Board of County Commissioners
Hearing Date: July 15, 2026
Canyon County Development Services Department

PLANNING DIVISION ADDENDUM

CASE NUMBER:	**OR2025-0023**
APPLICANT/REPRESENTATIVE:	**KM Engineering LLP**
PROPERTY OWNER:	**Granite Companies LLC**
APPLICATION:	**Comprehensive Plan Map Amendment of Parcel R29892010 from an "agriculture" future land use designation to a "rural residential" future land use designation**
LOCATION:	**The 46.5-acre property is located at 7044 Rim Road, Nampa, also referenced as a portion of the SW quarter of Section 30, T2N, R2W, BM, Canyon County, Idaho.**
PLANNER:	**Dan Lister, Planning Supervisor**
P&Z RECOMMENDATION:	**Denial**

SUMMARY:
Granite Companies LLC, represented by KM Engineering, requests a Comprehensive Plan Map Amendment of Parcel R29892010 from an "agriculture" future land use designation to a "rural residential" future land use designation. *See **Exhibit 3.B** for supporting information submitted by the applicant.*

The Planning & Zoning Commission heard the case at a public hearing held on May 7, 2026. After deliberation, the Planning & Zoning Commission recommended denial of the request, finding that it does not meet any of the required criteria outlined in CCCO §07-06-03 (**Exhibits 1 & 2**).

The staff report packet provided to the Planning and Zoning Commission, with all supporting material, is contained in **Exhibit 3**. Any additional comments or materials received by the comment deadline can be found in **Exhibit 4**. A draft version of the Board's Findings of Fact, Conclusions of Law & Order (FCO) may be found in **Exhibit 5**.

EXHIBITS:
1. **Planning & Zoning Commission FCOs**
2. **Planning & Zoning Commission Minutes**
3. **Staff Report Packet Dated May 7, 2026**
4. **Comments Received by July 6, 2026**
   a. Nampa Fie email received on June 25, 2026
   b. Boise-Kuna Irrigation letter dated June 10, 2026
   c. Growing Together letter dated July 6, 2026
   d. Applicant's PowerPoint received July 6, 2026
5. **Draft FCOs**

EXHIBIT 1

Planning and Zoning Commission FCOs

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Board of County Commissioners

Case# OR2025-0023

Hearing date: July 15, 2026

PLANNING OR ZONING COMMISSION

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:
Granite Companies LLC – OR2025-0023

The Canyon County Planning and Zoning Commission considers the following:

Comprehensive Plan Map Amendment of Parcel R29892010 from an "agriculture" future land use designation to a "rural residential" future land use designation.

The 46.5-acre property is located at 7044 Rim Road, Nampa, also referenced as a portion of the SW quarter of Section 30, T2N, 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 OR2025-0023.

      1. All exhibits can be found in the case staff report dated April 2, 2026. The April 2nd hearing was tabled to May 7, 2026.

      2. Notice of the public hearing was provided as per CCCO §07-05-01. Agencies were notified on February 26, 2025. Property owners within 300 feet of the subject property boundaries were notified on February 26, 2025. A full political notice was sent on April 2, 2026. A newspaper notice was published on March 3, 2026. The subject property was posted with a notice on March 3, 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, OR2025-0023, was presented at a public hearing before the Canyon County Planning and Zoning Commission on May 7, 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:

Comprehensive Plan Amendment Criteria Analysis

HEARING CRITERIA – CCCO §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, Idaho Code title 67, chapter 65, and is consistent with the comprehensive plan's purposes, goals, and policies:

County Ordinance and Review

Criteria Met?	Code Section	Criteria
No	**A**	**Is the requested type of growth generally in conformance with the comprehensive plan?**
Analysis		The requested type of growth is generally <u>not</u> consistent with the 2030 Comprehensive Plan. The request would promote residential growth in an area planned to preserve agricultural uses and character. • The 2030 Canyon County Comprehensive Plan designates the property as "agriculture" (**Exhibit C.2c**). "The agricultural designation is the base designation throughout the County. It contains areas of productive irrigated croplands, grazing lands, feedlots, dairies, seed production, and ground of lesser agricultural value" (Page 25, 2030 Comp. Plan). • The property is in an intensive agriculture overlay. "This overlay is applied to protect working lands and operations. These areas may have higher-quality soils, water availability, and relatively flat topography. Uses may include seed production, crops, orchards, vineyards, concentrated animal feeding operations, grazing, and other agriculturally-based uses. This designation aims to protect agriculture operations from incompatible uses and reduce the conflicts concerning noise, dust, smells, and safety" (Page 28, 2030 Comp. Plan). • The property is zoned "A" (Agricultural), consistent with the comprehensive plan (**Exhibit C.2d**). CCCO §07-10-25 states the purpose of the "A" Zone is 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, 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.* • The request is to allow a rural residential designation on the subject parcel (**Exhibit B.2**). The applicant contests that the property contains slopes, soils, and a lack of water, making the property nonviable farm ground. If approved, a rezone would be required, and subsequent subdivision to establish 20 residential lots (2.27-acre average lot size). o "The rural residential district provides rural transitional areas to create a boundary between agricultural and urban areas. These areas are generally conducive to small-scale farming operations and compatible with non-agricultural uses" (Page 26, 2030 Comp. Plan). This property is not within a transition area. The Nampa Impact Area is over 3 miles from the property. Nampa city jurisdiction is approximately 4 miles from the subject parcel. The Melba Impact area is over 7 miles from the subject parcel. The nearest similar rural residential zone is approximately 2 miles from the subject parcel. o Although agricultural uses may be limited on the subject property, the surrounding area appears to be in agricultural uses (**Exhibit B.2a**). The request would establish a residential subdivision in an agricultural area, which may impact agricultural operations, such as aerial spraying. On October 1,

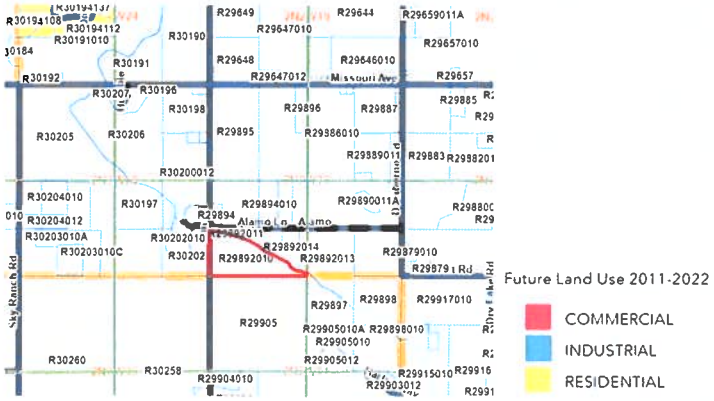
2025, DSD staff recommended that the applicant submit a conditional rezone instead of a comprehensive plan amendment to create residential lot sizes commensurate with the area (five acres or greater) without a comprehensive plan amendment, which would set a precedent per CCCO 07-06-07(3). The applicant declined (**Exhibit B.7**).

- "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" (Last sentence from CCCO 07-06-07(3)).

- The request does not align with the goals and policies of the comprehensive plan, including but not limited to:
  - Property Rights - G1.01.00: *Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.*
    - The request introduces residential growth, which may impact the property rights of existing agricultural parcels. The adjacent parcels may create noise, dust, odors, and traffic common to the existing, planned agricultural area, which are uncommon in a residential subdivision and become a nuisance to residential property owners (**Exhibits C.2a, C.2b, C.2h & F.1**).
  - 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.*
    - Based on TAZ (Traffic Analysis Zone) forecasts (**Exhibit C.2k**), there is no household growth forecasted in the area. *The TAZ is used by COMPASS (Community Planning Association)* and other agencies as a tool to plan growth and funding for future transportation needs.
  - Land Use and Community Design - G4.03.00: *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. P4.03.01: Designate areas that may be appropriate for industrial, commercial, and residential land uses while protecting and conserving farmland and natural resources.* G4.05.00*: Support a diversity of agricultural uses to sustain the agricultural and agriculturally related economy. P4.05.01: Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators. P4.05.03: Encourage uses on agricultural parcels to be planned and placed to limit interference with farming operations, which may include clustering of residences and other structures, placement near existing utilities and infrastructure, and placement to minimize conflicts with allowed agricultural uses on the proposed site and adjacent lands.* G4.07.00*: Protect rural qualities that make the County distinct and conserve and enhance the elements contributing to a good quality of life. P4.07.01: Plan land uses that are compatible with the surrounding community. P4.07.02: Discourage incompatible development near existing agricultural businesses that would cause the operator undue hardship through complaints, traffic, or other complications.*
    - *See findings and evidence in criteria B, C & D for additional supporting analysis.*
  - Natural Resources & Hazards – G5.01.00: *Protect, enhance, and steward natural resources. P5.01.03: Encourage the protection of groundwater and surface water quality and quantity in land use through drought-tolerant design and community systems. P5.01.04: Encourage subdivisions of over fifteen lots to install community water systems.*
  - Schools – G6.01.00: *Ensure adequate school facilities and services meet the community's educational, social, and recreational needs.*
    - The nearest Nampa School District elementary school, Ronald Regan Elementary, is almost 6 miles away. It is over 8 miles to the nearest school in the Melba School District. The applicant's conceptual plans are project-specific and do not provide long-term impacts to the school district if the surrounding area includes residential growth.
    - The applicant has provided project-specific plans for the subject property and does not provide an analysis for the long-term impacts to the surrounding area, surrounding uses, infrastructure, and public services if the residential land use promotes additional residential growth beyond the subject property. Without a long-term plan, the impacts could be detrimental to the

	surrounding area and overall community (including schools, taxation, and community infrastructure costs). ▪ *See findings and evidence in criteria E for supporting analysis.*	
Criteria Met? **No**	**B**	**When considering the surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation?**
Analysis	In consideration of the surrounding land uses, the proposed comprehensive plan amendment to "Rural Residential" is <u>not</u> more appropriate than the current comprehensive plan designation of "Agriculture". • The request is to allow a rural residential designation on the subject parcel (**Exhibit B.2**). "The rural residential district provides rural transitional areas to create a boundary between agricultural and urban areas. These areas are generally conducive to small-scale farming operations and compatible with non-agricultural uses" (Page 26, 2030 Comp. Plan). This property is not within a transition area. The Nampa Impact Area is over 3 miles from the property. Nampa city jurisdiction is approximately 4 miles from the subject parcel. The Melba Impact area is over 7 miles from the subject parcel. • There is no planned residential growth in the area (See **Exhibit C.2c,** Future Land Use Map). The 2030 Canyon County Comprehensive Plan designates the property as "agriculture" with an intensive agriculture overlay. o The applicant contests that the property contains slopes, soils, and a lack of water, making the property nonviable farm ground. The property consists of moderate to least suitable soils (**Exhibit C.2g**). The applicant does not demonstrate how the property cannot be reclaimed into viable farm ground or how uses supported by the agriculture designation cannot be supported on the property (**Exhibit B.2**). Therefore, the request does not adequately demonstrate why the rural residential designation is more appropriate. ▪ The area has other gravel pits (**Exhibit C.2h**). Gravel pit uses are allowed subject to a conditional use permit in an agricultural designation/zoning. Concern was raised regarding the request, and if it's approved, it potentially sets a precedent allowing gravel pits to change the county's plan to further develop the area, instead of it matching the county's plan (**Exhibits C.2a, C.2h & F.1**). ▪ Properties in the area without surface irrigation have historically been rangeland for grazing cattle and sheep. Grains, oilseeds, fruits, and pasture grasses are crops found in low-water/dry farming areas (**Exhibits C.2a, C.2h & F.1**). ▪ Per CCCO 07-10-027, the "A" zone, consistent with the agricultural designation in the comprehensive plan, allows uses such as a batch plant, special events facilities, winery, contractor shop, and staging areas with an approved conditional use permit. The property may qualify for nonviable land division in an "A" Zone per CCCO §07-18-09, which would allow the creation of six parcels (7.5-acre average lot size). The applicant declined other uses and options for development of the parcel (**Exhibit B.7**). o Although the subject property is not viable farm ground, the surrounding area consists of viable farm ground, which could be impacted if residential growth is established in the area. ▪ The subject property is surrounded by larger agricultural ground (**Exhibit C.2b**). The smallest property is 0.96 acres (an original parcel, pre-1979). The next smallest is 4.66 acres, created by a conditional use permit/land division. The largest parcel sizes in the area are 317 acres and 161.55 acres (Tiegs) directly southwest and south of the subject parcel. ▪ The property is between one and two miles from existing feedlot/dairy operations (**Exhibit C.2h**). • Pancheri feedlot, 11066 Missouri Ave. • Rocky Butte Farms, 12037 Sky Ranch Road • Savage Cattle, 13748 Surrey Lane	

	• There are no zones in the area promoting residential growth (See **Exhibit C.2d**, Zoning Map). The nearest similar rural residential zone is approximately 2 miles from the subject parcel. • There are no recent decisions (cases) approving residential growth in the area (**Exhibits C.2e & f**). The property and properties to the north and east were created by land division, which is allowed in the "A" Zone. The nearest residential subdivisions are Deersky Ranch and Deer Flat Tracts, over one mile from the subject parcel. ○ Deersky Ranch was created in 2001 via a conditional use permit (consistent with the comprehensive plan and zone at that time). The subdivision has a 5.2-acre average lot size and includes a 500-foot buffer adjacent to agricultural properties to ensure minimal disruption to agricultural production and aerial spraying operations. ○ Deer Flat Tracts was approved in 1988 per the county code at that time. The four lots have a 4.5-acre average lot size. ▪ Since then, the previous and current comprehensive plans have not promoted similar residential divisions in the area. This is evidenced by there being no similar decisions since 2001 in the area **Exhibits C.2e & f**).	
Criteria Met? **No**	**C**	**Is the proposed comprehensive plan amendment compatible with surrounding land uses?**
Analysis	The proposed comprehensive plan amendment to "Rural Residential" is <u>not</u> compatible with surrounding land uses. Pursuant to Canyon County Code of Ordinances (CCCO) §07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere with or conflict with or negatively impact one another, and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses. • The majority of the properties surrounding the subject property are in active agricultural production. There is no planned residential growth in the area (See **Exhibit C.2c**, Future Land Use Map). The 2030 Canyon County Comprehensive Plan designates the property as "agriculture". The property is also designated with an intensive agriculture overlay. The property is between one and two miles from existing feedlot/dairy operations (**Exhibit C.2h**). • Pancheri feedlot, 11066 Missouri Avenue, • Rocky Butte Farms, 12037 Sky Ranch Road, and • Savage Cattle, 13748 Surrey Lane. • There are no zones in the area promoting residential growth (See **Exhibit C.2d**, Zoning Map). The nearest similar rural residential zone is approximately 2 miles from the subject parcel. There are no recent decisions (cases) approving residential growth in the area (**Exhibits C.2e & f**). • The request introduces residential growth, which may impact the property rights of existing agricultural parcels. The adjacent parcels may create noise, dust, odors, and traffic common to the existing, planned agricultural area, which are uncommon in a residential subdivision and become a nuisance to residential property owners (**Exhibits C.2a, C.2b, C.2h & F.1**). • *See findings and evidence in criteria B & D for additional supporting analysis.*	
Criteria Met? **No**	**D**	**Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted?**
Analysis	Development trends in the general area do <u>not</u> indicate that the current designation and circumstances have changed since the comprehensive plan was adopted.	

	• There is no planned residential growth in the area (See **Exhibit C.2c,** Future Land Use Map). The 2030 Canyon County Comprehensive Plan designates the property as "agriculture". The property is also designated with an intensive agriculture overlay. ○ The 2020 Canyon County Comprehensive Plan also designated the future land use of the property and area as "agriculture". Therefore, residential growth has never been planned for the area.  • Based on TAZ (Traffic Analysis Zone) forecasts (**Exhibit C.2k**), there is no household growth forecasted in the area between 2025 and 2055. There is very little job growth in the area (possibly forecasting some agriculturally related job growth). *The TAZ is used by COMPASS (Community Planning Association) and other agencies as a tool to plan growth and funding for future transportation needs.* • The nearest similar rural residential zone is approximately 2 miles from the subject parcel (**Exhibit C.2d**). There are no recent decisions (cases) approving residential growth in the area (**Exhibits C.2e & f**). • *See findings and evidence in criteria B & C for additional supporting analysis.*
Criteria Met? **No**	**E** **Will the proposed comprehensive plan amendment impact public services and facilities? What measures will be implemented to mitigate impacts?**
Analysis	Short-term impacts (project-specific plans, **Exhibit B.3**) can be addressed during the subsequent rezone and platting process. However, long-term impacts (residential growth beyond the subject property due to this requested land use amendment) are unknown. • Comments received from affected agencies focus on the short-term impacts of the project-specific request, which can be mitigated with conditions. ○ Idaho Transportation Department finds the request does not abut the state highway system. Therefore, ITD does not object to the request, subject to further review at the time of subsequent applications (**Exhibit E.1**). ○ Southwest District Health will require a Nutrient Pathogen Study if a future subdivision is proposed. Soil and site suitability for subsurface sewage disposal systems have not been determined. Southwest District Health has no concerns about the request and will ensure the project-specific residential use meets SWDH requirements per IDAPA 58.01.03 (**Exhibit E.2**). ○ Canyon County Paramedics show the nearest stations are M45 and M41, which are over 10 miles away. The furthest station is over 20 miles away (M42) (**Exhibit E.3**). ▪ There are 31 dwellings within a one-mile radius (**Exhibit F.1**). The request, if approved, proposes 20 residential lots, which almost doubles the number of dwellings within the one-mile radius. If the request sets precedents and residential growth grows beyond the subject parcel, the growth could impact the agency as well as household health and safety due to longer response times. ○ Nampa Fire District does not oppose the request, subject to future development providing fire hydrants and meeting required fire access roadway widths and construction requirements. The

request is approximately 8.8 miles from Nampa Fire Station #2 with an approximate response time of 13 minutes, which does not meet the fire district strategic plan (**Exhibit E.4**).

- There are 31 dwellings within a one-mile radius (**Exhibit F.1**). The request, if approved, proposes 20 residential lots, which almost doubles the number of dwellings within the one-mile radius. If the request sets a precedent that residential growth is allowed in the area and grows beyond the subject parcel, the growth could impact the agency as well as household health and safety due to longer response times.

- Boise-Kuna Irrigation District states the land is on high ground with no surface irrigation water from Mora Canal (**Exhibit E.5**).
- Idaho Dept. of Environmental Quality (DEQ) provided information about air quality, wastewater, drinking water, surface water, solid waste, and groundwater contamination, but nothing project/request specific (**Exhibit E.6**).
- Nampa Highway District #1 does not oppose, subject to review at the time of rezone and subdivision platting. The property takes access from Rim Road, a rural principal arterial (**Exhibit E.7**).
- IDWR – Floodplain Coordinator – Not in a floodplain (**Exhibit E.8**).

Idaho Code §67-6537(4): When considering amending, repealing, or adopting a comprehensive plan, the local governing board shall consider the effect the proposed amendment, repeal, or adoption of the comprehensive plan would have on the source, quantity, and quality of groundwater in the area.

- No information regarding source, quality, or quantity of groundwater was submitted by the applicant. Short-term impacts (project-specific plans, **Exhibit B.3**) can be addressed during the subsequent rezone and platting process, if approved. However, long-term impacts (residential land use growth beyond the subject property) are unknown.
  - The subject property and area are designated as a nitrate priority area (**Exhibit C.2j**). "General locations in Canyon County, as defined by the appropriate state agencies, where groundwater test results show the presence of nitrates in varying amounts" (Page 99, 2030 Comp. Plan).
  - Wells within a one-mile radius have nitrates, with some exceeding DEQ thresholds (**Exhibit C.2j**). Well depths in the area are 260 to 560 feet (**Exhibit C.5**). The Idaho Department of Environmental Quality (DEQ) sets the nitrate threshold for groundwater and drinking water quality at 10 milligrams per liter (10mg/L), which is equivalent to 10 parts per million (ppm).
  - The Idaho Department of Water Resources (IDWR) issued a temporary moratorium on March 20, 2026, due to ongoing concerns regarding groundwater availability and potential impact of water appropriation applications for south Lake Lowell, which includes the subject parcel (**Exhibit C.6**).

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission recommends **denial** of Case #OR2025-0023, a comprehensive plan map amendment of Parcel R298922010 from an "agriculture" future land use designation to a "rural residential" future land use designation.

DATED this 7 day of May, 2026.

PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO

Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this 7 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.

CAITLIN ROSS
COMMISSION #20251885
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 05/07/2031

Notary: Caitlin Ross

My Commission Expires: 5/7/2031

EXHIBIT 2

Planning and Zoning Commission Minutes

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Board of County Commissioners

Case# OR2025-0023

Hearing date: July 15, 2026

CANYON COUNTY PLANNING & ZONING COMMISSION (DRAFT)
MINUTES OF REGULAR MEETING HELD
Thursday, May 7, 2026
6:30 P.M.

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

Commissioners Present:	Robert Sturgill, Chairman Brian Sheets, Vice Chairman Harold Nevill, Commission Secretary Geoff Mathews, Commissioner Holley Werhanowicz, Commissioner Anita Johnston, Commissioner
Staff Members Present:	Dan Lister, Planning Supervisor Karla Nelson, Principal Planner Arbay Mberwa, Associate Planner Amber Lewter, Associate Planner Caitlin Ross, Hearing Specialist

Chairman Sturgill 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. March 5, 2026 MINUTES
B. March 26, 2026 MINUTES
C. Case No. CU2025-0026 – Ruff: Approve FCOs

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

Chairman Sturgill recused himself from the vote on item 1C as he was not present for that case.

Item 2A:

Case No. OR2025-0023: The applicant, Granite Companies LLC, represented by KM Engineering, requests a Comprehensive Plan Map Amendment of Parcel R29892010 from an "agriculture" future land use designation to a rural residential future land use designation. The 46.5-acre property is located at 7044 Rim Road, Nampa.

Commissioner Nevill noted that he does not request to be excused but wanted to disclose that he was on the Planning and Zoning Commission when the gravel pit was originally approved years ago. He also noted that he used to farm approximately a mile away from where the gravel pit was located. He sold the farm in 2021 but thought it was important to disclose he knows quite a bit about the area.

Chairman Sturgill affirmed the applicant to testify.

Connor Lindstrom – (Representative) IN FAVOR – 5725 N. Discovery Way, Boise, ID

Mr. Lindstrom stated they are requesting to change the future land use designation of the subject property from AG to Rural Residential. The property is 46.5 acres and is located off of Rim Road. The access for the

site is off of Rim Road, and the site has historically been a gravel pit. Mr. Lindstrom displayed the 2030 and the 2020 Comprehensive Plan Future Land Use Maps. The map also depicted the location of the site in relation to rural residential developments that have been approved over the years. The closest development being just over a mile away, Deer Sky Ranch. The developments have generally 2–4-acre average lot sizes, which is similar to what the applicant would like to see on this site. Mr. Lindstrom stated that there are difficulties with the site being productive for crops, specifically monoculture. The site contains not prime farmland soils, with the exception of soil categorized as important, if it was irrigated. The subject property does not have water rights and is not within an irrigation district. The site also has challenges in regard to its topography. There is 70 ft. of elevation drop between the highest point of the property and the canal. Mr. Lindstrom displayed the site layout and stated that it is very conceptual at this time, but 20 rural residential lots are proposed. The average lot size is 2.27 acres, ranging from 1.5 to 4.58 acres. An internal private road is proposed. Mr. Lindstrom stated that the comprehensive plan supports the preservation of agriculture. The subject property does not function as productive farmland due to its history. They are looking for some other long-term solutions for the property. The proposed lot size will provide opportunities for larger lots/hobby farming. He noted that there is a lack of larger lots in the County.

Commissioner Sheets asked what the anticipated reclamation plan was for the particular site. Mr. Lindstrom stated that he does not know the ins and outs of it, but Mr. Davis can provide more information. Commissioner Sheets asked if the topsoil was maintained in the area. Mr. Lindstrom stated that the topsoil has been through mining activity as it has taken place. There is a lack of topsoil, which is another issue for active farming of the land. Commissioner Sheets stated that it may be hard for potential future owners to have a hobby farm with no topsoil. Mr. Lindstrom noted there's a multitude of different farming activities that could take place that don't necessarily require great soil or crops, such as livestock, chicken, sheep, etc.

Commissioner Nevill noted that there is no irrigation water available to the property and asked if the individual wells would be utilized to water. Mr. Lindstrom stated that in Idaho you can only irrigate up to ½ acre from a domestic well. Commissioner Nevill referenced the IDWR five -year moratorium for any kind of irrigation and asked if Mr. Lindstrom stated that it may take years to get the development completed. Once lots are sold and developed, they would have to drill their own well, and five years is closer than it may seem. Commissioner Nevill stated that one of the criteria is in regard to the impact on public services and water has to be thought about.

Planning Supervisor , Dan Lister, reviewed the Staff Report for the record.

Josh Davis– IN FAVOR – 8 San Ignacio Way, Cascade, ID 83611

Mr. Davis stated they have seven other active gravel operations in various counties and are very experienced in gravel extraction. The pit has been depleted, and all the usable minerals have been extracted. Mr. Davis stated the property was purchased from Mark Tracy and the reclamation plan is vague and is a one-page document. It illustrates that they have to seed the slopes, and the slopes can be no steeper than two to one. Mr. Davis noted testimony from staff in regard to a concrete batch plant and stated that request was not on behalf of Granite Companies, but rather, another contractor who sought to purchase the ground. That being said, they are pretty limited to options available to this site due to the topsoil. There is not a great amount of loam in it, and it doesn't grow anything but weeds. They believe the proposed use would be the most compatible.

Commissioner Nevill asked if following the reclamation plan would require some leveling and reseeding. Mr. Davis stated it would. Commissioner Nevill asked if the land could be used for pasture once it was leveled and reseeded. Mr. Davis stated it couldn't be used for pasture as it does not have irrigation water rights.

Chairman Sturgill asked why a rezone wasn't applied for at the same time as the comprehensive plan map amendment. Mr. Davis deferred this question to rebuttal with Mr. Lindstrom. Chairman Sturgill asked if the

plan was to sell the land once the use is in place or to create and sell the individual lots. Mr. Davis stated they would go through the subdivision process and sell the lots individually. Chairman Sturgill asked what would happen if the request was denied and the reclamation plan was followed. Mr. Davis stated that their goal is to be the least obtrusive than they can be.

Frankie Amen- IN OPPOSITION – 9125 Sky Ranch Rd., Nampa, ID 83686

Mr. Amen stated they are about two miles away from the subject property. He is speaking on behalf of the agricultural aviation in Canyon County, and how this proposal would impact the agricultural operations for the farmers in the area. The subject property is surrounded by agricultural farm fields that use aerial spraying. Mr. Amen flies over the subject property to enter and exit the 160 acres on the south and other fields. He has been a licensed commercial ag pilot since 1985 and for the last 41 years he has personally sprayed 160 acres south of the site over 100 times. 15 of those 100 times were in the last two years because it is currently in alfalfa seed and it gets sprayed 7-8 times a season, primarily at night. A subdivision at the end of the 160-acre pivot would be a no-fly zone according to the FAA and the Department of Agriculture. There are a lot of potential problems allowing 20 homes in a very active agricultural area, which is one of the reasons for the right to farm. Mr. Amen offered to show the flight paths if the Commission would like, because he does spray a lot of other fields in the area.

Jeanie Amen- IN OPPOSITION – 9125 Sky Ranch Rd., Nampa, ID 83686

Ms. Amen stated she does advocate for the protection of agricultural operations. She felt the staff report covered it well and so did the Growing Together letter. Ms. Amen felt that the request was spot zoning. Ms. Amen stated that pathway for spraying has been north and south on the particular field to the south. Ms. Amen stated that she has seen complaints from "new" residents. She has seen complaints from well-established subdivisions, but those complaints were found to be false complaints after an investigation with the Idaho Department of Agriculture and EPA. The complaints were filed to aggravate or intimidate the aerial applicator that was operating. Ms. Amen has been in contact with Idaho Department of Water Resources about this application and the five-year moratorium and this application couldn't be feasibly processed in the time they allotted to do the studies in this area. Ms. Amen referenced the "Goldberg" application on Lewis Lane which is approximately three miles north of the property which is on hold pending a determination if there's adequate water resources. She also referenced Beaumont Farms, Sunridge Dairy, Allen Noble Farms, which are also on hold. She stated that they have documented 150 ft. water fluctuations during the ag season. Ms. Amen questioned whether this application is circumventing the IDWR process by installing individual wells vs a community system.

Connor Lindstrom – REBUTTAL – 5725 N. Discovery Way, Boise, ID

Mr. Lindstrom stated they did not apply for the rezone at the same time as the comp plan amendment based on their discussions with staff and weighing all of their options. They decided to apply for the comp plan amendment and based on the feedback/decision; they would then apply for the rezone. The subject property is not viable crop ground and that is really what the comprehensive plan is trying to protect. Mr. Lindstrom stated they are not trying to bend the rules or avoid anything. The moratorium was initiated in March of this year, but this application was submitted last October. He stated they understand there are some water source issues in the area but in working with IDWR they recognize they'd need to complete a nutrient pathogen study as part of the platting process. He stated there are options for the site such as more industrial type uses with the batch plant or feedlot operations. However, that may be detrimental to the neighbors to the south downwind and on Alamo Lane. They felt that rural residential lots was a good solution.

Commissioner Werhanowicz asked if there was a positive response from the neighbors in regard to putting 20 homes on the site. Mr. Lindstrom stated that seven or eight people attended the neighborhood meeting with mixed feedback. The overwhelming feedback was they were happy that the proposal was for 2.5 acre lots and not high density residential. He also mentioned one attendee that was happy the gravel extraction was complete and would rather see houses than some other industrial-scale use operated on the site.

Commissioner Werhanowicz stated she is familiar with the area and noted that a precedence may be set for more homes in the area. Mr. Lindstrom noted the unique circumstances of this property, such as being non-viable. Commissioner Werhanowicz stated that water in the area is an issue, and some people in Deer Sky Ranch lost wells a couple of years ago. Mr. Lindstrom stated that they understand, and as part of the rezone and plat process more studies would have to be done to determine what is viable and how many lots they could actually have in the area.

MOTION: Commissioner Sheets moved to close public testimony on Case No. OR2025-0023 seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:
Commissioner Sheets stated that this is island zoning based on the staff report and testimony received. The use is not appropriate for this area and is located far away from services. He agreed with the staff report and stated his recommendation would be for denial.

Commissioner Mathews stated he did not hear any testimony that would convince him that the applicant had met the burden of proof. The comprehensive plan is to protect ag everywhere. The neighboring properties definitely have an interest in keeping roads open for equipment and also aerial spraying. Commissioner Mathews agreed with Commissioner Sheets.

MOTION: Commissioner Sheets moved to **recommend denial** of Case No. OR2025-0023 to the Board of County Commissioners and adopting the Findings of Fact & Conclusions of Law as presented by staff. Seconded by Commissioner Nevill.

Discussion on the Motion:
Commissioner Nevill noted that there are 31 existing dwellings within a mile, adding 20 more is a 61% increase. Commissioner Nevill added that this would set a precedent for those wanting to do the same thing.

Roll call vote: 6 in favor, 0 opposed, motion passes.

Item 2B:
Case No. CU2025-0014: The applicant, Billington Inspections and Services Inc., represented by Alysha & Matthew Billington is requesting a conditional use permit on Parcel R30795013, approximately 1.31 acres zoned "A" (Agricultural) for storing business equipment and inventory. The proposed use consists of a staging area for three parking spaces with a loading area, one (1) employee with hours of operations Monday to Friday 7 am to 5 pm and Saturday 8 am to 5 pm. The subject property is located at 17030 Madison Road, Nampa, ID, also referenced as Parcel R30795013.

Chairman Sturgill affirmed the applicant to testify.

Alysha Billington – (Applicant) IN FAVOR – 17080 Madison Rd., Nampa, ID 83687
Ms. Billington stated they purchased the property with the intent of storing their business equipment. They do not intend on operating the business out of it, but they have searched for land for storage. They were not aware at the time that they had to apply for a conditional use permit to store equipment. Ms. Billington stated there was access that was located on the side of the house and that had been utilized. They were not aware it was not approved at the time of property purchase. She stated they will cease usage of that access.

Matt Billington – (Applicant) IN FAVOR – 17080 Madison Rd., Nampa, ID 83687
Mr. Billington stated that they will be moving everything in the back out due to the rejection of Cherry Rd. Access. There will be a couple trailers up front.

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Commissioner Nevill noted that the staff report indicates there is one criterion not compliant and suggested the applicant address this in rebuttal.

Commissioner Sheets asked the applicant to clarify the type of equipment that would be stored on the property. He also asked for additional information regarding access to the property.

Mr. Billington stated that the equipment stored on the property are enclosed trailers. He also noted their personal vehicles and a couple of containers on the back of the property that will be removed. He stated that the house entrance is off of Madison Rd. When they purchased the home there was access onto Cherry, that they learned was not approved. Commissioner Sheets asked what kind of business the applicant operates. Mr. Billington stated they do inspections on Idaho Power Equipment, which would be bucket trucks, cranes, etc. He added that they do not bring customers' equipment to the property. Mr. Billington stated that they sell filters and products that are stored in the containers on site. Customers do not come to the site and there are no people working at the home.

Associate Planner, Arbay Mberwa reviewed the Staff Report for the record.

Commissioner Nevill asked for explanation in regard to the three criteria found to not be compliant. He asked about the setbacks for the storage containers, since they are movable. Planner Mberwa noted they are still considered to be a structure to setbacks and floodplain requirements. Commissioner Nevill asked about the findings in regard to the character of the area as well as access. Planner Mberwa provided clarification in regard to the character of the area and stated that the future land use is residential. In regard to the access, Planner Mberwa noted that Cherry is a Principal Arterial Road, where access is supposed to be limited, she also stated that these roads are for traffic traveling at higher speeds, and the use with trucks/equipment turning into the site was a concern for safety.

Commissioner Sheets noted that the zone of the property is ag, and asked how the future land use of residential fit in. Planner Mberwa noted the residential areas and subdivisions in the area. South of the site is within Nampa City Limits and there is one parcel zoned industrial.

Chairman Sturgill referenced Exhibit C6 and C7 and asked Planner Mberwa to clarify the reason they were included. Planner Mberwa noted the exhibits were FCOs for conditional use permits recently approved within a mile radius.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Alicia and Matt Billington – REBUTTAL – 17080 Madison Rd., Nampa, ID 83687

Ms. Billington stated they do realize that access on Cherry cannot be used. They have added a fence to make the property fit better with the character of the area. Ms. Billington stated that no one would be working on the site. The containers would have to be unloaded, and equipment would be needed to move them. She did not think that their proposal would impact traffic in any way. Ms. Billington noted that they have submitted the floodplain permit. They also tried to submit a building permit for the shipping containers but was told he needed to figure out the waivers. She went back and forth with the City of Nampa and the highway district because no one could figure out a way or who would provide a waiver. Eventually they were told that no waiver would be given.

Chairman Sturgill asked what the waiver was for. Ms. Billington stated it was for a setback.

Commissioner Sheets asked the applicant if they'd had a chance to review the potential conditions should this

be approved. Ms. Billington stated she had not, and Commissioner Sheets referred her to page 10 & 11 of the staff report.

Commissioner Nevill noted that the applicant will need to review the potential conditions. He asked Ms. Billington if they would be amenable to a condition of approval that the shipping container would be moved in six months. Ms. Billington was fine with that condition. Commissioner Nevill asked if they would be ok with requiring an approach apron. Ms. Billington believed there was already one. Mr. Billington questioned why that would be required just to store trailers on their property. Commissioner Nevill stated that this is a highway district requirement. Planner Mberwa stated the highway district requirement was to improve the current access off of Madison. Commissioner Nevill asked the applicant how much time they'd need to meet this requirement. Ms. Billington stated that it depends on what is required because the entrance is already widened.

Commissioner Werhanowicz asked if there was any way to gain access to the back of the property. Ms. Billington stated, no, there are leach lines on that side of the property so they're not able to store anything over there. There are not a lot of options except where everything was.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CU2025-0014, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:
Commissioner Sheets stated that the Commission has held a lot of hearings on this type of use, and he's never seen a recommendation for denial. He believes the proposed use is consistent with the comprehensive plan. He stated the future residential land use has no bearing on the current ag zone. He believes that they do have legal access off Madison (Criteria 6). In regard to Criteria 7, the testimony is that there is very limited activity on the property consisting of one person with occasional deliveries of filters and they're not going to be keeping other types of large containers there. He is in favor of the request with the proposed conditions as well as the addition of requiring the containers to be moved within six months and adherence to highway district conditions.

Commissioner Mathews stated this is a very low impact business. He's had concerns putting these types of uses in residential areas, but this is a very low impact and he is in favor.

Commissioner Nevill felt this permit could be approved with a few modifications to the conditions.

Chairman Sturgill suggested taking a break to allow the applicant time to review the proposed conditions.

MOTION: Commissioner Sheets moved to re-open public testimony on Case No. CU2025-0014, seconded by Commissioner Nevill. Voice vote, motion carried.

Chairman Sturgill asked if there were any conditions that they disagree with after their review.

Alicia and Matt Billington – (Applicant) – 17080 Madison Rd., Nampa, ID 83687
Mr. Billington stated no, he stated they'd already complied.

Commissioner Nevill referenced condition no. 5 and asked if there was any concern about inserting language requiring the shipping containers to be moved within six months. Mr. Billington stated that was fine. Compliance with the highway district would be required.

Commissioner Johnston asked who informed the Billington's that they couldn't do a six foot fence. Ms. Billington stated some of the companies that came out told them the fence had to be under three or four feet

in front of the house. Planning Supervisor Lister stated those requirements were from the city, and the county does not have that requirement.

Commissioner Sheets asked about the Cherry Lane access and if the city was requiring annexation to grant the access. Ms. Billington stated that she did not think they'd grant the access regardless.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CU2025-0014, seconded by Commissioner Nevill. Voice vote, motion carried.

MOTION: Commissioner Sheets moved to **approve** Case No. CU2025-0014, and directed staff to modify the findings for criteria 3, 6, and 7. Criteria no. 3 should state that the use is consistent with the comprehensive plan and the use is allowed in the agricultural zone with a conditional use permit. Also stating that the area directly to the south is largely industrial. Criteria no. 6 stating that there is legal access off of Madison. Criteria no. 7, that there will be no undue interference with existing or future traffic patterns, based on testimony that there is very little traffic activity associated with the proposed use. Adding verbiage to condition no 5 requiring that the large containers be removed from the area within six months. Seconded by Commissioner Mathews.

Discussion on the Motion:
None.

Roll call vote: 6 in favor, 0 opposed, motion passes.

Item 2C:
Case No. CR2025-0011: The applicant, Greg Payne, represented by Matt Wilke, is requesting a Conditional Rezone for a 6.46-acre portion of an approximately 70.89-acre parcel from an "A" (Agricultural) zone to a "CR-RR" (Conditional Rezone-Rural Residential) zone. The request includes a development agreement to limit the development to 3 buildable residential lots. If approved, a subsequent subdivision application will be applied for to create three (3) residential parcels out of the 6.46-acre portion in the northeast corner of the 70.89-acre parcel. The remaining 64.48 acres is proposed to be a non-buildable agricultural-only parcel. The subject property is located at 0 Middleton Road, Middleton, also referenced as Parcel R37423.

Chairman Sturgill affirmed the applicant to testify.

Matt Wilke (Representative) IN FAVOR –P.O. Box 7, Middleton, ID 83644
Mr. Wilke stated that the project site contains 6.46 acres and they are proposing three lots in the northeast corner of the parcel. The subject property is 70.89 acres in total. The property is contiguous to Pheasant Landing Subdivision No. 1. There was a past approval for 30 residential lots on the parcel in 2006 that did not develop due to the market downturn. A private road will serve the development and will access onto Middleton Road. Mr. Wilke met with the highway district and they requested the access be curved to the south approximately 130 ft to improve site distance for southbound traffic on Middleton Rd. They are proposing an average lot size of 2.14 acres. He stated there are approximately 98 homes and five subdivisions within one mile. Mr. Wilke referenced the letter of support from Black Canyon Irrigation District and noted when the subdivision was built next door, the water delivery pipe was compromised and water was no longer deliverable to the corner of the parcel. The usable water shares were transferred to another farm owned by Nathan McKinney in 2023. The water delivery for the center pivot is sourced from a different lateral, and that is why they're still able to irrigate the farm ground to the south. Due to the lack of water, the site has not been cultivated and over the years weeds are naturally occurring. There was a complaint from a neighbor in the fall of 2025. His client was facing a $21265.80 charge to clean up the weeds if not complied with in seven days, so his client took his tractor over to cut down the weeds. Mr. Wilke stated that it is not economically viable to spend extra time and money to prevent the naturally occurring weeds in the dry corner. The goals and policies of the 2030 Comprehensive Plan support the request. The development can be supported by

adequate services and amenities. Fire and medical services posted appropriate response times of 6 minutes. Three homes will not affect the schools or police in any negative way. Canyon County recognizes that residential uses are a necessary component of economic stability. The proposal is providing sufficient housing without fragmenting agricultural land and resources. Mr. Wilke note that they are not splitting up a farm to create the lots, rather, locating them on a dry corner. They are maintaining a balance that protects the rural character of the area. Mr. Wilke stated that a nutrient pathogen study would not be required because they will have less than five homes. He displayed a map that displayed monitoring wells (exhibit number not noted in testimony). Mr. Wilke stated that IDWR has shown that the monitoring well a half mile from the site has been consistent.

Commissioner Nevill asked if Mr. Wilke had an opportunity to review the recommended conditions of approval. Mr. Wilke indicated that he had, and had no concerns. Commissioner Nevill asked if the ditch on the boundary line would remain. Mr. Wilke stated that is the plan for now. Mr. Wilke noted that the split would be for the applicant's sons and potentially a neighbor interested in the 3rd lot.

Commissioner Sheets asked for more information about the water & transfer of water rights. Mr. Wilke stated that when the applicant took over farming when his father passed, he didn't have a way to deliver water to the site. It had been cut off from being delivered due to the irrigation district not wanting to deliver water and risk flooding a residential neighborhood, so it wasn't viable for them. He did continue to pay the assessments even though the water was not deliverable. Commissioner Sheets asked if there was an updated letter from the Irrigation District as there appears to be two different letters. Mr. Wilke stated the applicant did request that and noted the applicant did talk to the new superintendent and he agreed that the project made sense to him.

Commissioner Johnston stated that most people don't give their water rights up. She asked if a pipe would have fixed the delivery issue. Mr. Wilke stated the issue was going through other properties to get the water or deliver it through a different route. There's no easements through the subdivision. Mr. Wilke added that pumping would have been expensive just for the dry corner that was cut off from irrigation.

Commissioner Nevill questioned why Mr. Payne didn't pursue action against the subdivision when water was denied/delivery impacted. Mr. Wilke did not know the entire backstory.

Commissioner Mathews asked if there would be any objection to a condition stating that the remaining 64.43 acre parcel shall be non-buildable agriculture. Mr. Wilke stated that Planner Nelson may have submitted something like that.

Planner Nelson stated that if the rezone is approved, the applicant will have the option to either do an amendment to the administrative land division that would make the 64.43 acres agricultural only and then they can come forward with the subdivision or they can include it all in the subdivision. The condition states that they have three buildable lots in substantial conformance with the site plan, which shows agricultural only and that the Commission could certainly add a condition to make it even clearer.

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

Commissioner Nevill asked if secondary residences would be available if approved. Planner Nelson stated yes, but the Commission could add a condition restricting them.

Chairman Sturgill stated that over the last several years, Middleton Superintendent Gee has been very responsive to applications and asked Planner Nelson if she had any insight as to why they were unresponsive in this case. Planner Nelson stated that the notification was sent to the school district and they did not respond. She presumed it may be due to the number of lots, but she did not know for sure. Chairman Sturgill

asked what evidence was used to determine that there would be no impact to the district. Planner Nelson stated that it was based on lack of comments.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Alan Mills -IN FAVOR –P.O. Box 206, Middleton, ID 83644

Mr. Mills stated that he could clarify the difference between Black Canyon Irrigation and all of the other districts the Commission may be familiar with. None of the owners own the water, it's an unpaid project. They were very short of water in 1950 when it was created. The water was transferred to Nathan McKinney and is being used on more productive ground. There wasn't enough water to cover the district so they did it by topography and whatever was below the ditches, they allotted water to. He did not see the concern of the water not being utilized on this site. Mr. Mills added that they were astounded to see the bid from weed control. Mr. Mills stated that Mr. Payne inherited the land from his father who passed away a few years ago. He added that it is amazing what you can do with ½ acre that could be irrigated from a domestic well. Mr. Mills stated that every comprehensive plan since 1979 called for a variety of homes and styles.

Chairman Sturgill asked if there was anything Mr. Wilke wished to add.

Matt Wilke (Representative) IN FAVOR –P.O. Box 7, Middleton, ID 83644

Mr. Wilke stated that he looked up some information. Middleton City Council calculates .65 kids per home, so with three homes they are less than three kids generated and even with secondaries they will have less than six kids. Mr. Wilke stated that the great thing about the rural residential lots they can grow a garden and have animals.

Commissioner Nevill asked Mr. Wilke if he would be opposed to a condition prohibiting secondary dwellings. Mr. Wilke stated he would hate to be limited on a county lot that is as large as two acres and it is a nice thing to have for families. Commissioner Nevill stated his concern is setting a limit for the impact on surrounding agriculture. He also asked Mr. Wilke if he would be opposed to a condition specifically delineating the remaining 64.43 acre parcel as non-buildable. Mr. Wilke stated that he believed the applicant would be okay with that. Commissioner Nevill asked if Mr. Wilke would be amenable to a condition requiring a road user's maintenance agreement would be required. Mr. Wilke was not opposed and noted that is pretty standard.

Commissioner Werhanowicz asked about the secondary dwelling condition and whether or not it would be implemented. Mr. Wilke stated that he didn't feel comfortable making a decision on that and he'd need to talk with the applicant before he agreed to that condition. He did not believe there would be an impact on traffic or schools and having the option for a secondary residence for the future is nice for families. He added that the subdivision to the east does not have a condition restricting secondary residences. Commissioner Werhanowicz asked if it came down to whether or not the project would be approved, if he thought that the applicant found forego the secondary dwelling in order to get the three lots. Mr. Wilke stated that he is sure they would prefer to get the three approved, but he did not understand why limiting secondary residences would be necessary. Commissioner Werhanowicz stated the concern is that three homes turns into six.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CR2025-0011, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Commissioner Sheets stated that the land is zoned ag and the future land use is ag. The applicant is asking for a conditional rezone to rural residential. He referenced criteria no. 2, and referenced the list of subdivisions approved in the area. He added that the more approvals given, the easier it is to say that the

area is moving in a residential direction. The Comprehensive Plan states this area is to be agricultural, and for that reason he does not believe it is consistent with the plan. Commissioner Sheets did not believe that rural residential zoning in this area is supported. He added the request does not meet criteria one or two.

Commissioner Nevill concurred with Commissioner Sheets and added that the biggest problem is that this would be an island of rural residential zoning and recognized it is adjacent to a subdivision but this is a line that needs to be drawn.

Chairman Sturgill agreed with non-compliance with criteria 1 and 2 and added that the proposed use is not compatible with surrounding land uses, criteria 3. He also noted that adequate evidence was not provided to support a finding in the affirmative of services for schools. Chairman Sturgill also added that in prior cases the Commission has talked about the risks of a developer attempting to skirt service issues, particularly school issues, by taking a large property and coming through with rezones piece by piece and he felt this is a precedent the Commission needs to be careful about adopting and setting.

MOTION: Commissioner Sheets moved to **recommend denial** of Case No. CR2025-0011 to the Board of County Commissioners and direct staff to provide revised Findings of Fact and Conclusions of Law. Modifications to criteria 1 that the rezone is not generally consistent with the comprehensive plan as it is designated as agriculture. A modification to criteria 2 that approval of the request could create island zoning in the area and the site can still have agricultural use even though water has been voluntarily relinquished/transferred. Seconded by Commissioner Nevill.

Chairman Sturgill asked Commissioner Sheets to consider criteria 3 to include Exhibit B. 2.3 in terms of the use not being compatible with the surrounding land uses. Commissioner Sheets accepted. Chairman Sturgill also suggested that criteria 8 could not be answered in the affirmative that sufficient school resources exist to support the development. Commissioner Sheets accepted this as well.

Discussion on the Motion:
None.

Roll call vote: 6 in favor, 0 opposed, motion passes.

Item 2D:
Case No. CU2025-0029: The applicant, Timothy Jackson, is requesting a Conditional Use Permit for a Livestock Trailer Washout Facility on approximately 5 acres of an approximately 16.42-acre parcel in the "A" (Agricultural) zone. The applicant is proposing to have two (2) employees with the hours of operation being 24 hours, 7 days a week. The subject property is located at 24525 Boehner Rd, Wilder, ID, 83676, also referenced as Parcel R37280.

Chairman Sturgill affirmed the applicant to testify.

Matt Thompson– (Representative) IN FAVOR – 1993 Tamarack Loop, Twin Falls, ID 83301
Mr. Thompson is representing the applicant, Timothy Jackson who is requesting a conditional use permit for a livestock truck wash facility. The facility is located off Boehner Rd. The nature of the site was predominantly agriculture and has been used as a dairy farm and most recently it was a hog farm. Mr. Jackson purchased the property with the intent of putting in a livestock truck wash. All of the hog and livestock buildings have been removed, and that is shown in staff's pictures of the site. The site is predominantly fields to the south and they're not developing anything more than what the farm has been in the past. The concrete pads under the prior hog buildings would be utilized for the washout pad. The washout facility will consist of a washout pad and a pump pit. The pump pit separates solids that are washed out from the trucks. The pit will then be pumped to the storage pond and from there the liquids will be applied to the farm ground that is there. The

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solids will be hauled off site. Livestock truck wash facilities are overseen by the Idaho Department of Agriculture who have rules for this type of use. The facility will not be allowed to discharge to waters of the state and are required to have a nutrient management plan. The nutrient management plan is done to match the nutrients that are being collected out of the trucks with the farmground and that is why solids would have to be trucked off site. Mr. Thompson stated there are some rural residential areas however the primary land use is agricultural. There are feedlots and dairies in the area and the washout facility is supporting ag. A commercial livestock truck wash is different than a commercial truck wash. The main difference is that they will not be washing the chassis they will be washing out the trailer. The applicant is proposing two (2) full-time employees, one for day and one for night. A neighborhood meeting was held in September and there were only three participants including the property owner. The main issue that was brought up at that meeting was in regard to irrigation tail water and delivery. The applicant would not impede the irrigation water. Mr. Thomson noted that the applicant received all the appropriate comment letters from the Health District, Fire District, Drainage District and Irrigation District. The applicants do not have any issue with the proposed conditions. One clarification Mr. Thompson wanted to make was in regard to condition 1C, "applicant shall use non-toxic biodegradable washout chemicals." He noted that chemicals are not used in a commercial truck wash facility and they don't use soap, it is strictly water washout. The use will follow NRCS waste containment standards, which are the standards that the dairy and beef industries have to follow in the state for containment of livestock waste and wastewater. Mr. Thompson noted there are quite a few people who are at the hearing this evening and he did want to point out Exhibit B.11 there is a traffic impact study that was completed to address traffic issues. He also referenced Exhibit E. 2.1, 2.2, and 2.3 to address those issues. He believed the highway district will require them to increase the width of the apron or the access onto the site.

