, 2025, January 20, 2026, and June 26, 2026. Property owners within 600 feet of the subject property boundaries were notified on January 20, 2026 and June 23, 2026. Full political notice was completed on January 20, 2026 and June 23, 2026. A newspaper notice was published on January 20, 2026 and June 26, 2026. The subject property was posted with a notice on January 20, 2026 and June 25, 2026.

Pursuant to CCCO §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.

AGENCY COMMENTS

All agency comments received by the aforementioned materials deadlines are located in BOCC Exhibit 3.E. No additional comments were received for the BOCC hearing.

PUBLIC COMMENTS

For the Planning and Zoning Commission hearing staff received “Twenty-two” (22) total written public comments by the materials deadline of February 9, 2026. Generally, of the comments received, “Twenty-one” (21) were in opposition and “One” (1) was in support. All public comments received by the materials deadline are located in BOCC Exhibit 3.F. Eleven additional public comments were received by the BOCC hearing deadline of July 20, 2026 and those comments may be found in BOCC Exhibit 5.1-5.11.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Board of County Commissioners APPROVES Case # CR2025-0012, a conditional rezone of approximately 217 acres including parcels R37605010 (29.31± acres), R37602010 (60.06± acres), R37605 (29.77± acres), and R37597 (97.15± acres) from "A" (Agricultural) to "CR-R1" (CR-Single Family Residential) with conditions of approval attached hereto in "Exhibit A" to be enumerated in a Development Agreement.

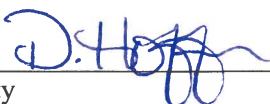
DATED this 1st day of October, 2026.

CANYON COUNTY BOARD OF COMMISSIONERS

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

By: 

Deputy

Date: 10/1/26

EXHIBIT A

CONDITIONS OF APPROVAL to be enumerated in a Development Agreement:

GENERAL:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and 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."

ROADS/PATHWAYS:

3. The intersections at State Highway 44 at Duff and Lansing are found to be operating at a Level D or F during peak traffic hours; the BOCC shall not sign a final plat for any phase of development until the intersection of Duff and Highway 44 and the intersection of Lansing and Hwy 44 have been improved as indicated by Highway District 4 and the Idaho Transportation Department. Signalized intersections at both Lansing and Duff intersecting with Hwy 44 shall be installed and operational prior to the Board of County Commissioners signing the first phase Final Plat.
4. A traffic impact study (TIS) as required by Highway District #4 is required to be submitted at the time of preliminary plat submission and that the scope of the TIS shall be approved by the highway district prior to the study being completed.
5. The streets within the proposed development shall be paved public streets in accordance with HD4 and ACCHD standards.
6. There shall be a six-foot-wide detached paved pathway extended along the south side of Meadow Park Blvd. from the current termination point in Meadow Bluff Estates to Lansing Lane consistent with the pathway in Meadow Bluff Estates development.
7. Pedestrian/bike pathways through the development shall be provided for access to bus stops and between major roadways. The developer shall provide minimum six-foot-wide paved public pathways connecting the collector roadways within the development providing for pedestrians and school children with safe route connectivity.

DEVELOPMENT:

8. **COMMUNITY WATER SYSTEM:** The development shall provide a community water system or connection to municipal system for all development lots at time of development as evidenced by installed infrastructure prior to the Board's signature on the final plat for each phase of development.
9. **RESIDENTIAL LOT SIZE:** The minimum residential lot size shall not be less than 1.3 acres.
10. **BUS STOPS:** Developer shall provide, as part of the preliminary plat application, a plan specifying locations and construction plans of bus stops in coordination with the bus company. This shall be evidenced by a letter from the bus company having reviewed the proposed plan. The developer shall construct the bus stops and plan elements with each phase of development.
11. **FIRE HYDRANTS:** The developer shall install fire hydrants within the development. There shall be a minimum of two fully functioning hydrants within the development.
12. **FIRE DISTRICT REVIEW:** The development is subject to compliance with the International Fire Code. The development shall comply with Middleton Rural Fire District requirements upon review and approval by the Fire District of the construction drawings submitted with each phase of final plat. Evidence of approval shall

be a letter from Middleton Rural Fire District. Evidence shall be submitted to DSD prior to the Board's signature on the final plat for each phase of development.

13. FIRE SUPPRESSION IN ALL RESIDENTIAL STRUCTURES: All residential structures within the development shall be equipped with fire suppression systems at the time of building construction.
14. HILLSIDE DEVELOPMENT: This development shall meet the requirements of CCZO §07-17-33 (1) Hillside Development; inclusive of all required data reports, grading and drainage plans, development standards, vegetation and re-vegetation and maintenance plans.
15. ENGINEERED GRADING AND DRAINAGE PLANS PER LOT: The terrain is sloping throughout the development, some areas with significant slope. Individual engineered grading and drainage plans for all development lots are required at the time of residential development to ensure that stormwater is retained on each individual lot as development occurs.

IRRIGATION/DRAINAGES:

16. Development shall not impede, disrupt, or otherwise disturb the existing irrigation structures on and adjacent to the subject property without written approval from the irrigation district having jurisdiction.
17. The development shall have a pressurized irrigation system owned, operated, and maintained by the homeowners' association or water association for the residential development.
18. Black Canyon Irrigation structures and easements shall be placed in common lots and not as part of individual residential development lots, helping to ensure that adequate lot area is provided for individual septic systems and replacement fields on each residential lot now and into the future, as well as, protecting the irrigation facilities from encroachments.
19. The drainages and ponds within the development shall be placed in common lots to be owned and maintained by the homeowners' association.
20. Black Canyon Irrigation District: The development is subject to compliance with Black Canyon Irrigation District (BCID) requirements at time of development. BCID shall review and approve development plans and construction drawings with each phase of the development. Evidence of approval shall be a letter from BCID submitted to DSD prior to the Board's signature on the final plat for each phase of development.

GAS PIPELINE:

21. The Williams Northwest Pipeline and easement shall be placed in common lot(s) to better protect the buried infrastructure and the public, minimizing the risk of damage to the pipeline and providing open space and opportunity for connecting pathways through the development.
22. Where development (road crossings, crossing with heavy equipment, irrigation routing, etc.) impacts the Williams Northwest Pipeline: Obtain approval prior to construction/development in the area of the pipeline and pipeline easements. Developer shall place a disclosure notice of the pipeline easement and restrictions in the development deeds and homeowner's covenants.

SCHOOL DISTRICT MITIGATION:

23. Developer shall confirm its voluntary commitment by entering into a memorandum of understanding with the Middleton School District for mitigation to assist with infrastructure costs prior to submission of preliminary plat application. Evidence shall be a copy of the executed memorandum of understanding between the district and the developer provided to DSD. (ref. Exhibit BOCC 3.E.2)