Commissioner Nevill asked if Mr. Thompson wanted condition no. 1C, removed? Mr. Thompson stated it can remain but wanted the Commission to know they don't use any chemicals. Commissioner Nevill asked if the 24 hour a day operation was negotiable? Mr. Thompson would need to discuss this with his client and can address it in rebuttal. Commissioner Nevill asked where the water for the facility came from. Mr. Thompson stated there were two wells on the site. They have also applied for a commercial water right to provide additional water for the truck wash. He noted they could wash one or two trucks out with their existing domestic, but in order to be able to do up to five trucks a day, they would need commercial water and that application is submitted to Idaho Department of Water Resources.

Commissioner Sheets asked why the 24 hour operation was necessary. Mr. Thompson stated the trucks don't just operate from 9-5 and they wanted to have the extended hours to have the ability to pick up after hours vehicles. Commissioner Sheets stated that he was trying to gauge the intensity of the use/ number of trucks daily. Mr. Thompson stated the initial purpose was to provide washout for the applicant's own trucks (10), so any day of the week it could be zero to 10 trucks. Trucks typically get washed out after three hauling cycles, so it could be 3-5 days between cycles. Most trucks are getting washed out twice a week.

Chairman Sturgill referenced case no. AD2019-0047 in which it was noted that a building was not meeting setbacks and that it would need to be moved or torn down and asked if there was a reason that building was not torn down. Mr. Thompson believed that subsequent to that decision it was determined that it was a grandfathered building. Chairman Sturgill asked if it was found to not be grandfathered, how long it would take to move or tear down the building. Mr. Thompson stated that he believed that building to be in the northwest corner and he didn't feel it would take a ton of time to tear it down, but, he did add that they would have to look at their legal avenues before tearing it down as it does serve value to the site. Chairman Sturgill stated that his concern is that if it was not grandfathered in, it was not moved or torn down within seven years, he was reluctant to accommodate a further legal process for a CUP in the interim. Mr. Tompson stated that based on Google images the structure has been there for 40 years, and depending on when setbacks / etc. came into play it would be a grandfathered structure.

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Commissioner Johnston asked if the applicant and his family would be living on the site. Mr. Thompson stated that they live there now.

Associate Planner Amber Lewter reviewed the Staff Report for the record.

Commissioner Sheets asked if the nutrient application would be on this parcel or somewhere else. Planner Lewter stated she was not aware of the location.

Commissioner Nevill asked for clarification on the non-conforming structure and asked if a Variance would be required. Planner Lewter stated that the building may be considered non-conforming, however, the applicant is requesting to expand the use on the property, and due to that today's requirements would need to be met.

Planning Supervisor Lister referenced the non-conforming code and stated that non-conforming can remain until there's a change. In this case the use is being expanded /extended. Chairman Sturgill asked if the AD2019-0047 decision could be reviewed to determine if there was a change of use at the time of that approval.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Kasey Ketterling–IN OPPOSITION – 25044 Boehner Rd., Wilder, ID 83676

Mr. Ketterling stated that his Dad's a third-generation farmer and he has lived on Boehner Rd for 24 years. He loves this area and can look over the Fargo Valley and Snake River. He stated he had submitted a letter in opposition. He is concerned about road safety and noted that Boehner Road is a series of chicane turns and during the turns you're also climbing 200 ft. He stated that the traffic study indicated that at 35 mph there is adequate site distance, but, no one drives 35 mph heading west. The traffic study also shows truck turning movements and Mr. Ketterling is concerned that trucks would have to turn into oncoming traffic to make the turn into the property. He does not have objection to what the applicant wants to do for a living, but is opposed to it in this location. The proposed pond is locate in a historic drainage path that runs through the site and onto the neighbor's property. If there is a major storm event the pond may be washed out, creating water quality concerns. Mr. Ketterling has lived at his home for 21 years and they have had to lower their well because they were running out of water. He is concerned about a commercial water right here that may cause more issues. He added that he does not feel this use is compatible with the surrounding land uses.

Commissioner Nevill asked if there have been a lot of accidents in the vicinity of the site. Mr. Ketterling stated the fence adjacent to his property has been rebuilt 3 times. He went on to describe accidents in the area using a displayed map.

Chairman Sturgill asked if the visibility was better during daylight or nighttime hours. Mr. Ketterling stated that the visibility may be better during nighttime hours because you can see headlights. Chairman Sturgill asked if anything could improve the situation from a traffic and risk reduction standpoint for trucks entering / leaving the facility. Mr. Ketterling stated that he did not know how it could be mitigated. He stated that if the building that doesn't meet setbacks were to be removed it may increase turning capacity, but he still did not know how trucks would get in without crossing the centerline. Chairman Sturgill asked if trucks are crossing the center line, if oncoming traffic would be able to see them. Mr. Ketterling stated that if you're headed east, you come across a bridge over a canal then you're going up a riser, and you wouldn't see a truck until you come to it.

Lois Tupyi–IN OPPOSITION – 24830 Boehner Rd., Wilder, ID 83676

Ms. Tupyi and her husband purchased their property in 1999. Boehner Rd. between Hwy 95 and Allendale

Road has sharp S Curves, one lane bridges, and steep inclines. In the 26 years they have lived at their home, they've had drivers that are unfamiliar with the road tear down their barbed wire fence, two cars have ended up in the canal, and two have driven off the ravine and flipped over by their mailbox. Ms. Tupyi felt it was dangerous to consider this stretch of Boehner Rd., for commercial traffic. Their land has a year round fresh water spring and there's others that flow through the property into a large retaining pond which they use for irrigation and recreation. The overflow then goes into another stream, drops to the neighbors below who have also built ponds, and they use it for recreation and irrigation as well. The original design for discharge from the water on Jackson's land flows under the canal directly onto Ms. Tupyi's property. Many years ago, Ms. Tupyi's husband put in three settling ponds to help reduce the amount of dirt that gets into the spring water and the larger pond. Every 3.5 years he hires someone to trench out the ponds at a cost of 5,000-10,000 every time they do it, depending on how much buildup has accumulated. Ms. Tupyi believes that the amount of water being discharged under the canal and onto their property is going to create problems she also believes that there is a high probability of organic pollutants will enter the spring water. If it is detrimental to their health, who is going to fix it?

Shelby Nicoletti–IN OPPOSITION – 24531 Boehner Rd., Wilder, ID 83676

Ms. Nicoletti has lived at their property for 7 years. She noted testimony from the applicant that he has 10-12 trucks or trailers and seems to run a successful trucking business. She stated she would be very upset if the value of one man's business was put over the quality of life for all in the area. She questioned how a domestic well could be used for a commercial washout facility if only ½ acre can be used from a domestic well. She questioned why the applicant did not chose a commercial or industrial site for his business and added there are four cattle truck washouts within a 15 mile radius that are accessible. Ms. Nicoletti has concerns about unknown drivers coming to the site at all hours of the night and not knowing who is coming in and out their community. Ms. Nicoletti pointed out that this use is not agritourism, not an event center, and not a winery or tasting room; this use will adversely affect the residents 24 hours a day, seven days a week, and 365 days a year. She referred to the criteria, whether or not the use is permitted in the zone by a conditional use permit and noted that commercially it is not. She noted that the proposed use is not consistent with the comprehensive plan and the proposed use would impact the immediate vicinity and would negatively change the essential character of the area. She added that without question the proposed use will impact water, sewer, irrigation, drainage, etc., and stated that water is already a problem in the area.

Paul Nicoletti–IN OPPOSITION – 24531 Boehner Rd., Wilder, ID 83676

Mr. Nicoletti referenced Idaho Law and Tax Code and stated that a commercial livestock washout facility is generally regulated by the Idaho Department of Agriculture under agricultural related administrative rules. However, its status as agriculture for zoning or tax purposes often depends on whether it's considered a primary agriculture operation or a commercial service business. According to Idaho Law as of this month for tax and zoning considerations, it is a commercial use if a facility charges a fee for washout trucks and trailers, especially for non-owned livestock trailers, it is considered a commercial service. Agricultural exemptions do apply, but projects and CUP's may not qualify for automatic agricultural exemptions if it is treated as a commercial enterprise rather than an essential component to a specific farm operation. Mr. Nicoletti stated that according to the Idaho State Tax Commission, businesses that devote the majority of their operations to hauling or cleaning for hire, do not qualify for the farming and ranching production exemption. If a washout station is part of a larger agricultural facility such as a CAFO or dairy, and it is used primarily for the operator's vehicles, it may fall under broader agricultural zoning definitions. If it falls under the umbrella of agricultural service establishments, in many ordinances, it can provide and support agriculture, but exemptions are not permitted for personal use. If a standalone business is charging for a public wash, it is not considered land actively devoted to agriculture for tax assessment and zoning purposes. Mr. Nicoletti stated the bottom line is while the Idaho State Department of Agriculture regulates it's agriculture related facilities, based on the commercial for-profit business model presented by the application, this project is a violation of CUP standards and should be denied. Mr. Nicoletti stated that the applicant is attempting to skirt necessary commercial requirements and fees by intently purchasing ag properties at substandard rates and impacting neighbors he

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does not care about for a profit. He stated that heavy equipment and cattle trucks will induce increased harm to passenger vehicle traffic and road deterioration and questioned who will cover the cost. The proposed use will negatively change the character of the area by introducing a 24/7 commercial activity into a quiet agricultural neighborhood. County maps and the applicant's map for traffic confirm that Boehner Road is a local road that is not classified. Mr. Nicoletti is not against the applicant having a cattle washout station, but is against the location.

Commissioner Sheets stated that he believed that Mr. Nicoletti's testimony was in regard to an agricultural exemption from a tax assessor's point of view and also what the County has for a conditional use permit in the agricultural zone. Mr. Nicoletti stated that the proposed use does not qualify as an agricultural service

Russ Tackett–IN OPPOSITION – 25026 Boehner Rd., Wilder, ID

Mr. Tackett has lived in the area since 1978. He is concerned about safety and noted that Boehner Road is an old farm road. He stated that the tailwater from the subject property comes through the draw into the neighbor's pond. Mr. Tackett also has a pond on his property. He questioned where the water would go in case of an accident and concluded it would go down through all of the neighbors' properties. He added, that this is just not a good area to locate this business.

Vicki Purdy–IN OPPOSITION – 3474 South End Rd., New Meadows, ID 83654

Ms. Purdy stated they purchased the land directly across the road from the applicant. One of the parcels she purchased is buildable, but noted, that no one will want to build on it if the truck wash goes in. The entrance to her property is directly across from the entrance to the subject property. She stated she had a buyer who wanted to raise horses on the property and she let him know about the proposed truck wash facility, and the buyer backed out. Ms. Purdy stated she lives in New Meadows, but wanted to state that this use would negatively impact the neighborhood. The proposed use is being categorized as a farm implement sales or services, which according to the land use matrix is permitted with a conditional use permit but she felt it should be a trucking terminal and/or service facility. Ms. Purdy stated that semi cattle trucks do not fit the definition of farm implement. Farm implements are typically tractors, combines, sprayers, etc. for on farm work. Vehicles that are built to haul people or cargo on public highways are not farm implements. She added that the applicant does haul his cattle to other states. Ms. Purdy spoke with Jenny at Idaho State Department of Agriculture and she stated the applicant does need a commercial use. Ms. Purdy stated that the proposed use is categorized incorrectly and due to that it is a prohibited use. She noted that this use will destroy the value of her property.

Jefferson Leach–IN OPPOSITION – 24744 Ustick Rd., Wilder, ID 83676

Mr. Leach stated that his concerns are in regard to criteria 4, and noted that the proposed use will very much affect them and their quality of life. The holding and settling pond are very similar to a dairy, and there are reasons people do not want to live right next to a dairy. He was concerned about flies from the use. He is concerned about the groundwater and contamination if the pond leaches down into the ground and the impact to wells. He noted concerns about traffic and the windy nature of Boehner Rd.

Robert Maurer- IN OPPOSITION – 25490 Hwy 19, Wilder, ID 83676

Mr. Maurer stated that he is attending this hearing representing his 86-year-old father. He noted that there were no flyers in the posting sign. He is also representing Mr. and Mrs. Morris Brown at 25931 Boehner Rd as well as Mr. and Mrs. Dan Grabber on Ustick Rd. Mr. and Mrs. Graber have all the farm ground between Boehner Rd and Ustick. He stated that this area is farm country, and not for commercial purposes. He is concerned about the traffic that will utilize Boehner Rd, which is a winding road. There is already heavy truck traffic seasonally attributed to agriculture. This use is commercial in nature and is not agriculturally related. He stated this is a right to farm state not right to commercial. Mr. Maurer stated that this is our last bit of ground in the area. His family came to this area in 1916 and had a farm on Boehner Rd. He described the businesses and farms his family have had and he intends on farming his fathers farm in the future. He stated

that the Treasure Valley is named that due to agriculture. He is concerned about the opportunity for nitrates to get into the springs or shallow wells.

Matt Thompson– REBUTTAL– 1993 Tamarack Loop, Twin Falls, ID 83301

Mr. Thompson stated that the applicant spent money and completed a traffic study for the use, even though, the amount of tucks did not trigger the 100 trips per hour. The highway district has reviewed the study and found that there are no additional items that need to be completed on site except the approach permit. He agreed, people do speed and accidents happen, the applicant certainly doesn't want that to happen. His drivers will follow the law. Mr. Thompson stated that this is not a commercial truck wash it is a commercial livestock wash subject to the Department of Agriculture rules. He stated it is not a trucking terminal because there is no repairing or servicing of trucks. Tax status and zoning are two different things. He stated that they may not be producing an agricultural product, but it is a business that supports agricultural uses. The rules from Department of Ag came about to support the industry because if there are not adequate truck washouts it causes full trucks to slosh out on the street. Mr. Thompson stated that the applicant's property has to allow wastewater runoff and the tailwater has to be able to go to the next user in the cycle. He stated that typically sprinkler application is matched to the field intake so you don't get runoff. The livestock truck wash rules do not allow runoff. He added that they are not proposing to eliminate farm ground. The structure on the northwest corner has nothing to do with the truck wash, it is just part of the farm. They are not proposing to expand or enlarge it in any way. Mr. Thompson stated that the nutrient management process is to match the nutrients that you apply with the nutrients that crops are needing.

Commissioner Nevill asked if the 24/7 operations are negotiable. Mr. Thompson stated it might be a bit negotiable, but for the most part the haulers are hauling during the day and they want to clean out at night, so night time operations are needed. Commissioner Nevill asked if nighttime operations could end at ten. Mr. Thompson stated they would have to go later than ten but could hold more discussion with the Commission if that is a root concern. Commissioner Nevill asked where the solid waste would go. Mr. Thompson stated it would be exported according to the nutrient management plan. Commissioner Nevill asked if it would be going to be hauled to a farmer nearby. Mr. Thompson noted that the applicant has relationships with a lot of the farms in the area and has quite a few options although at this time no contracts are in place. Commissioner Nevill referenced Exhibit C.2.11 and asked about the slopes on the property. Mr. Thompson noted that the site slopes to the northwest. Mr. Thompson added that in the scenario of a pond breach they could put secondary bur around the pond. They are anticipating an above ground pond, not in ground so no service runoff will go into the pond without it being pumped in. As far as the truck wash facility itself all the areas where trucks are going to be washed and manure will be stored, will all be collected into the containment system. There won't be any runoff from manure or contaminated surfaces that would go into the drainage. MR. Thompson stated the only water that will be going into the drainage is the drainage from the south, drainage from the house, yard, etc. Mr. Thompson stated that he understands the concerns and added that the Idaho State standard for containment requires a two-foot freeboard on a little pond like the one being proposed. They are not allowed to have truck runoff go into the drain.

Commissioner Werhanowicz asked how the water from the trucks as they are being washed makes its way to the storage tank. Mr. Thompson stated that there is a decent slope to the site, a berm can be utilized to direct to the west and into the pump pit to be separated. Commissioner Werhanowicz asked if the five trucks included the applicants trucks or if they were in addition. Mr. Thomson stated that it is total.

Chairman Sturgill asked if the applicant would be amenable to a condition limiting the use to five trucks a day. Mr. Thompson stated yes, on average. He stated that if it was limited to five, they would make it work but average would be more ideal. Chairman Sturgill asked if there was a hard limit what that number would be. Mr. Thompson stated that the applicant has ten trucks of his own, so if the limit was 10 that would be ideal. Commissioner Sturgill suggested an average of five but no more than 10 on any given day. Mr. Thompson state that would be acceptable.

Commissioner Sheets asked if the liquids would be applied to the southern portion of the subject property. Mr. Thompson stated that was correct. Commissioner Sheets asked how many times a year that happens. Mr. Thompson stated that during the frozen periods they have a pond because you can't apply when the ground is frozen due to runoff. During the summer his recommendation to the applicant is weekly or multiple times a week. From a nuisance standpoint, ponds don't smell if they're empty.

Commissioner Matthews asked if the ten trucks the applicant owns are dispatched from the subject property. Mr. Thompson replied, no. He added that sometimes the trucks get parked there but didn't believe all ten had been there at the same time. Commissioner Matthews stated he is trying to figure out if the applicant is running a business dispatch from that location. Mr. Thompson stated that he talked with the applicant and clarified that they own one tractor trailer & 10 trailers. Their drivers are independent drivers and when they're actively working their trailers come home with them and when they're not working the trailer is left at the farm. They are predominantly independent drivers and if they need to use their truck for some other use they'd bring the trailer to the site.

Chairman Sturgill asked what the maximum number of trailers would be on the site at any time. Mr. Thompson stated 10, but he doesn't anticipate that happening.

Commissioner Werhanowicz asked where they wash their trucks now and asked if there was a map of truck washes within a radius nearby. Mr. Thompson stated they don't have a map and there are a few truck washes in the area they utilize.

Planner Lewter stated the past Director deemed the structure as legal non-conforming. Because the structure is not involved in the proposed use, condition 2A could be stricken.

Planning Supervisor Lister stated that some of the testimony was based on tax code and noted that the zoning ordinance is different than Assessor's requirements. He referenced the land use matrix and noted there is not a definition for farming implementation. He added that 07-10-07 states that unspecified uses not specified are prohibited unless determined by the director to be similar or accessory to at least one of the allowed or permitted uses for that particular zone. If the proposed use is similar to or accessory , the applicant may only receive permission for the similar or accessory use through a conditional use permit. The Commission should consider if the request is truly a farm implementation sales or service or farm supply sales.

Chairman Sturgill clarified that the Commission would have to conclude, pending a director ruling, that transportation trailers for cattle is equivalent or similar to farm implements.

Planning Supervisor Lister stated that after hearing testimony, the Commission may disagree and find that the use is really a trucking terminal or something of that matter. At the same time, if the Commission cannot identify a similar or accessory use, then it is prohibited. Planning Supervisor Lister stated that a quick internet search of farm implement services bring up uses in the Caldwell and Middleton area for specialized tillage, planting and harvesting equipment. Truck wash stations that came up in a search were American Power Wash, Bluebird Truck Wash, etc.

Chairman Sturgill stated that hypothetically staff could have analyzed a truck terminal or truck wash station into the findings alternative to farm implement sales and service. Planning Supervisor Lister said that was correct. He added that even a truck terminal does not have a definition in our code. Chairman Sturgill asked if this was a truck terminal would it be an allowed use in the zone with a conditional use permit. Planning Supervisor Lister replied that it is not, it is prohibited.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CU2025-0029 seconded by

Commissioner Nevill. Voice vote, motion carried.

Deliberation:
Commissioner Mathews stated that he does not think that farm implement sales apply to this use and in his view this is a non-specified, non-permitted use.

Commissioner Sheets asked if this would be an agriculturally related activity. Commissioner Mathews stated, yes, it is. Commissioner Sheets stated that if the use is an agriculturally related activity, it would be an allowed use in the agricultural zone. Commissioner Sheets stated that he is on the fence about the proposed use because there are potential impacts to the area, but at the same time, there are very specific rules for this kind of operation that have to be followed. If they are not followed, the conditional use permit could be revoked. He noted that there are also rules in place from Idaho Department of Agriculture. The land application is not something that they're used to in this particular area. If the land application was a longstanding process in the area and had been happening all the time, he would feel differently. Commissioner Sheets understands the traffic issues from testimony and there are concerns about the road handing this kind of activity. Commissioner Sheets added that currently the applicant himself can drive his trucks there as it is.

Commissioner Nevill stated that he has raised cattle for a long time and this is an agriculturally related activity. CAFOs that are running lagoon systems, whether they are a feeding or dairy operation, apply liquid manure all of the time. Commissioner Nevill doesn't have problems with anything but the road, and had concerns about this use at this location. He cannot support the use on the road at this time.

Commissioner Johnston believed this area is not conducive to large truck traffic on a regular basis and felt it was unsafe. There are blind corners, and she agreed with the testimony. Commissioner Johnston agreed with Commissioner Nevill as well. This use could change the character of the area and be injurious due to the constant spreading of manure and smells. This is not the correct location for this use.

Commissioner Matthews added that the road situation stuck out in his mind as the real problem with this application and the increase in use.

Commissioner Werhanowicz agreed with the concerns in regard to traffic and safety presented by the Commissioners

MOTION: Commissioner Nevill moved to **deny** Case No. CU2025-0029, and requested that staff modify the Findings of Fact, Conclusions of Law. Modify Criteria no. 7 to reflect a finding that there will be undue interference with existing and future traffic patterns noting testimony received at the public hearing. Seconded by Commissioner Werhanowicz.

Discussion on the Motion:
Commissioner Sheets added that the applicant did perform a traffic impact study and the highway district came to the conclusion that there wouldn't be any mitigation needed.

Commissioner Johnston added that the traffic study did not look at historical accidents.

Roll call vote: 4 in favor, 2 opposed, motion passed.

3. DIRECTOR, PLANNER, COMMISSION COMMENTS:
Planning Supervisor Lister stated that a Hearing Examiner will begin hearing cases in July. He then described what a Hearing Examiner does pursuant to Idaho Statue.

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4. ADJOURNMENT:

MOTION: Commissioner Nevill moved to adjourn, seconded by Commissioner Sheets. Voice vote, motion carried. Hearing adjourned at 11:21 P.M.

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

Approved this 2nd day of July, 2026

_____
Brian Sheets, Acting Chairman

ATTEST

_____
Jennifer Almeida, Office Manager

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EXHIBIT 3

Staff Report Packet

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Board of County Commissioners

Case# OR2025-0023

Hearing date: July 15, 2026

Planning and Zoning Commission
Hearing Date: April 2, 2026 (Tabled to May 7, 2026)
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER:	**OR2025-0023**
APPLICANT/REPRESENTATIVE:	**KM Engineering LLP**
PROPERTY OWNER:	**Granite Companies LLC**
APPLICATION:	**Comprehensive Plan Map Amendment of Parcel R29892010 from an "agriculture" future land use designation to a "rural residential" future land use designation.**
LOCATION:	**The 46.5-acre property is located at 7044 Rim Road, Nampa, also referenced as a portion of the SW quarter of Section 30, T2N, R2W, BM, Canyon County, Idaho.**
PLANNER:	**Dan Lister, Planning Supervisor**
STAFF RECOMMENDATION:	**Denial**

REQUEST:
Granite Companies LLC, represented by KM Engineering, requests a Comprehensive Plan Map Amendment of Parcel R29892010 from an "agriculture" future land use designation to a "rural residential" future land use designation.

Due to the property currently being used for mineral extraction, and the nonviability of agricultural use of the property, the applicant finds the highest and best use would be residential. The applicant's conceptual site plan demonstrates how a 20-lot subdivision (2.27-acre average minimum lot size) complements the agricultural area. *See **Exhibit B** for supporting information submitted by the applicant.*

PARCEL INFORMATION REPORT: *See **Exhibit C.1** for information*

APPLICABLE CODE:
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 Idaho Code §67-6509 (Recommendation and Adoption, Amendment and Repeal of the Plan).

BACKGROUND:
The subject parcel is zoned "A" (Agricultural; **Exhibit C.2c**). The 2030 Canyon County Comprehensive Plan designates the future land use as "agriculture" with an "intensive agriculture" overlay.

The subject parcel consists of two original parcels that have already been divided through the land division application process (PI2024-0139 – **Exhibit C.4,** AD2015-9, and AD2024-0067). The property may qualify for nonviable land division in an "A" Zone per CCCO §07-18-09, which would allow the creation of six parcels (7.5-acre average lot size).

On June 18, 1998, a conditional use permit was approved, allowing mineral extraction on the subject parcel for 10 years (CU2002-585). On June 20, 2002, the duration of the use was modified to 30 years from June 18, 1998, expiring on June 18, 2028 (CU2002-598, **Exhibit C.3**). The use appears to still be in operation (**Exhibit D).**

In 2024, a conditional use permit application to establish a batch plant on the subject parcel was submitted but was withdrawn on March 7, 2025 (CU2024-0016).

HEARING CRITERIA:

Comprehensive Plan Amendment Criteria Analysis

HEARING CRITERIA – CCCO §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, Idaho Code title 67, chapter 65, and is consistent with the comprehensive plan's purposes, goals, and policies:

County Ordinance and Review

Criteria Met?	Code Section	Criteria
No	**A**	**Is the requested type of growth generally in conformance with the comprehensive plan?**
Analysis	The requested type of growth is generally <u>not</u> consistent with the 2030 Comprehensive Plan. The request would promote residential growth in an area planned to preserve agricultural uses and character. • The 2030 Canyon County Comprehensive Plan designates the property as "agriculture" (**Exhibit C.2c**). "The agricultural designation is the base designation throughout the County. It contains areas of productive irrigated croplands, grazing lands, feedlots, dairies, seed production, and ground of lesser agricultural value" (Page 25, 2030 Comp. Plan). • The property is in an intensive agriculture overlay. "This overlay is applied to protect working lands and operations. These areas may have higher-quality soils, water availability, and relatively flat topography. Uses may include seed production, crops, orchards, vineyards, concentrated animal feeding operations, grazing, and other agriculturally-based uses. This designation aims to protect agriculture operations from incompatible uses and reduce the conflicts concerning noise, dust, smells, and safety" (Page 28, 2030 Comp. Plan). • The property is zoned "A" (Agricultural), consistent with the comprehensive plan (**Exhibit C.2d**). CCCO §07-10-25 states the purpose of the "A" Zone is 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, 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.* • The request is to allow a rural residential designation on the subject parcel (**Exhibit B.2**). The applicant contests that the property contains slopes, soils, and a lack of water, making the property nonviable farm ground. If approved, a rezone would be required, and subsequent subdivision to establish 20 residential lots (2.27-acre average lot size). o "The rural residential district provides rural transitional areas to create a boundary between agricultural and urban areas. These areas are generally conducive to small-scale farming operations and compatible with non-agricultural uses" (Page 26, 2030 Comp. Plan). This property is not within a transition area. The Nampa Impact Area is over 3 miles from the property. Nampa city	

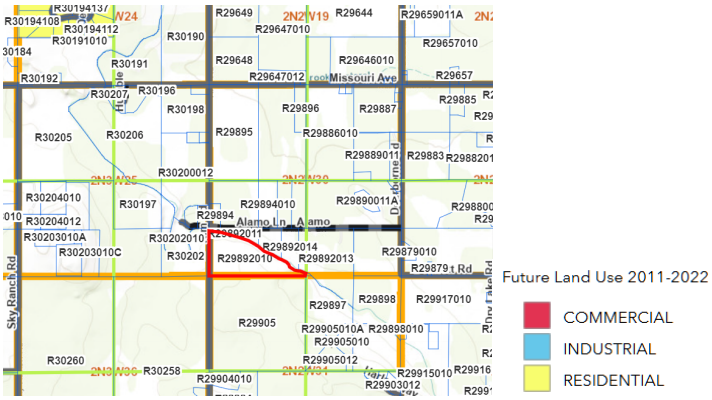
jurisdiction is approximately 4 miles from the subject parcel. The Melba Impact area is over 7 miles from the subject parcel. The nearest similar rural residential zone is approximately 2 miles from the subject parcel.

- Although agricultural uses may be limited on the subject property, the surrounding area appears to be in agricultural uses (**Exhibit B.2a**). The request would establish a residential subdivision in an agricultural area, which may impact agricultural operations, such as aerial spraying. On October 1, 2025, DSD staff recommended that the applicant submit a conditional rezone instead of a comprehensive plan amendment to create residential lot sizes commensurate with the area (five acres or greater) without a comprehensive plan amendment which would set a precedent per CCCO 07-06-07(3). The applicant declined (**Exhibit B.7**).
  - "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" (Last sentence from CCCO 07-06-07(3)).

- The request does not align with the goals and policies of the comprehensive plan, including but not limited to:
  - Property Rights - G1.01.00: *Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.*
    - The request introduces residential growth, which may impact the property rights of existing agricultural parcels. The adjacent parcels may create noise, dust, odors, and traffic common to the existing, planned agricultural area, which are uncommon in a residential subdivision and become a nuisance to residential property owners (**Exhibits C.2a, C.2b, C.2h & F.1**).
  - 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.*
    - Based on TAZ (Traffic Analysis Zone) forecasts (**Exhibit C.2k**), there is no household growth forecasted in the area. The TAZ is used by COMPASS (Community Planning Association) and other agencies as a tool to plan growth and funding for future transportation needs.
  - Land Use and Community Design - G4.03.00: *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. P4.03.01: Designate areas that may be appropriate for industrial, commercial, and residential land uses while protecting and conserving farmland and natural resources.* G4.05.00*: Support a diversity of agricultural uses to sustain the agricultural and agriculturally related economy. P4.05.01: Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators. P4.05.03: Encourage uses on agricultural parcels to be planned and placed to limit interference with farming operations, which may include clustering of residences and other structures, placement near existing utilities and infrastructure, and placement to minimize conflicts with allowed agricultural uses on the proposed site and adjacent lands.* G4.07.00: *Protect rural qualities that make the County distinct and conserve and enhance the elements contributing to a good quality of life. P4.07.01: Plan land uses that are compatible with the surrounding community. P4.07.02: Discourage incompatible development near existing agricultural businesses that would cause the operator undue hardship through complaints, traffic, or other complications.*
    - *See findings and evidence in criteria B, C & D for additional supporting analysis.*
  - Natural Resources & Hazards – G5.01.00: *Protect, enhance, and steward natural resources. P5.01.03: Encourage the protection of groundwater and surface water quality and quantity in land use through drought-tolerant design and community systems. P5.01.04: Encourage subdivisions over fifteen lots to install community water systems.*

	o Schools – G6.01.00: *Ensure adequate school facilities and services meet the community's educational, social, and recreational needs.* ▪ The nearest Nampa School District elementary school, Ronald Regan Elementary, is almost 6 miles away. It is over 8 miles to the nearest school in the Melba School District. The applicant's conceptual plans are project-specific and do not provide long-term impacts to the school district if the surrounding area includes residential growth. ▪ The applicant has provided project-specific plans for the subject property and does not provide an analysis for the long-term impacts to the surrounding area, surrounding uses, infrastructure, and public services if the residential land use promotes additional residential growth beyond the subject property. Without a long-term plan, the impacts could be detrimental to the surrounding area and overall community (including schools, taxation, and community infrastructure costs). ▪ *See findings and evidence in criteria E for supporting analysis.*	
Criteria Met? **No**	**B**	**When considering the surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation?**
Analysis	In consideration of the surrounding land uses, the proposed comprehensive plan amendment to "Rural Residential" is not more appropriate than the current comprehensive plan designation of "Agriculture". • The request is to allow a rural residential designation on the subject parcel (**Exhibit B.2**). "The rural residential district provides rural transitional areas to create a boundary between agricultural and urban areas. These areas are generally conducive to small-scale farming operations and compatible with non-agricultural uses" (Page 26, 2030 Comp. Plan). This property is not within a transition area. The Nampa Impact Area is over 3 miles from the property. Nampa city jurisdiction is approximately 4 miles from the subject parcel. The Melba Impact area is over 7 miles from the subject parcel. • There is no planned residential growth in the area (See **Exhibit C.2c,** Future Land Use Map). The 2030 Canyon County Comprehensive Plan designates the property as "agriculture" with an intensive agriculture overlay. o The applicant contests that the property contains slopes, soils, and a lack of water, making the property nonviable farm ground. The property consists of moderate to least suitable soils (**Exhibit C.2g**). The applicant does not demonstrate how the property cannot be reclaimed into viable farm ground or how uses supported by the agriculture designation cannot be supported on the property (**Exhibit B.2**). Therefore, the request does not adequately demonstrate why the rural residential designation is more appropriate. ▪ The area has other gravel pits (**Exhibit C.2h**). Gravel pit uses are allowed subject to a conditional use permit in an agricultural designation/zoning. Concern was raised regarding the request, and if it's approved, it potentially sets a precedent allowing gravel pits to change the county's plan to further develop the area, instead of it matching the county's plan (**Exhibits C.2a, C.2h & F.1**). ▪ Properties in the area without surface irrigation have historically been rangeland for grazing cattle and sheep. Grains, oilseeds, fruits, and pasture grasses are crops found in low-water/dry farming areas (**Exhibits C.2a, C.2h & F.1**). ▪ Per CCCO 07-10-027, the "A" zone, consistent with the agricultural designation in the comprehensive plan, allows uses such as a batch plant, special events facilities, winery, contractor shop, and staging areas with an approved conditional use permit. The property may also qualify for nonviable land division in an "A" Zone per CCCO §07-18-09, which would	

	allow the creation of six parcels (7.5-acre average lot size). The applicant declined other uses and options for development of the parcel (**Exhibit B.7**). o Although the subject property is not viable farm ground, the surrounding area consists of viable farmground which could be impacted if residential growth is established in the area. ▪ The subject property is surrounded by larger agricultural ground (**Exhibit C.2b**). The smallest property is 0.96 acres (an original parcel, pre-1979). The next smallest is 4.66 acres, created by a conditional use permit/land division. The largest parcel sizes in the area are 317 acres and 161.55 acres (Tiegs) directly southwest and south of the subject parcel. ▪ The property is between one and two miles from existing feedlot/dairy operations (**Exhibit C.2h**). • Pancheri feedlot, 11066 Missouri Ave. • Rocky Butte Farms, 12037 Sky Ranch Road • Savage Cattle, 13748 Surrey Lane • There are no zones in the area promoting residential growth (See **Exhibit C.2d**, Zoning Map). The nearest similar rural residential zone is approximately 2 miles from the subject parcel. • There are no recent decisions (cases) approving residential growth in the area (**Exhibits C.2e & f**). The property and properties to the north and east were created by land division, which is allowed in the "A" Zone. The nearest residential subdivisions are Deersky Ranch and Deer Flat Tracts, over one mile from the subject parcel. o Deersky Ranch was created in 2001 via a conditional use permit (consistent with the comprehensive plan and zone at that time). The subdivision has a 5.2-acre average lot size and includes a 500-foot buffer adjacent to agricultural properties to ensure minimal disruption to agricultural production and aerial spraying operations. o Deer Flat Tracts was approved in 1988 per the county code at that time. The four lots have a 4.5-acre average lot size. ▪ Since then, the previous and current comprehensive plans have not promoted similar residential divisions in the area. This is evidenced by there being no similar decisions since 2001 in the area **Exhibits C.2e & f**).	
Criteria Met? **No**	**C**	**Is the proposed comprehensive plan amendment compatible with surrounding land uses?**
Analysis	The proposed comprehensive plan amendment to "Rural Residential" is <u>not</u> compatible with surrounding land uses. Pursuant to Canyon County Code of Ordinances (CCCO) §07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere with or conflict with or negatively impact one another, and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses. • The majority of the properties surrounding the subject property are in active agricultural production. There is no planned residential growth in the area (See **Exhibit C.2c**, Future Land Use Map). The 2030 Canyon County Comprehensive Plan designates the property as "agriculture". The property is also designated with an intensive agriculture overlay. The property is between one and two miles from existing feedlot/dairy operations (**Exhibit C.2h**). • Pancheri feedlot, 11066 Missouri Avenue,	

		• Rocky Butte Farms, 12037 Sky Ranch Road, and • Savage Cattle, 13748 Surrey Lane. • There are no zones in the area promoting residential growth (See **Exhibit C.2d**, Zoning Map). The nearest similar rural residential zone is approximately 2 miles from the subject parcel. There are no recent decisions (cases) approving residential growth in the area (**Exhibits C.2e & f**). • The request introduces residential growth, which may impact the property rights of existing agricultural parcels. The adjacent parcels may create noise, dust, odors, and traffic common to the existing, planned agricultural area, which are uncommon in a residential subdivision and become a nuisance to residential property owners (**Exhibits C.2a, C.2b, C.2h & F.1**). • *See findings and evidence in criteria B & D for additional supporting analysis.*
Criteria Met? **No**	**D**	**Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted?**
Analysis		Development trends in the general area do <u>not</u> indicate that the current designation and circumstances have changed since the comprehensive plan was adopted. • There is no planned residential growth in the area (See **Exhibit C.2c,** Future Land Use Map). The 2030 Canyon County Comprehensive Plan designates the property as "agriculture". The property is also designated with an intensive agriculture overlay. o The 2020 Canyon County Comprehensive Plan also designated the future land use of the property and area as "agriculture". Therefore, residential growth has never been planned for the area.  • Based on TAZ (Traffic Analysis Zone) forecasts (**Exhibit C.2k**), there is no household growth forecasted in the area between 2025 and 2055. There is very little job growth in the area (possibly forecasting some agriculturally related job growth). The TAZ is used by COMPASS (Community Planning Association) and other agencies as a tool to plan growth and funding for future transportation needs. • The nearest similar rural residential zone is approximately 2 miles from the subject parcel (**Exhibit C.2d**). There are no recent decisions (cases) approving residential growth in the area (**Exhibits C.2e & f**). • *See findings and evidence in criteria B & C for additional supporting analysis.*
Criteria Met? **No**	**E**	**Will the proposed comprehensive plan amendment impact public services and facilities? What measures will be implemented to mitigate impacts?**

Analysis	Short-term impacts (project-specific plans, **Exhibit B.3**) can be addressed during the potential subsequent rezone and platting process. However, long-term impacts (residential growth beyond the subject property due to this requested land use amendment) are unknown. • Comments received from affected agencies focus on the short-term impacts of the project-specific request, which can be mitigated with conditions. o Idaho Transportation Department finds the request does not abut the state highway system. Therefore, ITD does not object to the request, subject to further review at the time of subsequent applications (**Exhibit E.1**). o Southwest District Health will require a Nutrient Pathogen Study if a future subdivision is proposed. Soil and site suitability for subsurface sewage disposal systems have not been determined. Southwest District Health has no concerns about the request and will ensure the project-specific residential use meets SWDH requirements per IDAPA 58.01.03 (**Exhibit E.2**). o Canyon County Paramedics show the nearest stations are M45 and M41, which are over 10 miles away. The furthest station is over 20 miles away (M42) (**Exhibit E.3**). ▪ There are 31 dwellings within a one-mile radius (**Exhibit F.1**). The request, if approved, proposes 20 residential lots, which almost doubles the number of dwellings within the one-mile radius. If the request sets precedents and residential growth grows beyond the subject parcel, the growth could impact the agency as well as household health and safety due to longer response times. o Nampa Fire District does not oppose the request, subject to future development providing fire hydrants and meeting required fire access roadway widths and construction requirements. The request is approximately 8.8 miles from Nampa Fire Station #2 with an approximate response time of 13 minutes, which does not meet the fire district strategic plan (**Exhibit E.4**). ▪ There are 31 dwellings within a one-mile radius (**Exhibit F.1**). The request, if approved, proposes 20 residential lots, which almost doubles the number of dwellings within the one-mile radius. If the request sets a precedent that residential growth is allowed in the area and grows beyond the subject parcel, the growth could impact the agency as well as household health and safety due to longer response times. o Boise-Kuna Irrigation District states the land is on high ground with no surface irrigation water from Mora Canal (**Exhibit E.5**). o Idaho Dept. of Environmental Quality (DEQ) provided information about air quality, wastewater, drinking water, surface water, solid waste, and groundwater contamination, but nothing project/request specific (**Exhibit E.6**). o Nampa Highway District #1 does not oppose, subject to review at the time of rezone and subdivision platting. The property takes access from Rim Road, a rural principal arterial (**Exhibit E.7**). o IDWR – Floodplain Coordinator – Not in a floodplain (**Exhibit E.8**). **Idaho Code §67-6537(4): When considering amending, repealing, or adopting a comprehensive plan, the local governing board shall consider the effect the proposed amendment, repeal, or adoption of the comprehensive plan would have on the source, quantity, and quality of groundwater in the area.** • No information regarding source, quality, or quantity of groundwater was submitted by the applicant. Short-term impacts (project-specific plans, **Exhibit B.3**) can be addressed during the subsequent rezone and platting process, if approved. However, long-term impacts (residential land use growth beyond the subject property) are unknown.

	o The subject property and area are designated as a nitrate priority area (**Exhibit C.2j**). "General locations in Canyon County, as defined by the appropriate state agencies, where groundwater test results show the presence of nitrates in varying amounts" (Page 99, 2030 Comp. Plan). o Wells within a one-mile radius have nitrates, with some exceeding DEQ thresholds (**Exhibit C.2j**). Well depths in the area are 260 to 560 feet (**Exhibit C.5**). The Idaho Department of Environmental Quality (DEQ) sets the nitrate threshold for groundwater and drinking water quality at 10 milligrams per liter (10mg/L), which is equivalent to 10 parts per million (ppm). o The Idaho Department of Water Resources (IDWR) issued a temporary moratorium on March 20, 2026, due to ongoing concerns regarding groundwater availability and potential impact of water appropriation applications for south Lake Lowell, which includes the subject parcel (**Exhibit C.6**).

NOTIFICATION AND COMMENTS:

Notice of the public hearing was provided as per CCCO §07-05-01. Agencies were notified on February 26, 2025. Property owners within 300 feet of the subject property boundaries were notified on February 26, 2025. A full political notice was sent on April 2, 2026. A newspaper notice was published on March 3, 2026. The subject property was posted with a notice on March 3, 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 deadline are located in **Exhibit E**.

PUBLIC COMMENTS

One comment in opposition was submitted by Keri Smith at Growing Together LLC (**Exhibit F.1**).

RECOMMENDATION AND DECISION OPTIONS:

In consideration of the application and supporting materials, the staff concludes that the proposed comprehensive plan amendment is compliant with Canyon County Ordinance 07-06-03. A full analysis is detailed within the staff report.

DECISION OPTIONS

- **Approval of the Application**: "I move to approve OR2025-0023 Granite Companies, finding the application **does** meet the criteria for approval under Article 07-06-03 of Canyon County Zoning Ordinance, **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 OR2025-0023 Granite Companies, finding the application **does not** meet the criteria for approval under Article 07-06-03 of Canyon County Zoning Ordinance, **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 OR2025-0023 Granite Companies to a [*date certain or uncertain*]

EXHIBITS:

A. Draft FCOs

B. Application Packet & Supporting Materials

1. Master Application
2. Letter of Intent
3. Conceptual Site Plan
4. Neighborhood Meeting

5. Deed
6. Agency Acknowledgement
7. Email between applicant and DSD – October 3, 2025
8. Applicant's Presentation

C. Supplemental Documents

1. Parcel Tool – Parcel R29892010
2. Cases Maps/Reports
   a. Aerial
   b. Vicinity
   c. Future Land Use
   d. Zoning
   e. Cases
   f. Subdivisions
   g. Soils/Prime Farmland
   h. Dairy, Feedlot, Gravel Pit
   i. Contours
   j. Nitrate/Wells
   k. TAZ (Households/Jobs)
3. CU2002-598/CU2002-585
4. PI2024-0139
5. Well logs
6. IDWR Moratorium

D. Site Visit Photos: October 22, 2025

E. Agency Comments Received by March 23, 2026

1. Idaho Transportation Department
2. Southwest District Health Department
3. Canyon County Paramedics
4. Nampa Fire District
5. Boise-Kuna Irrigation District
6. DEQ
7. Nampa Highway District #1
8. IDWR -Floodplain

F. Public Comments Received by March 23, 2026

1. Growing Together LLC received on March 23, 2026.

Exhibit 3

EXHIBIT A

Draft FCOs

Planning & Zoning Commission

Case# OR2025-0023

Hearing date: April 2, 2026 (Tabled to May 7, 2026)

PLANNING OR ZONING COMMISSION

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:
Granite Companies LLC – OR2025-0023

The Canyon County Planning and Zoning Commission considers the following:

Comprehensive Plan Map Amendment of Parcel R29892010 from an "agriculture" future land use designation to a "rural residential" future land use designation.

The 46.5-acre property is located at 7044 Rim Road, Nampa, also referenced as a portion of the SW quarter of Section 30, T2N, 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 OR2025-0023.

      1. All exhibits can be found in the case staff report dated April 2, 2026. The April 2nd hearing was tabled to May 7, 2026.

      2. Notice of the public hearing was provided as per CCCO §07-05-01. Agencies were notified on February 26, 2025. Property owners within 300 feet of the subject property boundaries were notified on February 26, 2025. A full political notice was sent on April 2, 2026. A newspaper notice was published on March 3, 2026. The subject property was posted with a notice on March 3, 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, OR2025-0023, was presented at a public hearing before the Canyon County Planning and Zoning Commission on May 7, 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:

Comprehensive Plan Amendment Criteria Analysis

HEARING CRITERIA – CCCO §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, Idaho Code title 67, chapter 65, and is consistent with the comprehensive plan's purposes, goals, and policies:

County Ordinance and Review

Criteria Met?	Code Section	Criteria
No	**A**	**Is the requested type of growth generally in conformance with the comprehensive plan?**
Analysis		The requested type of growth is generally <u>not</u> consistent with the 2030 Comprehensive Plan. The request would promote residential growth in an area planned to preserve agricultural uses and character. • The 2030 Canyon County Comprehensive Plan designates the property as "agriculture" (**Exhibit C.2c**). "The agricultural designation is the base designation throughout the County. It contains areas of productive irrigated croplands, grazing lands, feedlots, dairies, seed production, and ground of lesser agricultural value" (Page 25, 2030 Comp. Plan). • The property is in an intensive agriculture overlay. "This overlay is applied to protect working lands and operations. These areas may have higher-quality soils, water availability, and relatively flat topography. Uses may include seed production, crops, orchards, vineyards, concentrated animal feeding operations, grazing, and other agriculturally-based uses. This designation aims to protect agriculture operations from incompatible uses and reduce the conflicts concerning noise, dust, smells, and safety" (Page 28, 2030 Comp. Plan). • The property is zoned "A" (Agricultural), consistent with the comprehensive plan (**Exhibit C.2d**). CCCO §07-10-25 states the purpose of the "A" Zone is 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, 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.* • The request is to allow a rural residential designation on the subject parcel (**Exhibit B.2**). The applicant contests that the property contains slopes, soils, and a lack of water, making the property nonviable farm ground. If approved, a rezone would be required, and subsequent subdivision to establish 20 residential lots (2.27-acre average lot size). o "The rural residential district provides rural transitional areas to create a boundary between agricultural and urban areas. These areas are generally conducive to small-scale farming operations and compatible with non-agricultural uses" (Page 26, 2030 Comp. Plan). This property is not within a transition area. The Nampa Impact Area is over 3 miles from the property. Nampa city jurisdiction is approximately 4 miles from the subject parcel. The Melba Impact area is over 7 miles from the subject parcel. The nearest similar rural residential zone is approximately 2 miles from the subject parcel. o Although agricultural uses may be limited on the subject property, the surrounding area appears to be in agricultural uses (**Exhibit B.2a**). The request would establish a residential subdivision in an agricultural area, which may impact agricultural operations, such as aerial spraying. On October 1,

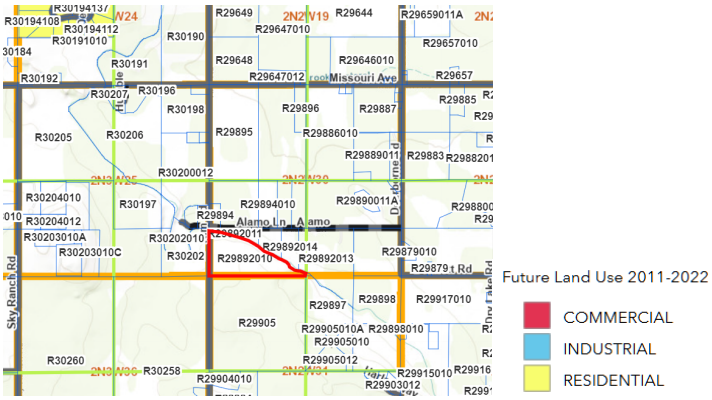
2025, DSD staff recommended that the applicant submit a conditional rezone instead of a comprehensive plan amendment to create residential lot sizes commensurate with the area (five acres or greater) without a comprehensive plan amendment, which would set a precedent per CCCO 07-06-07(3). The applicant declined (**Exhibit B.7**).

- "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" (Last sentence from CCCO 07-06-07(3)).

- The request does not align with the goals and policies of the comprehensive plan, including but not limited to:
  - Property Rights - G1.01.00: *Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.*
    - The request introduces residential growth, which may impact the property rights of existing agricultural parcels. The adjacent parcels may create noise, dust, odors, and traffic common to the existing, planned agricultural area, which are uncommon in a residential subdivision and become a nuisance to residential property owners (**Exhibits C.2a, C.2b, C.2h & F.1**).
  - 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.*
    - Based on TAZ (Traffic Analysis Zone) forecasts (**Exhibit C.2k**), there is no household growth forecasted in the area. *The TAZ is used by COMPASS (Community Planning Association)* and other agencies as a tool to plan growth and funding for future transportation needs.
  - Land Use and Community Design - G4.03.00: *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. P4.03.01: Designate areas that may be appropriate for industrial, commercial, and residential land uses while protecting and conserving farmland and natural resources.* G4.05.00*: Support a diversity of agricultural uses to sustain the agricultural and agriculturally related economy. P4.05.01: Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators. P4.05.03: Encourage uses on agricultural parcels to be planned and placed to limit interference with farming operations, which may include clustering of residences and other structures, placement near existing utilities and infrastructure, and placement to minimize conflicts with allowed agricultural uses on the proposed site and adjacent lands.* G4.07.00: *Protect rural qualities that make the County distinct and conserve and enhance the elements contributing to a good quality of life. P4.07.01: Plan land uses that are compatible with the surrounding community. P4.07.02: Discourage incompatible development near existing agricultural businesses that would cause the operator undue hardship through complaints, traffic, or other complications.*
    - *See findings and evidence in criteria B, C & D for additional supporting analysis.*
  - Natural Resources & Hazards – G5.01.00: *Protect, enhance, and steward natural resources. P5.01.03: Encourage the protection of groundwater and surface water quality and quantity in land use through drought-tolerant design and community systems. P5.01.04: Encourage subdivisions of over fifteen lots to install community water systems.*
  - Schools – G6.01.00: *Ensure adequate school facilities and services meet the community's educational, social, and recreational needs.*
    - The nearest Nampa School District elementary school, Ronald Regan Elementary, is almost 6 miles away. It is over 8 miles to the nearest school in the Melba School District. The applicant's conceptual plans are project-specific and do not provide long-term impacts to the school district if the surrounding area includes residential growth.
    - The applicant has provided project-specific plans for the subject property and does not provide an analysis for the long-term impacts to the surrounding area, surrounding uses, infrastructure, and public services if the residential land use promotes additional residential growth beyond the subject property. Without a long-term plan, the impacts could be detrimental to the

	surrounding area and overall community (including schools, taxation, and community infrastructure costs). ▪ *See findings and evidence in criteria E for supporting analysis.*	
Criteria Met? **No**	**B**	**When considering the surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation?**
Analysis	In consideration of the surrounding land uses, the proposed comprehensive plan amendment to "Rural Residential" is <u>not</u> more appropriate than the current comprehensive plan designation of "Agriculture". • The request is to allow a rural residential designation on the subject parcel (**Exhibit B.2**). "The rural residential district provides rural transitional areas to create a boundary between agricultural and urban areas. These areas are generally conducive to small-scale farming operations and compatible with non-agricultural uses" (Page 26, 2030 Comp. Plan). This property is not within a transition area. The Nampa Impact Area is over 3 miles from the property. Nampa city jurisdiction is approximately 4 miles from the subject parcel. The Melba Impact area is over 7 miles from the subject parcel. • There is no planned residential growth in the area (See **Exhibit C.2c,** Future Land Use Map). The 2030 Canyon County Comprehensive Plan designates the property as "agriculture" with an intensive agriculture overlay. o The applicant contests that the property contains slopes, soils, and a lack of water, making the property nonviable farm ground. The property consists of moderate to least suitable soils (**Exhibit C.2g**). The applicant does not demonstrate how the property cannot be reclaimed into viable farm ground or how uses supported by the agriculture designation cannot be supported on the property (**Exhibit B.2**). Therefore, the request does not adequately demonstrate why the rural residential designation is more appropriate. ▪ The area has other gravel pits (**Exhibit C.2h**). Gravel pit uses are allowed subject to a conditional use permit in an agricultural designation/zoning. Concern was raised regarding the request, and if it's approved, it potentially sets a precedent allowing gravel pits to change the county's plan to further develop the area, instead of it matching the county's plan (**Exhibits C.2a, C.2h & F.1**). ▪ Properties in the area without surface irrigation have historically been rangeland for grazing cattle and sheep. Grains, oilseeds, fruits, and pasture grasses are crops found in low-water/dry farming areas (**Exhibits C.2a, C.2h & F.1**). ▪ Per CCCO 07-10-027, the "A" zone, consistent with the agricultural designation in the comprehensive plan, allows uses such as a batch plant, special events facilities, winery, contractor shop, and staging areas with an approved conditional use permit. The property may qualify for nonviable land division in an "A" Zone per CCCO §07-18-09, which would allow the creation of six parcels (7.5-acre average lot size). The applicant declined other uses and options for development of the parcel (**Exhibit B.7**). o Although the subject property is not viable farm ground, the surrounding area consists of viable farm ground, which could be impacted if residential growth is established in the area. ▪ The subject property is surrounded by larger agricultural ground (**Exhibit C.2b**). The smallest property is 0.96 acres (an original parcel, pre-1979). The next smallest is 4.66 acres, created by a conditional use permit/land division. The largest parcel sizes in the area are 317 acres and 161.55 acres (Tiegs) directly southwest and south of the subject parcel. ▪ The property is between one and two miles from existing feedlot/dairy operations (**Exhibit C.2h**). • Pancheri feedlot, 11066 Missouri Ave. • Rocky Butte Farms, 12037 Sky Ranch Road • Savage Cattle, 13748 Surrey Lane	

	• There are no zones in the area promoting residential growth (See **Exhibit C.2d**, Zoning Map). The nearest similar rural residential zone is approximately 2 miles from the subject parcel. • There are no recent decisions (cases) approving residential growth in the area (**Exhibits C.2e & f**). The property and properties to the north and east were created by land division, which is allowed in the "A" Zone. The nearest residential subdivisions are Deersky Ranch and Deer Flat Tracts, over one mile from the subject parcel. o Deersky Ranch was created in 2001 via a conditional use permit (consistent with the comprehensive plan and zone at that time). The subdivision has a 5.2-acre average lot size and includes a 500-foot buffer adjacent to agricultural properties to ensure minimal disruption to agricultural production and aerial spraying operations. o Deer Flat Tracts was approved in 1988 per the county code at that time. The four lots have a 4.5-acre average lot size. ▪ Since then, the previous and current comprehensive plans have not promoted similar residential divisions in the area. This is evidenced by there being no similar decisions since 2001 in the area **Exhibits C.2e & f**).	
Criteria Met? **No**	**C**	**Is the proposed comprehensive plan amendment compatible with surrounding land uses?**
Analysis	The proposed comprehensive plan amendment to "Rural Residential" is <u>not</u> compatible with surrounding land uses. Pursuant to Canyon County Code of Ordinances (CCCO) §07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere with or conflict with or negatively impact one another, and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses. • The majority of the properties surrounding the subject property are in active agricultural production. There is no planned residential growth in the area (See **Exhibit C.2c**, Future Land Use Map). The 2030 Canyon County Comprehensive Plan designates the property as "agriculture". The property is also designated with an intensive agriculture overlay. The property is between one and two miles from existing feedlot/dairy operations (**Exhibit C.2h**). • Pancheri feedlot, 11066 Missouri Avenue, • Rocky Butte Farms, 12037 Sky Ranch Road, and • Savage Cattle, 13748 Surrey Lane. • There are no zones in the area promoting residential growth (See **Exhibit C.2d**, Zoning Map). The nearest similar rural residential zone is approximately 2 miles from the subject parcel. There are no recent decisions (cases) approving residential growth in the area (**Exhibits C.2e & f**). • The request introduces residential growth, which may impact the property rights of existing agricultural parcels. The adjacent parcels may create noise, dust, odors, and traffic common to the existing, planned agricultural area, which are uncommon in a residential subdivision and become a nuisance to residential property owners (**Exhibits C.2a, C.2b, C.2h & F.1**). • *See findings and evidence in criteria B & D for additional supporting analysis.*	
Criteria Met? **No**	**D**	**Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted?**
Analysis	Development trends in the general area do <u>not</u> indicate that the current designation and circumstances have changed since the comprehensive plan was adopted.	

	• There is no planned residential growth in the area (See **Exhibit C.2c,** Future Land Use Map). The 2030 Canyon County Comprehensive Plan designates the property as "agriculture". The property is also designated with an intensive agriculture overlay. o The 2020 Canyon County Comprehensive Plan also designated the future land use of the property and area as "agriculture". Therefore, residential growth has never been planned for the area.  • Based on TAZ (Traffic Analysis Zone) forecasts (**Exhibit C.2k**), there is no household growth forecasted in the area between 2025 and 2055. There is very little job growth in the area (possibly forecasting some agriculturally related job growth). *The TAZ is used by COMPASS (Community Planning Association) and other agencies as a tool to plan growth and funding for future transportation needs.* • The nearest similar rural residential zone is approximately 2 miles from the subject parcel (**Exhibit C.2d**). There are no recent decisions (cases) approving residential growth in the area (**Exhibits C.2e & f**). • *See findings and evidence in criteria B & C for additional supporting analysis.*
Criteria Met? **No**	**E** **Will the proposed comprehensive plan amendment impact public services and facilities? What measures will be implemented to mitigate impacts?**
Analysis	Short-term impacts (project-specific plans, **Exhibit B.3**) can be addressed during the subsequent rezone and platting process. However, long-term impacts (residential growth beyond the subject property due to this requested land use amendment) are unknown. • Comments received from affected agencies focus on the short-term impacts of the project-specific request, which can be mitigated with conditions. o Idaho Transportation Department finds the request does not abut the state highway system. Therefore, ITD does not object to the request, subject to further review at the time of subsequent applications (**Exhibit E.1**). o Southwest District Health will require a Nutrient Pathogen Study if a future subdivision is proposed. Soil and site suitability for subsurface sewage disposal systems have not been determined. Southwest District Health has no concerns about the request and will ensure the project-specific residential use meets SWDH requirements per IDAPA 58.01.03 (**Exhibit E.2**). o Canyon County Paramedics show the nearest stations are M45 and M41, which are over 10 miles away. The furthest station is over 20 miles away (M42) (**Exhibit E.3**). ▪ There are 31 dwellings within a one-mile radius (**Exhibit F.1**). The request, if approved, proposes 20 residential lots, which almost doubles the number of dwellings within the one-mile radius. If the request sets precedents and residential growth grows beyond the subject parcel, the growth could impact the agency as well as household health and safety due to longer response times. o Nampa Fire District does not oppose the request, subject to future development providing fire hydrants and meeting required fire access roadway widths and construction requirements. The

request is approximately 8.8 miles from Nampa Fire Station #2 with an approximate response time of 13 minutes, which does not meet the fire district strategic plan (**Exhibit E.4**).

- There are 31 dwellings within a one-mile radius (**Exhibit F.1**). The request, if approved, proposes 20 residential lots, which almost doubles the number of dwellings within the one-mile radius. If the request sets a precedent that residential growth is allowed in the area and grows beyond the subject parcel, the growth could impact the agency as well as household health and safety due to longer response times.

- Boise-Kuna Irrigation District states the land is on high ground with no surface irrigation water from Mora Canal (**Exhibit E.5**).
- Idaho Dept. of Environmental Quality (DEQ) provided information about air quality, wastewater, drinking water, surface water, solid waste, and groundwater contamination, but nothing project/request specific (**Exhibit E.6**).
- Nampa Highway District #1 does not oppose, subject to review at the time of rezone and subdivision platting. The property takes access from Rim Road, a rural principal arterial (**Exhibit E.7**).
- IDWR – Floodplain Coordinator – Not in a floodplain (**Exhibit E.8**).

Idaho Code §67-6537(4): When considering amending, repealing, or adopting a comprehensive plan, the local governing board shall consider the effect the proposed amendment, repeal, or adoption of the comprehensive plan would have on the source, quantity, and quality of groundwater in the area.

- No information regarding source, quality, or quantity of groundwater was submitted by the applicant. Short-term impacts (project-specific plans, **Exhibit B.3**) can be addressed during the subsequent rezone and platting process, if approved. However, long-term impacts (residential land use growth beyond the subject property) are unknown.
  - The subject property and area are designated as a nitrate priority area (**Exhibit C.2j**). "General locations in Canyon County, as defined by the appropriate state agencies, where groundwater test results show the presence of nitrates in varying amounts" (Page 99, 2030 Comp. Plan).
  - Wells within a one-mile radius have nitrates, with some exceeding DEQ thresholds (**Exhibit C.2j**). Well depths in the area are 260 to 560 feet (**Exhibit C.5**). The Idaho Department of Environmental Quality (DEQ) sets the nitrate threshold for groundwater and drinking water quality at 10 milligrams per liter (10mg/L), which is equivalent to 10 parts per million (ppm).
  - The Idaho Department of Water Resources (IDWR) issued a temporary moratorium on March 20, 2026, due to ongoing concerns regarding groundwater availability and potential impact of water appropriation applications for south Lake Lowell, which includes the subject parcel (**Exhibit C.6**).

Order
Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission recommends **denial** of Case #OR2025-0023, a comprehensive plan map amendment of Parcel R298922010 from an "agriculture" future land use designation to a "rural residential" future land use 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: _____

Exhibit A

Exhibit 3

EXHIBIT B

Application Packet & Supporting Materials

Planning & Zoning Commission

Case# OR2025-0023

Hearing date: April 2, 2026 (Tabled to May 7, 2026)

COMPREHENSIVE PLAN AMENDMENT
PUBLIC HEARING - MASTER APPLICATION

PROPERTY OWNER	OWNER NAME: Granite Companies, LLC
	MAILING ADDRESS: 23 Warm Lake Hwy, Cascade, ID 83611
	PHONE: [redacted] EMAIL: [redacted]

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

Signature: _____ *Date:* 9/29/2025

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	APPLICANT NAME: Connor Lindstrom
	COMPANY NAME: KM Engineering, LLP
	MAILING ADDRESS: 5725 N. Discovery Way, Boise, ID 83713
	PHONE: [redacted] EMAIL: [redacted]

SITE INFO	STREET ADDRESS: 7044 Rim Rd	
	PARCEL NUMBER: R2989201000	
	PARCEL SIZE: 46.508	
	CURRENT COMPREHENSIVE PLAN DESIGNATION: Agriculture	
	REQUESTED COMPREHENSIVE PLAN DESIGNATION: Rural Residential	
	FLOOD ZONE (YES/NO) No	ZONING DISTRICT: Ag

Check the applicable application type:

☒ Comprehensive Plan **Map** Amendment (change the future land use designation)

☐ Comprehensive Plan **Text** Amendment (propose a new Comp Plan Policy or Amendment)

FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER CR2025-0023	DATE RECEIVED: 9-29-25
RECEIVED BY: Karla Nelson	APPLICATION FEE: $3,850.00 CK MO CC CASH

9-30-25

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov - Phone: 208-402-4164
Revised 3/21/23

km ENGINEERING

September 24, 2025
Project No.: 25-087

Mr. Dan Lister
Canyon County Development Services
111 North 11th Avenue
Caldwell, ID 83605

RE: 7044 Rim Road – Canyon County, ID
Comprehensive Plan Map Amendment

Dear Mr. Lister:

On behalf of Granite Companies LLC., we are pleased to submit the attached applications and required supplements for a comprehensive plan map amendment to allow for future residential development opportunities for the property in Canyon County.

Site Information

The subject property is approximately 46.5 acres and is located off Rim Road, just south of Alamo Lane in Canyon County. Adjacent to the property are rural residential and agricultural uses and is located approximately 3.1 Miles South of the Lake Lowell. Since 1997, the property has been used as a mineral extraction site. Gravel has been the main mineral source extracted and sold from the site to be used for infrastructure throughout the Valley. Mineral extraction is no longer feasible for the site, and the property is no longer used as an active gravel pit by Granite Excavation. Since the pit has reached it's lifespan, Idaho Department of Lands now requires the property to abide by their approved reclamation plan, and reclaim the site as agreed upon. Following the reclamation of the site, the property will sit vacant for years unless a change of use can take place.



In working with Canyon County Development Services, the two parcels that make up the 46-acre property have been consolidated into one parcel (R2989201000) to bring the property back into compliance with the Canyon County Zoning Ordinance. Recording of the new deed and legal description took place on September 3, 2025.

The property owner is looking to develop the site as a residential subdivision to provide housing opportunities for Canyon County residents that are near recreational and agricultural opportunities. Naturally, the property slopes from north to south, providing for exceptional views of Lake Lowell, and the Treasure Valley. A vision for rural residential lots has come to fruition and seems like a natural fit for the property. Providing larger, view lots will in turn welcome larger, luxury homes to be constructed on the property, while also protecting the rural character of the area. There is a demand for larger, rural residential lots in this area, as it's known very few of these lots are available south of Lake Lowell.

Current Comprehensive Plan Designation

In coordination with Canyon County Development Services, it was determined that a comprehensive plan map amendment and rezone would be required to allow for future residential uses of the property. As such, we request to amend the Comprehensive Plan Future Land Use Map from *Agriculture* for the +/- 46.5-acre parcel to the *Rural Residential* land use to allow for a future request to rezone the property from Agriculture to the RR district and following that a preliminary plat. At this time, no layouts for the future rural residential subdivision have been created.

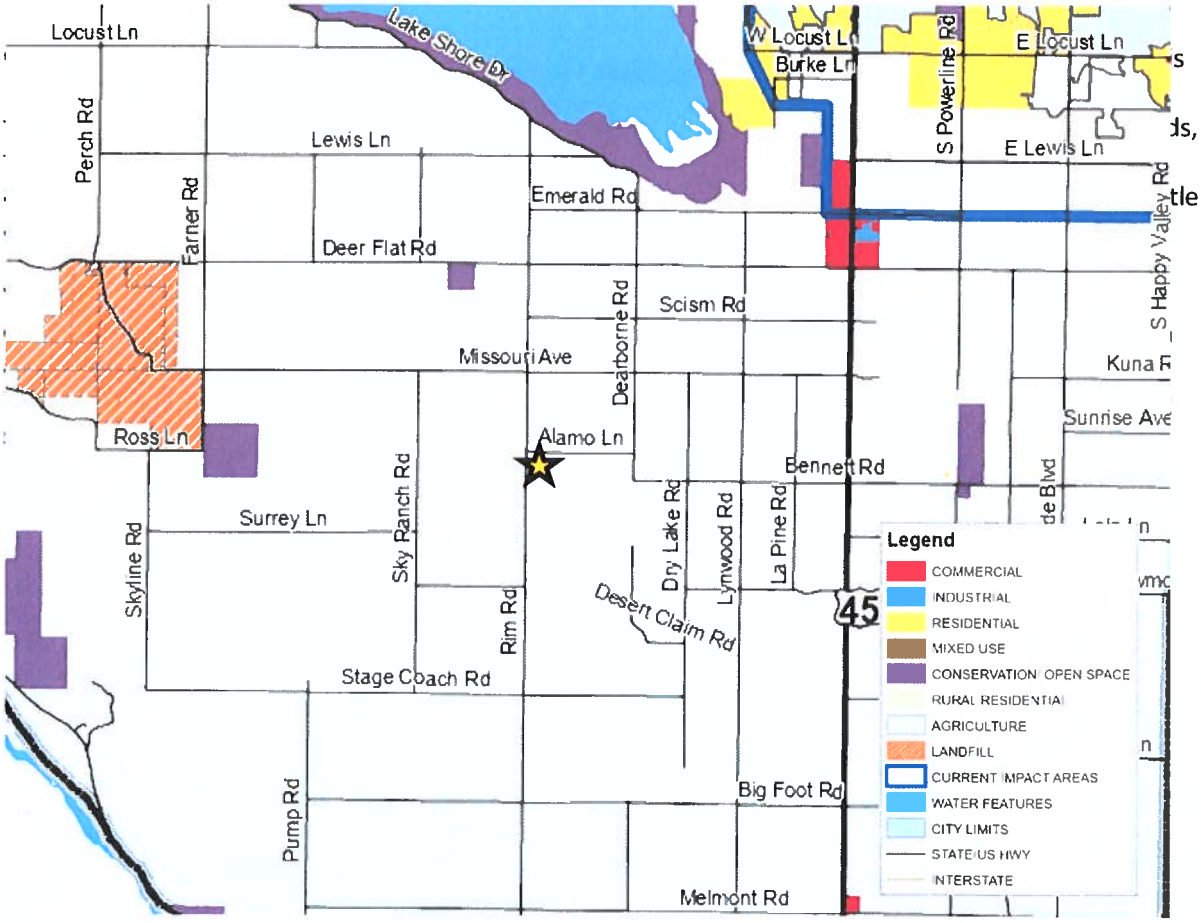
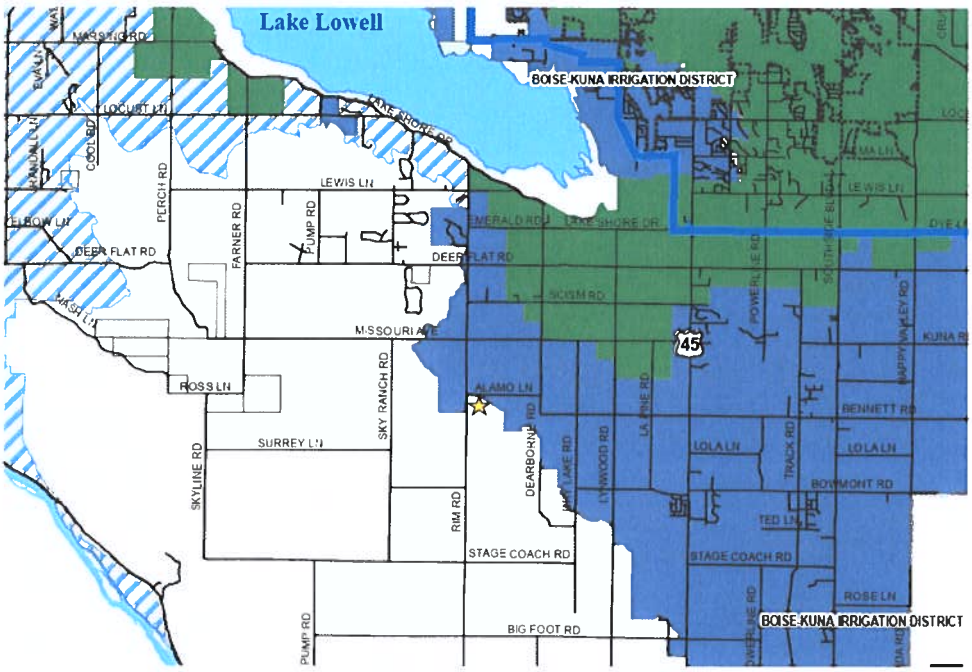
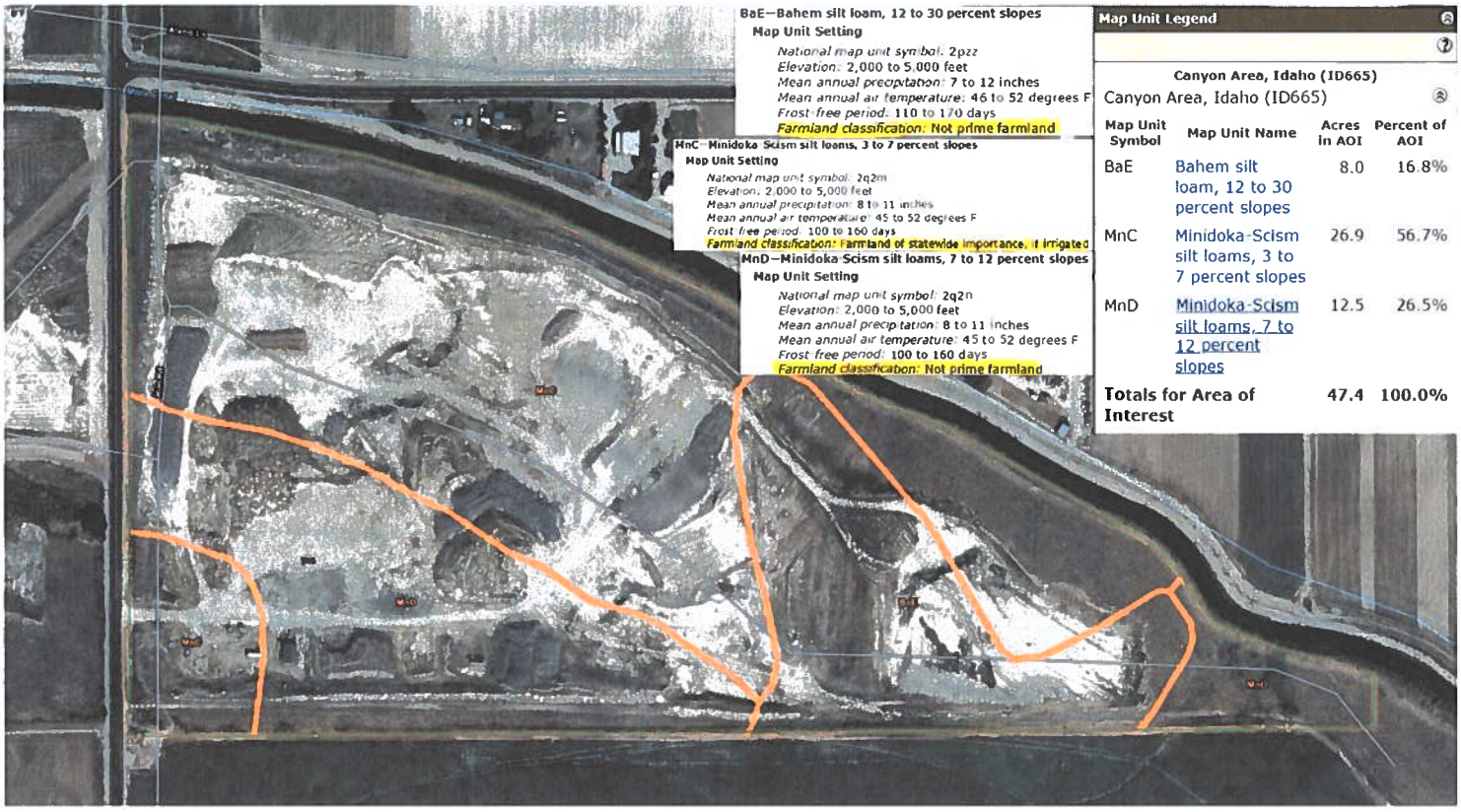


Exhibit B.2



The next key indicators that this property is not conducive to farming are due to the soil types and grading that are present on the property. As seen in the soil survey map from the US Department of Agriculture's website, the property contains 3 distinct soil types. Two of these soil types are not considered prime farmland and are not conducive to farming. These are Bahem silt loam (BaE) at 12 to 30 percent slopes, and Minidoka-Scism silt loams (MnD) at 7 to 12 percent. Together, these make up approximately 43.3% of the property. The third soil type found on the property is Minidoka-Scism silt loams (MnC) at 3 to 7 percent slopes which makes up approximately 56.7% of the site. This soil type is only considered by the State as farmland if it's irrigated. In the case of this property, where irrigation water is not available, this soil type would not be conducive to farming.

Lastly, the property has been operating as a mineral extraction site for the past three decades. With this, comes soil degradation, and a loss in necessary soil nutrients to be considered viable farm ground. The three soil types present on the property today are classified as Class 4 to Class 7 soils when irrigated, and all are classified as Class 6 soils when not being irrigated. Policy P4.05.02 from Canyon County's Comprehensive Plan states that the County should "Consider development on poor soils (Class 4 or higher) that will not interfere with viable agricultural operations in the area." Given the poor soils on the subject property, development of this property for something other than agricultural land is what the Comprehensive Plan points to for consideration.



Proposed Comprehensive Plan Designation

Based on the nonviability of this property to be used for agricultural production, the property owner proposes to designate the 46 acres as Rural Residential. Following approval of the comprehensive plan map amendment, the intention is to rezone the property to the Rural Residential (R-R) zoning district to support an application for a preliminary plat to develop the site as a residential subdivision. While the Comprehensive Plan does not provide specific definitions or regulations for the Rural Residential future land use map designation, the Comprehensive Plan provides goals and policies that support rural residential uses in the County, and the inclusion of the Rural Residential (R-R) zoning district in the Comprehensive Plan substantiates this.

When considering a comprehensive plan amendment to Rural Residential, it's important to defer to the comprehensive plan's goals and policies. The following goals and policies support the proposed amendment. The first of which is Policy P.04.02.01 "Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses." As noted previously, the site characteristics of this property pose some challenges for certain uses, specifically agricultural uses which the comp plan currently envisions. Due to the slopes and depleted soils on the property, the capability of the site being turned into irrigated farmland are very low, and unfeasible. Developing the property for residential use is more appropriate and would be of low intensity.

Furthermore, Policy P4.03.03 in the Comprehensive Plan states the following; "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." This policy

recognizes that just because the property is located within an agriculturally designated area, non-agricultural uses can be compatible within these areas in unique situations. This would be one of those unique situations where we have a property that is not viable for large scale agricultural uses. A low-density, rural residential subdivision with an average acreage of 2 acres per lot would be able to co-exist with the adjacent agricultural uses. In addition to this, larger lots allow for homes to be constructed on a small portion of the lot, leaving the remainder of the lot available for pasturing animals, raising poultry, and other related uses that are agricultural in nature. We see this to the north with Deer Sky Subdivision which contains lots ranging from an acre up to 10 acres, which allows for small scale agricultural uses to take place, which in turn is compatible with larger agricultural operations that surround the subdivision. Rural residential subdivisions also align with Goal G4.05.00 from the Comprehensive Plan; "Support a diversity of agricultural uses to sustain the agricultural and agriculturally related economy." Providing opportunities for people to purchase rural residential lots that can be lived on while participating in agricultural activities will in turn support a diversity in agricultural uses and stimulate the economy from a small market perspective.

With steeper slopes and views of Lake Lowell, this property will provide the opportunity for higher-end homes to be built which will complement their surroundings, ensuring that topography is considered when developing lots. It's important that the design accommodates the topography and does not disturb any existing agricultural operations as noted in Policy P4.06.02. Through the comp plan amendment to a Rural Residential designation for the property, larger residential lots will be required, which in turn "Protects the rural qualities that make the County distinct and conserve and enhance the element contributing to a good quality of life," as noted in Goal G4.07.00. Adjacent to the north, properties ranging from an acre to 10 acres are present and contain rural residences. The proposed comprehensive plan map amendment to allow for rural residential lots will complement the existing rural residential nature of those properties.

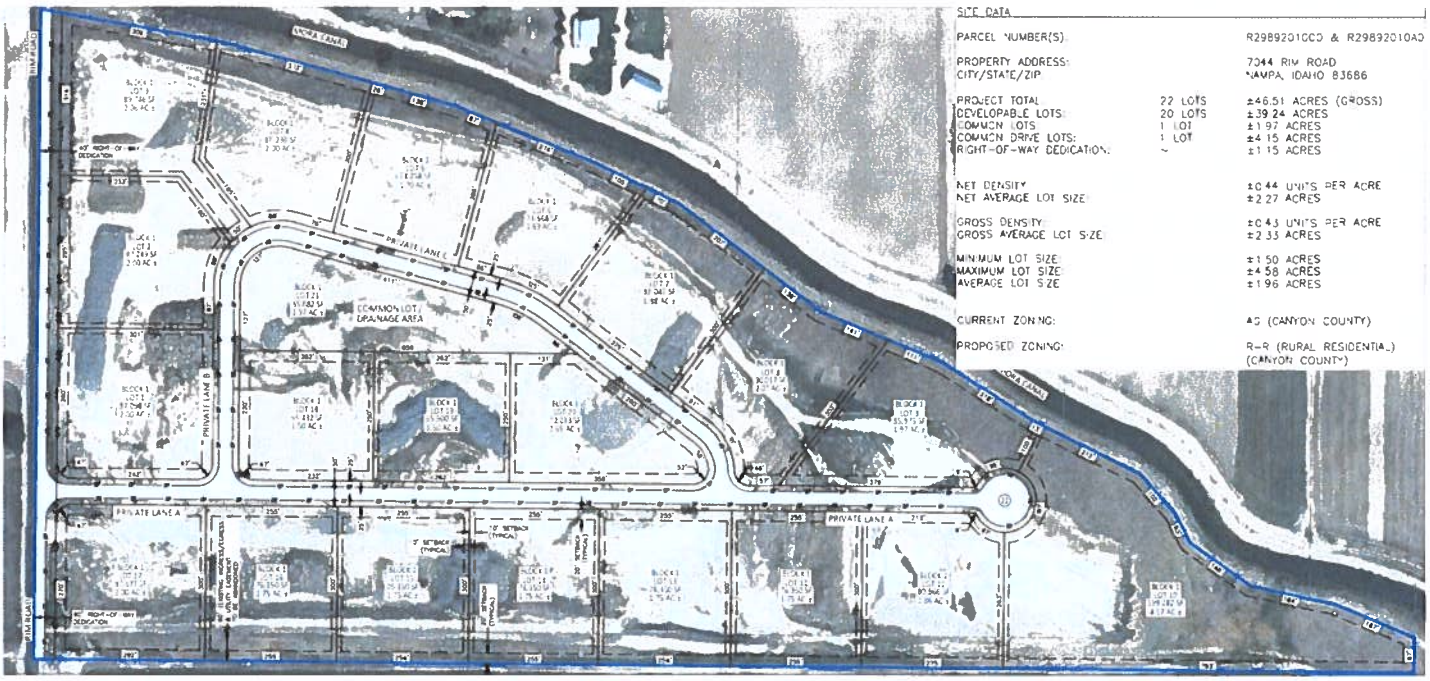


Exhibit B.2

Conceptual Site Plan

The conceptual site plan included with this application outlines the proposed layout for the development. While this is a conceptual plan and is subject to change, this represents what the layout could look like when it's time to submit a preliminary plat. 20 rural residential lots are proposed as well as a common lot to be used for drainage and open space. The average lot size proposed is 2.27 acres, which is above the required 2-acre average lot size for the development as laid out by the rural residential designation and zoning district. Each lot would be provided with frontage and access from the private road that would circumnavigate the property. Access for the private road will come from Rim Road as approved by the Nampa Highway District No.1. Each lot would be serviced by individual septic systems and wells as governed by Southwest District Health and Idaho Department of Water Resources. Grading will be a determining factor when considering lot layout and road construction.

Conclusion

With the proposal discussed herein, we believe that the comprehensive plan map amendment complements and is consistent with the surrounding residential and agricultural uses in this area of Canyon County and in accord with the goals and objectives found in the Canyon County Comprehensive Plan. This proposal will provide an opportunity for Canyon County to further enhance that area south of Lake Lowell through estate development.

We appreciate the time the Canyon County Development Services staff members have spent helping us understand the steps needed to accomplish this project. Should you have questions or require further information to process this application, please feel free to contact me.

Sincerely,
KM Engineering, LLP

Connor Lindstrom, CFM
Senior Land Planner

cc: Granite Companies, LLC

landproDATA

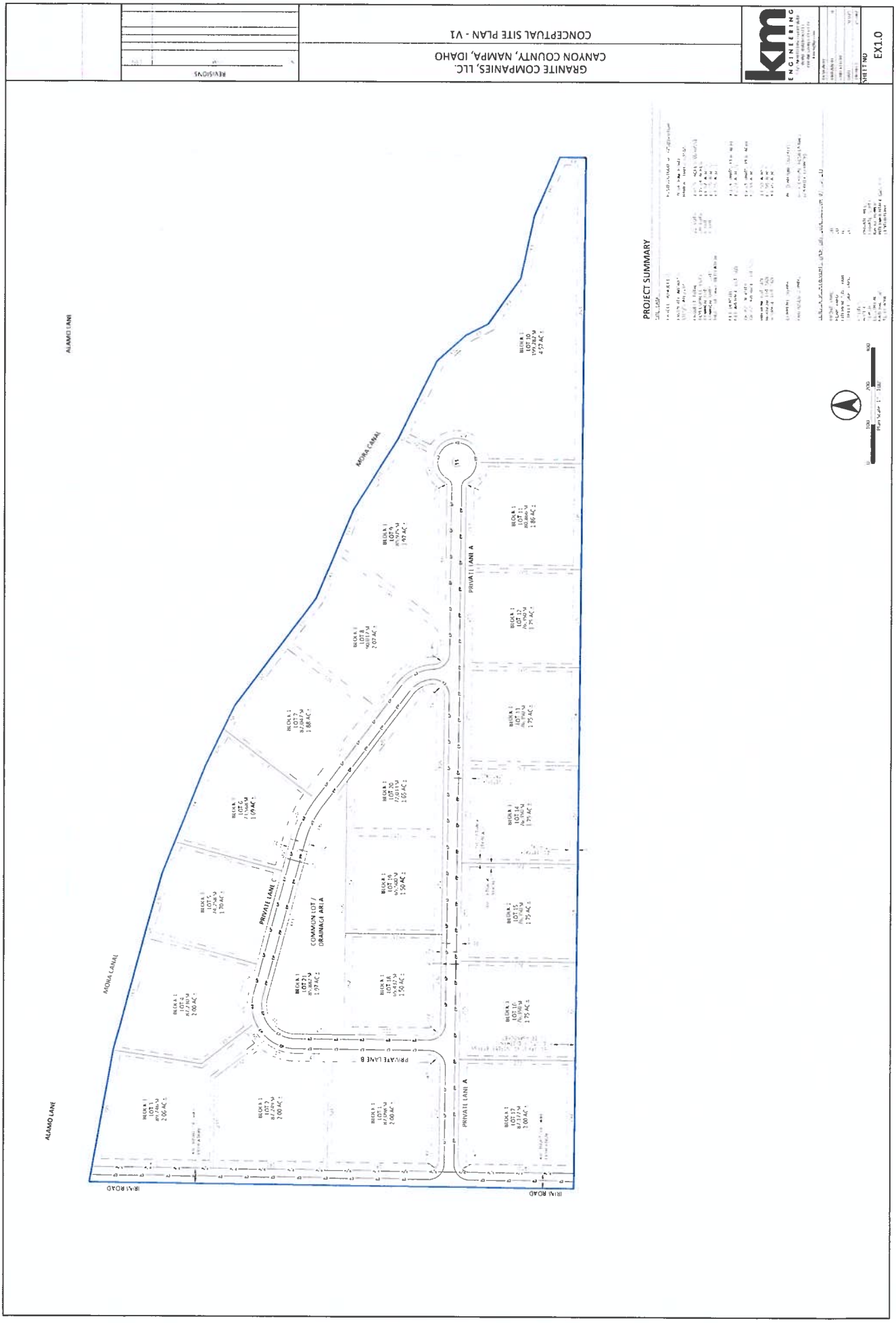
Vicinity Map



Exhibit B.2

Sep 24, 2025 - landproDATA.com
Scale: 1 inch approx 500 feet

The materials available at this website are for informational purposes only and do not constitute a legal document.


GRANITE COMPANIES, LLC.
CANYON COUNTY, NAMPA, IDAHO
CONCEPTUAL SITE PLAN - V1
REVISIONS
SHEET NO
EX1.0
PROJECT SUMMARY
ALAMO LANE
MORA CANAL
PRIVATE LANE A
PRIVATE LANE B
PRIVATE LANE C
COMMON LOT / DRAINAGE AREA
IRMA ROAD

GRANITE COMPANIES, LLC.
CANYON COUNTY, NAMPA, IDAHO
CONCEPTUAL SITE PLAN - V1
REVISIONS
km ENGINEERING
EX1.0
PROJECT SUMMARY
ALAMO LANE
MYRA CANAL
PRIVATE LANE A
PRIVATE LANE B
PRIVATE LANE C
COMMON LOT / DRAINAGE AREA
RIM ROAD

Exhibit B.3

km ENGINEERING 5725 North Discovery Way | BOISE, ID 83713 | [redacted]

July 28, 2025
Project No. 25-087
7044 Rim Road Consolidation
Legal Description

A parcel of land being all of the South 1/2 of the Southwest 1/4 of Section 30, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, lying south of the southerly right-of-way line of the Mora Canal and being more particularly described as follows:

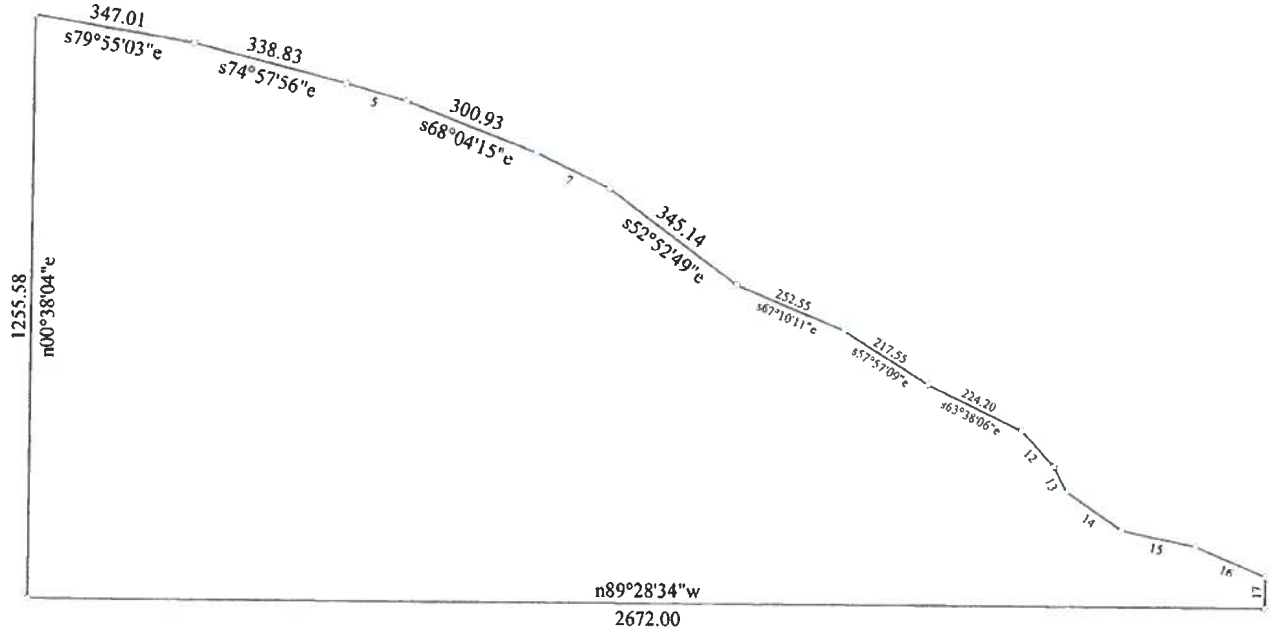
BEGINNING at the South 1/4 corner of said Section 30, thence following the southerly line of the Southwest 1/4 of said Section 30, N89°28'34"W a distance of 2,672.00 feet to the Southwest corner of said Section 30;
Thence leaving said southerly line and following the westerly line of said South 1/2 of the Southwest 1/4 of Section 30, N00°38'04"E a distance of 1,255.58 feet to said southerly right-of-way line of the Mora Canal;
Thence leaving said westerly line and following said southerly right-of-way line the following fourteen (14) courses:

1. S79°55'03"E a distance of 347.01 feet;
2. S74°57'56"E a distance of 338.83 feet;
3. S74°10'28"E a distance of 137.70 feet;
4. S68°04'15"E a distance of 300.93 feet;
5. S63°53'15"E a distance of 174.30 feet;
6. S52°52'49"E a distance of 345.14 feet;
7. S67°10'11"E a distance of 252.55 feet;
8. S57°57'09"E a distance of 217.55 feet;
9. S63°38'06"E a distance of 224.20 feet;
10. S41°48'13"E a distance of 101.74 feet;
11. S26°58'10"E a distance of 62.70 feet;
12. S54°45'16"E a distance of 146.28 feet;
13. S77°48'31"E a distance of 164.41 feet;
14. S66°52'39"E a distance of 165.59 feet to the easterly line of said Southwest 1/4 of Section 30;

Thence leaving said southerly right-of-way line and following said easterly line, S00°50'43"W a distance of 67.49 feet to the **POINT OF BEGINNING**.

Said description contains a total of 46.508 acres, more or less.





Title:	Date: 07-28-2025
Scale: 1 inch = 400 feet	File:

Tract 1: 46.508 Acres: 2025897 Sq Feet: Closure = n43.5349w 0.01 Feet: Precision >1/999999: Perimeter = 6974 Feet

001=n89.2834w 2672.00	007=s63.5315e 174.30	013=s26.5810e 62.70
002=n00.3804e 1255.58	008=s52.5249e 345.14	014=s54.4516e 146.28
003=s79.5503e 347.01	009=s67.1011e 252.55	015=s77.4831e 164.41
004=s74.5756e 338.83	010=s57.5709e 217.55	016=s66.5239e 165.59
005=s74.1028e 137.70	011=s63.3806e 224.20	017=s00.5043w 67.49
006=s68.0415e 300.93	012=s41.4813e 101.74	

Exhibit B.3

NEIGHBORHOOD MEETING SIGN-UP

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov Phone: 208-402-4164

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: 7044 Rim Rd	Parcel Number: R2989201000	
City: Nampa	State: ID	ZIP Code: 83686
Notices Mailed Date: 9/8/25	Number of Acres: 46.51	Current Zoning: AG
Description of the Request: Comp Plan Amendment AG to RR		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Dusty Hibbard		
Company Name: Granite Excavation		
Current address: 225 Wooddale Ave. Suite 115		
City: Eagle	State: ID	ZIP Code: 83616
Phone: [redacted]	Cell: [redacted]	Fax:
Email: [redacted]		

MEETING INFORMATION

DATE OF MEETING: 9/23/25	MEETING LOCATION: Subject Property
MEETING START TIME: 5pm	MEETING END TIME: 5:30pm

ATTENDEES:

NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. Latisha Hulet/Travis Hulet		0 Alamo/Ag Property
2.		11621 Alamo Ln Nampa
3. Cheryl Rosti	Cheryl Rosti	11621 Alamo Ln Nampa
4. Michele Muscolo		12505 Missouri Ave Nampa
5. Connor Lindstrom		5725 N. Discovery Way, Boise
6.		
7.		
8.		
9.		

Revised 6/9/22

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):

Dusty H. Bard

APPLICANT/REPRESENTATIVE (Signature): _____

DATE: 09 / 23 / 2025

Notice of Neighborhood Meeting
Comprehensive Plan Map Amendment Application
Pre-application requirement for a Public Hearing

September 8, 2025

Dear Neighbor,

We are in the process of presenting an application to Canyon County Development Services for a comprehensive plan map amendment. One of the requirements necessary, prior to submission, is to hold a "Neighborhood Meeting" and provide information to our surrounding neighbors about our application; Canyon County Zoning Ordinance § 07-01-15. This meeting for our surrounding neighbors is only for informational purposes. We would like to receive feedback from you, our neighbors, as we move through the land use application process with the county.

This neighborhood meeting is **not** a public hearing before a governing body of Canyon County. Once our application has been submitted to the county's Development Services Department, only then will a public hearing date be scheduled. Also, only after our application is accepted and a public hearing is scheduled with a confirmed date by the county, will the surrounding neighbors receive an official notification from the county via postal mail. The notice will also appear in a newspaper publication, and a sign will be displayed on the parcel notifying the public of a county Planning and Zoning land use hearing for our application.

The Neighborhood Meeting details are as follows:

Date: September 23, 2025
Time: 5 p.m.
Location: Project site – 7044 Rim Rd, Nampa, ID 83686
Property description: Located off Rim Rd, directly south of the Mora Canal and Alamo Lane (Granite Excavation Gravel Pit)

The project is summarized below:

Site Location: 7044 Rim Rd, Nampa, ID 83686
Proposed access: Via Rim Rd
Total acreage: +/- 46.51 acres
Proposal: Change the Future Land Use Map designation of the property from Agriculture to Rural Residential

We look forward to the neighborhood meeting and encourage you to attend. At that time we will answer any questions you may have. Please do not call Canyon County Development Services regarding this meeting. This is a PRE-APPLICATION requirement and we have not submitted the application for consideration at this time. The County currently has no information on this project. If you have any questions prior to the meeting, please contact me at 208.639.6939 or clindstrom@kmengllp.com.

Sincerely,
Connor Lindstrom
KM Engineering, LLP.

landproDATA

Vicinity Map



Exhibit B.4

Sep 04, 2025 - landproDATA.com
Scale: 1 inch approx 300 feet

The materials available at this website are for informational purposes only and do not constitute a legal document.

2025-031146
RECORDED
09/03/2025 08:15 AM

00885555202500311460040049

RICK HOGABOAM
CANYON COUNTY RECORDER
Pgs=4 JWINSLOW $15.00
DEED
KM ENGINEERING

AFTER RECORDING MAIL TO:
Granite Companies, LLC
23 Warm Lake Hwy
Cascade, ID 83611-5101

Space Above This Line for Recorder's Use

QUITCLAIM DEED

FOR VALUE RECEIVED

Granite Companies, LLC, an Idaho limited liability company, whose address is: 23 Warm Lake Hwy, Cascade, ID 83611-5101

GRANTOR(S), does(do) hereby CONVEY, RELEASE, REMISE and FOREVER QUIT CLAIM unto:

Granite Companies, LLC, an Idaho limited liability company

GRANTEE(S) whose address is: **23 Warm Lake Hwy, Cascade, ID 83611-5101**

The following described real property situated in Canyon County, State of Idaho, more particularly described as follows, to wit:

See Attached legal description herein, which by this reference becomes a part hereof.

TO HAVE AND TO HOLD said premises, unto said grantees, heirs and assigns forever.

Effective this 27th day of August, 2025.

AGENCY ACKNOWLEDGMENT

Date:

Applicant: Connor Lindstrom, KM Engineering, LLP

Parcel Number: R2989201000 & R29892010A0

Site Address: 7044 Rim Rd, Nampa, ID 83686

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

The purpose of this form is to facilitate communication between applicants and agencies so that relevant requirements, application processes, and other feedback can be provided to applicants early in the planning process. Record of communication with an agency regarding the project can be submitted instead of a signature. After the application is submitted, impacted agencies will be sent a hearing notification by DSD staff and will have the opportunity to submit comments.

Southwest District Health:

☒ Applicant submitted/met for informal review.

Date: 05/14/2024 Signed: Anthony Lee

Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District: District:

☐ Applicant submitted/met for informal review.

Date: Signed: Upper Deer Flat Fire District

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District: District: Nampa Highway District No. 1

☐ Applicant submitted/met for informal review.

Date: Signed:

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District: District: NOT WITHIN AN IRRIGATION DISTRICT

☐ Applicant submitted/met for informal review.

Date: Signed:

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact City: NOT WITHIN AN AREA OF CITY IMPACT

☐ Applicant submitted/met for informal review.

Date: Signed:

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED

AGENCY ACKNOWLEDGMENT

Date: 9/24/25

Applicant: Connor Lindstrom, KM Engineering, LLP

Parcel Number: R2989201000

Site Address: 7044 Rim Rd, Nampa, ID 83686

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

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Date: _____ Signed: _____

Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District: District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District: District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District: District: Boise-Kuna Irrigation District

☒ Applicant submitted/met for informal review.

Date: 9-24-2025 Signed: Alicia Flavel, Secretary-Treasurer

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

This property is on High Ground and it does not have an irrigation water right.

Area of City Impact City: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

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Exhibit B.6

AGENCY ACKNOWLEDGMENT

Date:

Applicant: Connor Lindstrom, KM Engineering, LLP

Parcel Number: R2989201000 & R29892010A0

Site Address: 7044 Rim Rd, Nampa, ID 83686

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Southwest District Health:

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District: District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: Upper Deer Flat Fire District

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District: District: Nampa Highway District No. 1

☒ Applicant submitted/met for informal review.

Date: 5-8-25 Signed: _____

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District: District: NOT WITHIN AN IRRIGATION DISTRICT

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact City: NOT WITHIN AN AREA OF CITY IMPACT

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized AOCI Representative
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AGENCY ACKNOWLEDGMENT

Date:

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Date: _____ Signed: _____

Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District: District: Upper Deer Flat Fire District

☑ Applicant submitted/met for informal review.

Date: 6/16/2025 Signed: Ron Johnson

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District: District: Nampa Highway District No. 1

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District: District: NOT WITHIN AN IRRIGATION DISTRICT

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Irrigation Representative
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Area of City Impact City: NOT WITHIN AN AREA OF CITY IMPACT

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

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Exhibit B.6

Dan Lister

From: Connor Lindstrom [redacted]
Sent: Friday, October 3, 2025 8:21 AM
To: Dan Lister
Subject: Re: [External] Re: Case No. OR2025-0023

Sounds good Dan,

I appreciate your insight. After discussing with Granite, they would like to move forward with the comp plan amendment application as submitted, and they understand there will be a recommendation of denial from Staff.

Thanks for your help and let me know if you need anything else.

Best,

Connor Lindstrom, CFM

Senior Land Planner

KM ENGINEERING
5725 North Discovery Way | Boise, ID 83713

[redacted]

From: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Sent: Thursday, October 2, 2025 1:14 PM
To: Connor Lindstrom [redacted]
Subject: RE: [External] Re: Case No. OR2025-0023

Connor,

The change would be more supportable. Staff recommendation of approval would depend entirely on the conditional rezone application and the conceptual site plan, which must demonstrate how the five-acre or greater lot sizes can preserve the area's character and support agricultural uses on each lot, thereby promoting hobby farming. If each lot can be farmed, it could qualify for an ag tax exemption.

Sincerely,

Dan Lister, Planning Supervisor
DSD Office: (208) 454-7458 - Direct Line: (208) 455-5959
Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD)
Public office hours
Monday, Tuesday, Thursday, and Friday
8 am – 5 pm
Wednesday

1 pm – 5 pm
**We will not be closed during lunch hour **

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: Connor Lindstrom [redacted]
Sent: Wednesday, October 1, 2025 11:38 AM
To: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Subject: [External] Re: Case No. OR2025-0023

Thank you, Dan. I will discuss with the Granite team. Would the County then provide a recommendation of approval for the conditional rezone to CR-R-R for 5 acre lots?

Connor Lindstrom, CFM

Senior Land Planner

KM ENGINEERING
5725 North Discovery Way | Boise, ID 83713
[redacted]

From: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Sent: Wednesday, October 1, 2025 11:18 AM
To: Connor Lindstrom [redacted]
Subject: Case No. OR2025-0023

Connor,

I've been assigned your case, OR2025-0023, for a comprehensive plan map amendment on parcel R29892010. After review of the property, DSD staff will not be able to recommend approval for the following reasons:

1. The property and area are not planned for residential growth. There has been no recent decision that promotes residential growth in the area. The area is planned for agricultural/intensive agricultural use. The planned area you are requesting would promote spot zoning in the middle of intensive agriculture.

- Alternative Option: Withdraw the application and apply for a conditional rezone to CR-R-R and restrict development to lot sizes existing in the area (5 acres or greater).

Before I proceed with processing these cases, here are your following options:

1. **Proceed as-is**: If you wish to proceed, DSD staff will send out a 30-day courtesy notice to affected agencies to get their comments. During the 30 days, staff will complete a site visit and work on the staff report. After the 30 days, the staff will find the next available hearing and schedule the cases with a recommendation for denial. The first hearing is before the P&Z Commission, which makes a recommendation to the final hearing body, the Board of County Commissioners.
    a. If a response is not received by October 15th, staff will proceed with the submitted application.
2. **Amend the application to match the alternative option:** Request to withdraw the application. Submit a conditional rezone application (attached).

Contact me if you have any questions.

Sincerely,

Dan Lister, Planning Supervisor
DSD Office: (208) 454-7458 - Direct Line: (208) 455-5959
Daniel.Lister@canyoncounty.id.gov

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7044 Rim Road

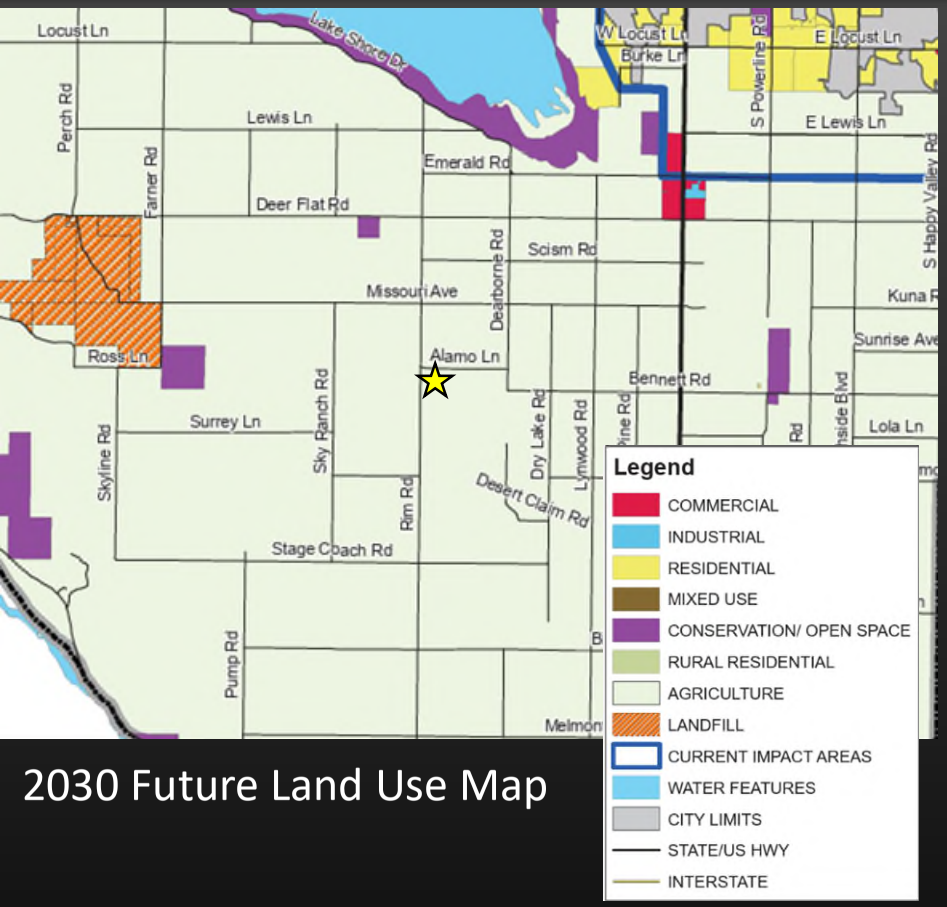
Comprehensive Plan Map Amendment

Canyon County P&Z Commission

Vicinity Map

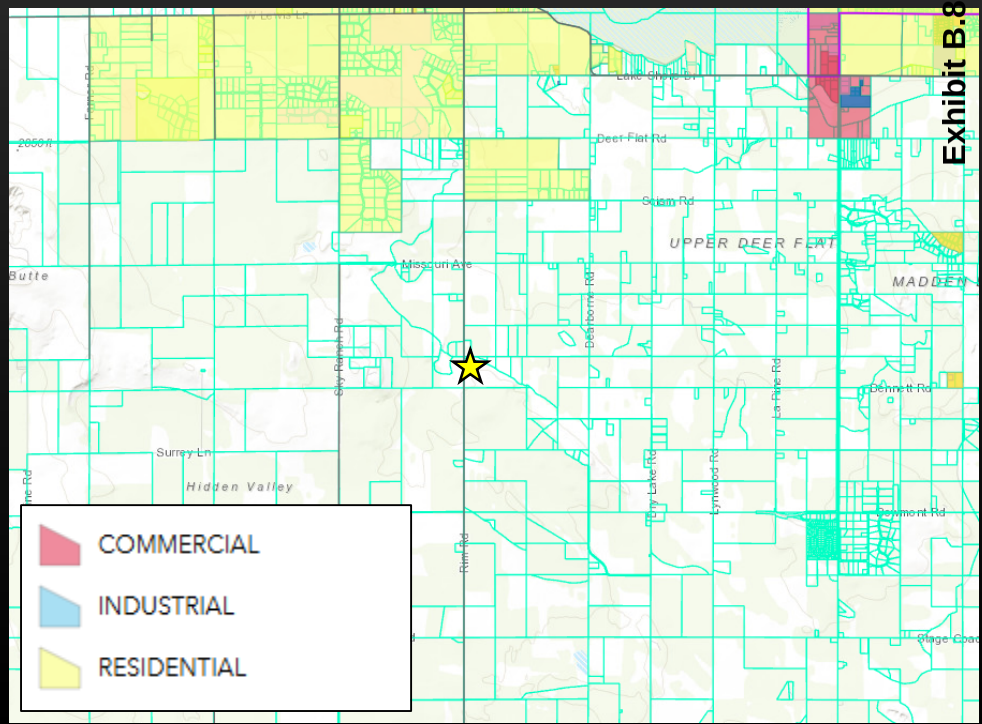


Future Land Use Maps

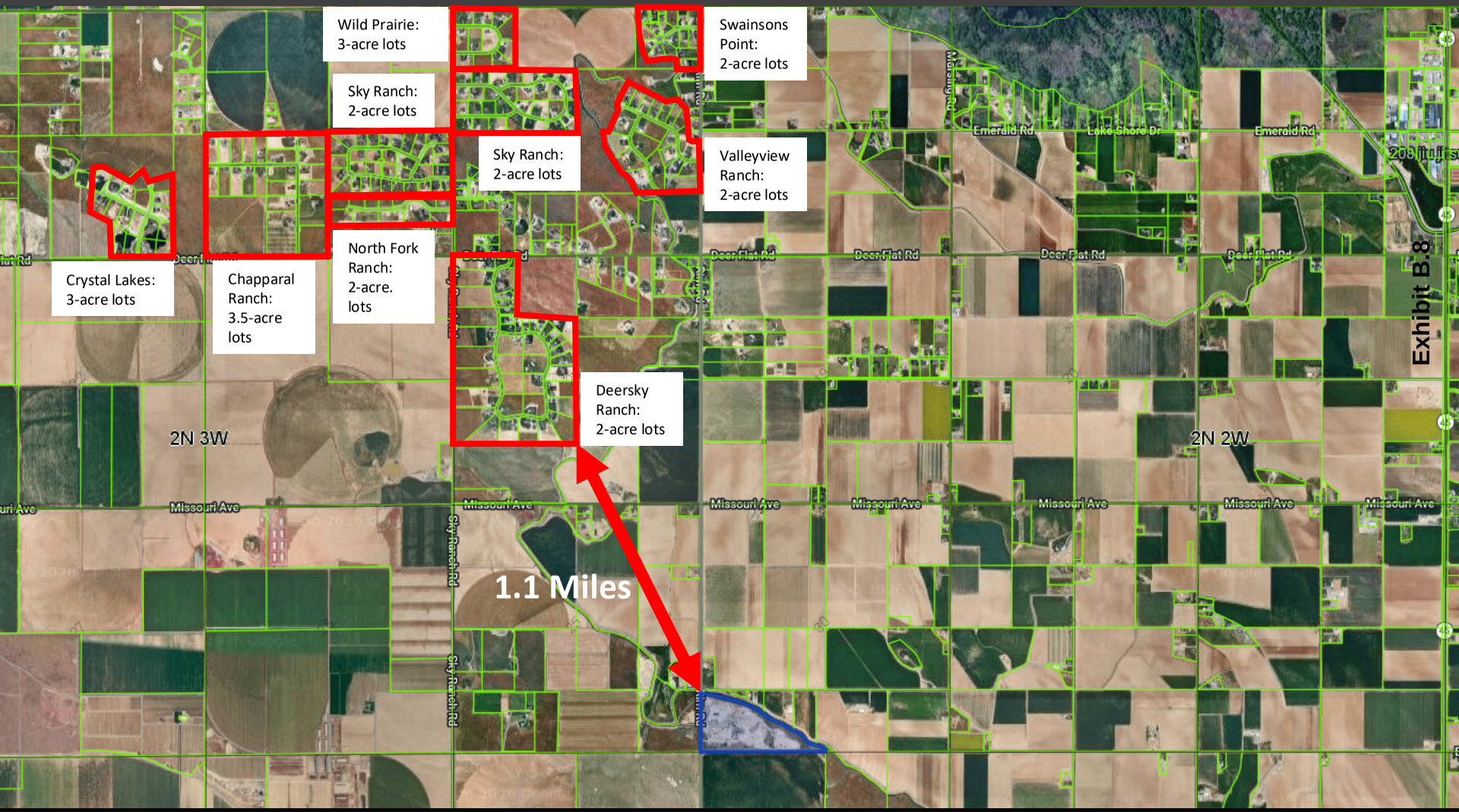


2030 Future Land Use Map

2020 Future Land Use Map



Nearby “Rural Residential” Subdivisions



Agricultural Viability



Map Unit Legend

Canyon Area, Idaho (ID665)

Canyon Area, Idaho (ID665)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BaE	Bahem silt loam, 12 to 30 percent slopes	8.0	16.8%
MnC	Minidoka-Scism silt loams, 3 to 7 percent slopes	26.9	56.7%
MnD	Minidoka-Scism silt loams, 7 to 12 percent slopes	12.5	26.5%
Totals for Area of Interest		**47.4**	**100.0%**

Exhibit B.8

BaE—Bahem silt loam, 12 to 30 percent slopes

Map Unit Setting

National map unit symbol: 2pzz
Elevation: 2,000 to 5,000 feet
Mean annual precipitation: 7 to 12 inches
Mean annual air temperature: 46 to 52 degrees F
Frost-free period: 110 to 170 days
Farmland classification: Not prime farmland

MnC—Minidoka-Scism silt loams, 3 to 7 percent slopes

Map Unit Setting

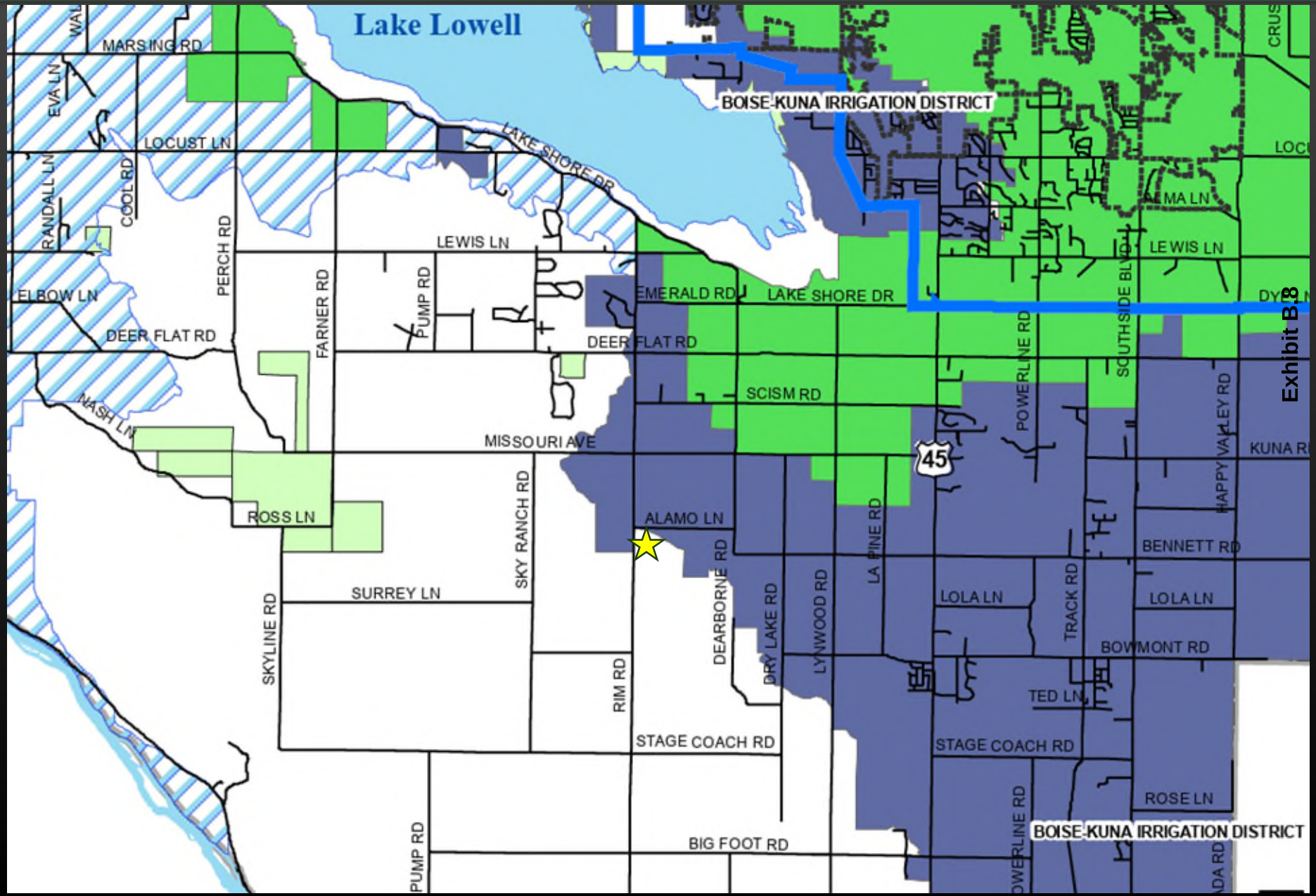
National map unit symbol: 2q2m
Elevation: 2,000 to 5,000 feet
Mean annual precipitation: 8 to 11 inches
Mean annual air temperature: 45 to 52 degrees F
Frost-free period: 100 to 160 days
Farmland classification: Farmland of statewide importance, if irrigated

MnD—Minidoka-Scism silt loams, 7 to 12 percent slopes

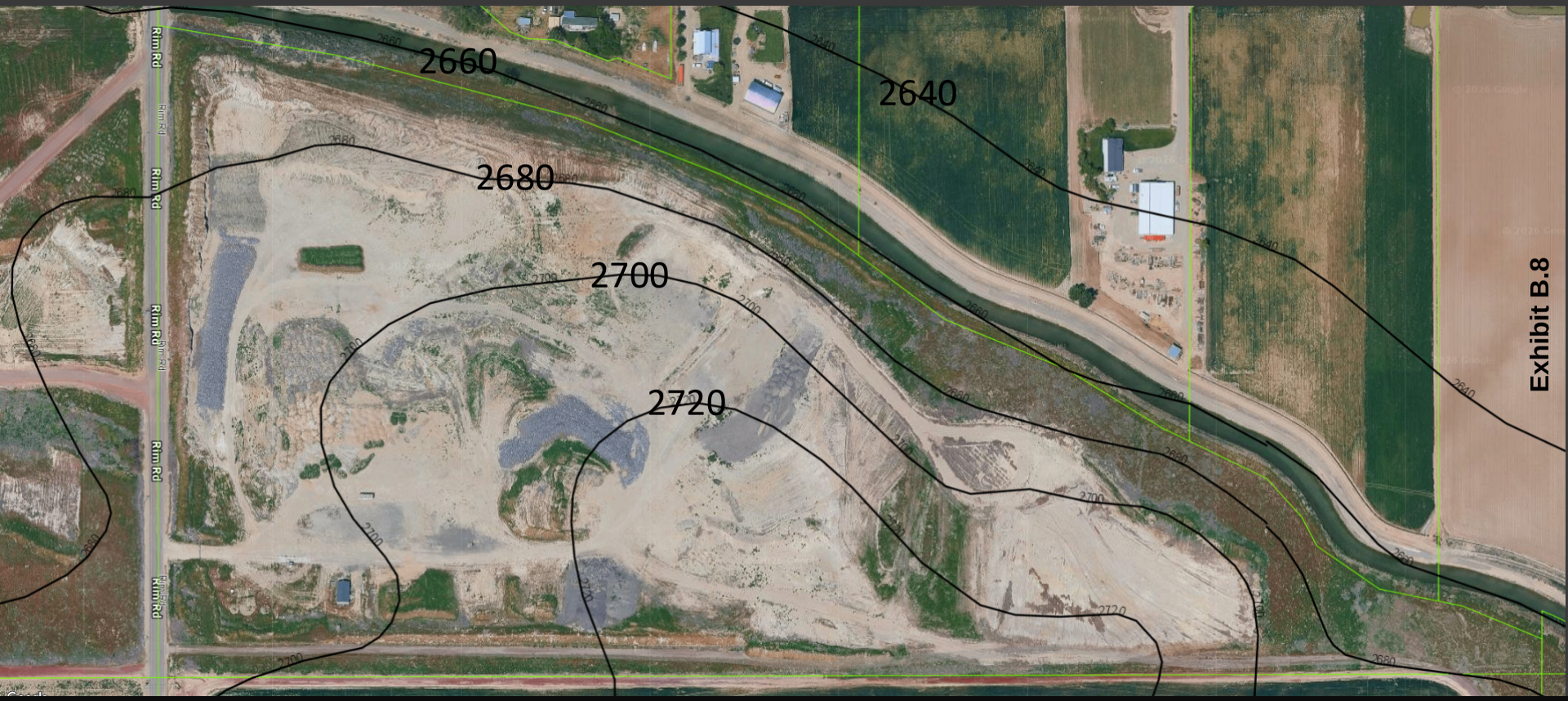
Map Unit Setting

National map unit symbol: 2q2n
Elevation: 2,000 to 5,000 feet
Mean annual precipitation: 8 to 11 inches
Mean annual air temperature: 45 to 52 degrees F
Frost-free period: 100 to 160 days
Farmland classification: Not prime farmland

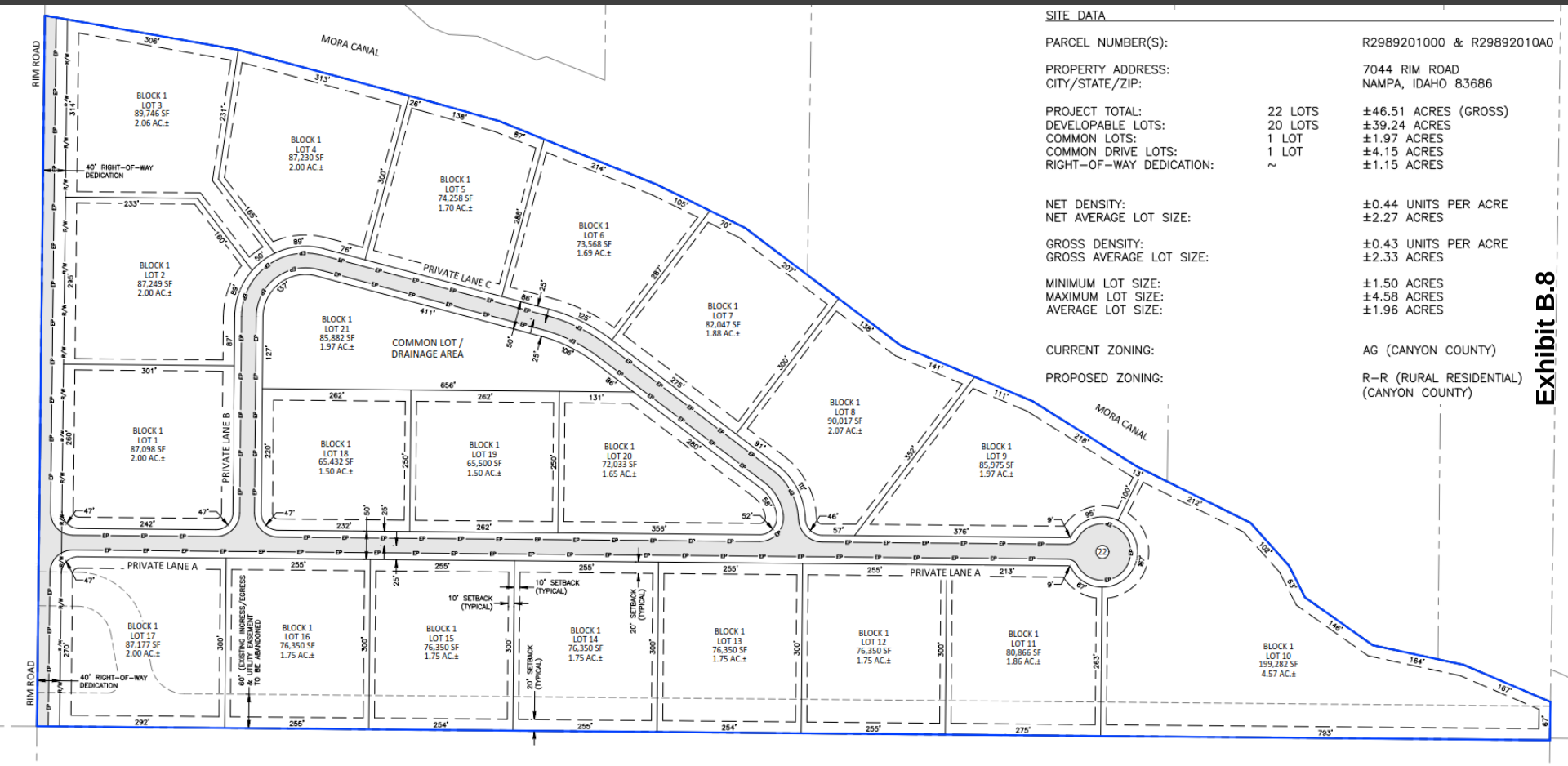
Irrigation Districts



Site Topography



Conceptual Lot Layout



Conclusion

- Rural Residential subdivisions with 2-acre average lot sizes nearby
- Inadequate soils
- Years of mineral extraction
- No irrigation water rights
- Topographic challenges
- 20 residential lots = Increased tax base

Exhibit B.8

Exhibit 3

EXHIBIT C

Supplemental Documents

Planning & Zoning Commission

Case# OR2025-0023

Hearing date: April 2, 2026 (Tabled to May 7, 2026)

CANYON COUNTY DEVELOPMENT SERVICES MAKES NO WARRANTY WITH RESPECT TO THE ACCURACY, COMPLETENESS, OR USEFULNESS OF THIS PARCEL INFORMATION TOOL.

R29892010 PARCEL INFORMATION REPORT

4/23/2026 4:14:30 PM

PARCEL NUMBER:	R29892010
OWNER NAME:	GRANITE COMPANIES LLC
CO-OWNER:	
MAILING ADDRESS:	23 WARM LAKE HWY CASCADE ID 83611
SITE ADDRESS:	7044 RIM RD
TAX CODE:	0160000
TWP:	2N **RNG:** 2W **SEC:** 30 **QUARTER:** SW
ACRES:	46.50
HOME OWNERS EXEMPTION:	No
AG-EXEMPT:	No
DRAIN DISTRICT:	NOT In Drain Dist
ZONING DESCRIPTION:	AG / AGRICULTURE
HIGHWAY DISTRICT:	NAMPA HWY DIST #1
FIRE DISTRICT:	UPPER DEER FLAT FIRE
SCHOOL DISTRICT:	NAMPA SCHOOL DIST #131
IMPACT AREA:	NOT In Impact Area
FUTURE LAND USE 2011-2022 :	AG
FLU Overlay Zone Desc 2030:	INTENSIVE AGRICULTURE OVERLAY
FLU RR Zone Desc 2030:	
FUTURE LAND USE 2030:	AGRICULTURE
IRRIGATION DISTRICT:	BOISE PROJECT BOARD OF CONTROL / BOISE KUNA IRRIGATION DISTRICT
FEMA FLOOD ZONE:	X **FLOODWAY:** NOT In FLOODWAY **FIRM PANEL:** 16027C0475F
WETLAND:	Freshwater Forested/Shrub Wetland
NITRATE PRIORITY:	ADA CANYON
FUNCTIONAL Classification:	PRINCIPAL ARTERIAL
INSTRUMENT NO. :	2025031146
SCENIC BYWAY:	NOT In Scenic Byway
LEGAL DESCRIPTION:	30-2N-2W SW TX 25379 IN GOVT LT 4 & SESW
PLATTED SUBDIVISION:	
SMALL CITY ZONING:	
SMALL CITY ZONING TYPE:	

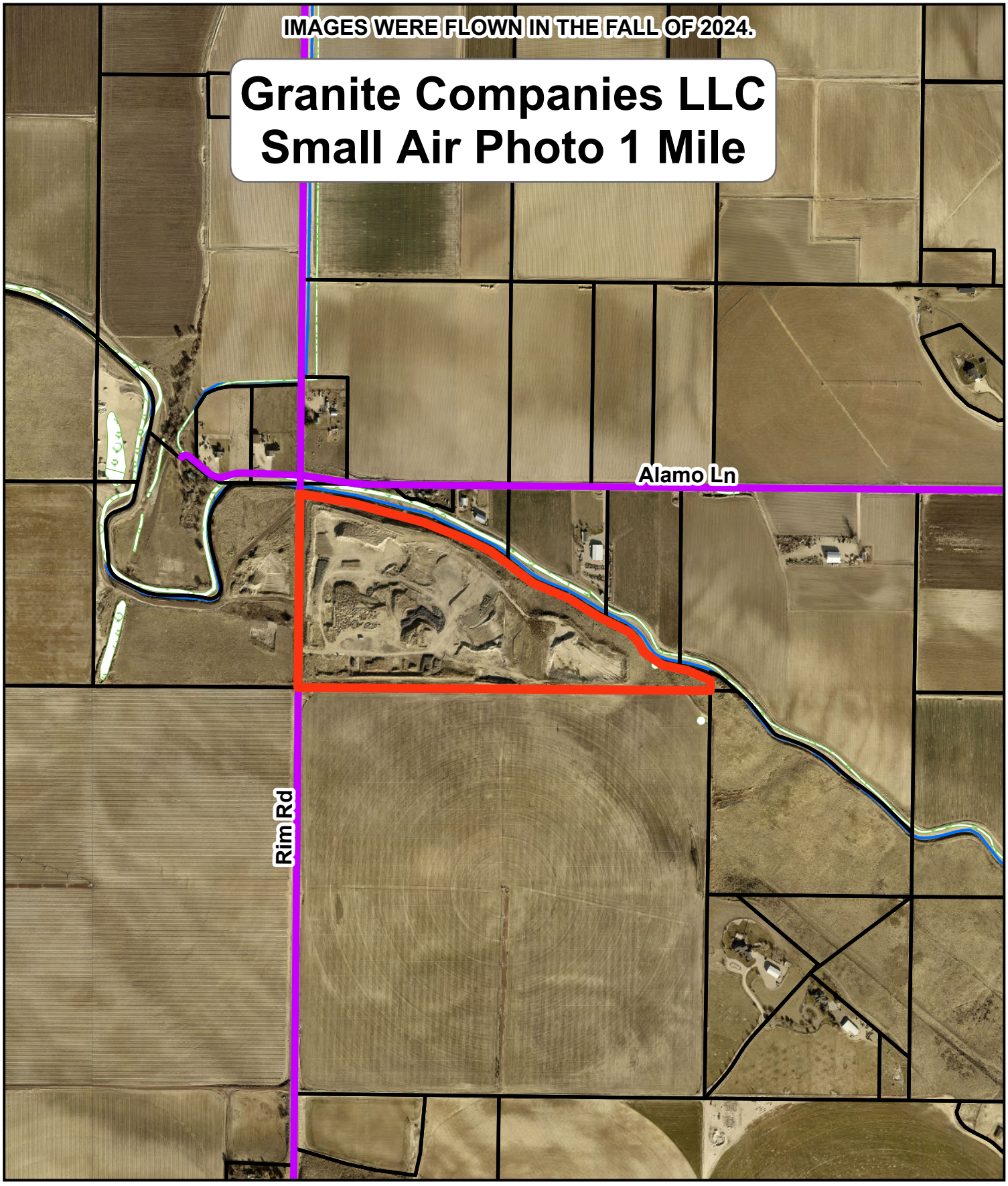
DISCLAIMER:

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 SHERRIFS 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.

IMAGES WERE FLOWN IN THE FALL OF 2024.

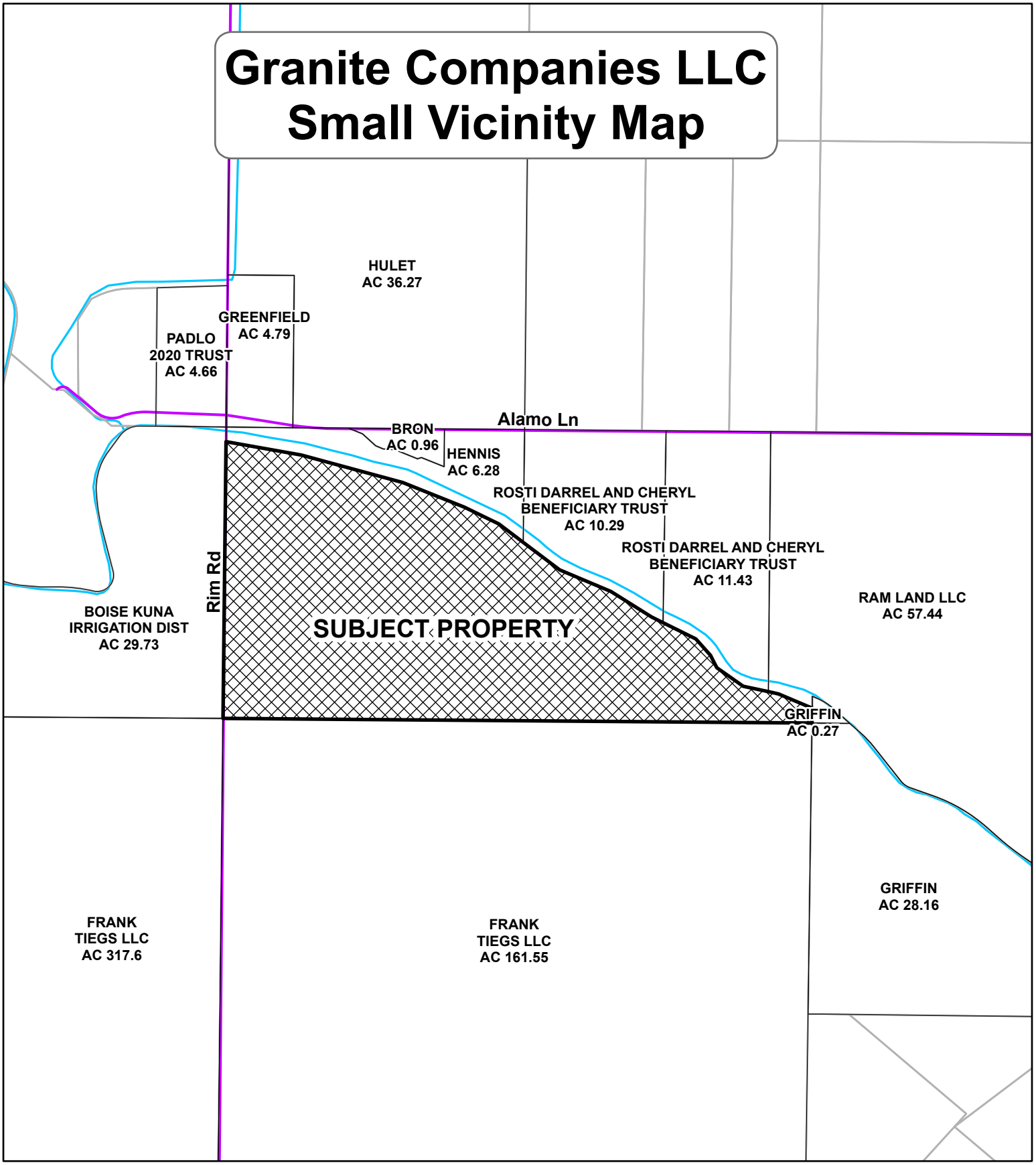
Granite Companies LLC
Small Air Photo 1 Mile

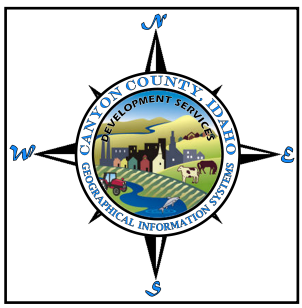


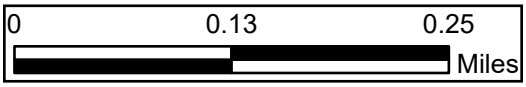
City_Limits
Wetlands

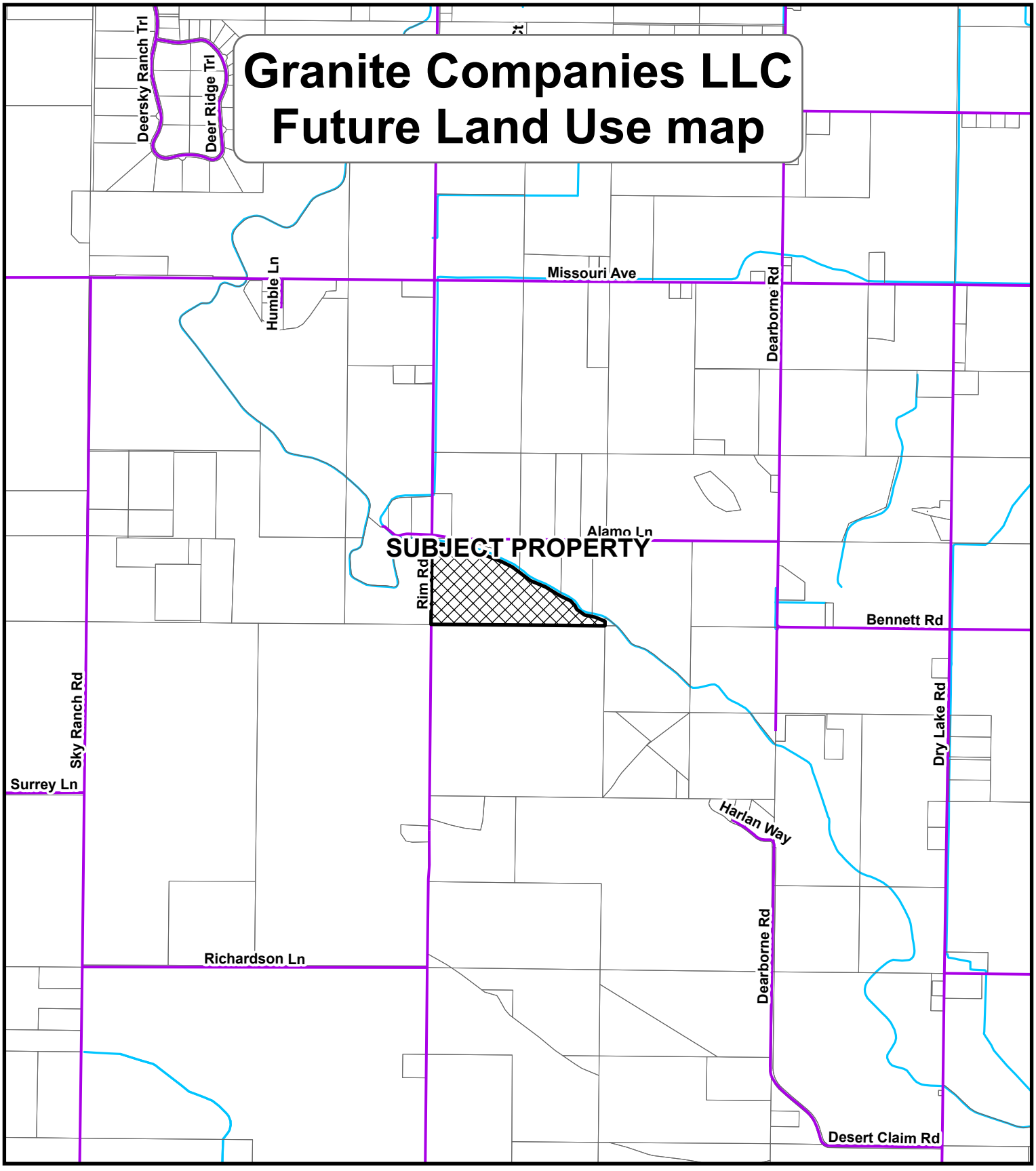
0 0.25 0.5 Miles

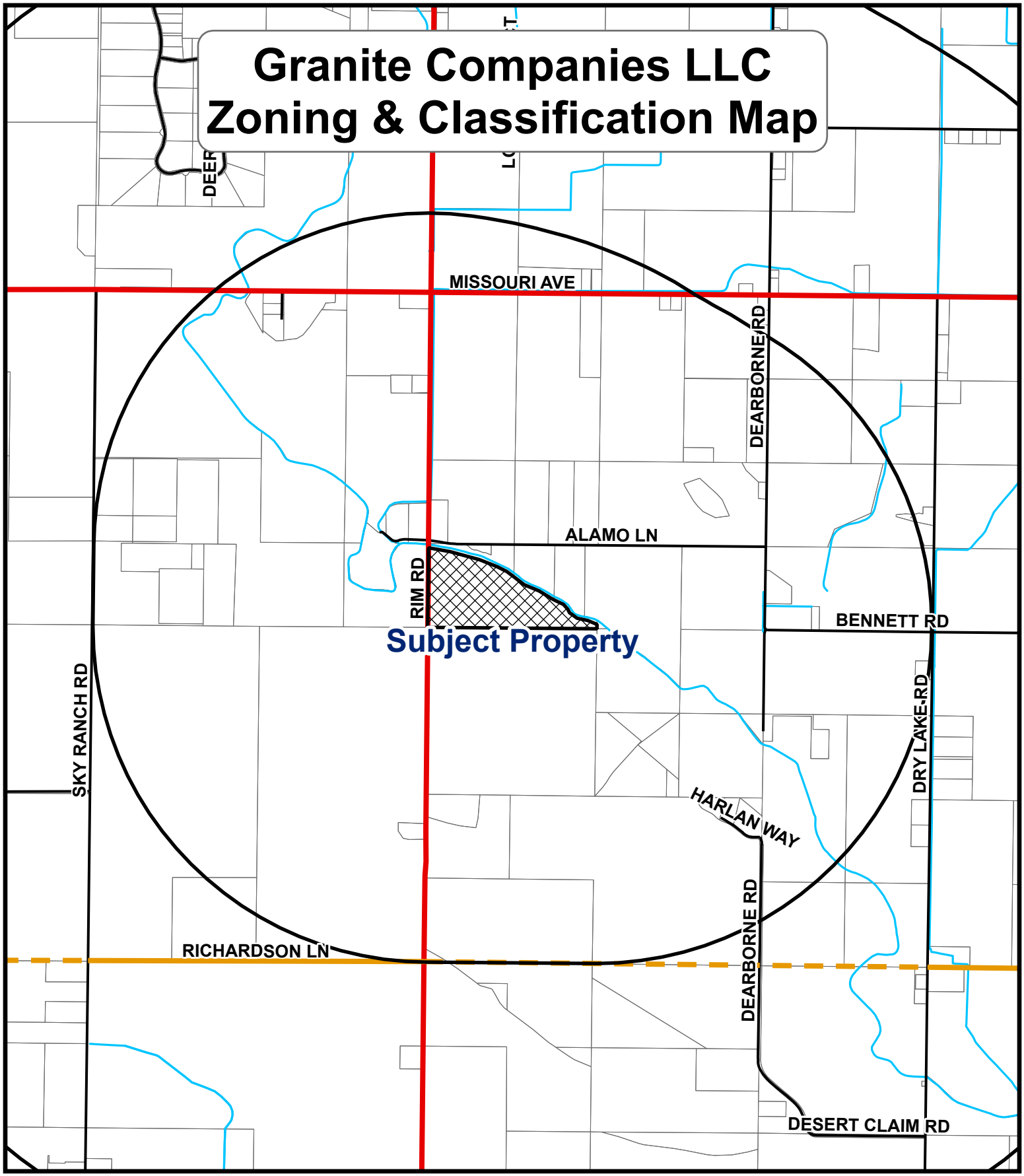
Granite Companies LLC
Small Vicinity Map

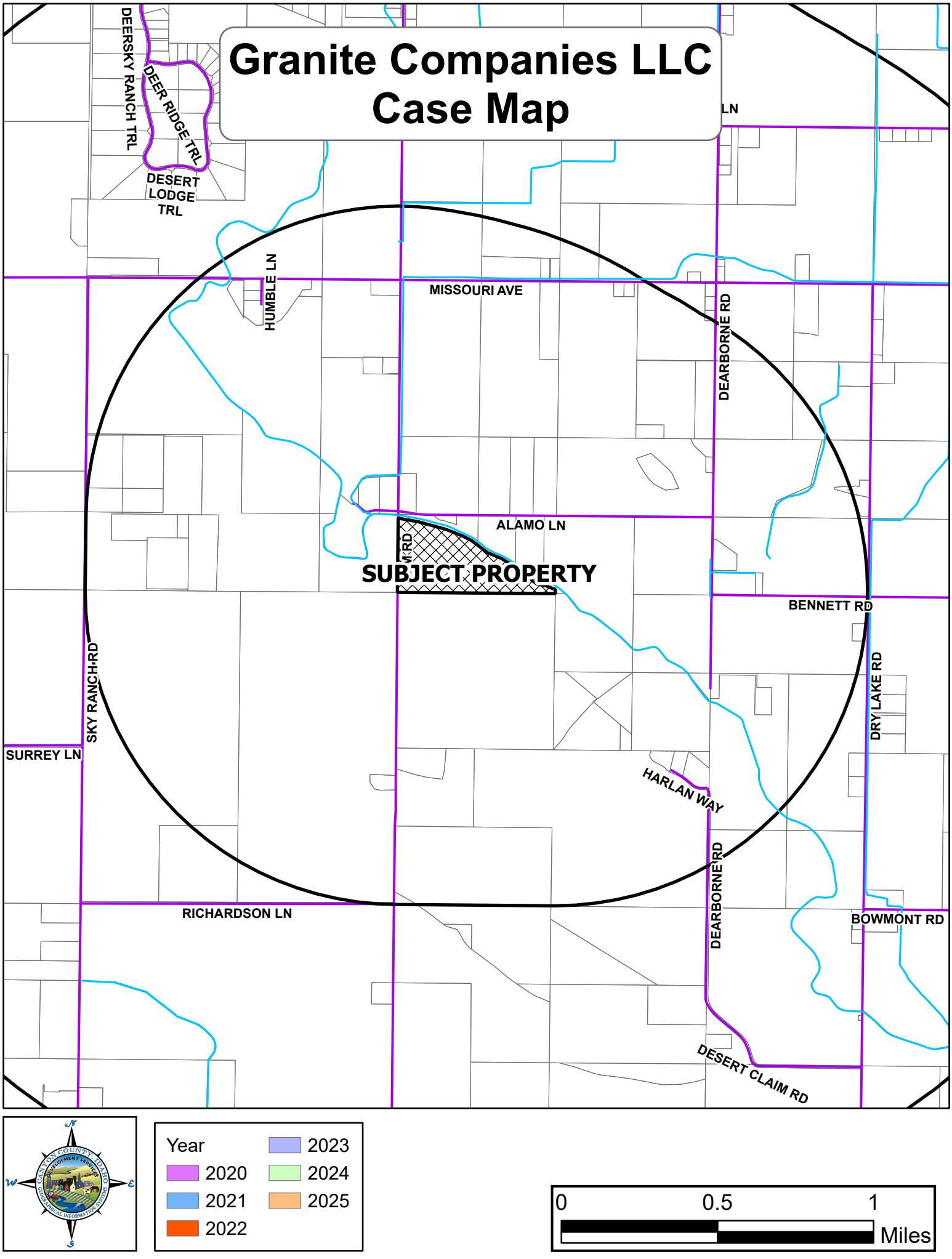


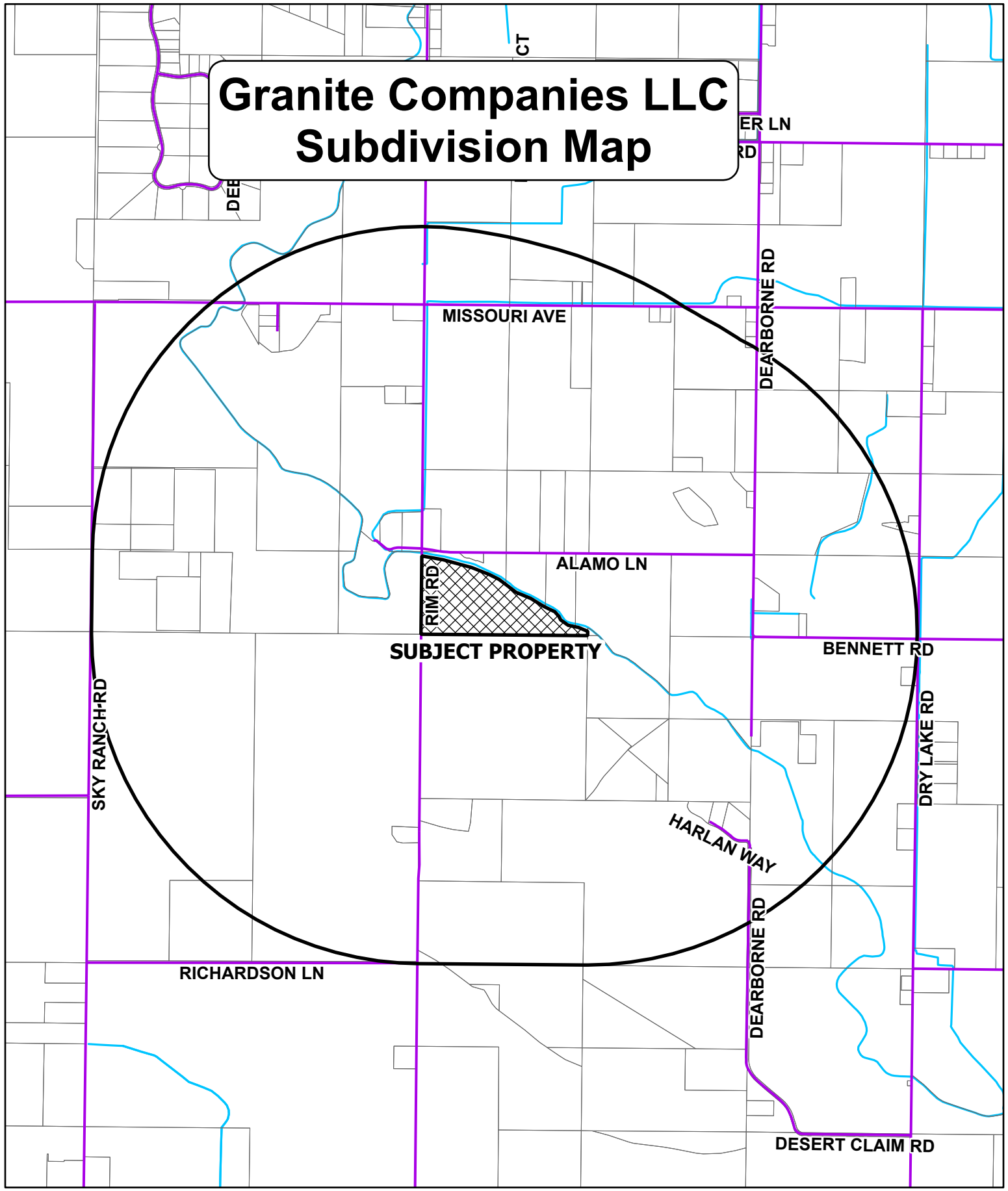





Granite Companies LLC
Future Land Use map
Deersky Ranch Trl
Deer Ridge Trl
Humble Ln
Missouri Ave
Dearborne Rd
SUBJECT PROPERTY
Alamo Ln
Rim Rd
Bennett Rd
Sky Ranch Rd
Surrey Ln
Dry Lake Rd
Harlan Way
Richardson Ln
Dearborne Rd
Desert Claim Rd
CANYON COUNTY, IDAHO
DEVELOPMENT SERVICES
GEOGRAPHICAL INFORMATION SYSTEMS
N
W
E
S
Future Land Use 2030
COMMERCIAL
INDUSTRIAL
RESIDENTIAL
RURAL RESIDENTIAL
0
0.5
1
Miles


Granite Companies LLC
Zoning & Classification Map
MISSOURI AVE
DEARBORNE RD
ALAMO LN
RIM RD
Subject Property
BENNETT RD
SKY RANCH RD
DRY LAKE RD
HARLAN WAY
DEARBORNE RD
RICHARDSON LN
DESERT CLAIM RD
CANYON COUNTY, IDAHO
DEVELOPMENT SERVICES
GEOGRAPHICAL INFORMATION SYSTEMS
N
W
E
S
RR
CR-RR
R1
CR-R1
R2
C
C1
CR-C1
C2
CR-C2
M1
CR-M1
M2
AG
INTERSTATE
OTHER FREEWAY/ EXPRESSWAY
PROPOSED OTHER FREEWAY/ EXPRESSWAY
PRINCIPAL ARTERIAL
PROPOSED PRINCIPAL ARTERIAL
MINOR ARTERIAL
PROPOSED MINOR ARTERIAL
COLLECTOR
PROPOSED COLLECTOR
0
0.25
0.5
Miles


Granite Companies LLC
Case Map
DEERSKY RANCH TRL
DEER RIDGE TRL
DESERT LODGE TRL
HUMBLE LN
MISSOURI AVE
DEARBORNE RD
ALAMO LN
SUBJECT PROPERTY
BENNETT RD
SKY RANCH RD
SURREY LN
DRY LAKE RD
HARLAN WAY
RICHARDSON LN
BOWMONT RD
DESERT CLAIM RD
Year
2020
2021
2022
2023
2024
2025
0
0.5
1
Miles


Granite Companies LLC
Subdivision Map
CT
ER LN
RD
DEE
MISSOURI AVE
DEARBORNE RD
ALAMO LN
RIM RD
SUBJECT PROPERTY
BENNETT RD
SKY RANCH RD
DRY LAKE RD
HARLAN WAY
RICHARDSON LN
DEARBORNE RD
DESERT CLAIM RD
SUBDIVISIONS
Plat Type,Plat Status
Preliminary,Approved
Preliminary,Pending
MOBILE HOME PARKS
0
0.25
0.5
Miles

SUBDIVISION & LOT REPORT

NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
0			

NUMBER OF SUBS IN PLATTING	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
0			

NUMBER OF LOTS NOTIFIED	AVERAGE	MEDIAN	MINIMUM	MAXIMUM
20	41.63	12.28	0.27	317.60

NUMBER OF MOBILE HOME PARKS	ACRES IN MHP	NUMBER OF SITES	AVG HOMES PER ACRE	MAXIMUM
0				

PLATTED SUBDIVISIONS

SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF…	Year

SUBDIVISIONS IN PLATTING

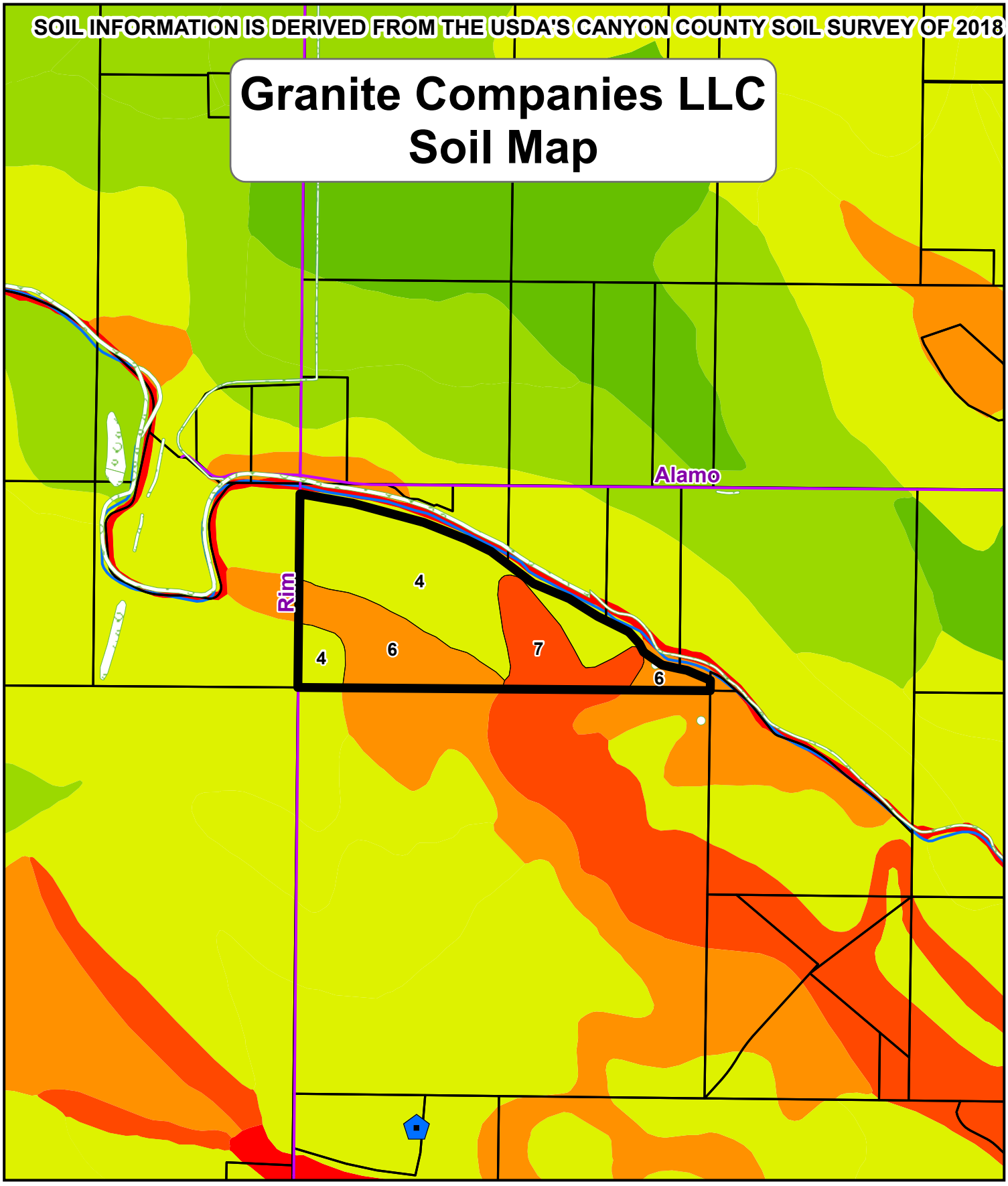
SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE

MOBILE HOME & RV PARKS

SUBDIVISION NAME	SITE ADDRESS	ACRES	NO. OF SPACES	UNITS PER ACRE	CITY OF…

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

Granite Companies LLC Soil Map



Nitrate Priority Wells

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

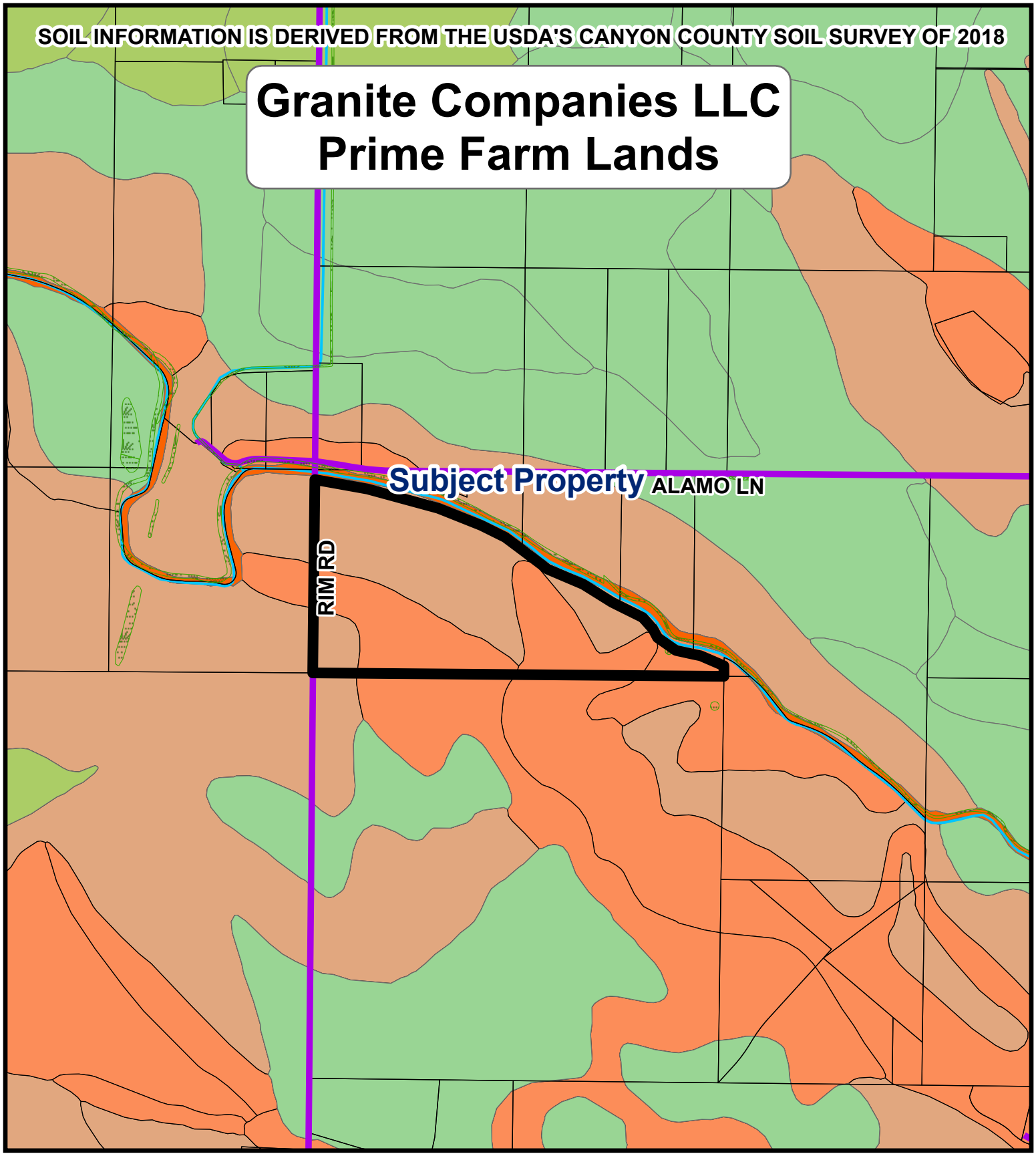
IDWR_2C_Geothermal_

Wetlands

0 0.25 0.5 Miles

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

Granite Companies LLC
Prime Farm Lands



TAXLOTS
City_Limits
WETLANDS
2C_Hydro

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

0 0.125 0.25 Miles

SOIL REPORT

SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
6	LEAST SUITED SOIL	73897.60	1.70	3.65%
4	MODERATELY SUITED SOIL	1029053.67	23.62	50.81%
4	MODERATELY SUITED SOIL	112462.12	2.58	5.55%
7	LEAST SUITED SOIL	342751.55	7.87	16.92%
6	LEAST SUITED SOIL	467267.76	10.73	23.07%
		2025432.70	46.50	100%

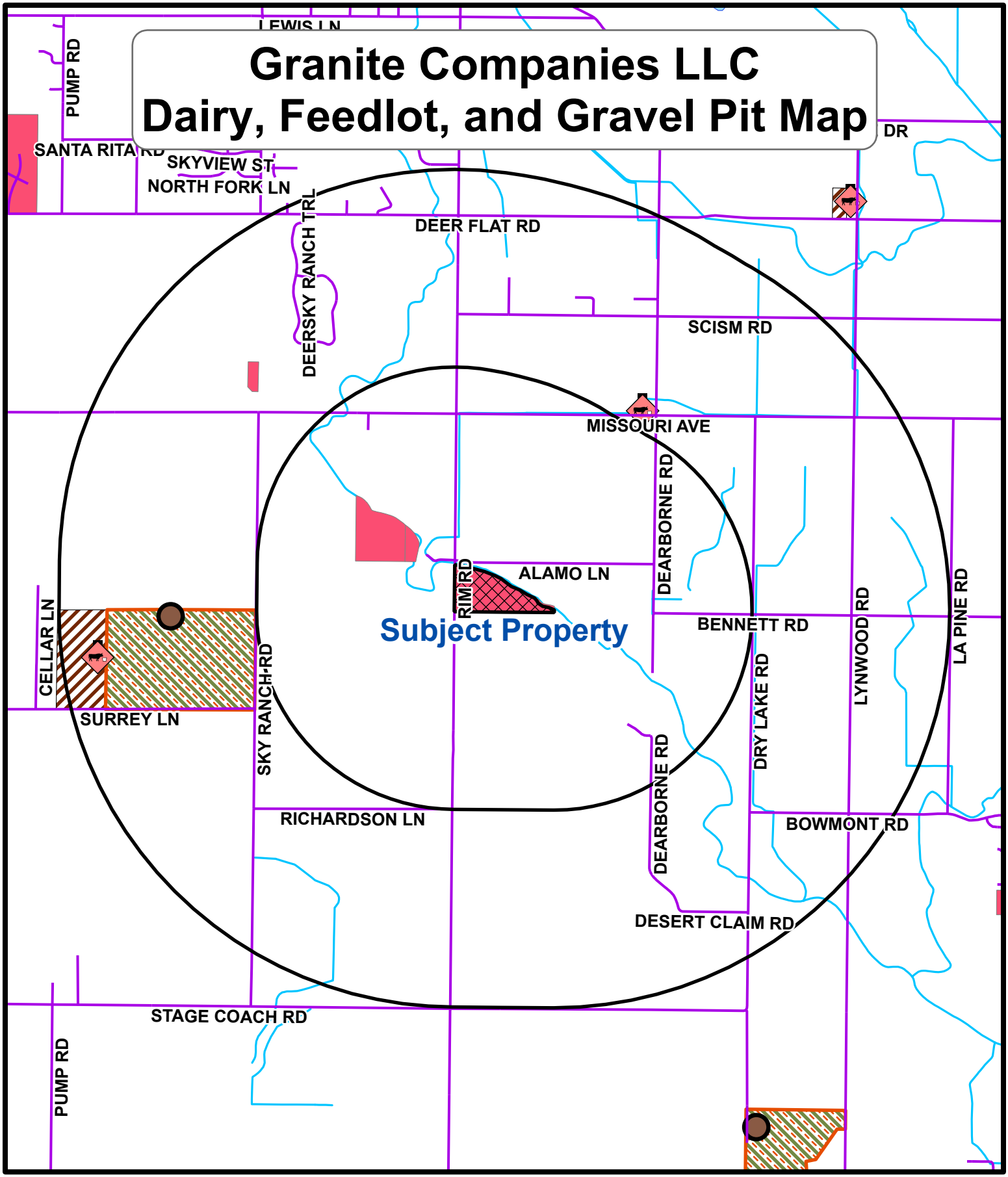
FARMLAND REPORT

SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
MnD	Not prime farmland	73897.60	1.70	3.65%
MnC	Farmland of statewide importance, if irrigated	1029053.67	23.62	50.81%
MnC	Farmland of statewide importance, if irrigated	112462.12	2.58	5.55%
BaE	Not prime farmland	342751.55	7.87	16.92%
MnD	Not prime farmland	467267.76	10.73	23.07%
		2025432.70	46.50	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

Granite Companies LLC
Dairy, Feedlot, and Gravel Pit Map



FEEDLOTS

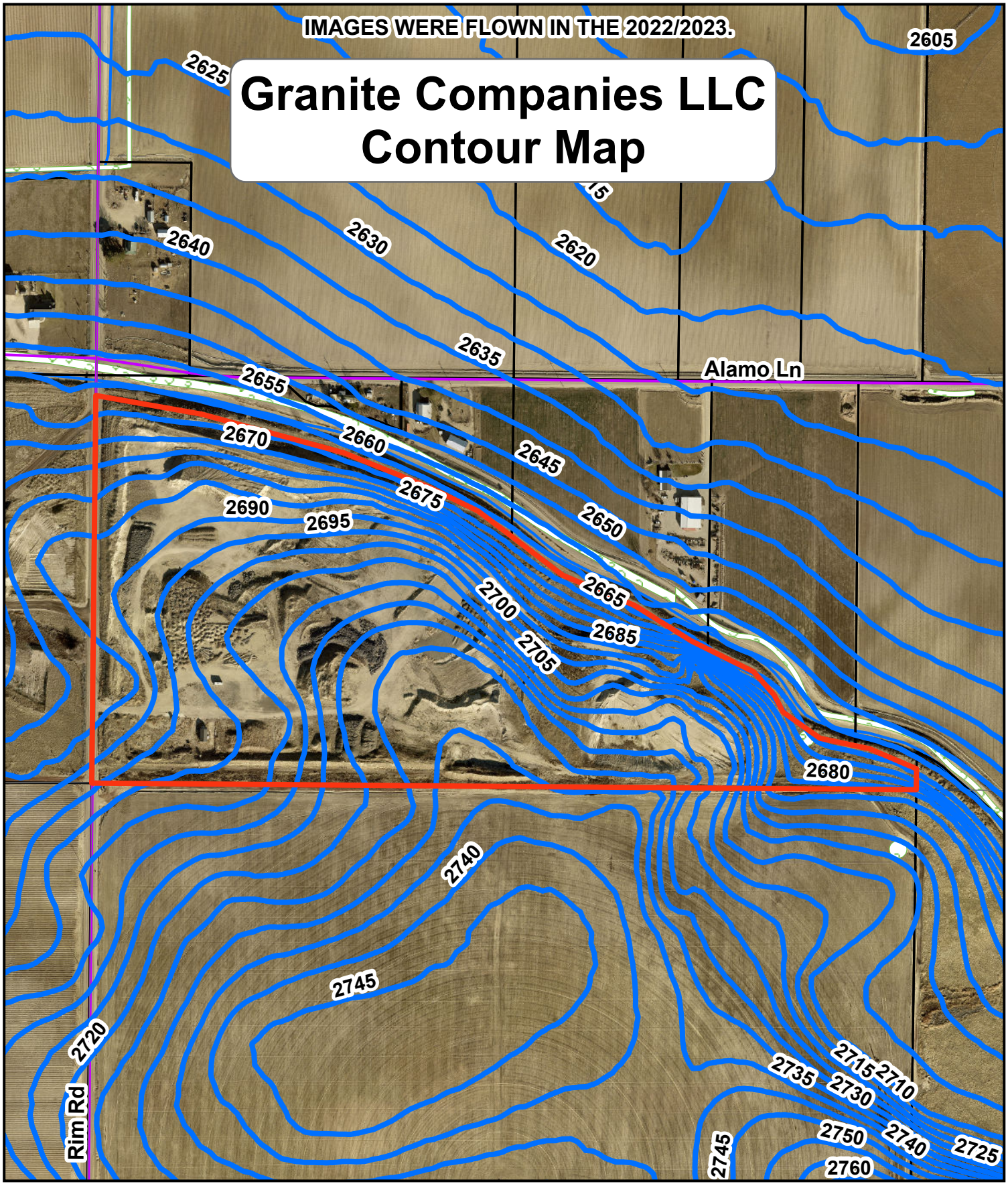
DAIRIES

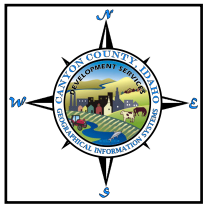
GRAVELPITS

0 0.75 1.5 Miles

IMAGES WERE FLOWN IN THE 2022/2023.

Granite Companies LLC Contour Map





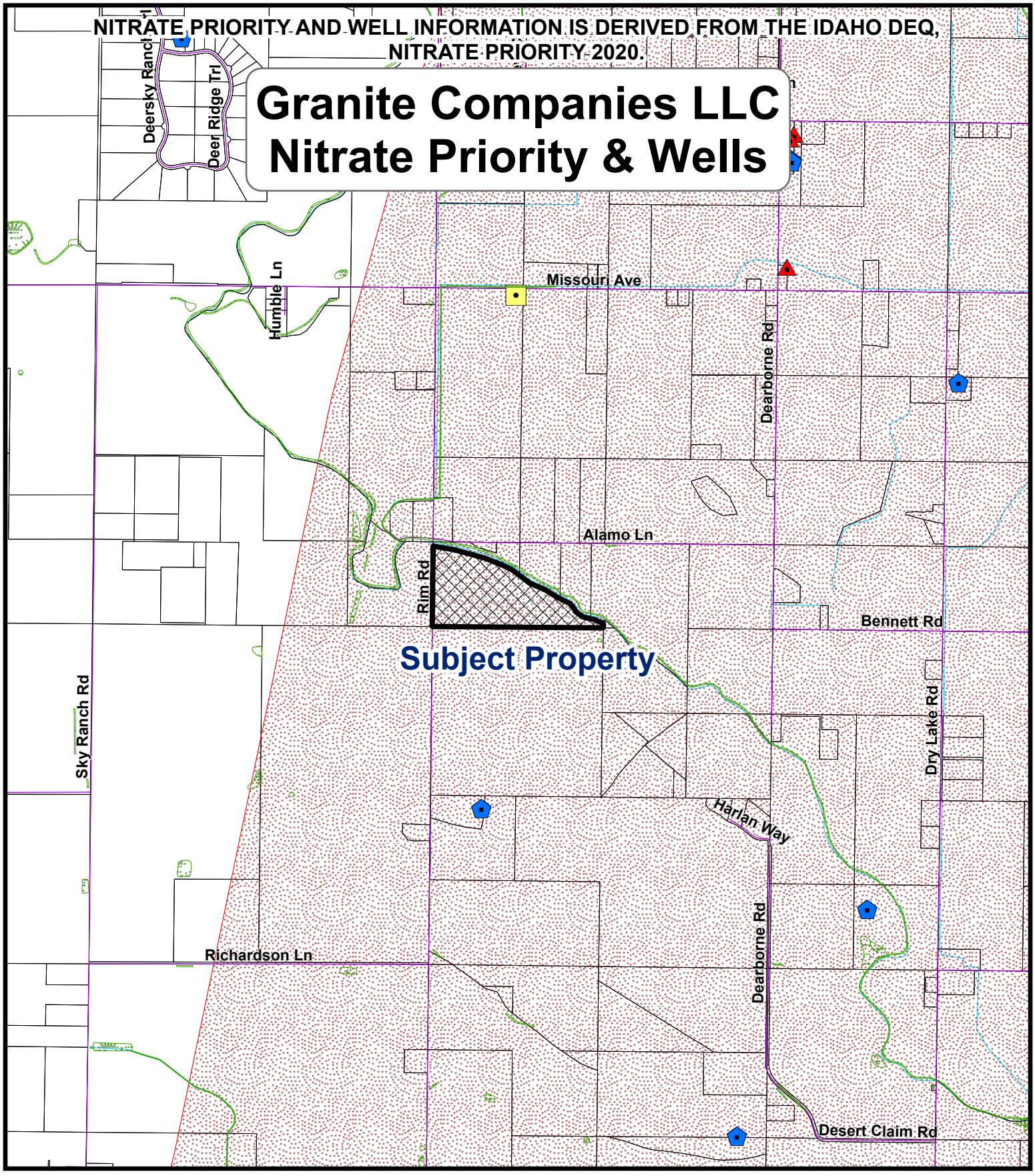
Legend

- SUBJECT_PROPERTY
- TaxParcels
- SectionContours
- Wetlands

0 200 400 600 Feet

NITRATE PRIORITY AND WELL INFORMATION IS DERIVED FROM THE IDAHO DEQ, NITRATE PRIORITY 2020.

Granite Companies LLC
Nitrate Priority & Wells



CANYON COUNTY, IDAHO
DEVELOPMENT SERVICES
GEOGRAPHICAL INFORMATION SYSTEMS

GEO-THERMAL LOCATIONS

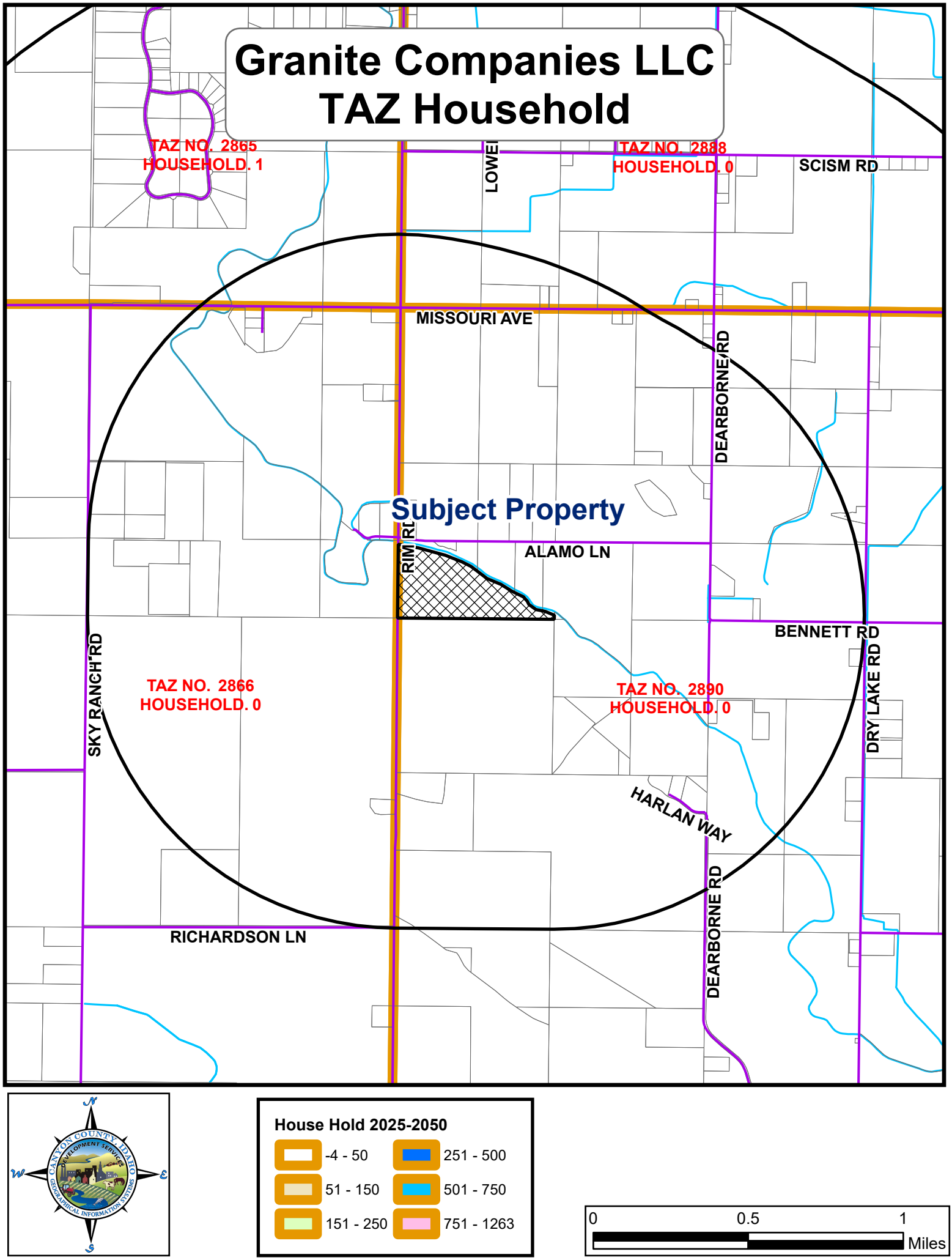
WETLANDS

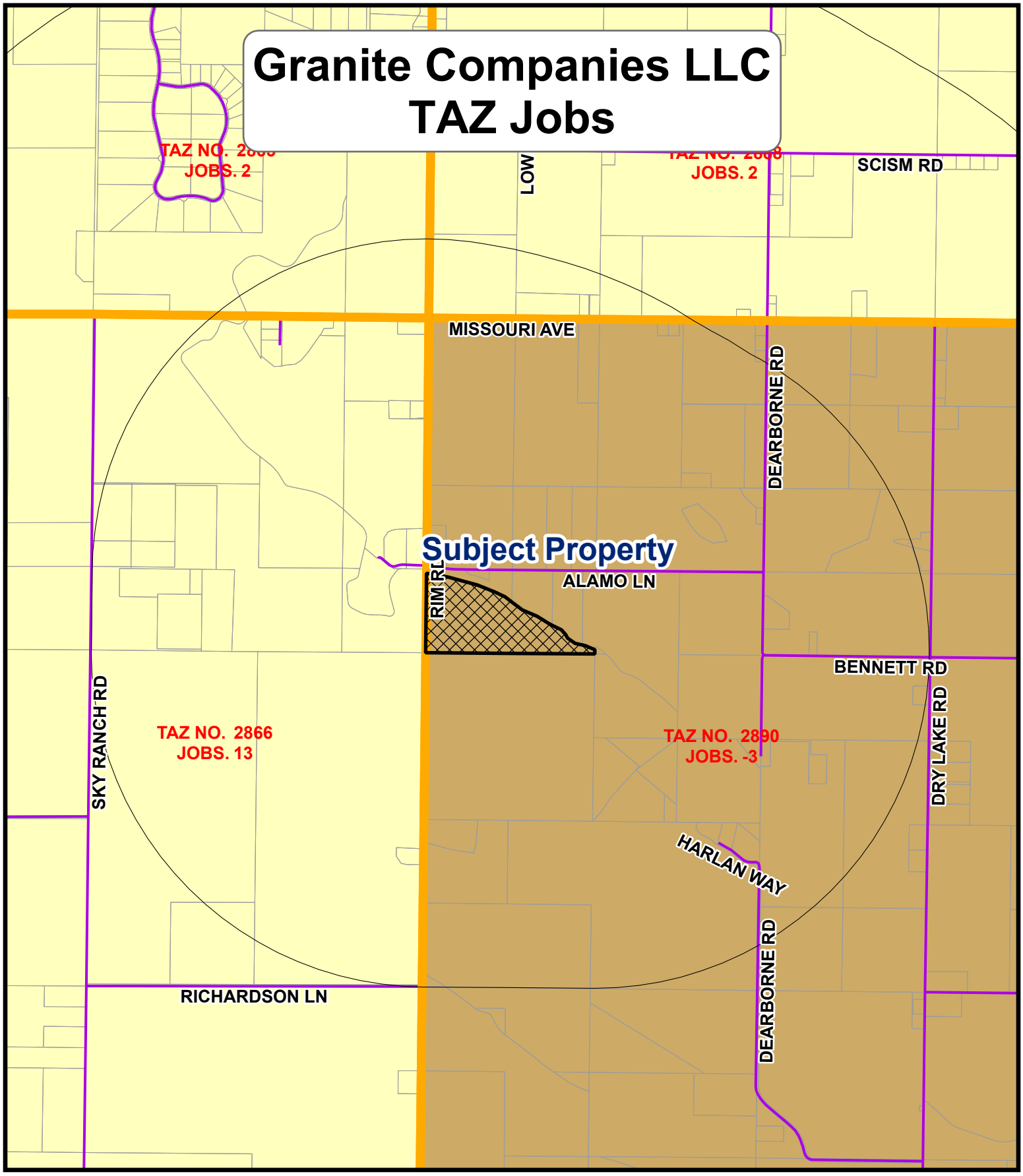
NITRATE_PRIORITY

DEQ WELLS
N03_MGL

- 0.005 - 2.00
- 2.000001 - 5.00
- 5.0000001 - 10.00
- 10.000001 - 49.80

0 0.5 1 Miles


Granite Companies LLC
TAZ Household
TAZ NO. 2865
HOUSEHOLD. 1
TAZ NO. 2888
HOUSEHOLD. 0
SCISM RD
LOWE
MISSOURI AVE
DEARBORNE RD
Subject Property
RIM RD
ALAMO LN
BENNETT RD
SKY RANCH RD
TAZ NO. 2866
HOUSEHOLD. 0
TAZ NO. 2890
HOUSEHOLD. 0
DRY LAKE RD
HARLAN WAY
DEARBORNE RD
RICHARDSON LN
N
W
E
S
CANYON COUNTY, IDAHO
DEVELOPMENT SERVICES
GEOGRAPHICAL INFORMATION SYSTEMS
House Hold 2025-2050
-4 - 50
51 - 150
151 - 250
251 - 500
501 - 750
751 - 1263
0
0.5
1
Miles


Granite Companies LLC
TAZ Jobs
TAZ NO. 2865
JOBS. 2
LOW
TAZ NO. 2868
JOBS. 2
SCISM RD
MISSOURI AVE
DEARBORNE RD
Subject Property
ALAMO LN
RIM RL
BENNETT RD
SKY RANCH RD
TAZ NO. 2866
JOBS. 13
TAZ NO. 2890
JOBS. -3
DRY LAKE RD
HARLAN WAY
DEARBORNE RD
RICHARDSON LN
N
W
E
S
CANYON COUNTY, IDAHO
DEVELOPMENT SERVICES
GEOGRAPHICAL INFORMATION SYSTEMS
Jobs 2025-2050
-1
0 - 100
101 - 250
251 - 500
501 - 1000
1001 - 2148
0
0.5
1
Miles

BEFORE THE CANYON COUNTY PLANNING AND ZONING COMMISSION

FINDINGS OF FACT, CONCLUSION'S OF LAW AND ORDER

IN THE MATTER OF AN APPLICATION BY:)
)
MARK TRACY) **CASE # 011948L30-2N-2W**
)
AMENDEMENT OF C.U.P.)

I. APPLICATION PROCESS (CCC0 07-06-03)

1.1 LEGAL

A request by Mark Tracy to amend condition No. 4 of a **Conditional Use Permit**, case no. #974748L30-2N-2W which was granted on June 18, 1998. Condition No.4 limited the operation life of the gravel pit to 10 years, and the applicant is requesting that it be extended to 30 years. The existing pit is located at 7044 Rim Road, Nampa, and is further described as being in a portion of the Southwest Quarter of Section 30, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

1.2 NOTIFICATION

On November 6, 2001 the Development Services Department accepted the application and created file no. 011948L30-2N-2W. On May 16, 2002, staff notified other agencies of this application and solicited their comments. On May 16, 2002 persons owning property within one mile of the site were notified of the hearing by mail. On May 20, 2002, notice of the hearing was published in the Idaho Press Tribune. Notice of the public hearing was posted on the subject property on or before May 30, 2002.

II. PUBLIC HEARING

The Canyon County Planning and Zoning Commission heard this case on June 6, 2002.

The Planner for the Development Services Department, David Forster, reviewed the Staff Report for the record.

2.1 WITNESSES SIGNED UP IN FAVOR: Mark Tracy.

2.2 WITNESSES TESTIFYING IN FAVOR: Mark Tracy.

2.3 NO NEUTRAL TESTIMONY.

2.4 NO WITNESSES SIGNED UP IN OPPOSITION.

2.5 NO WITNESSES TESTIFYING IN OPPOSITION.

Commissioner Atkeson **moved**, seconded by Commissioner Scanlon to close public testimony. The motion **carried** unanimously.

III. FINDINGS OF FACT (CCC0 07-06-05(3))

3.1 Whether the request is permitted by a Conditional Use Permit.

Commissioner Atkeson cited the following:

Yes, 07-12-07 (3)(H) also noted 7-12-09 (C)

3.2 Reasons for the application.

Commissioner Atkeson cited the letter from Tracy Management dated August 2, 2001.

3.3 Whether the proposed use is harmonious with and in accordance with the Comprehensive Plan.

Commissioner Atkeson cited the following:

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

B. This request is harmonious and in accordance with the following Comprehensive Plan provisions.

Commissioner Atkeson cited the following:

Natural Resource Policy 1:

> To tailor the comprehensive plan and its implementation tools in ways to specifically conserve and protect the natural resources of Canyon County. This policy recognizes the importance of our geology, hydrology, soils, climate, vegetation, and wildlife as primary natural resources of the county and establishes the comprehensive plan as a development guide in conserving and protecting these resources. Residents of the county value the beauty of their surroundings; the farmland, the canyons, rivers, streams, clean air, and seek to plan for the future with this in mind.

Natural Resource Policy 2:

To tailor the comprehensive plan and take actions that apply the county's ordinances, resolutions, land subdivision procedures, and other implementation tools in ways that protect and conserve the water and water resource related lands of the county in harmony with land uses, growth patterns and development proposals. This policy recognizes the extreme value of water resources in the county which are used for drinking, irrigation, power, recreation, residential, industrial, and other purposes. This policy also recognizes that the long term availability of water resources and the pressures attendant to growth must be in harmony. Water and water related resources include such concerns as watershed protection, water quality protection, shoreline protection and irrigation system integrity. The county may initiate studies to develop a comprehensive understanding of the potentials and deficiencies of surface and underground water supplies in Canyon County.

Natural Resource Policy 3:

To help support the management policies of Lake Lowell, the Deer Flat National Wildlife Refuge and the Fort Boise Wildlife Management Area within their respective area boundaries which seek to create water and water-related environments in the heart and westerly edges of Canyon County. This policy recognizes the worth of these locations to all citizens of Canyon County, and as a result, subscribes to careful planning in surrounding areas to conserve the wildlife management intent of the areas involved. This policy ties in with other policies of the comprehensive plan which address land use patterns in refuge areas.

Natural Resource Policy 4:

To recognize that Canyon County has many unique resources that exemplify the vitality of the county's residents, the desirability of the county as a place to live and the importance of maintaining these resources into the future. Open spaces, clean air and water, trees and vegetation, wildlife, especially game birds, and a peaceful country setting are abundantly apparent in Canyon County. Rich resources that come from the land are also plentiful. These range from basic agriculture to industry, from unique areas such as where fruit growing is paramount to gravel extraction and a variety of other activities. The Plan seeks to protect, conserve, and make available these assets.

Chairman Ed Falkenstien cited the following:

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:

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.

Economic Policy 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.

Economic Policy 2:

To encourage economic policies that seek to lower the Canyon County unemployment rates below the unemployment rate of the State of Idaho. This policy recognizes that the Canyon County unemployment rate has exceeded the state rate for the last several years and that this represents a challenge in the county to overcome this deficiency.

Economic Policy 3:

To plan for economic growth that is consistent with and supports the agricultural industry of Canyon County. This policy is established in recognition of the county's economic position where agriculture comprises a significant share of the local economy. This policy also supports other recommendations and policies that seek to lessen the loss of best and moderately suited agricultural land to other land uses.

Economic Policy 4:

To encourage efforts that provide for increases in income and enable citizens to remain ahead of the national inflation rate. This policy recognizes that Canyon County's income increased more than the national inflation rate from 1975 through 1988, and that this trend should continue in order to ensure a viable economy.

Overall Land Use Policy 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 2:

To protect agricultural, residential, commercial, industrial and public areas from the unreasonable intrusion of incompatible land uses.

Overall Land Use Policy 7:

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

Overall Land Use Policy 9:

To use buffer areas and/or screening devices between certain land uses in order to properly address the need to protect all land uses insofar as possible. This policy is intended to forestall land use conflicts that may occur when a variety of land uses are located in relatively close proximity, especially residential uses adjacent to non-residential uses such as agriculture and industry.

Agricultural Lands Policy 1:

To support the fact that the present agricultural activities in "best suited" and "moderately suited" agricultural soil designated areas of Canyon County represent "development" by definition. Careful consideration must be given to any proposal which would permit changes of land use from agriculture to another type of development. Minimizing the potential for conflicting land uses is very important to the ongoing and long term agricultural activities of the county. "Best suited" and "moderately suited" soil areas generally demonstrate that the corresponding farms have a consistent annual production history complete with water delivery system(s).

Agricultural Lands Policy 2:

To permit development on lands where soils are determined to be either "least suited" or "moderately suited" for agriculture only after careful study and review of surrounding land uses that consider the long range impacts of mixed land uses in the area. This policy recognizes that land may be developed for other purposes only, when such developments do not harm or conflict with the agricultural activities in the immediate area and when adequate public services and facilities are either available or are made available as part of the development. This policy also recognizes that non-agricultural costs of development should not create increased tax burdens to current property owners.

Agricultural Lands Policy 4:

To use data, expertise and other available information from all pertinent sources when considering land use change proposals. This policy recognizes there are numerous resources available from the public and private sectors to facilitate the presentation, analyzation, deliberation and resolution of land use proposals where consideration is being given to changes in land use patterns away from agriculture.

Transportation Policy 1:

To develop and maintain a transportation system for the efficient and expeditious movement of people, goods and services within Canyon County that is responsive to the needs of individuals, business, industry and agriculture which is safe and convenient to use. This policy recognizes that the transportation network is to serve the needs of the people of the county and that an adequate, well maintained transportation system includes a variety of modes of transportation necessary for the functions of a balanced community.

Transportation Policy 2:

To include transportation as an integral part of the planning process and build upon the existing transportation system in ways that make alternative transportation harmonious with the existing and projected land use patterns of the county. This policy recognizes that transportation should contribute to community appearance and the neighborhood living qualities of the area. This policy also recognizes that increased populations will require more and better transportation systems including walkways, bicycling paths, greenbelts, equestrian paths and various route opportunities and modes of transportation to make a complete system.

3.4 Whether the proposed use will be injurious to other property in the immediate vicinity and/or will change the essential character of the area.

Commissioner Atkeson stated it would not be injurious and would not change the essential character of the area because the area was predominantly Ag land and there are two gravel pits within one mile.

Commissioner Nevill noted the testimony by the applicant, Mark Tracy, in which he stated the land had been used since 1998 as a gravel pit. Therefore, the use of the land would remain unchanged.

Chairman Falkenstien felt it appropriate to note that lack of opposition indicates that the operation isn't offensive to those that live in the area.

3.5 Whether adequate sewer, water and drainage facilities, and utility systems are to be provided to accommodate said use.

Commissioner Nevill stated there was no testimony on this item and that it wasn't applicable to this extension.

3.6 Whether measures will be taken to provide adequate access to and from subject property so that there will be no undue interference with existing or future traffic patterns.

Commissioner Atkeson stated there would be no change in current operations. Therefore, no measures need to be taken.

Chairman Falkenstien noted that the Nampa Highway District was notified, but did not respond.

3.7 Whether essential public services, such as, but not limited to, school facilities, police and fire protection, emergency medical services and irrigation facilities, will be negatively impacted by such use or will additional public funding be required in order to meet the needs created by the request.

Commissioner Nevill proposed using item 7 from the Staff Report indicating the agencies that were notified. No response was received from any agency listed.

A. School- The Nampa School District was notified of this request. As of the date of this staff report the Development Services Department has not received any documentation regarding this request.

B. Police (Sheriff)- The Canyon County Sheriff's Department was notified of this request. As of the date of this staff report the Development Services Department has not received any documentation regarding this request.

C. Fire Protection- The Upper Deer Flat Rural Fire District was notified of this request. As of the date of this staff report the Development Services Department has not received any documentation regarding this request.

D. Emergency Medical Services- The Canyon County Paramedics / Ambulance District was notified of this request. As of the date of this staff report the Development Services Department has not received any documentation regarding this request.

E. Irrigation Facilities- Boise-Kuna Irrigation District was notified of this request. As of the date of this staff report the Development Services Department has not received any documentation regarding this request.

3.8 Whether the proposed use is essential or desirable to the public convenience and welfare.

Commissioner Atkeson stated that the application was approved in 1998 and there has been no change.

Chairman Falkenstien stated that as long as growth continues for roads and construction, there is a need for sand and gravel. In that regard, it would be both essential and desirable.

Commissioner Nevill **moved,** seconded by Commissioner Atkenson to **approve** the request for an amendment to condition No. 4 of a **Conditional Use Permit with the following conditions:**

1. **All conditions and restrictions indicated in Attachment A shall be adhered to.**
2. **The development shall comply with all applicable local, state & federal laws.**
3. **A forty (40) foot wide access apron approximately seventeen (17) feet long be constructed and paved.**
4. **The hours of the operation will be Monday thru Friday, 6:30 A.M. to 6:00 P.M. and Saturday, 8:00 A.M. to 4:30 P.M.**
5. **Equipment maintenance and hauling shall be done during normal operation hours.**
6. **The gravel will be excavated from the top of the cone at the high sides to create a self-containing buffer with the sides to excavated last.**
7. **Duration of the gravel pit shall have an operational life not exceed thirty (30) years from June 18, 1998, the date the original permit was granted.**

The motion **carried** unanimously. Commissioners Dodge, Scanlon, Wallace, Wright, Nevill, Atkeson, and Chairman Falkenstien voted in **favor.**

IV. CONCLUSIONS OF LAW

The Canyon County Planning and Zoning Commission 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.

V. ORDER OF DECISION

Based on the Findings of Fact, Conclusions of Law and the reasons stated, the Canyon County Planning and Zoning Commission orders that Case # **011948L30-2N-2W** a request by Mark Tracy to amend condition No. 4 of a **Conditional Use Permit** to extend the operational life from 10 years to 30 years **is approved with the following conditions:**

1. **All conditions and restrictions indicated in Attachment A shall be adhered to.**
2. **The development shall comply with all applicable local, state & federal laws.**
3. **A forty (40) foot wide access apron approximately seventeen (17) feet long be constructed and paved.**
4. **The hours of the operation will be Monday thru Friday, 6:30 A.M. to 6:00 P.M. and Saturday, 8:00 A.M. to 4:30 P.M.**
5. **Equipment maintenance and hauling shall be done during normal operation hours.**
6. **The gravel will be excavated from the top of the cone at the high sides to create a self-containing buffer with the sides to excavated last.**
7. **Duration of the gravel pit shall have an operational life not exceed thirty (30) years from June 18, 1998, the date the original permit was granted.**

WRITTEN FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER WAS APPROVED BY THE CANYON COUNTY PLANNING AND ZONING COMMISSION AT A SCHEDULED MEETING HELD **June 20, 2002**.

Ed Falkenstien
Planning and Zoning Commission Chairman

6.20.02
Dated

ATTEST:

Jennifer Maldonado
Jennifer Maldonado
Recording Secretary

BEFORE THE CANYON COUNTY PLANNING AND ZONING COMMISSION

IN THE MATTER OF A PETITION BY: MARK TRACY	**CASE 974748L30-2N-2W**
REQUESTING A CONDITIONAL USE PERMIT FOR A GRAVEL PIT ON APPROXIMATELY 46 ACRES IN AN "A" (AGRICULTURAL) ZONE.	**FINDINGS, CONCLUSIONS AND ORDER**

A hearing was scheduled before the Planning and Zoning Commission on February 19, 1998 for the purpose of considering a petition by Mark Tracy for a Conditional Use Permit to operate a Gravel Pit on approximately 46 acres in an "A" (AGRICULTURAL) zone. The property is located on the east side of Rim Road and south of Alamo Lane in the Southwest Quarter of Section 30, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

No quorum was present on February 19, 1998 and the hearing was again taken up March 19, 1998. After testimony was taken on March 19, 1998, the Commission requested the following information to be heard on May 7, 1998:

1) CRUSHER

A) Expand on the type of crusher used, how it will be used in the operation of the gravel pit, and where will it be located, for how long.

B) Amendment of the "Legal Notice of Hearing" to include a crusher.

2) SCALE HOUSE

A) Are the scales to be portable?

B) How will the sales be handled?

C) Will there be a facility for the sales staff (etc)? Describe the facility.

3) TRAFFIC PATTERN(S)

A) Using private? Commercial? Public? ... trucks

B) Describe the traffic pattern/roads used (names).

C) Provide visuals, if necessary.

4) POTENTIAL USERS

A) PUBLIC? PRIVATE? NAMES?

5) VOLUME OF AGGREGATE

A) TEST PIT(S).

6) RECLAMATION PLAN

A) DESCRIBE HOW THE LAND WILL BE RECLAIMED. (MAY NEED ADDITIONAL VISUALS.)

7) TIME

A) SPECIFY:

1. DAILY HOURS OF OPERATION

2. DAYS OF OPERATION

3. DURATION OF LAND USE FOR THE GRAVEL PIT (YEARS)

Present for the March 19, 1998 hearing were Norman Alder, Roger Wright, Clinton Pline, Lee Gilbertson, John Williamson, Fred Butler, Tom Johnson, Bill Shaw, Sonna Lynn Lewis, Cheyne Weston, Maria R. Salinas, Susan Tracy, and Brent Claiborn.

The additional testimony was taken on May 7, 1998 with a decision made by the Planning and Zoning Commission. Present for the May 7, 1998 were Norman Alder, Tom Johnston, John Williamson, Roger Wright, Clint Pline, Brent Claiborn, Susan Tracy, Rod Kesler, Bob Cope, Brett Cope, and Mark S. Tracy.

SUMMARY OF THE RECORD

This is an application for a conditional use permit requesting a gravel pit on approximately forty-six (46) acres. The request is comprised of EXHIBITS "A - J.6".

APPLICABLE LAW

1. Whether the zoning ordinance permits the use by conditional use permit; Canyon County Zoning Ordinance No. 97-001, Section 6.1 (F)(1).

2. Reasons for the application; Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(2).

3. Whether the proposed use is harmonious with and in accordance with the Comprehensive Plan [1995 Amendment (Update)]; Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(3).

4. Whether the proposed use will be injurious to other property in the immediate vicinity and/or will change the essential character of the area, Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(4).

5. Whether adequate sewer, water and drainage facilities, and utility systems are to be provided to accommodate said use, Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(5).

6. Whether measures will be taken to provide adequate access to and from subject property so that there will be no undue interference with existing or future traffic patterns. Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(6).

7. Whether essential public services such as, but not limited to, school facilities, police and fire protection, emergency medical services and irrigation facilities, will be negatively impacted by such use or will require additional public funding in order to meet the needs created by the requested change. Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(7).

8. Whether the proposed use is essential or desirable to the public convenience or welfare. Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(8).

FINDINGS OF FACT

If any of these Findings of Fact are deemed to be Conclusions of Law, they are incorporated into the Conclusions of Law section:

A. The property is located on the east side of Rim Road and south of Alamo Lane in the Southwest Quarter of Section 30, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

B. The applicant desires to develop a commercial gravel pit with the intent to excavate gravel and crush it for local use. One non-residential building permit is requested for office use. The site has not been farmed and there is no irrigation water available to it. There is an operating pit across the Rim Road from the requested site. There will be two (2) full time employees at the beginning of the operation with a maximum of four (4) full time employees. The hours of operation will be Monday through Saturday, 8 am to dusk.

C. The Warranty Deed shows Mark and Susan Tracy as the owners of the property. Rita Earl, Earl and Associates, Inc. are the representatives.

D. The Canyon County Zoning Ordinance, 97-001, does permit the use by Conditional Use Permit, [6.1(F)(1)]. The conditional use permit process permits pits, mining, dredging and excavation of sand, dirt, and gravel and other aggregates and crushing of gravel, rock crushing, commercial excavation of building or construction materials as regulated in this Ordinance, [12.3(C)(8)]; Pits - Wherever pits or excavations result from the removal of sand, gravel, clay or soil, they shall be so maintained at all times so that they are free from weeds, debris, stagnant water and waste material. The above described pits or excavations shall have a

reclamation plan approved by the Commission, [12.3(D)(1)].

E. The applicant desires to develop a commercial gravel pit with the intent to excavate gravel and crush it for local use. One non-residential building permit is requested for office use. [6.1(F)(2)].

F. The property is currently zoned "A" (AGRICULTURAL); is not located within any city impact area; and, is outside the flood plain. The following Canyon County Comprehensive Plan Policies are relevant to the placement of gravel pits: OVERALL GOAL, page 2; PROPERTY RIGHTS POLICY, page 4. ECONOMIC DEVELOPMENT POLICIES, Policy No. 1, page 6; Policy No. 2, page 6; Policy No. 3, pages 6 and 7; Policy No. 4, page 7; LAND USE POLICIES, Policy No. 2, page 7; Policy No. 4, page 8; Policy No. 9, page 8; AGRICULTURAL LANDS, Policy No. 4, page 9; NATURAL RESOURCE POLICIES, Policy No. 2, page 17 COMMUNITY DESIGN, pages 62 and 63 and, **NATURAL RESOURCES**, page 71 and 72, [6.1(F)(3)].

G. The Boise Project Board of Control and Mr. Tracy have agreed upon the following conditions which the BPBC has requested be incorporated in the Conditional Use Permit:

1. An easement 30 feet out and parallel to the upper most shoulder of the embankment regardless of that banks height above the canal.

2. The elevation of the bank shall not be cut lower than that of the opposite bank, and upon reaching the same elevation as the opposite bank, the easement then be extended to fifty (50) feet.

3. From the point 50 feet from the shoulder of the embankment, the grade into the deepening pit will not exceed a 3:1 slope.

4. During extraction of material from the pit, the company extracting the material shall be made liable, by contract with the landowner, for removal of all material spilled into the Mora Canal, and any damages resulting from said spillage.

5. The Boise Project Board of Control with receive a copy of the contract between the company extracting the material and the landowner. [6.1(F)(4)].

H. There will be one standard septic system specified by Southwest District Health Department for use by the office. One domestic well will be provided for use by the office. Waste water will be detained with a berm along the Mora Canal. Utilities: Utilities can be established for the upon contract with Idaho Power for electricity and US West for telephone service. [6.1(F)(5)].

I. Access will be taken from Rim Road and a 100 feet radius turnaround will be provided, [6.1(F)(6)].

J. Nampa School District does not have a problem with the requested gravel pit. The Canyon County Sheriff's Department is responsible for police protection in the area. The applicant has filed a reclamation plan but not reply has been received from the Department of Lands. The project will be funded privately. The Traffic Safety Committee reported that there was already a gravel pit located across the road from the site; the site is isolated and should present no additional burden on the surrounding property; the closest residence is a mobile home located on the parcel identified as #4.; and, all local, state and federal requirements be observed. [6.1(F)(7)].

K. The applicant contends that there is a need for gravel in the southwest Idaho and this is a good location for a gravel pit since there is an existing pit across the road. The site has never been under agricultural use. [6.1(F)(8)].

SUMMARY OF THE TESTIMONY

The following is a synopsis of the testimony taken which is pertinent to the case in question but is not a transcript:

March 19, 1998:

Late Exhibit J.2 from Ronald Akina, Sr. is a letter dated February 18, 1998 which states that he is opposed to the gravel pit because it will cause the value of his property to decrease and will generate dust.

1. Susan Tracy testified in favor of the request with the following statements: a) Requesting a gravel and there is a gravel pit already located across the road and this is a good place for a gravel pit. b) The Staff Report was favorable. c) Hours of operation will be from 8:00 am to dusk, Monday through Saturday. d) Estimated ten (10) year life. e) Operations will begin within two (2) years of the approval. f) No immediate plans for start up but will be within two (2) years. g) The market for the gravel will be for construction use. h) She did not know the immediate use for the gravel but believes that there is a need. i) The pit will be open to the public. j) The approximate life will be approximately 10 to 15 years of gravel. k) The applicant has agreed to all the recommendations included within the Staff Report. l) The reclamation plan is deferred to the engineer.

2. Brent Claiborn, Engineer with Earl and Associates representing Susan Tracy, testified in favor of the request with the following statements: a) Department of Lands has approved the application for the gravel pit and has made recommendations concerning the development of the pit. b) The length of time will be approximately ten (10) years or until the gravel is exhausted or no longer feasible to mine for gravel on the site. c) The minimum time to be expected for gravel removal would be approximately ten (10) years and the maximum time would be approximately twenty (20)

years. d) The amount of gravel has not been specifically determined. e) He was not definite about the estimated quantity of gravel to be located within the gravel pit. f) The Mora Canal has right of way setback of fifty (50) feet with the side slopes not to exceed 3 to 1. g) There is a site set aside for the crushed aggregate which is the triangular area and is approximately 3.5 acres. h) The second area is the site of the overburden which will be top soil and an colichea which will be excavated, hauled and embanked on the upstream bank of the Mora Canal in a berm the full length of the canal bordering the site. i) The cross-hatched area of 12.5 acres is the area to be worked. j) The first year approximately 5 acres has been designated for excavation to the left of the 12.5 acre area. k) There is also a vegetation area shown on the map. l) No ponding of water is expected but runoff can be expected to be trapped to the north before entering the canal. m) The height of the berm will be equal to the overburden taken off the site. n) No test holes have been done to his knowledge. o) The process is not completely detailed but the top soil will separated from the poor soil. p) The ten (10) year designated time was provided by the applicant and was not based upon any engineering analysis or testing that has been done on the site and so any questions about that should be directed to the applicant. q) The firm is consulting the applicant on the project but any information received to date has been given by the applicant. r) The important area to be protected would be the Mora Canal and so most of the attention to drainage has been directed to the protection of the canal. s) The flatter slopes to the west and the natural ground conditions to be found in the area, there was not a great deal of concern with factor of drainage water collection on the site. t) All drainage will be held on site. u) The plan calls for an office to be built on the site with a well and septic system to care for the needs of the office. v) There will be a portable scale located on the site.

May 7, 1998:

Late Exhibit J.6 is a letter dated April 3, 1998 from Marie E. Weaver opposing the gravel pit because of the noise, dirt and other affects which will decrease the quality of life and lower her property value.

1. Brent Clayborn, Engineer with Earl and Associates representing Susan Tracy, testified in favor of the request with the following statements: a) The site will use a combination of cone and impact crusher which will be fed by a front-end loader. b) The capacity of the crusher is 300 tons per hour. c) The crusher will be located in the pit working area and will operate eight (8) hours per day, five (5) days per week for three (3) months per year. d) The production is expected to be a maximum of 144,000 tons per year. e) The scale will be a portable unit and a 10 feet by 30 feet mobile office will also be utilized for sales, staff and restroom facilities during operation. f) Both the scales and office will remain on site during the life of the gravel operation and

will be removed at the termination of gravel extraction. g) The site is expected to serve private, commercial and public entities. h) Traffic is anticipated to move to and from the site by way of Rim Road to Missouri Road then to 12th Avenue South. i) Test holes were dug, indicating that the site will produce at least 500,000 cubic yards of gravel during the expected life of the operation. j) Reclamation costs are estimated at $2,000 per acre. k) The hours of operation will be from Monday through Friday, 6:30 am to 6:00 pm and Saturday, 8:00 am to 4:30 pm. k) Berming will be done approximately five (5) feet high to the north along the Mora Canal and to the west along Rim Road. l) The site is a hilltop and it would be difficult to propose a berm to hide the gravel pit. m) The berm will be for stockpiling and for capturing drainage from the site.

2. Rod Kessler testified in favor of the request with the following statements: a) He will be one of the potential users of this pit and is currently using a pit in the Middleton area. b) He will probably be helping with the reclamation of the pit. c) He has done several in the past for his former employer, Idaho Sand and Gravel. d) Truck traffic will be approximately 8 trucks with trailers per day on an average per year. e) Another source on the other side of Nampa so that the trucks are not running through town. f) The site is across the road from the county pit.

3. Bob Cope and Brent Cope concurred with Rod Kessler and both are in favor of the gravel pit.

4. Mark Tracy testified in favor of the request with the following statements: a) The gravel will be mined down so that the site will be left as a nice piece of ground. b) There are no water rights. c) It cannot be farmed. d) The area south of Nampa is growing and there is a need for gravel products in the construction process. e) He will sell to anyone in the area. f) He will offer one (1) or two (2) trucks of his own for delivery work. g) There is no well water on the site at all. h) There is little possibility of planting trees on the north side because the site is thirty (30) feet above the canal and there is no water available from the canal. i) The site will not be readily seen from the existing homes and the hillside does not lend itself to berm or tree sight obscuring techniques. j) The pit wall will obscure the actual gravel operation. k) The existing house is approximately 50 to 60 feet below the level of the pit area. l) The house is approximately 700 to 800 feet away from the base of the gravel operation. m) He had no problem with the Staff recommendations.

CONCLUSIONS OF LAW

If any of these Conclusions of Law are deemed to be Findings of Fact, they are incorporated into the Findings of Fact section. The Commission concludes that the conditional use permit is approved because the proposal meets the test of Section 6.1(F)(1-8) of the Canyon County Zoning Ordinance No. 97-001 pertaining to conditional use permits in that:

1. The zoning ordinance permits the use by conditional use permit as described in Canyon County Zoning Ordinance No. 97-001, Section 12.3(C)(8) and (D)(1); Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(1).

2. The Commission was persuaded that the Petitioner had sufficient reason(s) for the application; Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(2).

3. The proposed use is adjacent to an existing gravel pit and the applicant has made every effort to minimize the concerns of the opposition and has designed a plan in accordance with the Comprehensive Plan [1995 Amendment (Update)]; Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(3).

4. The Commission was persuaded by the Applicant that he will adhere to the conditions imposed so that the use will not be injurious to other property in the immediate vicinity and will not change the essential character of the area; Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(4).

5. The applicant will comply with the requirements of the highway department; Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(5).

6. Access will be provided to and from the subject property as directed by Nampa Highway District so that there will be no undue interference with existing or future traffic patterns; Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(6).

7. Essential public services will not be negatively impacted by such use and the gravel pit will be privately funded without additional public funding; Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(7).

8. The proposed use is essential and desirable to the public convenience and welfare because the gravel produced from the site will be used in the general area and is expected to save trips through Nampa; Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(8).

ORDER

Based on the Findings of Facts and Conclusions of Law reviewed above, the Commission approves the request of Mark Tracy for a conditional use permit as documented in file no. 974748L30-2N-2W with the following conditions:

1. A forty (40) feet wide access apron approximately seventeen (17) feet long be constructed and paved.

2. The requirements of the Boise Project Board of Control be adhered.

3. The hours of operation be Monday through Friday, 6:30 am to 6:00 pm and Saturday, 8:00 am to 4:30 pm.

4. The gravel pit will have an operating life of ten (10) years unless an extension is filed and approved.

5. The gravel will be excavated from the top of the cone at the high spot to create a self containing buffer with the side to be excavated last.

6. The Petitioner shall follow the reclamation plan.

SIGNED THIS 18TH DAY OF JUNE, 1998.

NORMAN ALDER, CHAIRMAN

ATTEST: Cynthia A. Eaton

CYNTHIA A. EATON, RECORDING SECRETARY



Canyon County, 111 North 11th Avenue, Caldwell, ID 83605
(208) 454 7458 ▪ ZoningInfo@canyoncounty.id.gov ▪ www.canyoncounty.id.gov/dsd

June 18, 2024

RE: Parcel Inquiry for R29892011 and R29893– PI2024-0139

Question: The inquirer wants to property boundary adjust R29892011 and R29893 and wants to verify parcel compliance.

Parcel R29893 is considered an original parcel per Canyon County Plat Maps and Tax 1. It is eligible for a property boundary adjustment, as the goal is to increase the size of R29893.

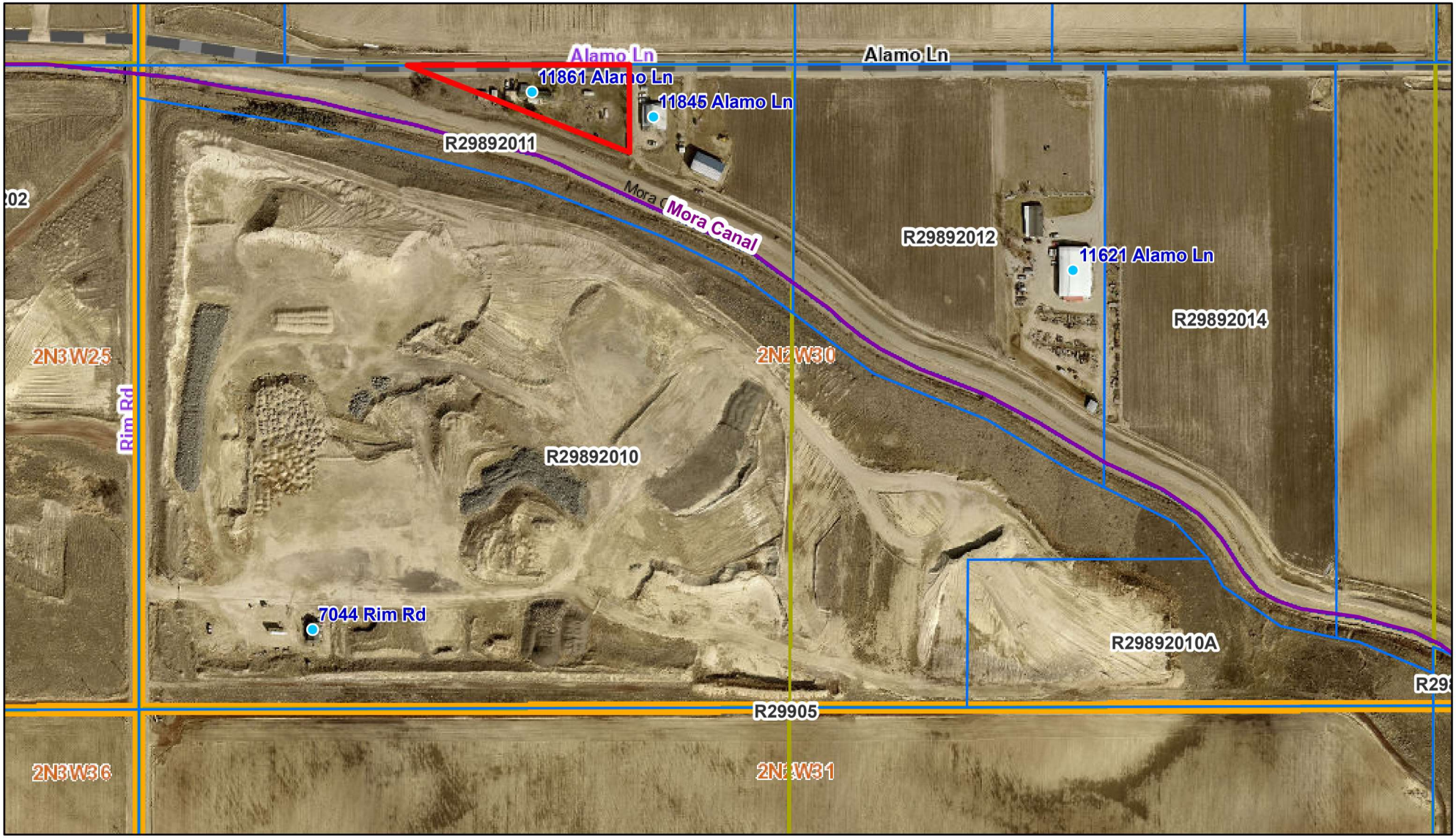
Parcel R29892011 was part of an original parcel with approximately 39-acres (Gov't Lot 4 – see attached Canyon County Plat Maps). Parcel R29892011 appears to have been divided off in 2004 (Tax 04592) without Canyon County's approval. Due to this, an after-the-fact administrative land division would have to be turned in alongside a property boundary adjustment application to recognize the parcel. At this time, R29892010 would not need to be included in the after-the-fact land division, as this was discussed as the first division off the original parcel in CU2004-595 and a conditional use permit for a gravel pit operation was approved in 1998 in the parcel's approximately 46-acre configuration (this was before R29892010A was divided from R29892010) (see CU2002-585 FCOs and CU2004-595 Property History Section). *Attached is the administrative land division and property boundary adjustment application with submittal requirements and required fees.*

Please let me know if you have questions,
Emily Kiester
Associate Planner
emily.kiester@canyoncounty.id.gov
208-454-6632

*ORIGINAL PARCEL: A parcel of platted or unplatted land as it existed on September 6, 1979 (the effective date of the Zoning Ordinance 79-008), including any property boundary adjustments as defined in this chapter and any reduction in area due to creating a parcel for the exclusive use by Canyon County, a municipality within Canyon County, a local highway district, Idaho Transportation Department, utility company or corporation under the jurisdiction of the Idaho Public Utilities Commission, or other local, State, or Federal agency. (CCZO §07-02-03)

Note: The property research information presented today by the Development Service Department (DSD) is based on the current ordinance and policies, in effect on the date of the summary, and based on your representations and information you have provided about the subject property. This information is valid only at the time of the inquiry and may change when the subject property, ordinances, or policies change. Then information becomes certain, and not subject to change, when DSD accepts an application and fees are paid. Changes to the subject property may invalidate this information.

Canyon County, ID Web Map



6/18/2024, 12:50:32 PM

Parcel Number Search _Query result_2
CCAddressPoints
Hydro_NHDFlowline

FEMA FLOOD ZONES
X
SectionQRTSixteenthLines
Hydro_NHDFlowline

County Boundary
Current Impact Area
City Limits
Sections

CanyonCountyRoads
Roads
CC_PrivateRoads
Urban_2023
Red: Red

1:4,514

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

Canyon County, ID

Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Nampa GIS | City of Nampa |

CANYON COUNTY PLAT BOOK

SECTION 30 138 TOWNSHIP 2N RANGE 2W

SCHOOL 17 & 75 ROAD NAMPA HIGHWAY

06224

X 06221

Alb in U.S.F. Fire Dept.

SCALE, 400 FEET, ONE INCH

CAXTON PRINTERS, CALDWELL, IDAHO

LOT 1
41.21 Ac.
38.78 Ac. Total Irrig.
0.91 Ac. R of W.
1.52 Ac. Road
(C.E. Taylor)
Leonard B. Hennis, et ux
(W.D. Hennis et ux)

LOT 2
41.09 Ac.
38.67 Ac. Total Irrig.
0.91 Ac. R of W.
1.51 Ac. Road
(C.E. Taylor)

LOT 3
40.97 Ac.
William R. Showalter (et ux)
37.74 Ac. Total Irrig.
1.25 Ac. R of W.
1.98 Ac. Road

LOT 4
40.85 Ac.
(Walter E. Witteman)
3.20 Ac. Total Irrig.
2.10 Ac. R of W.
0.51 Ac. Road

Lateral
Brook
Carlberg Sub-Lateral
MORA
HIGH
LAND
CANAL
West Valentine
Sub Lateral

#3895
#2382
(Federal Land Bank)
(A.H. Weaver)
6.41 Ac. Irrig.
38.50 Ac. Total Irrig.
1.50 Ac. Road
32.09 Ac. Irrig.
(Sophronia E. Hall &
Robert M. Hall)
(Herman Huff
Frank W. Hallsbaugh)
0.76 Ac. Irrig.
38.50 Ac. Total Irrig.
1.50 Ac. Road
Clyde D. Schuster et ux
37.74 Ac. Irrig.
2.00 Ac. Irrig.
William R. Showalter (et ux)
37.76 Ac. Total Irrig.
2.24 Ac. Road
3.20 Ac. Irrig.
Witteman Farms, Inc.
21.07 Ac. Total Irrig.
3.00 Ac. R of W.
1.39 Ac. Road
(Walter E. Witteman et ux)
SCHOOL DISTRICT No. 75

(E.C. Aldous)
(Lu # 343332 Nat Community Corp)
(Lillian C. Aldous ½ Int)
Doris Alberta Roberts
Norma Lucille Williams ½ Int
Edward Glen Aldous
38.50 Ac. Total Irrig.
1.50 Ac. Road
Doris Alberta Roberts, Adm. ½ Int
(E.C. Aldous)
(Lillian C. Aldous ½ Int)
Doris Alberta Roberta
Norma Lucille Williams ½ Int
Edward Glen Aldous
39.24 Ac. Total Irrig
0.76 Ac. Road
138
SCHOOL DISTRICT No. 17
Doris Alberta Roberts Adm.
37.24 Ac. Irrig.
(E.C. Aldous)
17.60 Ac. Irrig.
(Drue Cunningham et ux)
W.H. Nevill et ux
38.10 Ac. Total Irrig.
1.50 Ac. Road
20.50 Ac. Irrig.
0.40 Ac. High
Witteman Farms, Inc.
37.55 Ac. Total Irrig.
0.35 Ac. R of W.
2.06 Ac. Road
(Walter E. Witteman et ux)
2.30 Ac. Irrig.

(Amanda Delaney)
(C.E. Arthur Delaney) 67
#2476
Maurice C. Wearge et ux 58
#3220
38.50 Ac. Total Irrig.
1.50 Ac. Road
4.75 Ac. Irrig.
33.75 Ac. Irrig.
(D.M. Ives) c/ Katherina
Frank A. Sharffen (et ux)
18.10 Ac. Irrig.
21.14 Ac. Irrig.
39.24 Ac. Total Irrig.
0.76 Ac. Road
2.80 Ac. Irrig.
(Drue Cunningham et ux)
(W.A. Nevill) (et ux)
Mary Estelle Nevill 76
7.10 Ac. High
30.14 Ac. Total Irrig.
0.25 Ac. R of W.
1.28 Ac. Road
18.84 Ac. Irrig.
8.50 Ac. Irrig.
1.20 Ac. High
0.48 Ac. Irrig.
6.60 Ac. High
(Dora C. Slaughter)
(Albert S. Slaughter) 76
(Fred Eggers)
Chester Eggers Jr.
31.05 Ac. Total Irrig.
0.69 Ac. R of W.
1.66 Ac. Road
28.30 Ac. Irrig.

06223

06222

R.H.M.

CODE AREA----------
SCHOOL DISTRICT-----138
FIRE DISTRICT--------UPPER DEER FLAT RURAL
CITY LIMITS----------
FLOOD DISTRICT-------
HIGHWAY DISTRICT----NAMPA

NOTICE

THESE DOCUMENTS ARE MAINTAINED FOR ASSESSMENT PURPOSES AND SHOULD NOT BE RELIED UPON FOR LEGAL QUESTIONS REGARDING BOUNDARIES AND CURRENT PROPERTY OWNERSHIP.

TOWNSHIP

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

N

CANYON COUNTY, IDAHO

LEGEND

TOWNSHIP LINES
SECTION LINES
SECTION CORNER
CITY LIMITS
PARCEL BOUNDARY
SUBDIVISION BOUNDARY
ARBITRARY SUBDIVISION Nº 3
ARBITRARY BLOCK Nº 2
ARBITRARY PARCEL Nº 0300
ADJACENT PARCEL TIE LINE
RAILROADS
U.S. HIGHWAYS 8
STATE HIGHWAYS 42
INTERSTATE HIGHWAYS 5
COUNTRY ROADS C

SCALE: 1 inch = 100 feet
0 1 2 3

6-11-76
Date 7-14-81 MSW

LOT 3
40.97 AC

R29894-010

TR 96839
R29894
5750

4805
4800
R29894-010

LOT 4
40.85 AC.

R29893
6005

6000
R29892-010

8400
R29892

RIM ROAD

ALAMO LANE

APROX ℄ MORA CANAL

CENTER SEC 30

25 30
36 31

02N02W30-3

Parcel No. - Ownership - Recording -

PARCEL	SUB.	BLK.	LOT	GRANTOR	GRANTEE	REMARKS	ACCT. NO.	Inst.	DATE	INST. NO.

Parcel No. - Ownership - Recording -

PARCEL	SUB.	BLK	LOT	GRANTOR	GRANTEE	REMARKS	ACCT. NO.	Inst.	DATE	INST. NO.
4800				(See D. Griffin doc '78)	Maurice R Clements		29894	WD	15-7-93 7-7-93	9607036

EL	SUB.	BLK	LOT	GRANTOR	GRANTEE	REMARKS	ACCT. NO.	Inst.	DATE	INST. NO.
O				Allen Jones Hollenbeck & Jack E. Cover dba N			29590 CP			
O				White Farms, Inc. '72	V.K. or Mario Weaver-h/w	1	29593	WD WD	08-23-83 11-23-83	963574

PARCEL	SUB.	BLK	LOT	GRANTOR	GRANTEE	REMARKS	ACCT. NO.	Inst.	DATE	INST. NO.
8400				Wileman Farms, Inc.			29892			

ASSESSOR'S TAX NUMBER LIST
CANYON COUNTY

YEAR 19 60

SW¼ Section 30-2-2

NUMBER	DESCRIPTION
Tax 1	Commencing at the Northwest Corner of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of said Section Thirty (30), and thence running East along the North boundary line of said Southwest Quarter (SW¼) of said Southwest Quarter (SW¼) of said Section Thirty (30), 554.2 feet, more or less, to the intersection of the Northeast boundary line of the right of way of the Mora Canal, which is the point of beginning of said excepted area; thence East along the North boundary line of said Southwest Quarter (SW¼) of said Southwest Quarter (SW¼) of said Section Thirty (30), a distance of 458 feet; thence South, 180 feet; thence North 68° 30' West, 492 feet along the Northeasterly boundary line of the right of way of the Mora Canal to the Point of Beginning, said excepted area containing .95 acres, more or less. Exception taken from decree of distribution Instrument # 493993 Rec. Nov. 16, 1960

CANYON COUNTY ASSESSOR'S TAX NUMBER: 04592 PAGE 1 OF 2
SECTION/TOWNSHIP/RANGE: 30-2N-2W-SW
SUBDIVISION:
LOT\BLOCK\TRACT: GOVT LT 4
ACCOUNT NUMBER: R29892-011
TAX YEAR: 2004
INST: # 200454826
DATE: SEPTEMBER 30, 2004
GRANTOR: WITTEMAN FARMS, INC
GRANTEE: ROSTI, DARREL

NOTICE
THESE DOCUMENTS ARE MAINTAINED FOR ASSESSMENT PURPOSES & SHOULD NOT BE RELIED UPON FOR DETERMINING PROPERTY BOUNDARIES & CURRENT PROPERTY OWNERSHIP.

----------DESCRIPTION----------

A parcel of land located in the SE¼ SW¼ and Government Lot 4 of Section 30, T.2N., R.2 W., B.M., Canyon County, Idaho, described as follows:

Commencing at the southwest corner of said Section 30; thence N.00°38'04"E., 1255.59 feet along the west line of said Section 30 (centerline of Rim Road) to a 5/8 inch rebar at the POINT OF BEGINNING; thence,

N.00°38'04"E., 66.14 feet along said west line (centerline) to a spike and washer at the northwest corner of said Lot 4 (S 1/16th corner of said Section 30); thence,

S.89°27'19"E., 554.20 feet along the north line of said Lot 4 (centerline of Alamo Road) to a PK nail, said point also marked by a 5/8 inch rebar witness corner set S.67°59'59"E., 68.35 feet from said point; thence,

S.67°59'59"E., 492.10 feet along the southern line of Tax Parcel R29893, land of Bron (northern right of way line of the Mora Canal) to a 5/8 inch rebar; thence,

SECTION/TOWNSHIP/RANGE: 30-2N-2W-SW
SUBDIVISION:
LOT\BLOCK\TRACT: GOVT LT 4
ACCOUNT NUMBER: R29892-011
TAX YEAR: 2004
INST: # 200454826
DATE: SEPTEMBER 30, 2004
GRANTOR: WITTEMAN FARMS, INC
GRANTEE: ROSTI, DARREL

NOTICE
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---DESCRIPTION---

N.00°32'41"E., 180.00 feet along the east line of said Tax Parcel to a PK nail set in the north line of said Lot 4 (centerline of Alamo Road), said point also marked by a 5/8 inch witness corner set 25.00 feet southerly of said point; thence,

S.89°27'19"E., 341.37 feet along the north line of said Lot 4 (centerline of said Alamo Road) to a PK nail set at the northeast corner of said Lot 4, said point also marked by a 5/8 inch witness corner set 25.00 feet southerly of said point; thence,

S.00°49'37"W., 511.74 feet to a 5/8 inch rebar set in the southern right of way line of said Mora Cana; thence, along said right of way line the following courses:

N.52°52'49"W., 137.75 feet; thence,
N.68°04'15"W., 300.93 feet; thence,
N.74°57'56"W., 338.83 feet; thence,
N.63°53'15"W., 174.30 feet; thence,
N.74°10'28"W., 137.70 feet; thence.

N.79°55'03"W., 347.00 feet along said southern right of way line to the POINT OF BEGINNING.

BEFORE THE CANYON COUNTY
HEARING EXAMINER

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

IN THE MATTER OF AN APPLICATION BY:	)	
	)	
DARRELL ROSTI	)	**CASE # CU2004-595**
	)	
FOR A CONDITIONAL USE PERMIT	)	**PARCEL # R29892-012**

I. APPLICATION PROCESS (CCCO 07-06-03)

1.1 LEGAL

Darrell Rosti is requesting a **Conditional Use Permit** to obtain a building permit to construct a single family residence on approximately 10.28 acres in an "A" (Agricultural) Zone. The subject property is located on the south side of Alamo Lane, approximately ¼ mile east of the intersection of Rim Road and Alamo Lane in the SW ¼ of Section 30, T2N, R2W, BM.

1.2 PROCEDURAL HISTORY

On December 20, 2004, staff notified other agencies of this application and solicited their comments. On January 21, 2005, persons owning property within the set distance of the site were notified of the hearing by mail. On January 24, 2005, notice of the hearing was published in the Idaho Press Tribune. On or before February 3, 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 original approximately 120 acre parcel that incurred four (4) land divisions as follows:

- The subject property was split in 1995 into two (2) parcels: one (1) 56.16 acre parcel and one (1) 48.53 acre parcel; there is no record of county approval for these two (2) land divisions.
- On May 7, 1998 a Conditional Use Permit was approved by the Planning and Zoning Commission (974748L30-2N-2W) for a gravel pit on the 48.53 acre parcel.
- The subject property was split in 2004 into two (2) parcels: one (1) 6.63 acre parcel and one (1) 10.28 acre parcel; there is no record of county approval for these two (2) land divisions.

III. PUBLIC HEARING

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

3.1 Planner for the Development Services Department, Brant Jewett reviewed the staff report for the record and entered supplemental exhibits D.1.

EXHIBIT
D.1
CU2004-595
PENGAD 800-631-6989

BEFORE THE CANYON COUNTY PLANNING AND ZONING COMMISSION

IN THE MATTER OF A PETITION BY:	)	
	)	
MARK TRACY	)	**CASE 974748L30-2N-2W**
	)	
REQUESTING A CONDITIONAL USE PERMIT FOR A GRAVEL PIT ON APPROXIMATELY 46 ACRES IN AN "A" (AGRICULTURAL) ZONE.	)	**FINDINGS, CONCLUSIONS AND ORDER**

A hearing was scheduled before the Planning and Zoning Commission on February 19, 1998 for the purpose of considering a petition by Mark Tracy for a Conditional Use Permit to operate a Gravel Pit on approximately 46 acres in an "A" (AGRICULTURAL) zone. The property is located on the east side of Rim Road and south of Alamo Lane in the Southwest Quarter of Section 30, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

No quorum was present on February 19, 1998 and the hearing was again taken up March 19, 1998. After testimony was taken on March 19, 1998, the Commission requested the following information to be heard on May 7, 1998:

1) CRUSHER

A) Expand on the type of crusher used, how it will be used in the operation of the gravel pit, and where will it be located, for how long.

B) Amendment of the "Legal Notice of Hearing" to include a crusher.

2) SCALE HOUSE

A) Are the scales to be portable?

B) How will the sales be handled?

C) Will there be a facility for the sales staff (etc)? Describe the facility.

3) TRAFFIC PATTERN(S)

A) Using private? Commercial? Public? ... trucks

B) Describe the traffic pattern/roads used (names).

C) Provide visuals, if necessary.

4) POTENTIAL USERS

A) PUBLIC? PRIVATE? NAMES?

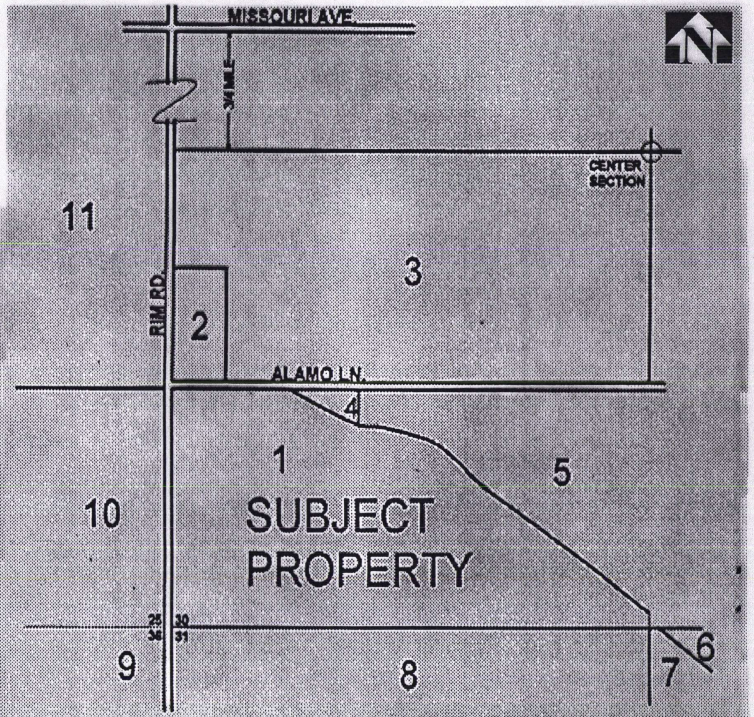
Mark Tracy

GRAVEL PIT
CASE# 974748L30-2N-2W

Exhibit F.4

PROPERTY OWNERSHIPS
1 MILE NOTIFICATION

1. TRACY
2. CLEMENTS
3. MLC CO. LLP
4. WEAVER
5. WITTEMAN FARMS, INC.
6. TAGGART
7. WITTEMAN FARMS, INC.
8. HARVEST FARMS CO.
9. HARVEST FARMS CO.
10. BOISE-KUNA IRRIG. DIST.
11. CLEMENTS FARMS, INC.



HISTORY:

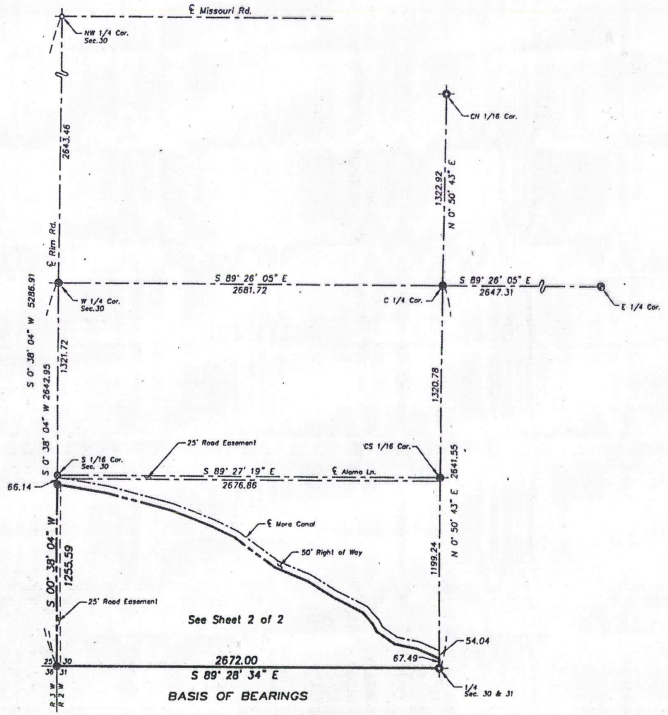
Subject property was divided off from Gov't Lot 4 (SWSW) and an original 80 acres in 1997.

SLIDE 3 OF 12

Exhibit F.4

RECORD OF SURVEY

A PART OF THE SW 1/4 SW 1/4, SE 1/4 SW 1/4, SEC 30, T 2 N, R 2 W, B.M.
CANYON COUNTY, IDAHO



N

LEGEND

- Found brass/aluminum cap monument
- Set brass/aluminum cap monument
- Set 5/8 inch dia. x 30 inch iron pin w/yellow cap
- Found 5/8 inch dia. iron pin
- Set 1/2 inch dia. x 24 inch iron pin w/yellow cap
- Found 1/2 inch dia. iron pin
- Set 8" Spike
- Property boundary line
- ( ) Record data

REFERENCE SURVEYS

R.O.S. Inst. No. 9615483

Exhibit A

Earl & Associates, Inc. assumes no liability for present or future compliance or non-compliance with Canyon County Planning and Zoning Ordinance restrictions as it pertains to building permits and the issuance thereof.

INDEX NO. 224-30-3-3-0-00-00

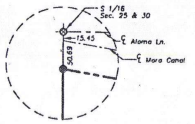
SURVEY FOR: Mark Tracy
Nampa Idaho

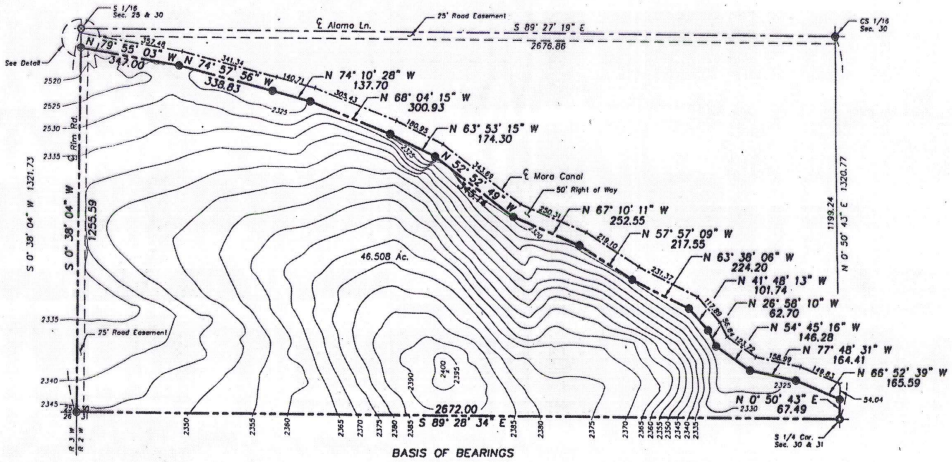
Earl & Associates, Inc.
Surveyors, Engineers & Planners
314 Bedlels SLN Caldwell, ID
(208) 454-0256
(208) 454-0979 Fax

JOB NO. MY1497
DWG NO. MY149703
SCALE: 1"=400' REV. △
FIELD BOOK NO.
DRAWN BY: KMM DATE: 6-25-97

RECORD OF SURVEY

A PART OF THE SW 1/4 SW 1/4, SE 1/4 SW 1/4, SEC 30, T 2 N, R 2 W, B.M.
CANYON COUNTY, IDAHO





BASIS OF BEARINGS



LEGEND

- Found brass/aluminum cap monument
- Set brass/aluminum cap monument
- Set 5/8 inch dia. x 30 inch iron pin w/yellow cap
- Found 5/8 inch dia. iron pin
- Set 1/2 inch dia. x 24 inch iron pin w/yellow cap
- Found 1/2 inch dia. iron pin
- Set 8" spike
- Property boundary line
- ( ) Record data

REFERENCE SURVEYS

R.O.S. Inst. No. 9615483

Part of 10

Earl & Associates, Inc. assumes no liability for present or future compliance or non-compliance with Canyon County Planning and Zoning Ordinance restrictions as it pertains to building permits and the issuance thereof.

INDEX NO. 224-30-J-J-0-00-00

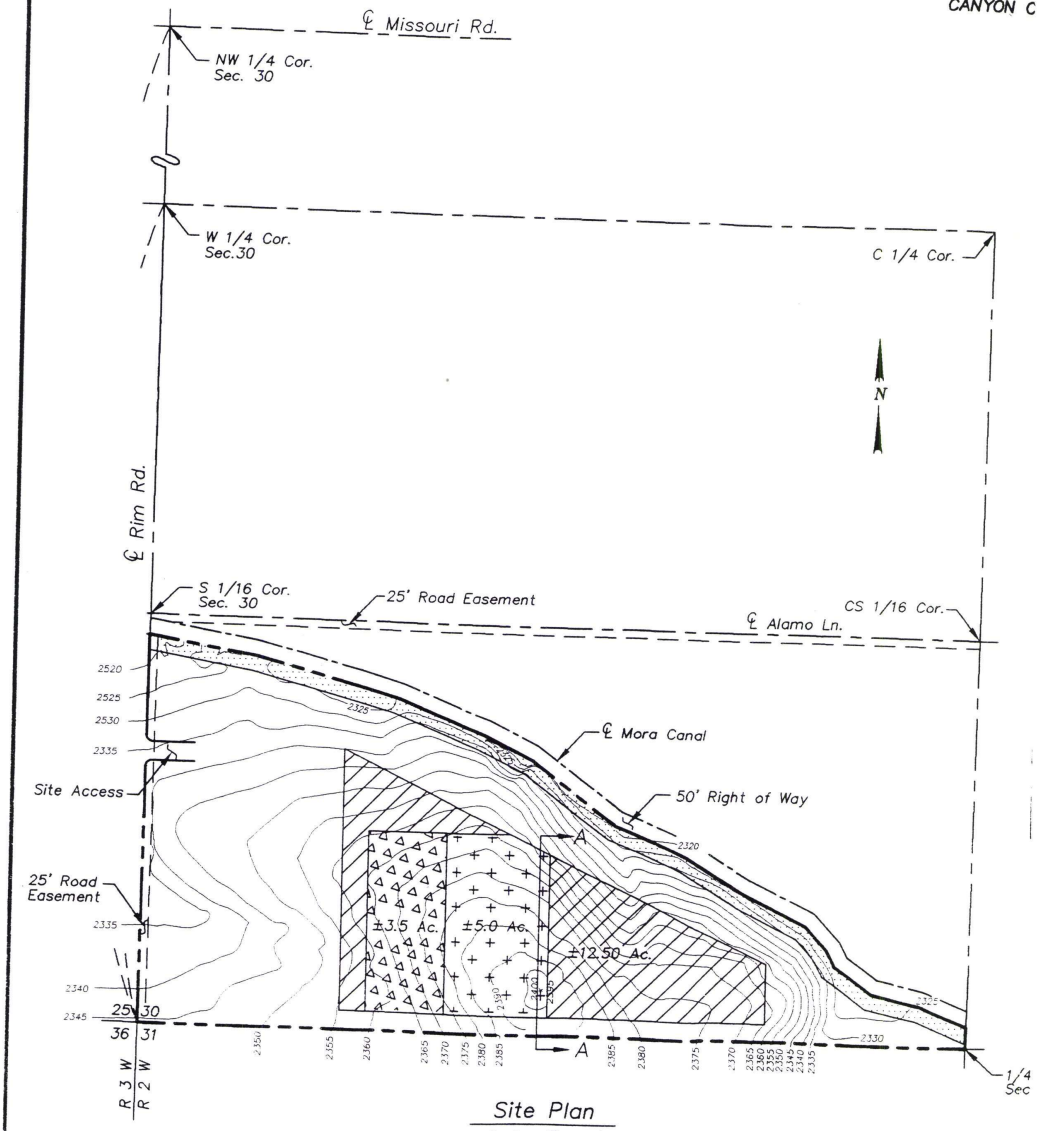
SURVEY FOR: Mark Tracy
Nampa, Idaho

Earl & Associates, Inc.
Surveyors, Engineers & Planners
314 Bedals Blvd Caldwell, ID
(208) 454-0256
(208) 454-0979 Fax

JOB NO. MY1497
DWG NO. MY149702
SCALE: 1"=200' REV. △
FIELD BOOK NO.
DRAWN BY: KMM DATE: 6-25-97
2 of 2

PROPOSE

A PART OF THE SW 1/4 SW 1/4,
CANYON C



Site Plan
Scale: 1"=400'

Exhibit F.6

#974748

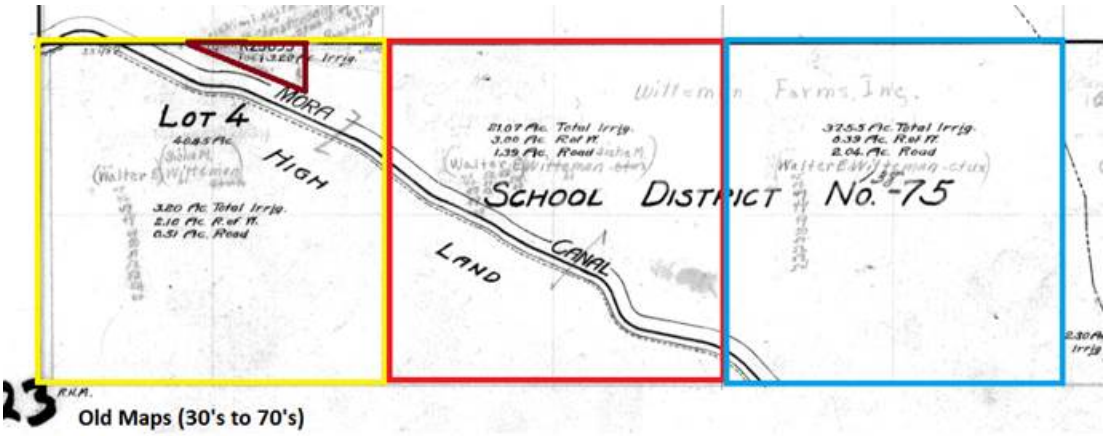
Emily Kiester

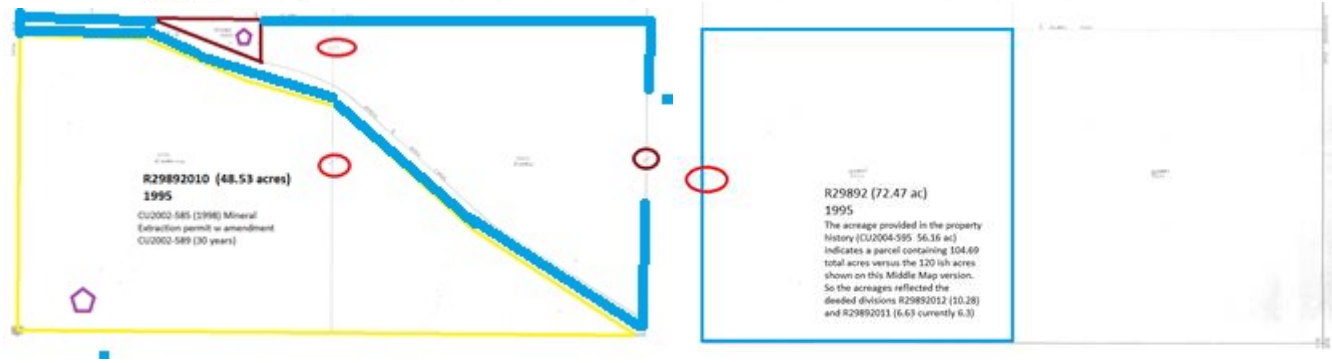
From: Debbie Root
Sent: Tuesday, June 18, 2024 12:06 PM
To: Debbie Root; Emily Kiester
Subject: PI2024-0139

Emily,

The following is how I see each of the parcels created from the original approx.120 plus acres. Clearly the various interdepartmental policies could be in play as to how and when properties were divided and adjusted. Bottom line—R29892014 and R29892010A do not have building permits available. R29892011 should probably be recognized as the second parcel on Gov Lot 4 with a residential permit available since we issued a residential permit to the property in 2010. There is some reference to the TJ Principal but I do not believe it changes any of the outcomes for these properties or parcels. The divisions have been taken on what is currently interpreted as the original parcels.

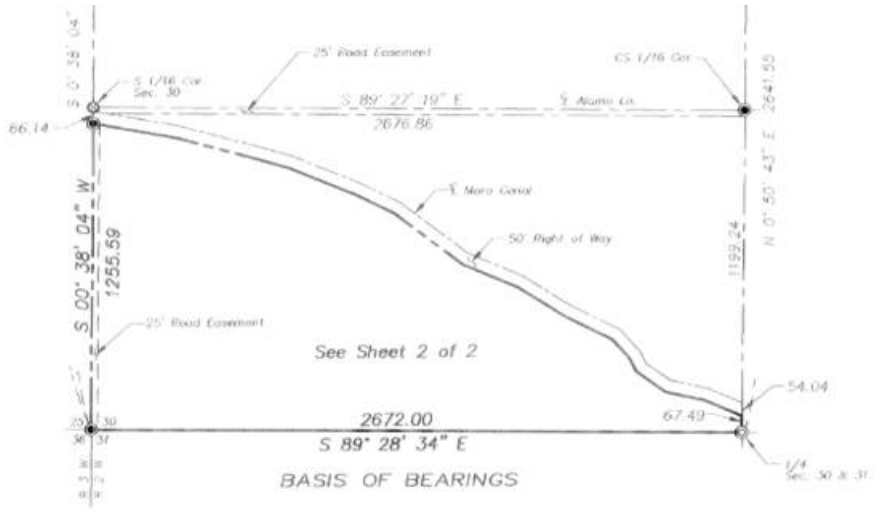
R29893 is an original parcel having existed in its current state on Sept. 6, 1979 as evidenced by Old Maps notations and Tax 1 (1946). This property is eligible to be property boundary adjusted with the adjacent parcel R29892011. NOTE: R29892011 requires an after the fact land division to document the creation of the parcel as a legal parcel in compliance with the Zoning Code requirements.

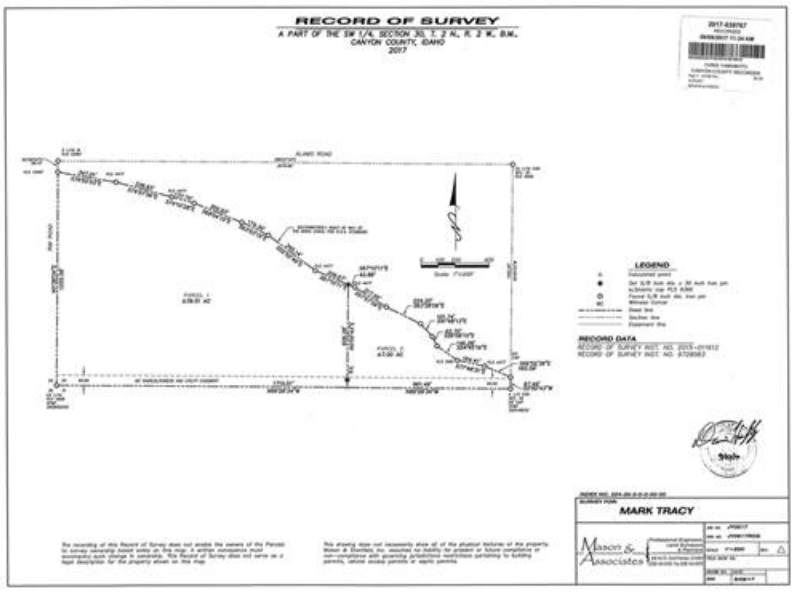


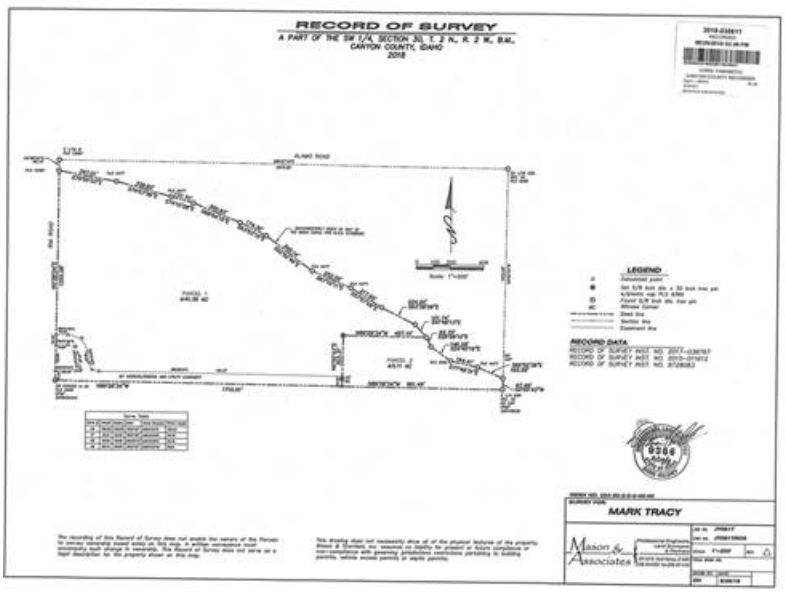


R29892010 (a portion of Gov. Lot 4 and a portion of 2N-2W-30-SW) totaling 48.53 acres. This property contains a permitted house/office ZC2005-690 in 1998/BP17194. Also permitted Mineral Extraction (CU2002-585 (1998) and CU2002-598 amending time to 30 years from 1998) This was the first division (ROS 1997 28083) of the approximate 121 + acres as identified in the Middle Maps as a single parcel owned by Witteman Farms—Old Maps showed three individual approx. 40's with one of them being Gov. Lot 4. In 2017 Mark Tracy divided this parcel by deed ROS #2017-038767 and in 2018 revised the survey and deeded the property as shown on ROS# 2018-038611 Aug 2018. This

property was not divided in accordance with the ordinance and therefore there is not a residential permit available to parcel R29892010A (5.11 acres). THIS PROPERTY IS NOT IN COMPLIANCE WITH THE ZONING CODE—PARCEL R29892010A WAS DIVIDED NOT IN ACCORDANCE WITH ORDINANCE.

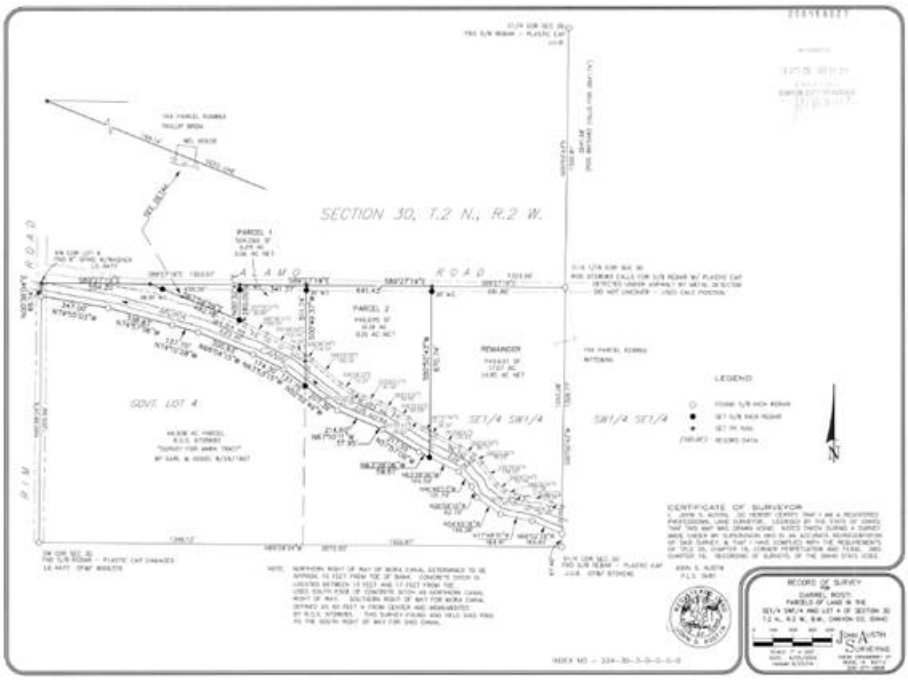






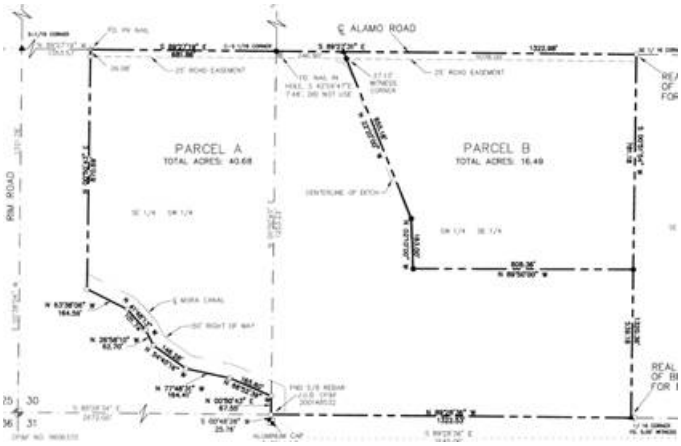
R29892 (portion of Gov 4 SWSW, SESW, SWSE in section 30-2N-2W) totaling 72.47 acres. This is the balance property of the **first** division (SEE R29892010). This property was further divided without DSD approval creating R29892011 (6.3 ac) and R29892012 (10.28 ac) in 2004 leaving a balance of approximately 55.89/56 acres as shown in the property history in CU23004-595. SEE: R29892013

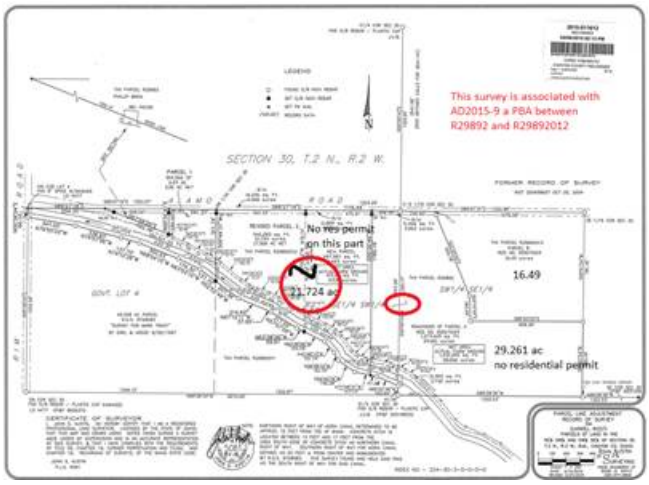
R29892011 (a portion of Gov. Lot 4 created in 2004 without DSD application 6.30 acres) This parcel was not divided by application with DSD. It appears to have been divided in 2004 (TX 04592). A residential building permit was issued to this property –no notes/reference to entitlement BP2012-285. inst.# 200458927 dated Oct. 25, 2004 shows Parcel 1 6.29 ac, Parcel 2 10.3 and remainder 17.07 as part of R29892 Witteman Farms—also shows R29892010 as 46.508 ac. CURRENTLY THIS PROPERTY DOES NOT HAVE A DOCUMENTED LAND DIVISION. A RESIDENTIAL PERMIT WAS ISSUED TO IT BUT NO ENTITLEMENT REFERENCE. IT IS THE REMAINDER PORTION OF GOV LOT 4 WHEN R29892010 WAS DIVIDED IN 1997. AN AFTER THE FACT LAND DIVISION IS REQUIRED WITH THE PROPOSED PBA TO RECOGNIZE THE PARCEL AS A LEGAL PARCEL OF RECORD IN ACCORDANCE WITH ZONING ORDINANCE REQUIREMENTS.

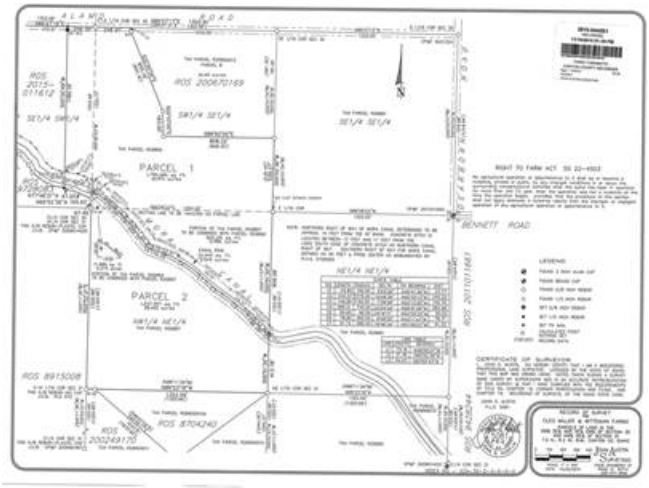


R29892012 (A portion of SESW in section 30-2N-2W) and divided from R29892 in 2004 via Tx04593 inst #200454826 Witteman Farms to Darrel Rosti 10.28 acres. This property was not divided in accordance with ordinance requirements and had to file a conditional use permit, CU2004-595, to provide for a residential permit on 10.28 more less acres [note: R29892011 was not included in the CU decision or discussion]. In 2015 (AD2015-9) Rosti and Witteman completed a property boundary adjustment between parcels R29892012 and R29892 (now R29892013). The result of that property boundary adjustment was that Rosti property increased in size from 10.282 acres to 21.724 acres (*R29892012 and R29892014-no residential permit available and should be combined with -012 parcel in accord with decision and survey*) TO COMPLY WITH THE PBA DOCUMENTATION THIS PARCEL SHOULD BE COMPBINED WITH **R29892014 (NO PERMIT AVAILABLE)** WITH 21.724 ACRES (AD2015-9).

R29892013 (formerly R29892) (A portion of SESW and the SWSE in section 30-2N-2W and currently includes a portion of the NWNE lying north of the Mora Canal in section 31- 2N-2W). In 2006 this property was divided by deed into two parcels Parcel A 40.68 acres (R29892) and Parcel B 16.49 acres (R29892013 with residence). In 2015 Witteman Farms and Rosti completed a property boundary adjustment **AD2015-9** between R29892 and R29892012 as shown on ROS 2015-011612 dated April 2015. Also in 2015 Witteman adjusted R29892 (bare ground) to include the portion of R29897 lying north and east of the Mora Canal into R29892 creating a 40.971 acre parcel as shown on ROS #2015-044261 dated Nov. 2015. **AD2015-67**: PBA When R29892 and R29892013 (with residence) were merged the parcels were identified as R29892013 by Assessor.







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

Development Services Department (DSD)
NEW public office hours
Effective Jan. 3, 2023
Monday, Tuesday, Thursday and Friday
8am – 5pm
Wednesday
1pm – 5pm
**We will not be closed during lunch hour **

Form 238-7
11/97 JGE 63

838258

Office Use Only
Inspected by
Twp Rge Sec
1/4 1/4 1/4
Lat: : : Long: : :

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO. D 0042458
DRILLING PERMIT NO.
Other IDWR No.

2. OWNER:
Name DARREL ROSTI
Address 11621 ALAMO
City NAMPA State ID Zip 83686

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location.

N / W / E / S

Twp. 2 North [X] or South [ ]
Rge. 2 East [ ] or West [X]
Sec. 30 1/4 SW 1/4 SW 1/4
Gov't Lot County CANYON
Lat: Long:
Address of Well Site SAME
City
(Give at least name of road + Distance to Road or Landmark)
Lt. Blk. Sub. Name

4. USE:
[X] Domestic [ ] Municipal [ ] Monitor [ ] Irrigation
[ ] Thermal [ ] Injection [ ] Other

5. TYPE OF WORK: check all that apply (Replacement etc.)
[X] New Well [ ] Modify [ ] Abandonment [ ] Other

6. DRILL METHOD:
[X] Air Rotary [ ] Cable [ ] Mud Rotary [ ] Other

7. SEALING PROCEDURES:

Seal/Filter Pack Material	From	To	AMOUNT Sacks or Pounds	METHOD
BENTONITE	0	18	400#	POUR

Was drive shoe used? [X] Y [ ] N Shoe Depth(s) 195
Was drive shoe seal tested? [X] Y [ ] N How? AIR

8. CASING/LINER:

Diameter	From	To	Guage	Material	Casing	Liner	Welded	Threaded
6	+2	195	250	STEEL	[X]	[ ]	[X]	[ ]
					[ ]	[ ]	[ ]	[ ]
					[ ]	[ ]	[ ]	[ ]

Length of Headpipe Length of Tailpipe

9. PERFORATIONS/SCREENS:
[ ] Perforations Method
[ ] Screens Screen Type

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						[ ]	[ ]
						[ ]	[ ]
						[ ]	[ ]

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
114 ft. below ground Artesian pressure lb.
Depth flow encountered ft. Describe access port or control devices:

11. WELL TESTS:
[ ] Pump [ ] Bailer [X] Air [ ] Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
40		190	1 HR

Water Temp. Bottom hole temp.
Water Quality test or comments:
Depth first Water Encounter

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water Y	Water N
10	0	4	TOP SOIL		
	4	14	HARD PAN		
	14	15	GRAVEL		
	15	18	SANDY CLAY		
6	18	38	SANDY CLAY		
	38	52	SAND/ GRAVEL		
	52	138	CLAY W/ SAND STRIPS		
	138	155	CLAY		
	155	175	CLAY LAYERS		
	175	180	COARSE SAND	X	
	180	189	SAND	X	
	189	205	BLUE CLAY		
	205	212	BLUE CLAY/ SAND STRIPS	X	

RECEIVED
FEB 03 2006
WATER RESOURCES
WESTERN REGION

Completed Depth 215 (Measurable)
Date: Started 1/24/2006 Completed 1/25/2006

13. DRILLER'S CERTIFICATION:
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name DAVIS WELL & PUMP Firm No. 101
Firm Official Date 1/26/2006
and
Driller or Operator Corky Davis Date 1/26/2006
(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

Form 238-7
6/07

63

RECEIVED
SEP 08 2020
WATER RESOURCES
WESTERN REGION

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO. D D0086854
Drilling Permit No. 894534
Water right or injection well #

2. OWNER: JED HENNIS
Name SAME
Address 11845 ALAMO
City NAMPA State ID Zip 83686

3.WELL LOCATION:
Twp. 2 North ☒ or South ☐ Rge. 2 East ☐ or West ☒
Sec. 30 ____ 1/4 (10 acres) SW 1/4 (40 acres) SW 1/4 (160 acres)
Gov't Lot 4 County
Lat. 43 ° 28.621 (Deg. and Decimal minutes)
Long. 116 ° 37.733 (Deg. and Decimal minutes)
Address of Well Site SAME AS ABOVE
(Give at least name of road + Distance to Road or Landmark) City
Lot ____ Blk. ____ Sub. Name

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other

5. TYPE OF WORK:
☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other

6. DRILL METHOD:
☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method/procedure
BENTONITE	0	40	1100	POOR IN

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/ Schedule	Material	Casing	Liner	Threaded	Welded
6	+3	237	250	STEEL	☒	☐	☐	☒
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 237

9. PERFORATIONS/SCREENS:
Perforations ☐ Y ☐ N Method
Manufactured screen ☐ Y ☐ N Type
Method of installation

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule

Length of Headpipe Length of Tailpipe
Packer ☐ Y ☐ N Type

10.FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method

11. FLOWING ARTESIAN:
Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG)
Describe control device WELL CAP

12. STATIC WATER LEVEL and WELL TESTS:
Depth first water encountered (ft) 138 Static water level (ft) 92
Water temp. (°F) ? Bottom hole temp. (°F) ?
Describe access port WELL CAP

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
90	50	1 HOUR

Test method:

Pump	Baller	Air	Flowing artesian
☐	☐	☒	☐
☐	☐	☐	☐

Water quality test or comments: GOOD

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water Y	Water N
10	0	3	TOP SOIL		X
10	3	58	CLAY		X
6	58	90	GRAVEL		X
6	90	138	CLAY		X
6	138	141	BROKEN UP SAND AND CLAY	X	
6	141	158	BROWN CLAY		X
6	158	163	SAND	X	
6	163	190	BROKEN UP CLAY AND SAND	X	
6	190	198	CLAY		X
6	198	204	SAND AND CLAY STRIPS	X	
6	204	212	CLAY		X
6	212	234	SAND MIX WITH CLAY	X	
6	234	243	HEVEN SAND	X	
6	243	254	CLAY		X
6	254	260	SAND	X	

Completed Depth (Measurable): 258
Date Started: 06/20/2020 Date Completed: 07/2/2020

14. DRILLER'S CERTIFICATION:
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name KNIE PUMP & DRILLING Co. No. 417
*Principal Driller Mike Knie Date
*Driller [signature] Date 9-7-2020
*Operator II Date
Operator I Date

* **Signature of Principal Driller and rig operator are required.**

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF GROUND WATER APPROPRIATIONS IN SOUTHERN CANYON COUNTY	**FINAL ORDER ESTABLISHING SOUTHERN CANYON COUNTY TEMPORARY MORATORIUM**

BACKGROUND

Due to ongoing concerns regarding ground water availability and the potential impacts of pending water appropriation applications and permits in the part of Canyon County located south of Lake Lowell ("South Canyon County"), the Director of the Idaho Department of Water Resources ("Department") instructed staff to investigate and prepare a memorandum evaluating ground water resources in South Canyon County.

On November 13, 2025, Department staff provided the Director a final memorandum titled *Evaluation of Groundwater Resources South of Lake Lowell* ("*Staff Memorandum*"). The *Staff Memorandum* contains an analysis of the region, ground water data, and conclusions and recommendations for further action.

FINDINGS OF FACT

1. The Department currently monitors ground water levels in eleven wells south of Lake Lowell. *Staff Memorandum*, 4. This monitored region (hereafter "Monitored Region") begins immediately south of Lake Lowell, extending to the southernmost monitored well in the network. *Id.*, 2; *see Figure 1*. The periods of monitoring data for the eleven wells vary, with four years as the least amount of monitoring time, and 58 years as the longest time.

2. Currently, the long-term (year over year) water levels in the Monitored Region are predominantly stable or increasing. *Id.*, 19.

3. Currently, the analysis of the well monitoring network in the Monitored Region does not indicate statistically significant decreasing water levels in the region. However, seasonal fluctuations are present, water levels decline during the irrigation season and recover over the winter. *Staff Memorandum*, 19-20.

4. South of the Monitored Region is an area of South Canyon County where the Department currently does not have the ability to monitor or confidently model ground water levels. *Id.*, 15.

5. IDWR has records for 38 underground injection wells within the study area of the Staff Memorandum. *Id.*, 14. Of the 38 injection wells, 32 were active between 2006 and 2024. *Id.* IDWR does not have records for injection frequency, duration, or magnitude for most of the 38 injection wells. *Id.*, 14-15.

6. In 2016, the U.S. Geological Survey and the Department began developing an updated version of the Treasure Valley Groundwater-Flow Model ("TVGWFM"), relying on data collected over the prior two decades, as well as data collected during the model development. The TVGWFM covers the westernmost portion of the western Snake River Plain, from Boise to Oregon. Hundt, S.A., and Bartolino, J.R., *A Groundwater-Flow Model of the Treasure Valley, Southwestern* Idaho, 1986-2015, April 2023, (hereinafter "*Final Report*").[1] The area covered by the TVGWFM includes South Canyon County. The goals of the TVGWFM were broad: to support water-supply planning, improve the understanding of surface and ground water interactions at a basin-scale, and facilitating conjunctive management of surface water and ground water. *Final Report* at 2. After the TVGWFM was completed, the model developers noted, "[t]he model has poor performance around and to the southwest of Lake Lowell, limiting the precision of scenarios that address water level impacts in that region." *Id*. at 105.

7. There are currently 799 ground water rights on file in South Canyon County, of which 378 water rights authorize irrigation as the sole beneficial use.[2] Collin Macheel, *Memorandum Regarding Water Right Permits and Applications Summary for Southern Canyon County*, Dec. 31, 2025, at 2. These irrigation rights have a combined diversion rate of approximately 266 cfs. *Id*.

8. There are currently 21 pending applications for permit to appropriate ground water from South Canyon County, proposing to divert approximately 121.2 cfs for irrigation of 7,000.3 acres. *Id*.

9. There are eleven approved permits to appropriate ground water from the region, and proof of beneficial use has been filed for two. *Id.* The approved permits authorize development of up to approximately 11 cfs of water, including 7.48 cfs for irrigation of approximately 433.9 acres in South Canyon County. *Id*. Because proof of beneficial use has not been filed yet for nine of those permits, there is limited information available to the Department about the extent of completed development for those permits. *Id*. at 1.

10. Many of the pending applications and permits propose to divert and use water in the region south of the Monitored Region. *Staff Memorandum*, 16; *see Figure 9*.

11. Twelve of the pending applications have points of diversion solely in the Monitored Region. Collin Macheel, *Memorandum Regarding Water Right Permits and Applications Summary for Southern Canyon County*, Dec. 31, 2025, at 3.

12. Six of the pending applications have points of diversion south and west of the Monitored Region. *Id*.

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[1] On September 28, 2023, an update to the TVGWFM was finalized by the U.S. Geological Survey and the Department. https://idwr.idaho.gov/water-data/projects/treasure-valley/.

[2] This total does not include unrecorded domestic water rights established by beneficial use under statutory filing exemptions.

13. Three of the pending applications have points of diversion in both the Monitored Region and area south of the Monitored Region. *Id*.

14. Five permits have points of diversion solely in the Monitored Region. *Id*.

15. Six permits have points of diversion south and west of the Monitored Region. *Id*.

APPLICABLE LAW

The Director shall have the power and duty to,

> [a]fter notice, to suspend the issuance or further action on permits or applications, including permits or applications for domestic purposes or uses as defined in section 42-111, Idaho Code, required pursuant to section 42-227, Idaho Code, as necessary to protect existing vested water rights or to ensure compliance with the provisions of chapter 2, title 42, Idaho Code, or to prevent violation of minimum flow provisions of the state water plan.

Idaho Code § 42-1805(7).

> It shall likewise be the duty of the director of the department of water resources to control the appropriation and use of the ground water of this state as in this act provided and to do all things reasonably necessary or appropriate to protect the people of the state from depletion of ground water resources contrary to the public policy expressed in this act.

Idaho Code § 42-231.

ANALYSIS

A temporary moratorium may be established as necessary to protect existing vested water rights. I.C. § 42- 1805(7). While the *Staff Memorandum* concluded that the ground water levels in the Monitored Region are currently stable or increasing, it also noted potential impacts to the ground water system from regional injection wells and pending ground water use development. IDWR records indicate 32 injection wells have been active in the study area from 2006 to 2024 but due to a lack of data, there is significant uncertainty regarding the impact of injections on ground water levels. In addition, there are twelve pending ground water applications and five approved permits in that area, and it is uncertain what impact those current applications could have and what impact the permits will have on ground water levels once developed.

As to the area south of the Monitored Region, as stated in the *Staff Memorandum*, the Department does not have the ability to monitor or confidently model ground water levels. There are also a number of pending ground water applications and approved permits in this region, and it is uncertain what impact those current applications could have on water levels if developed.

To protect vested ground water rights and the people of the region from the depletion of ground water resources, it is necessary to quantify the impact of current injection well activities and the pending applications prior to approving additional ground water appropriations in South Canyon County. However, the Department cannot currently quantify these impacts because there is insufficient data to do so, and the TVGWFM is not reliable in the South Canyon County region. The TVGWFM was "built with multiple, broadly expressed objective and did not optimize performance for specific uses." *Final Report*, at 2. The model developers reported "poor performance of the model in the region southwest of Lake Lowell" and did not recommend "using the model in its current form to estimate water level effects in that area." *Staff Memorandum,* 18. But, model developers noted that by adjusting and improving the model, as well as collecting more data in the region, the model could be optimized to make specific forecasts within smaller geographic boundaries. *Id.* Adjustments and improvements could be made by "refining the model in an area of interest, collecting additional calibration data, applying more rigorous boundary conditions, or re-estimating model parameters to optimize model performance for a specific model forecast." *Id*

The Director acknowledges that determining injection well volumes and continuing to expand the Department's monitoring network, coupled with collecting additional data and recalibrating models, will allow the Department to better ascertain ground water conditions in the region and determine impacts from future development. By refining the TVGWFM model, the Department would be better equipped to quantitatively evaluate ground water availability for future appropriation in the South Canyon County area, specifically the area south of the Monitored Region.

The Department is currently unable to say with certainty what the impacts of injection well activities and the future exercise of applications and permits to divert ground water south of the monitored region could be on that region as well as the monitored region. Because the impact of the pending applications and permits on the ground water levels in the South Canyon County region as a whole is not calculable with the current model, a temporary moratorium is necessary to protect existing vested water rights in that region.

CONCLUSION OF LAW

1. Ground water availability in the Monitored Region and the area south of the Monitored Region in South Canyon County may be impacted by existing injection wells and the development of approved permits. Issuing additional permits without better knowledge of the impacts of development pursuant to the approved permits could jeopardize the water supply necessary for existing ground water rights.

2. A temporary moratorium in South Canyon County as described below is necessary to protect vested ground water rights because the impact of pending applications and

permits in both the Monitored Region and the area south of the Monitored Region is not currently quantifiable.

ORDER

IT IS HEREBY ORDERED that a temporary moratorium is established on the processing and approval of presently pending and new applications for permits to appropriate water from ground water within the designated Southern Canyon County Temporary Moratorium Area (within IDWR Administrative Basin No. 63). The Southern Canyon County Temporary Moratorium Area is designated and described as:

> All ground water within southern Canyon County south of Lake Lowell; including and south of Township 03N, Range 03W, Section 30; Township 03N, Range 04W, Section 25, 26, and 27; and Township 02N, Range 02W, Section 16; Areas west of Highway 45, and north and east of the Snake River.

A map of the boundary for the Southern Canyon County Temporary Moratorium Area is attached to this order and identified as Appendix A.

New and pending applications to appropriate water in the area subject to the moratorium shall be held without further processing unless they meet one or more of the exceptions stated in this order. The following provisions apply to the administration of the moratorium:

1. The moratorium shall be in effect as of the date of this order and shall remain in effect for five years unless withdrawn or modified by order of the Director.

2. The moratorium does not affect the authorization to continue development of any existing approved permit to appropriate water.

3. The moratorium does not apply to an appropriation of ground water established by beneficial use pursuant to the permitting exemption set forth in Idaho Code § 42-227 for domestic uses, as defined in Idaho Code § 42-111.

4. The moratorium does not apply to any application proposing a non-consumptive use of water as the term is used in Idaho Code § 42-605A. Applications for municipal purposes and for domestic use from community water systems shall be presumed to be fully consumptive.[3] Applicants may rebut the presumption by providing substantial, detailed evidence that the proposed use is not fully consumptive, will not become more consumptive or fully consumptive over time, and will not injure existing vested water rights. A rebuttal of the presumption must address monitoring, reporting, and mitigation measures, to ensure that the proposed use does not become more consumptive or fully consumptive after it has been established. The Director may consider a rebutted presumption when assessing an application. Sufficiently

[3] Community water system as used in this order is defined as a water system supplying water for domestic purposes that do not meet the Idaho Code § 42-111 definition of domestic purposes.

rebutting the presumption alone shall not entitle an applicant to approval of its application. Irrigation proposed in connection with a domestic use will be considered consumptive. Domestic, commercial, industrial, or other water uses that result in the discharge of wastewater to a municipal or publicly owned treatment works will be considered consumptive.

5. This moratorium does not apply to applications for drilling permits to replace or deepen existing wells having valid, existing water rights.

6. This moratorium does not apply to applications for transfer, including applications to add points of diversion to valid, existing water rights.

7. This moratorium does not prevent the Director from reviewing for approval on a case-by-case basis an application which otherwise would not be approved under the terms of this moratorium if:

a) Protection and furtherance of the public interest, as determined by the Director, requires consideration and approval of the application irrespective of the general moratorium; or

b) The Director determines that the development and use of the water pursuant to an application will have no effect on prior surface and ground water rights because of its timing, location, insignificant consumption of water, or mitigation provided by the application to offset injury to other rights.

IT IS FURTHER ORDERED that the Department shall serve a copy of this order by certified mail upon holders of applications for permits proposing appropriation of ground water within the moratorium area as shown in Appendix A and shall publish notice of this order for three consecutive weeks as required by IDAPA Rule 37.03.08.055 (Water Appropriation Rule 55).

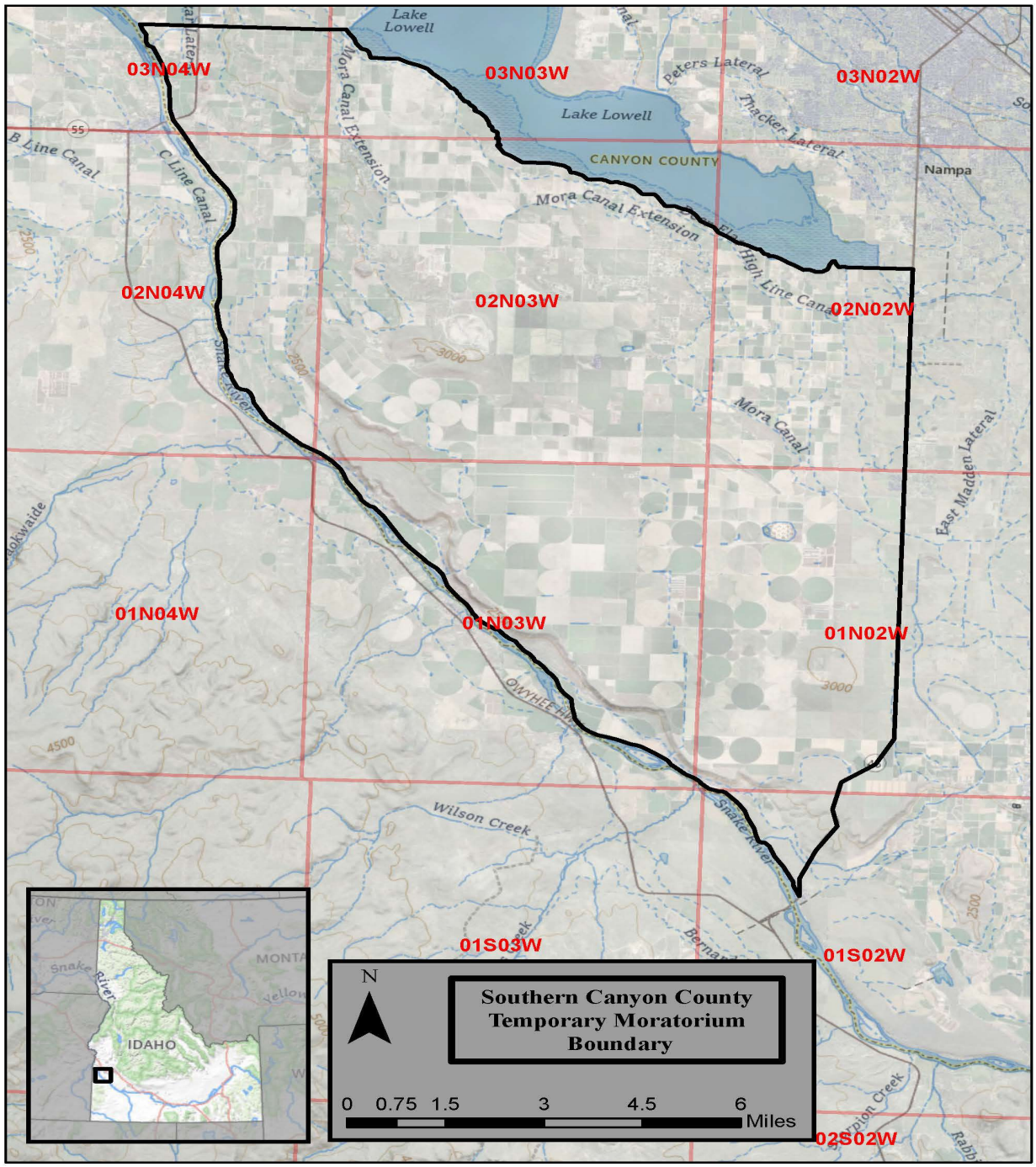
Pursuant to Idaho Code § 42-1701A(3), any person aggrieved by any decision, determination, order or other action of the Director, and who has not previously been afforded an opportunity for a hearing on the matter, shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing.

DATED this 20th day of March 2026.



MATHEW WEAVER
Director

APPENDIX A


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Mora Canal Extension
Mora Canal Extension
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Thacker Lateral
B Line Canal
C Line Canal
Mora Canal
East Madden Lateral
Wilson Creek
Snake River
IDAHO
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Southern Canyon County
Temporary Moratorium
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CERTIFICATE OF SERVICE

I hereby certify that on March 20, 2026, I mailed a true and correct copy, certified, postage prepaid, of the foregoing **(FINAL ORDER ESTABLISHING SOUTHERN CANYON COUNTY TEMPORARY MORATORIUM)** to the person(s) listed below:

FARM DEVELOPMENT CORP
575 W BANNOCK ST
BOISE, ID 83702-5917
63-33131

A D CATTLE CO INC
ALAN NOBLE FARMS
PO BOX 1582
BOISE, ID 83701
63-33132, 63-33133, 63-33135

SUNRIDGE DAIRY LLC
4890 DRY LAKE RD
NAMPA, ID 83686-9669
63-33644, 63-33713, 63-33756

NORTHWEST FARM CREDIT SERVICES
FLCA
16034 EQUINE DR
NAMPA, ID 83687-8490
63-33777

LAKEVIEW LAND CO LLC
10778 PERCH RD
CALDWELL, ID 83686
63-33777

BOWMONT FARMS LLC
4890 DRY LAKE RD
NAMPA ID 3686
63-33810

WESTERN FARMS INC
16909 MARSING RD
CALDWELL, ID 83607
63-33900

BRUCE DONNELL
BEVERLY DONNELL
11360 FARNER RD
NAMPA, ID 83686
63-34050

SOUTHSHORE 2 HOMEOWNERS ASSN
PO BOX 9
CALDWELL, ID 83606-0009
63-35796

SCHOBER & SON LLC
430 AURORA DR
NAMPA, ID 83686-8293
63-34157

PHILLIP MAMER
ELIZABETH MAMER
15754 LAKESHORE DR
CALDWELL, ID 83607
63-34280

LGD VENTURES LLC
PO BOX 9325
BOISE, ID 83707-3325
63-35575, 63-33576

JODI OLSON
TERRY MAHONEY
2020 PRIMROSE
NAMPA, ID 83686
63-34542

JON CARTER
TARA ROSE-CARTER
14284 LEWIS LN
NAMPA, ID 83686-9114
63-34608

CARSON RANCHES LLC
1004 7TH ST S
NAMPA, ID 83651-4124
63-34758

DOUBLE R LAND AND CATTLE LLC
9555 BOOKER LN
NAMPA, ID 83686-5931
63-35092

CRAIG M YONKER
MARY L YONKER
PO BOX 369
NAMPA, ID 83653-0369
63-34945

DENNIS CHAPMAN
VICTORIA CHAPMAN
21291 MCCONNELL AVE
RIVERSIDE, CA 92518-2860
63-35226

I hereby certify that on March 20, 2026, I mailed a true and correct copy, postage prepaid, of the foregoing **(FINAL ORDER ESTABLISHING SOUTHERN CANYON COUNTY TEMPORARY MORATORIUM)** to the person(s) listed below:

JOHN MARSHALL
JOHN MARSHALL LAW PLLC
575 W BANNOCK ST STE B
BOISE, ID 83702
63-33131, 63-33132, 63-33133, 63-33135

JOSHUA J LEONARD
CLARK WARDLE
PO BOX 639
BOISE, ID 83701-0639
63-35575

PRESTON B RUTTER
CLARK WARDLE
PO BOX 639
BOISE, ID 83701-0639
63-35575

LORI GRAVES
HDR INC
412 E PARKCENTER BLVD STE 100
BOISE, ID 83706-6659
63-33756, 63-33810, 63-35575, 63-35576

CRISTINA JACUZZI
13450 SOUTHSHORE LN
NAMPA, ID 83686-9106
63-35796

Jean Hersley
Technical Records Specialist II

Exhibit 3

EXHIBIT D

Site Visit Photos: October 22, 2025

Planning & Zoning Commission

Case# OR2025-0023

Hearing date: April 2, 2026 (Tabled to May 7, 2026)

Exhibit D

OR2025-0023 Granite Co.

Site Visit 10/22/25

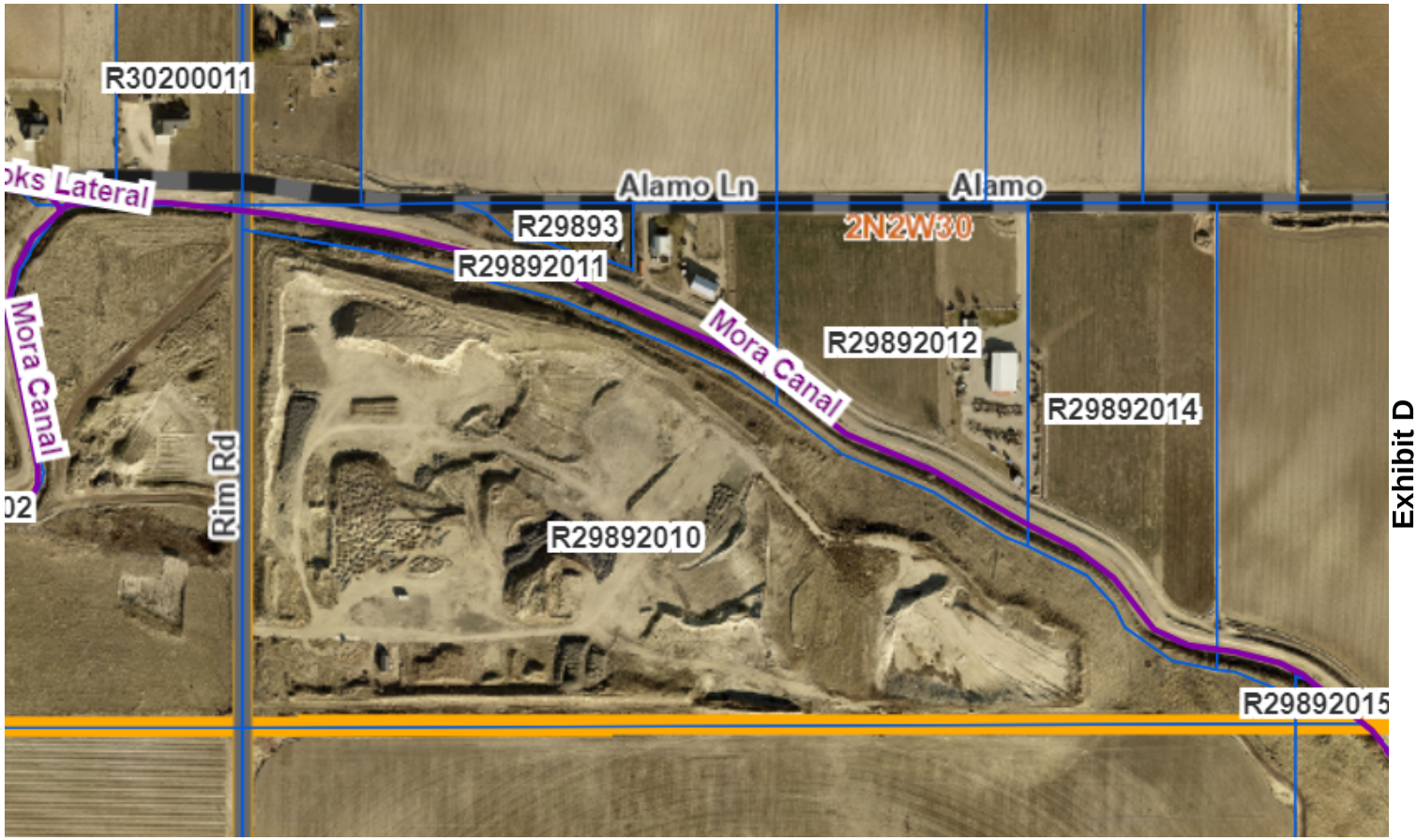


Exhibit D



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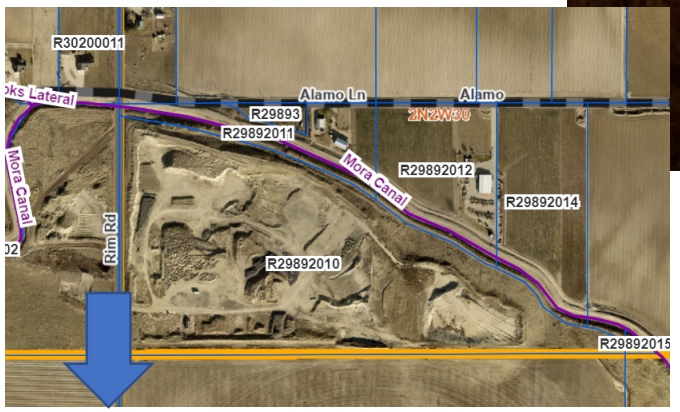

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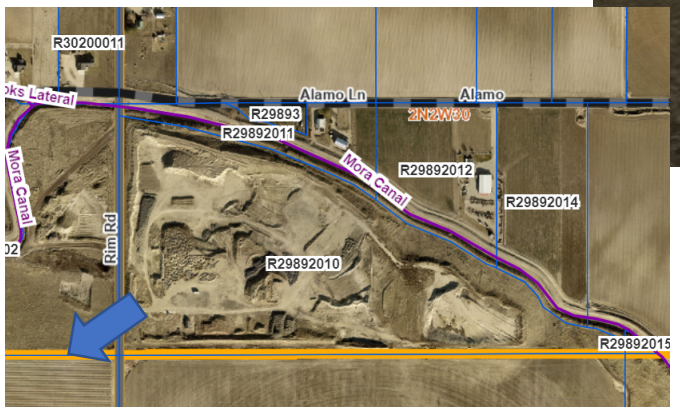

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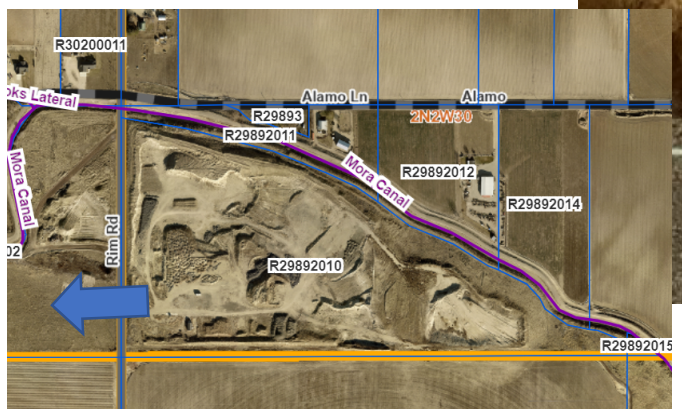

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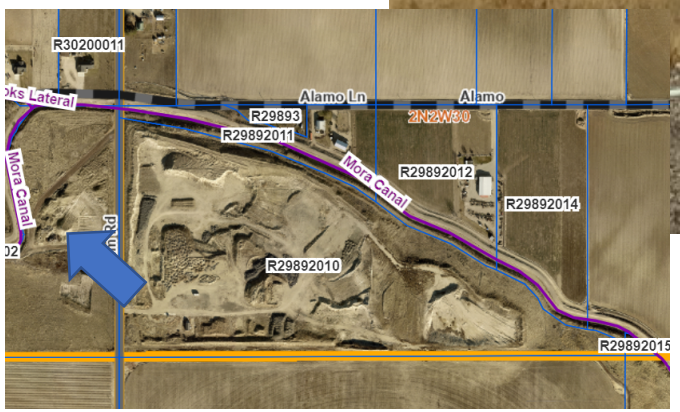

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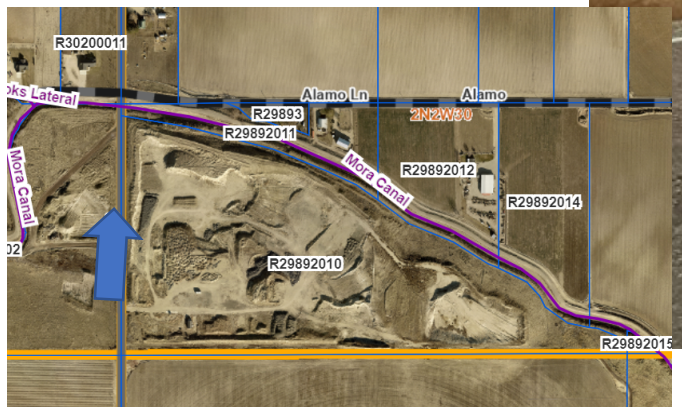

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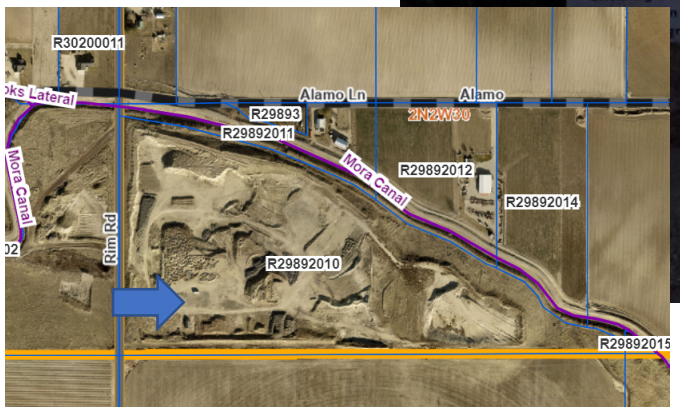

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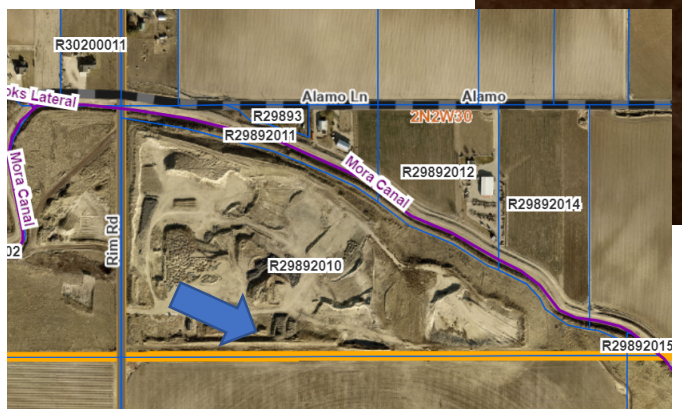
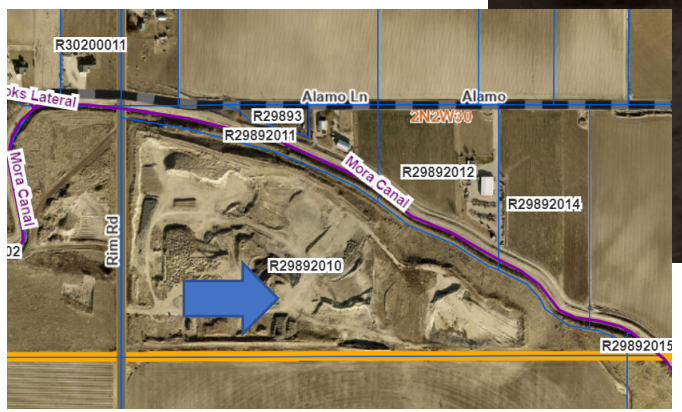

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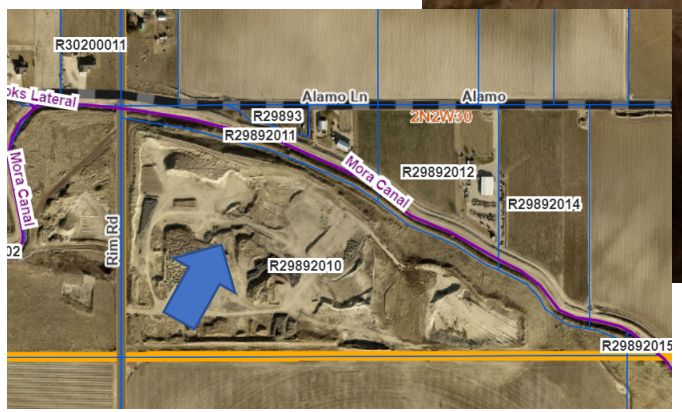

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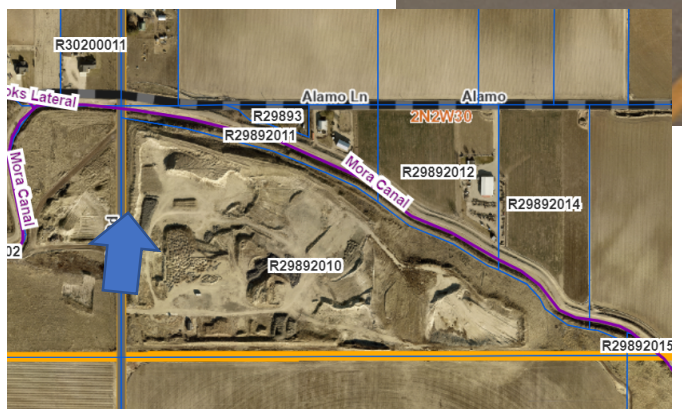

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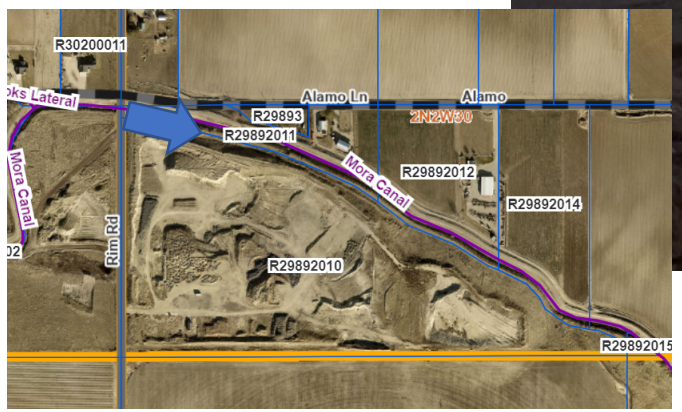

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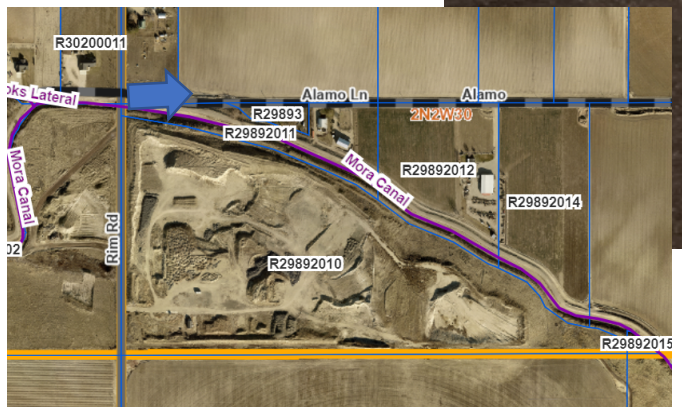

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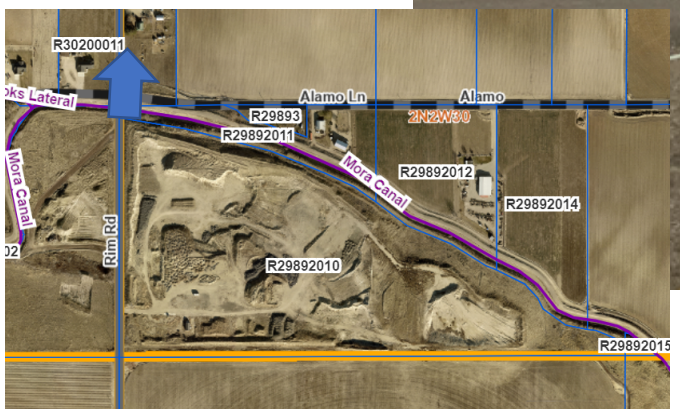

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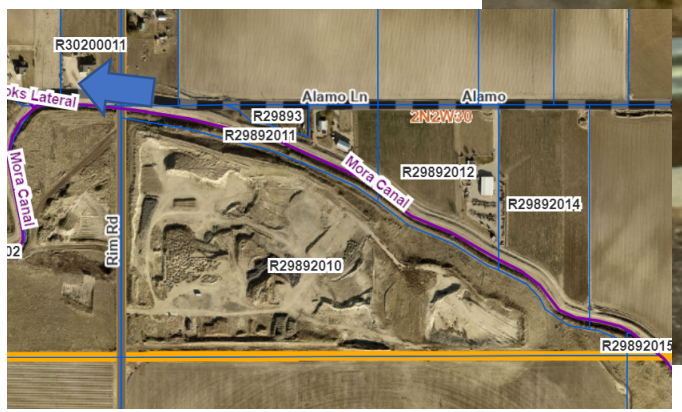

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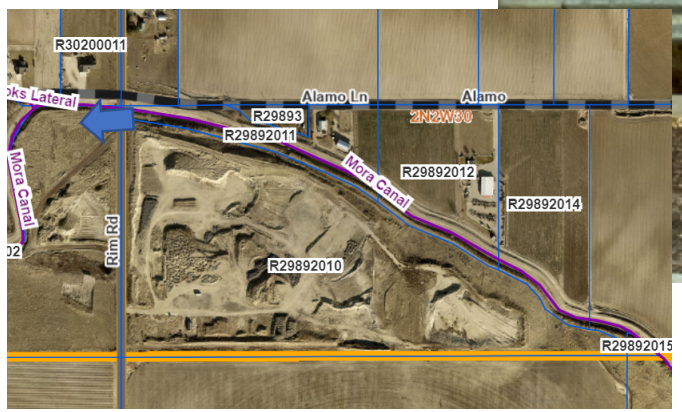

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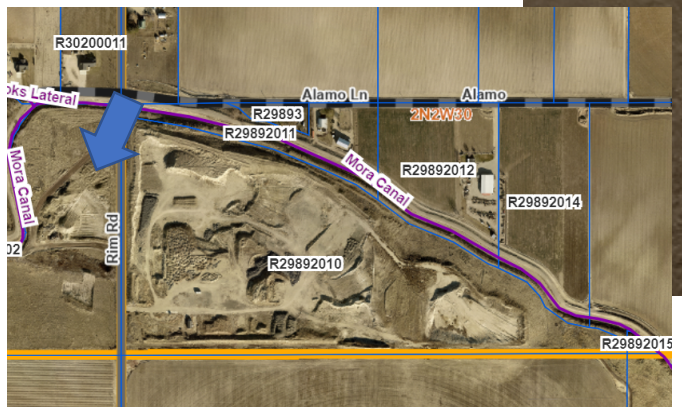

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Exhibit 3

EXHIBIT E

Agency Comments Received by March 23, 2026

Planning & Zoning Commission

Case# OR2025-0023

Hearing date: April 2, 2026 (Tabled to May 7, 2026)

Your Safety • Your Mobility
Your Economic Opportunity

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
[redacted]

October 23, 2025

Dan Lister, Planning Official
Canyon County Development Services Department
111 North 11th Avenue, Suite #310
Caldwell, Idaho 83605

VIA EMAIL

Development Application	**OR2025-0023**
Project Name	**Granite Companies**
Project Location	Approximately 3 miles west of SH-44 MP 20.2
Project Description	Comprehensive Plan Map Amendment from Agriculture to Rural residential
Applicant	Connor Linstrom; KM Engineering

The Idaho Transportation Department (ITD) reviewed the referenced application(s) and has the following comments:

1. This development does not abut the state highway system.
2. ITD has no objections to the comprehensive plan map amendment; however, we request an opportunity for further review once a specific development proposal is submitted.

If you have any questions, you may contact Development Services at [redacted]

Sincerely,

Niki Benyakhlef

Development Services Coordinator
[redacted]

Dan Lister

From: Anthony Lee [redacted]
Sent: Friday, October 10, 2025 9:35 AM
To: Dan Lister
Cc: Mitch Kiester
Subject: [External] RE: Agency Notice OR2025-0023 / Granite Companies
Attachments: Pre.Development.Notes.Signed.05.14.2025.pdf

Hi Dan,

1.) Will a Nutrient Pathogen Study be required? **The development is in a designated DEQ Nitrate Priority Area (NPA) with the requirement for conducting a Nutrient Pathogen Study (NP) if a future subdivision is proposed**.
2.) Will adequate sanitary systems be provided to accommodate the use? **The suitability of the soil and site conditions for the use of subsurface sewage disposal systems has not yet been determined at this time.**
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 the nearby city? **There are no concerns with the use or request for rezoning if the applicant meets all SWDH requirements per IDAPA 58.01.03.**

Please see attached pre-development notes.

Please let me know if you have any questions.

Thank you,

SOUTHWEST DISTRICT HEALTH

Check out our new online self-service portal here! PORTAL

Anthony Lee, RS/BS | Land Development Senior

[redacted]

[redacted] | SWDH.org

13307 Miami Ln., Caldwell, ID 83607

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Friday, October 10, 2025 8:40 AM
To: [redacted]

Pre-Development Meeting

Name of Development: Comprenhensive Plan Amendment
Applicant: Connor Lindstrom, P.E./ KM Engineering
P.E./P.G.:
All others in Attendance:

EHS#035 Date 05/14/2025

Number of Lots or Flow: N/A Acreage of Proposed Development: 41.38 & 5.11
Location of Development: 7044 Rim Rd
Nampa, ID 83686
R2989201000 & R29892010A0

Project in Area of Concern: Designated NP Area Groundwater/Rock <10' >10 GW & 24" to 40" HP
Level 1 NP Necessary for N: Yes

LSAS/CSS Proposed: No
BRO meeting for P or above: No
Proposed Drinking Water: Individual ■, City ☐, Community ■, Public Water Supply ☐
BRO meeting for PWS, Com: No

Information Distributed: SER ☐, NP Guidance ☐, Non-Domestic WW ap. ☐

Additional Comments: The applicant discussed with SWDH the proposal for a comprehensive plan amendment to merge two separate parcels into one parcel. The parcels are currently zoned as agricultural and is used for mineral mining. Future plans is to conditionally rezone the parcels to Rural Residential and to subdivide the parcel into ~2.00 acre lots. The parcels are in a designated nitrate priority area and a nutrient pathogen study is required if a future subdivision is proposed. The applicant will need to go through subdivision approval process with SWDH.

Attach conceptual plan, if provided, or any other correspondence, and create a file for this information. The information will be helpful when responding to the county about permitting requirements and should be maintained with the subdivision file or commercial permit file when completed, for a complete written history of the project and SWDH involvement.

Dan Lister

From: Caitlin Ross
Sent: Tuesday, October 14, 2025 4:49 PM
To: Dan Lister
Subject: FW: [External] FW: Agency Notice OR2025-0023 / Granite Companies
Attachments: R29892010 Response Times.pdf; R29892010 Response Times 2.pdf

FYI – thanks!

Caitlin

From: Michael Stowell <[redacted]
Sent: Tuesday, October 14, 2025 4:36 PM
To: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Subject: [External] FW: Agency Notice OR2025-0023 / Granite Companies

---

From: Keaton Massie
Sent: Saturday, October 11, 2025 12:46 AM
To: Michael Stowell [redacted]
Subject: RE: Agency Notice OR2025-0023 / Granite Companies

Hello sir,

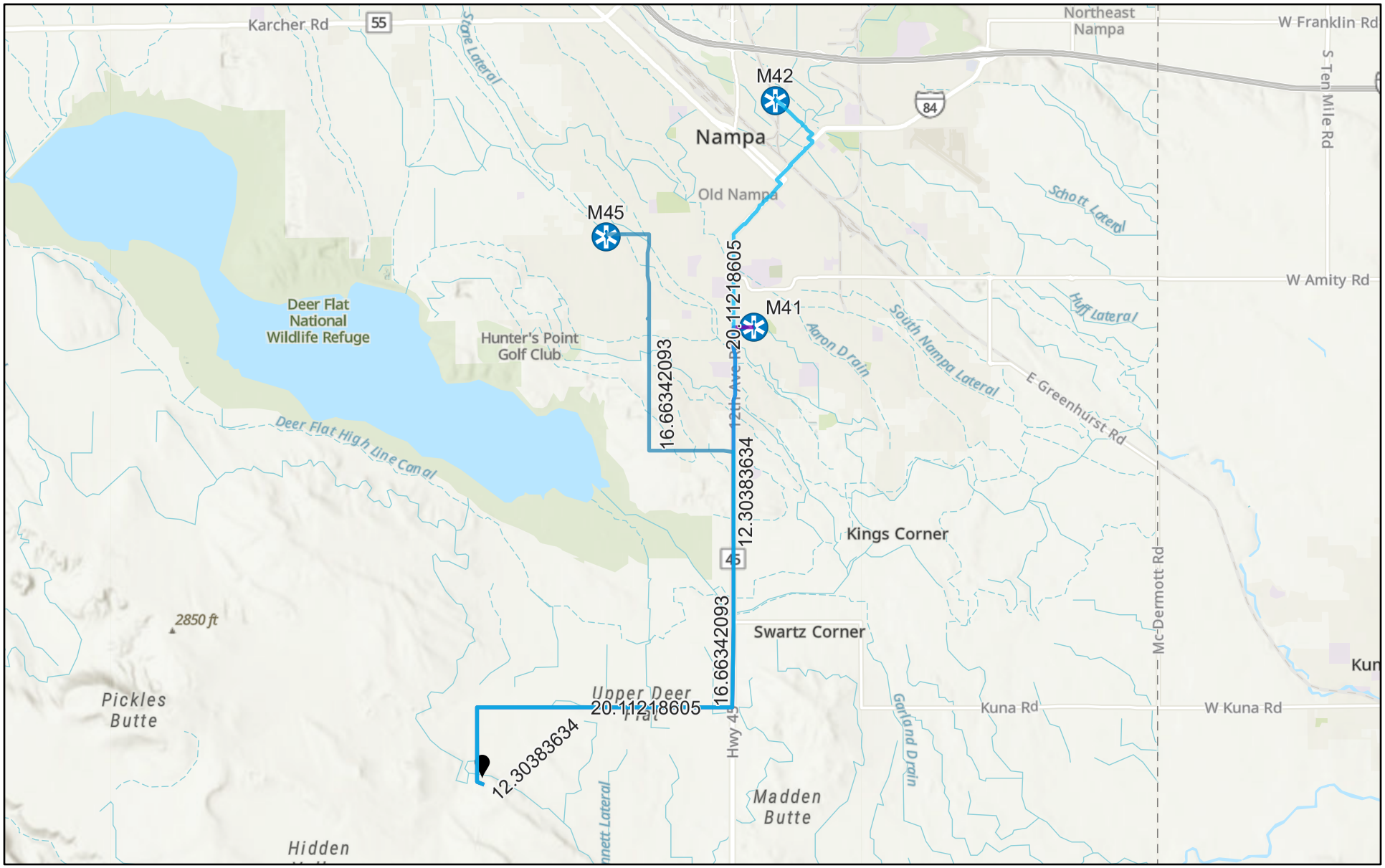
Here is the map for this request. https://arcg.is/0X5D1f

Thank you,
Capt. Massie

From: Michael Stowell
Sent: Friday, October 10, 2025 9:21 AM
To: Keaton Massie
Subject: FW: Agency Notice OR2025-0023 / Granite Companies

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Friday, October 10, 2025 8:40 AM
To: [redacted]

R29892010 Response Times



10/11/2025

1:141,270

0 0.75 1.5 3 mi

0 1.25 2.5 5 km

Route 1 - 1 - 1

Route 1 - 1 - 1

Route 1 - 1 - 1

M45 station

R29892010

M42 station

M41 station

World_Hillshade

Esri, NASA, NGA, USGS, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

NAMPA FIRE 1891 DIST
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ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651

DATE: October 30, 2025

TO: City of Nampa – Planning and Zoning

FROM: Elijah Effinger, Nampa Fire Protection District, Fire Marshal

APPLICANT: Connor Lindstrom

OWNER: Granite Companies, LLC

PROJECT ADDRESS: 7044 Rim Road

RE: OR2025-0023 Parcel # R2989201000

This application is for The applicant, Granite Companies LLC, represented by KM Engineering, requests a Comprehensive Plan Map Amendment of Parcel R2898201 from an "agriculture" future land use designation to a rural residential future land use designation. The 46.5-acre property is located at 7044 Rim Road, Nampa, also referenced as a portion of the SW quarter of Section 30, T2N, R2W, BM, Canyon County, Idaho.

The Nampa Fire District does not oppose the application subject to compliance with all the following code requirements and conditions of approval.

Water Supply Comments:

Fire District required fire hydrants, 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.

Fire hydrants, capable of producing the required fire flow, shall be located along approved fire lanes. Fire hydrant spacing shall meet the requirements of IFC table C105.1.1 (IFC 507.3, IFC B105.2, IFC C105).

Fire Access Comments:

Structures greater than 30 feet in height will require aerial fire access roadways. These roadways shall be a minimum of 26 feet in width and located at least 15 feet but no more than 30 feet from the building. (IFC D105)

ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651

[redacted]

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads. (D107.1)

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the overall maximum diagonal dimension of the lot or area to be served, measured in a straight line between accesses. (D105.1)

Dead-end fire apparatus access roads exceeding 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC 503.2.5)

Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1)

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (IFC 503.2.1)

The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. (IFC 503.2.4)

Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface and can support the imposed load of fire apparatus weighing at least 75,000 pounds. (IFC D102.1)

Fire apparatus access roads shall not exceed 10 percent in grade. (IFC D103.2)

When a bridge or elevates surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. (IFC 503.2.6)

ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651

For streets having a width less than 33 feet back of curb to back of curb parking shall be restricted on one side; for streets having a width less than 27 feet back of curb to back of curb parking shall be restricted on both sides. A note on the face of the final plat is required noting the parking restriction prior to signing of the final plat. No Parking signs shall be installed throughout cul-de-sacs, turnarounds and at gates or bollards controlling emergency access. Developments with marked parking stalls shall have signs posted at each entrance stating Place a sign at each entrance to the site stating, "**ALL LANES ARE FIRE LANES-PARK IN MARKED STALLS ONLY"**. The language below in smaller font is as follows: **"Violating Vehicle Will Be Towed; IFC Sec. 503".** See exhibit below.

No Parking signs shall be installed in accordance with the requirements of the IFC. (IFC 503.8)

Gates and Bollards shall comply with requirements of the IFC with designs being submitted to the Fire Code Official for approval. If gates are electronically operated, they shall be equipped with an automatic opening mechanism activated by the Opticom system. Manual gates shall be secured with a Knox brand padlock. See exhibit below for acceptable Bollard models manufactured by Maxiforce. (IFC 503.6, D103.5).

General Conditions

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

Emergency Response Time Analysis and Service Impact:

The Nampa Fire District Strategic Plan states the response objective for Nampa Fire District is to arrive to 90% of emergency medical incidents within 5 minutes of the alarm time, and within 5 minutes and 20 seconds to fire incidents. To accomplish these response time objectives requires that travel distances be approximately 1 ½ miles from the nearest fire station. This development is located approximately 8.8 miles from Nampa Fire Station 2 with an approximate response time of 13 minutes.

ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651
[redacted]

Exhibits

"No Parking" Signs



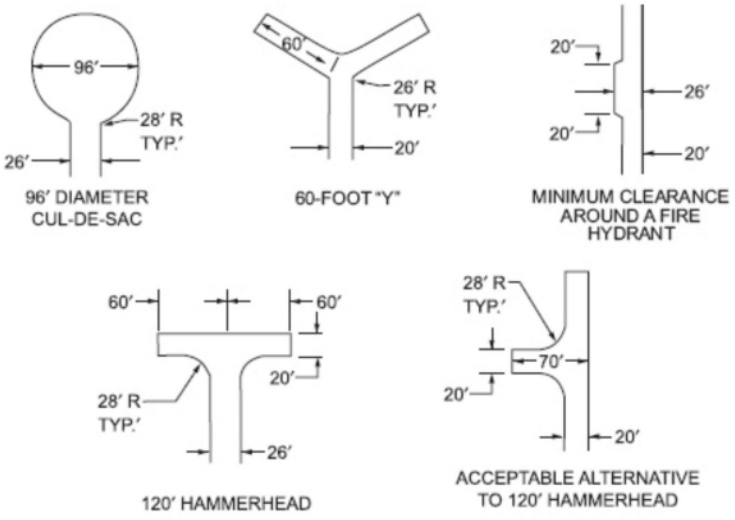
FIGURE D103.6 FIRE LANE SIGNS

"No Parking" signs for developments with parking stalls. Post at entrances.



ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651
[redacted]

Fire Apparatus Turnaround Design Options



For SI: 1 foot = 304.8 mm.

FIGURE D103.1 DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

Approved Bollards by Maxiforce

NAMPA FIRE 1891 DIST

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ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651

[redacted]



Collapsibles

MCSW-SS3-EZ

Operation:	Wrench
Head Style:	Std. Style 3
Body Style:	Std. Rectangular
Base Style:	EZ



Collapsibles

MCSW-SS2-EZ

Operation:	Wrench
Head Style:	Std. Style 2
Body Style:	Std. Rectangular
Base Style:	EZ



Collapsibles

MCSW-SS1-EZ

Operation:	Wrench
Head Style:	Std. Style 1
Body Style:	Std. Rectangular
Base Style:	EZ

Dan Lister

From: Caitlin Ross
Sent: Thursday, February 26, 2026 1:10 PM
To: Dan Lister
Subject: FW: [External] Re: Agency Notice OR2025-0023 / Granite Companies LLC

FYI – thanks!

Caitlin

From: Alicia Flavel [redacted]
Sent: Thursday, February 26, 2026 10:35 AM
To: [redacted]
Subject: [External] Re: Agency Notice OR2025-0023 / Granite Companies LLC

This land is on high ground and has no surface irrigation water.

Alicia Flavel
Secretary-Treasurer
Boise-Kuna Irrigation District
129 N. School Avenue
Kuna, Idaho 83634
[redacted]

1445 N Orchard St
Boise, ID 83706 • [redacted]

Brad Little, Governor
Jess Byrne, Director

October 15, 2025

Daniel Lister, Assistant Planning Manager
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
Daniel.Lister@canyoncounty.id.gov

Subject: Agency Notice OR2025-0023 Granite Companies

Dear Mr. Lister:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review every project on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: https://www2.deq.idaho.gov/admin/LEIA/api/document/download/15083.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), and trade waste burning (58.01.01.600-617).
- For new development projects, all property owners, developers, and their contractors must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.
- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractors are responsible for ensuring no prohibited open burning occurs during construction.

For questions, contact David Luft, Air Quality Manager, at [redacted]

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the local public health district.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect groundwater.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

  For questions, contact Valerie Greear, Water Quality Engineering Manager at [redacted]

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system. A drinking water system is a Public Water System (PWS) if it has at least 15 service connections or regularly serves an average of 25 or more people per day for at least 60 days per year (refer to the DEQ website at: https://www.deq.idaho.gov/water-quality/drinking-water/). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of groundwater resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at [redacted]

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Multi-Sector General Permit from DEQ may be required for facilities that have an allowable discharge of storm water or authorized non-storm water associated with the primary industrial activity and co-located industrial activity. For questions, contact Emily Montague, IPDES Compliance Supervisor, at [redacted]

- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.

- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call [redacted] for more information. Information is also available on the IDWR website at: https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html

- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call [redacted] for more information regarding permits.

  For questions, contact Lance Holloway, Surface Water Manager, at [redacted]

5. SOLID WASTE, HAZARDOUS WASTE AND GROUNDWATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards.

- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.24.060 and 58.01.24.061). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.24.060.01 and 58.01.24.061.04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- **Groundwater Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

  For questions, contact Matthew Pabich, Waste & Remediation Manager, at [redacted]

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, additional regulations may apply. If an UST is present, the site should be evaluated to determine whether the UST is regulated by DEQ. If an AST is identified, EPA may have additional requirements. Both UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at [redacted], or visit the DEQ website https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/ for assistance. If applicable to this project, DEQ recommends that BMPs be implemented for any of the following land uses: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, ponds and outdoor gun ranges. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at [redacted].

Sincerely,



Troy Smith
Regional Administrator

NAMPA HIGHWAY DISTRICT NO. 1

October 14, 2025

To: Dan Lister
Canyon County Development Services

From: Eddy Thiel
Right-of-way Tech

Re; OR2025-0023, Craig & Nicole Brown Rezone.

I have reviewed the request from Granite Companies, LLC for rezone of Approx. 46.5 acres from Agricultural to Rural Residential with a date of Notification of 10-10-25 received on 10-14-25.

Comments are based upon information provided to the Highway District by Canyon County Development Services and from the Patron. Nampa Highway District #1 has no objection to the rezone subject to the following information:

1. The Subject property takes access from Rim Rd.
2. NHD#1 Functional Classification of Rim Rd is Rural Principal Arterial.
3. Nampa Highway District #1 has no objection to the rezone of the subject property subject to any future land division/subdivision plat be submitted to the Highway District for a formal review.

All comments above are based on the ACCHD Standards Manual and Nampa Highway District #1 Supplementals.

Nampa Highway District #1 reserves the right to provide amended comments/conditions of approval subject to the formal review by the Highway District, and/or revisions to the ACCHD Standards Manual or NHD#1 Supplementals.

Dan Lister

From: O'Shea, Maureen [redacted]
Sent: Monday, April 6, 2026 11:35 AM
To: Dan Lister
Subject: [External] re: Legal Notice OR2025-0023 / Granite Companies LLC 7044 Rim Road, Nampa
Attachments: NEW - P&Z Rezone full political agency notice.pdf

Dan,

The site is not located in the floodplain therefore I have no comments.

I am working part-time & generally available from 9:00 a.m. to noon Monday through Thursday.

Thank you,
Maureen O'Shea, CFM
Floodplain Specialist
Idaho Dept. of Water Resources
322 E. Front Street, PO Box 83720,
Boise, ID 83720-0098
[redacted]
https://www.idwr.idaho.gov/floods/

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Thursday, April 2, 2026 11:19 AM
To: Jackson, Peter [redacted] O'Shea, Maureen [redacted];
Subject: Legal Notice OR2025-0023 / Granite Companies LLC

Dear Agencies,

Your agency is being notified pursuant to the Local Land Use Planning Act, Idaho Code 67-6509, to all political subdivisions providing services within the planning jurisdiction of Canyon County, including school districts and media. A copy of the application can be found on our Land Hearings website at Land Hearings | Canyon County.

No response is required from your agency unless you have input on the proposed project.

Contact the planner of record, **Dan Lister** at daniel.lister@canyoncounty.id.gov with any questions or additional agency comments or concerns if applicable.

Thank you,

Exhibit 3

EXHIBIT F

Public Comments Received by March 23, 2026

Planning & Zoning Commission

Case# OR2025-0023

Hearing date: April 2, 2026 (Tabled to May 7, 2026)

Growing Together LLC
301 Warehouse St.
Caldwell, ID 83605

March 23, 2026

Canyon County Planning and Zoning Commission
Canyon County Development Services
111 N. 11th Ave., Suite 203
Caldwell, ID 83605

Re: Opposition to Granite Companies LLC OR2025-0023 Comprehensive Plan Map Amendment

Dear Planning & Zoning Commissioners:

Growing Together LLC respectfully requests denial of the Granite Companies LLC application to amend the Future Land Use Map designation of approximately 46.5 acres at 7044 Rim Road from Agriculture to Rural Residential.

At the outset, this application presents a serious precedent problem for Canyon County. If a former gravel pit in an agricultural area can be redesignated to Rural Residential because mining altered the land and farming may now be more difficult, then future gravel pit applicants will have the same argument. That creates a dangerous pattern: disturb agricultural land through extraction, then seek residential conversion because the land is no longer ideal for farming. Approving this application would weaken the Agriculture designation, undermine the County's farmland protection policies, and make it far harder to deny similar requests in the future.

This proposal should also be viewed for what it is: a parcel-specific land use change sought to benefit a single ownership and a single isolated residential project, not an area-wide, policy-driven transition supported by the Comprehensive Plan. The application expressly states that the amendment is intended to allow future residential development opportunities, followed by a future rezone from Agriculture to Rural Residential and a preliminary plat. The concept materials show a 20-lot subdivision with average lots of approximately 2.27 acres. This is not a countywide planning solution. It is a request to convert one mined parcel into a stand-alone residential enclave for the owner's benefit. That is precisely the kind of isolated land use change that raises classic spot-zoning concerns.

The application materials also confirm that residential conversion - not meaningful restoration to agricultural utility - is the real objective. The applicant states that Idaho Department of Lands requires compliance with the approved reclamation plan and that the site will be reclaimed "as agreed upon." But the submittal does not meaningfully explain how topsoil will be restored, how agricultural productivity will be re-established, or why reclamation to a viable agricultural condition is infeasible. Instead, the applicant argues that, once reclamation is complete, the property will sit vacant for years unless a change of use can take place. That framing is important. A prior extractive use and the cost or difficulty of restoring land should not become the justification for permanent residential conversion. Otherwise, reclamation becomes a bridge to subdivision rather than a true restoration obligation.

This proposal should be denied because it does not satisfy the Comprehensive Plan amendment criteria in CCZO Section 07-06-03, including whether the requested amendment is generally in conformance with the Comprehensive Plan, more appropriate than the current designation, compatible with surrounding land uses, supported by sound development trends, and adequately addresses impacts to public services and groundwater.

1. The request is not generally in conformance with the Comprehensive Plan.

The property is planned for Agriculture and is currently zoned Ag. The application seeks a Future Land Use Map amendment to Rural Residential specifically to facilitate later residential subdivision development. That is not preservation of rural character or support for agriculture. It is the conversion of agricultural land to residential use. Approval would also create a policy signal that former gravel pits in agricultural areas are appropriate candidates for residential redesignation, contrary to the County's long-term agricultural planning framework and its stated commitment to maintaining a balance between growth and agriculture.

2. The amendment is not more appropriate than the current designation.

The applicant argues that slopes, soils, lack of irrigation water, and past mining activity make the property less suited for farming. Even if the site has limitations, those conditions do not make Rural Residential the proper long-term designation. The real question is not whether residential development would be easier or more profitable for this owner. The question is whether the County should redesignate agricultural land in a manner consistent with its adopted long-range planning policies. A claimed decline in agricultural suitability - particularly where that condition is tied in part to decades of mineral extraction - should not justify permanent residential conversion.

3. The applicant's reliance on poor soils policy is misplaced.

The application relies heavily on the Comprehensive Plan policy encouraging consideration of development on poorer soils that will not interfere with viable agricultural operations. That policy does not say poor soils should be redesignated for residential subdivision. Here, the proposed amendment would do the opposite of what careful planning requires by introducing a 20-lot residential enclave into an agricultural area, increasing long-term conflict, fragmentation, and pressure for additional residential conversion nearby.

4. The request is not compatible with surrounding land uses.

Twenty new residential lots in an agricultural area will predictably create conflict with normal farm operations, including dust, odor, noise, spraying, lighting, and farm traffic. Large lots and hobby-animal potential do not make a subdivision compatible with working agriculture. Residential occupants typically bring sensitivity to the very operations that agricultural areas are intended to protect. More importantly, approval would signal that agricultural areas affected by gravel extraction are suitable candidates for residential transition, increasing long-term pressure on surrounding agricultural lands.

5. The proposed density is dramatically out of scale with the surrounding area.

Within a one-mile radius of the site, there are only 31 homesites across approximately 2,010 acres, which equates to roughly one home per 65 acres. By contrast, this proposal would allow 20 homesites on

approximately 46.5 acres, or about one home per 2.3 acres. That is an approximately 28-fold increase in density over the surrounding pattern. This is not a continuation of the existing rural development trend. It is a substantial and isolated jump in residential intensity that underscores the incompatibility of this request with the surrounding agricultural area and further supports denial.

6. The application does not demonstrate a secured lawful water supply for the proposed residential transition.

Idaho law requires local governments to consider water supply, groundwater impacts, and the adequacy of public facilities and services when making land use decisions. Yet the application states that irrigation water is not available and uses that limitation as part of the argument for residential conversion, while failing to show that any water right has been secured - or even that an application has been filed - to support the future residential use this amendment is intended to facilitate. The County should not amend the Comprehensive Plan first and leave lawful water supply to be figured out later.

7. Development trends do not support this amendment.

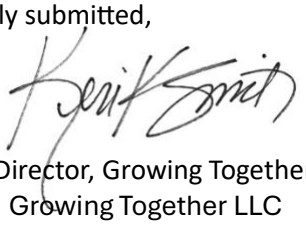
The applicant points to demand for estate lots and view properties south of Lake Lowell. But market demand is not the legal standard. The issue is whether this is orderly, plan-supported growth. It is not. This is leapfrog residential expansion in an agricultural area outside any broader demonstrated planning transition. The fact that a single owner may be able to market larger view lots does not mean the amendment serves the public interest or the Comprehensive Plan. It means the amendment would convert a single mined parcel into a private development opportunity detached from any coherent area-wide planning rationale.

8. This is not just a single-site decision; it is a policy decision with broader consequences.

If this amendment is approved, it will be cited in future cases as support for converting other gravel pit properties in agricultural areas to residential use. It will also signal that parcel-specific amendments may be used to advance isolated residential projects for individual owners where the surrounding area remains Agricultural. That would erode confidence in consistent criteria application, weaken the integrity of the Future Land Use Map, and further fragment Canyon County's agricultural landscape.

For these reasons, Growing Together LLC respectfully requests that the Planning and Zoning Commission recommend denial of this Comprehensive Plan Map Amendment.

Respectfully submitted,



Keri Smith

Executive Director, Growing Together LLC
President, Growing Together LLC

Growing Together (GT) LLC, Mission Statement: To improve citizens' knowledge of local land use planning and to support good economic land use decisions.

cc. Growing Together Advisory Board

Dan Lister

From: Keri Smith [redacted]
Sent: Monday, March 23, 2026 12:26 AM
To: Dan Lister
Subject: [External] OR2025-0023
Attachments: Draft Letter of Opposition for Granite OR2025-0023.pdf



Exhibit F.1

Please include the attached letter into the record as well as the attached image that shows the location of 31 homes within a 1 mile radius. Each homesite/parcel is labeled with a red X.

Sincerely,
Keri Smith
For Growing Together

Exhibit F.1

Sky Ranch Rd
Sky Ranch Rd
Sky Ranch Rd
Missouri Ave
5/2024
7244 Rim Rd
Radio
Rim Rd
Rim Rd
IMC Batch Plant
Granite
Missouri Ave
Missouri Ave
Missouri
Image © 2025 Vexcel Imaging US, Inc.
Image © 2025 Airbus
Imagery Date: 5/13/2024
43°28'10.49" N 116°38'16.16" W elev 0 ft eye alt

Exhibit F.1

EXHIBIT 4

Comments Received by July 6, 2026

-

Board of County Commissioners

Case# OR2025-0023

Hearing date: July 15, 2026

Dan Lister

From: Elijah Effinger [redacted]
Sent: Thursday, June 25, 2026 2:05 PM
To: Dan Lister
Subject: [External] Granite Companies (OR2025-0023)

The Nampa Fire Protection District does not have any additional comments or conditions other than what had previously been submitted on October 30th, 2025. Thank You.

Elijah Effinger
Division Chief Prevention - Fire Marshal
[redacted]

Boise-Kuna Irrigation District

129 N. School Avenue
Kuna, ID 83634-2201

David Reynolds, Director
Richard Durrant, Director
Daniel Sheirbon, Director

[redacted]

June 10, 2026

Canyon County
Attn: Dan Lister
[redacted]

RE: Granite Companies
Case No. OR2025-0023, Parcel R29892010
7044 Rim Road, Nampa, Idaho

To Whom It May Concern:

After review of the Application for 7044 Rim Road, Nampa, Idaho. I would like to inform you that the 46.50 acres of land is on high ground and has NO surface irrigation water right.

If you have any questions, please feel to contact our office at 208-922-5608.

Sincerely,

Alicia Flavel
Secretary-Treasurer

Growing Together LLC
301 Warehouse St.
Caldwell, ID 83605

July 6, 2026

Board of County Commissioners
Canyon County Development Services
111 N. 11th Ave., Suite 203
Caldwell, ID 83605

Re: Letter of Concern to Granite Companies LLC OR2025-0023 Comprehensive Plan Map Amendment

Commissioners:

Growing Together LLC respectfully requests that the Board of County Commissioners evaluate this application in the context of the surrounding existing agricultural uses and determine whether the requested Future Land Use Map amendment serves the broader public interest, particularly within the Intensive Agriculture Overlay, or primarily advances a private development opportunity on a single parcel.

This application has already been carefully reviewed by the Canyon County Planning and Zoning Commission. After receiving the applicant's testimony, staff's technical analysis, and public testimony, the Commission voted unanimously, 6-0, to recommend denial. Importantly, this is not a case in which the Planning and Zoning Commission was divided on how to balance competing policy considerations. After hearing the evidence and testimony, the Commission unanimously concluded that the applicant had not met its burden to justify a change to the County's long-range land use plan. We respectfully urge the Board to give substantial weight to that recommendation.

At the outset, we want to be clear about the basis for these concerns. We are not suggesting that every parcel designated Agriculture is identical, nor are we arguing that every landowner must farm indefinitely. Likewise, we recognize that agricultural properties may differ in their soils, water availability, topography, or development history. However, those characteristics do not automatically justify redesignating agricultural land for residential development, particularly where the proposed change would create conflicts with surrounding agricultural uses, undermine the County's long-term planning framework, or establish a precedent for converting other agricultural lands affected by extractive activities.

The issue in this case is different. The question is whether Canyon County should amend its long-range Future Land Use Map to create an isolated Rural Residential designation within an active agricultural area and the Intensive Agriculture Overlay without first resolving significant compatibility, water supply, public service, and precedent concerns. Based on the record before the County, we believe the answer should be no.

The applicant's own testimony and application materials do not provide a sufficient basis to amend the County's Future Land Use Map from Agriculture to Rural Residential. While the applicant confirmed that the property has been mined as a gravel pit, that commercially viable minerals have been extracted, that little productive topsoil remains, that irrigation water is unavailable, and that residential development is the preferred long-term use of the property, those facts do not justify creating a new Rural Residential designation in the middle of an active agricultural area.

Instead, they confirm the broader policy concern raised throughout this proceeding: if former gravel pits in agricultural areas may be redesignated for residential development because mining altered the land and made farming more

difficult, then future applicants will have the same argument. Approval would establish a precedent that weakens the Agriculture designation and the County's long-term farmland protection policies.

This case should not be evaluated solely by asking whether the mined parcel itself remains ideal cropland. The more important planning question is whether the proposed residential entitlement is compatible with the surrounding agricultural system. The surrounding area remains agricultural in character and use. The record contains testimony regarding nearby active farming operations, aerial spraying, irrigation limitations, normal agricultural activities, and the potential for conflict if twenty new residential lots are introduced into this area.

Moreover, this proposal should be viewed for what it is: a parcel-specific land use change sought to benefit a single ownership and a single isolated residential project, rather than an area-wide, policy-driven transition supported by the Comprehensive Plan. The application expressly states that the amendment is intended to facilitate future residential development opportunities, followed by a future rezone from Agriculture to Rural Residential and a preliminary plat. The concept plan proposes twenty residential lots averaging approximately 2.27 acres each. This is not a countywide planning solution. It is a request to convert one mined parcel into a stand-alone residential enclave for the benefit of a single owner. That is precisely the type of isolated land use change that raises classic spot-zoning concerns.

The application materials also suggest that residential conversion, rather than compliance with the original reclamation obligations, has become the ultimate objective.

The record establishes several important facts:

1. The original gravel pit approval was granted as a conditional use permit for a temporary extractive use. The Planning and Zoning Commission specifically found that the applicant would comply with the conditions of approval so that the use would not be injurious to surrounding properties and would not change the essential character of the area.

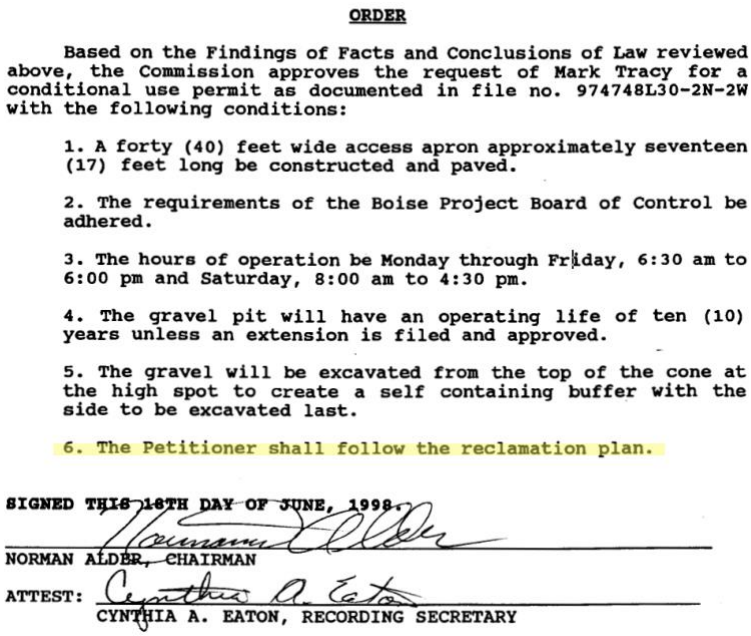
> 4. The Commission was persuaded by the Applicant that he will adhere to the conditions imposed so that the use will not be injurious to other property in the immediate vicinity and will not change the essential character of the area; Canyon County Zoning Ordinance No. 97-001, Section 6.1(F)(4).

2. The final order approving the gravel pit expressly required compliance with the approved reclamation plan. Condition No. 6 of the June 18, 1998 Order states: *"The Petitioner shall follow the reclamation plan."*

3. The current applicant acknowledges that the gravel pit has reached the end of its useful life and that Idaho Department of Lands now requires the property to be reclaimed pursuant to the approved reclamation plan. The applicant further states that the property will otherwise remain vacant unless a change of use is approved.

These facts raise an important question that the current record does not answer: **What did the applicant originally agree to do under the approved reclamation plan, and has that obligation been satisfied?**

The approved reclamation plan itself does not appear to be included in the current application



ORDER

Based on the Findings of Facts and Conclusions of Law reviewed above, the Commission approves the request of Mark Tracy for a conditional use permit as documented in file no. 974748L30-2N-2W with the following conditions:

1. A forty (40) feet wide access apron approximately seventeen (17) feet long be constructed and paved.

2. The requirements of the Boise Project Board of Control be adhered.

3. The hours of operation be Monday through Friday, 6:30 am to 6:00 pm and Saturday, 8:00 am to 4:30 pm.

4. The gravel pit will have an operating life of ten (10) years unless an extension is filed and approved.

5. The gravel will be excavated from the top of the cone at the high spot to create a self containing buffer with the side to be excavated last.

6. The Petitioner shall follow the reclamation plan.

SIGNED THIS 18TH DAY OF JUNE, 1998.

NORMAN ALDER, CHAIRMAN

ATTEST:

CYNTHIA A. EATON, RECORDING SECRETARY

materials or record. Because the applicant relies on the condition of the property following decades of approved mineral extraction as a primary justification for redesignating the property from Agriculture to Rural Residential, the Board should obtain and review the original approved reclamation plan before determining whether the requested Future Land Use Map amendment advances a broader public planning objective or primarily benefits a single property owner. The original approval was granted based upon the understanding that the extractive use would be temporary, that the conditions of approval would be followed, and that the essential character of the area would not be changed. Before amending the County's long-range land use plan, the Board should determine whether the applicant has demonstrated that the requested redesignation is warranted by current planning considerations rather than by the consequences of a temporary use that was approved subject to reclamation obligations.

For these reasons, we respectfully ask the Board to carefully consider the following concerns regarding the criteria in CCZO Section 07-06-03:

1. The request is not generally in conformance with the Comprehensive Plan.

The property is designated Agriculture and zoned Ag. The requested amendment is intended specifically to facilitate future residential subdivision development. This is not preservation of rural character or support for agriculture. It is the conversion of agricultural land to residential use. Approval would create a precedent that former gravel pits in agricultural areas are appropriate candidates for residential redesignation, contrary to the County's long-term agricultural planning framework and stated commitment to maintaining a balance between growth and agriculture.

2. The amendment is not more appropriate than the current designation.

The applicant argues that slopes, soils, lack of irrigation water, and prior mining activity make the property less suitable for agriculture. Even if true, those conditions do not automatically make Rural Residential the proper long-term designation. The relevant question is whether redesignating agricultural land is consistent with the County's adopted long-range planning policies.

3. The applicant's reliance on the poor soils policy is misplaced.

The Comprehensive Plan policy regarding poorer soils does not create a presumption in favor of residential development. Rather, it requires consideration of whether development will interfere with surrounding agricultural operations. Here, the proposed amendment would increase fragmentation, conflict, and pressure for future residential conversion within an active agricultural area.

4. The request is not compatible with surrounding land uses.

The Intensive Agriculture Overlay exists specifically to protect agricultural operations from incompatible uses and to reduce conflicts involving noise, dust, odors, and safety. Twenty new residential lots in an agricultural area will predictably create conflicts involving dust, odor, noise, aerial spraying, lighting, and agricultural traffic. Large lots and hobby-animal uses do not make residential subdivisions compatible with commercial agriculture. Residential occupants often become sensitive to the very agricultural practices the County seeks to protect.

5. The proposed density is dramatically out of scale with the surrounding area.

Within a one-mile radius of the property, there are approximately 31 homesites across roughly 2,010 acres, which equates to approximately one home per 65 acres. In contrast, the proposal would allow 20 homesites on approximately 46.5 acres, or approximately one home per 2.3 acres. This represents nearly a twenty-eight-fold increase in residential density over the surrounding development pattern. This dramatic increase in residential intensity demonstrates that the proposal is not a continuation of existing rural development patterns, but rather an isolated residential enclave inconsistent with the surrounding agricultural landscape.

6. The application does not demonstrate a secured and legally available long-term water supply.

The applicant relies heavily on the absence of irrigation water as a justification for residential conversion, yet the application does not demonstrate that a lawful and adequate long-term water supply exists to support the proposed residential development. The record contains no analysis of existing water rights, no identification of a future potable

water source, and no evidence that any water rights application has been filed to support the approximately twenty proposed residential lots.

This omission is particularly significant because the subject property lies within the area affected by the Idaho Department of Water Resources' March 20, 2026 temporary groundwater appropriation moratorium. In adopting the moratorium, IDWR concluded that groundwater conditions in the area cannot presently be adequately monitored or modeled and that additional groundwater appropriations could adversely impact existing water rights. The applicant has not explained how the proposed residential development would obtain a lawful and sustainable water supply in light of these findings.

Additionally, Idaho Code § 67-6537(4) requires local governments to consider the effects of comprehensive plan amendments on the source, quantity, and quality of groundwater. County staff specifically found that the applicant submitted no information regarding groundwater source, quality, or quantity. The County should not amend its long-range land use plan based upon a future residential use for which lawful and adequate water service remains uncertain. At a minimum, staff or the Board should request an analysis from IDWR on how this application or decision correlates to the moratorium and future water rights and water quantity impacts.

7. Development trends do not support this amendment.

Demand for estate lots and view properties is not the legal standard. The question is whether this proposal represents orderly, plan-supported growth. It does not. This proposal represents leapfrog residential expansion into an agricultural area without any broader area-wide planning justification. See and utilize as a Findings of Fact that per Exhibit C.2(f), Subdivisions, there are no subdivisions located within 1 mile of the property and the average parcel size is 41.63 acres.

SUBDIVISION & LOT REPORT

NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE	
0				
NUMBER OF SUBS IN PLATTING	**ACRES IN SUB**	**NUMBER OF LOTS**	**AVERAGE LOT SIZE**	
0				
NUMBER OF LOTS NOTIFIED	**AVERAGE**	**MEDIAN**	**MINIMUM**	**MAXIMUM**
20	41.63	12.28	0.27	317.60
NUMBER OF MOBILE HOME PARKS	**ACRES IN MHP**	**NUMBER OF SITES**	**AVG HOMES PER ACRE**	**MAXIMUM**
0				

PLATTED SUBDIVISIONS

SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF...	Year

8. This is not merely a site-specific decision.

This application is not merely a site-specific decision. Approval would establish a precedent that former gravel pit properties within agricultural areas may be converted to residential use once extraction has made agricultural production more difficult. That precedent would weaken the integrity of the Future Land Use Map and further fragment Canyon County's agricultural landscape.

For these reasons, Growing Together LLC respectfully requests that the Board deny this application and uphold the Planning and Zoning Commission's unanimous recommendation for denial.

Respectfully submitted,

Keri Smith

Executive Director, Growing Together LLC

cc. Growing Together Advisory Board

Growing Together (GT) LLC, Mission Statement: To improve citizens' knowledge of local land use planning and to support good economic land use decisions.



7044 Rim Road

Comprehensive Plan Map Amendment

Board of County Commissioners

Vicinity Map



Exhibit 4.d

Future Land Use Maps

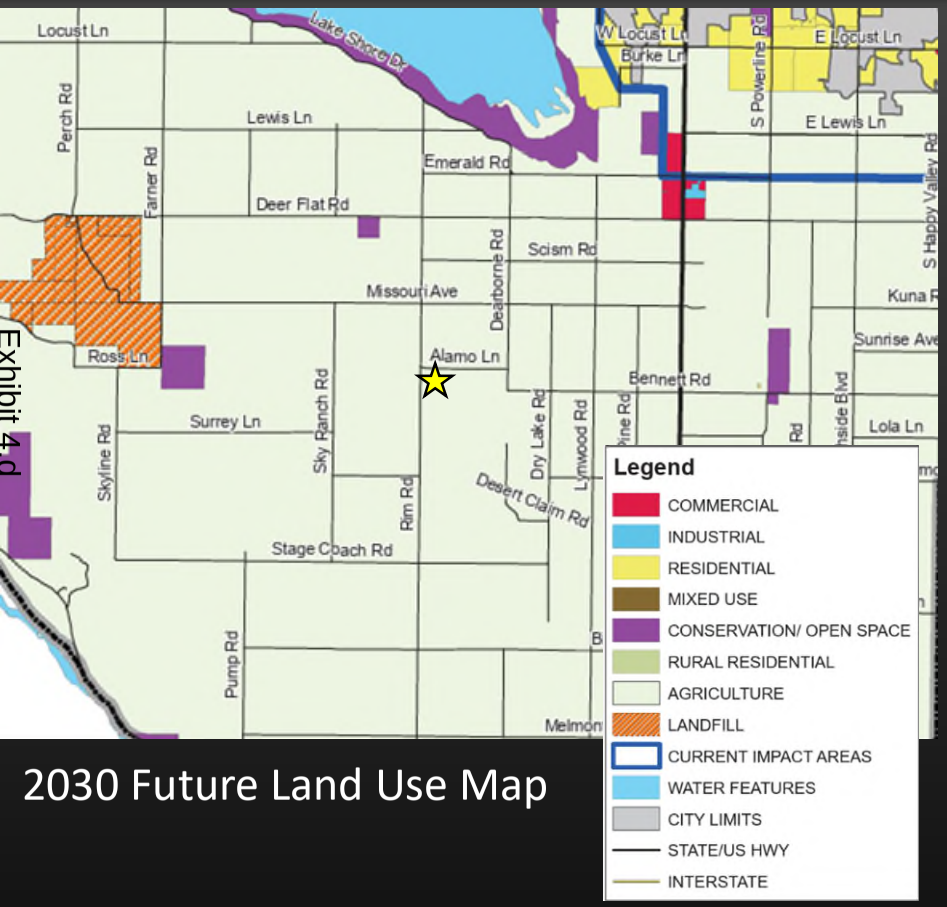
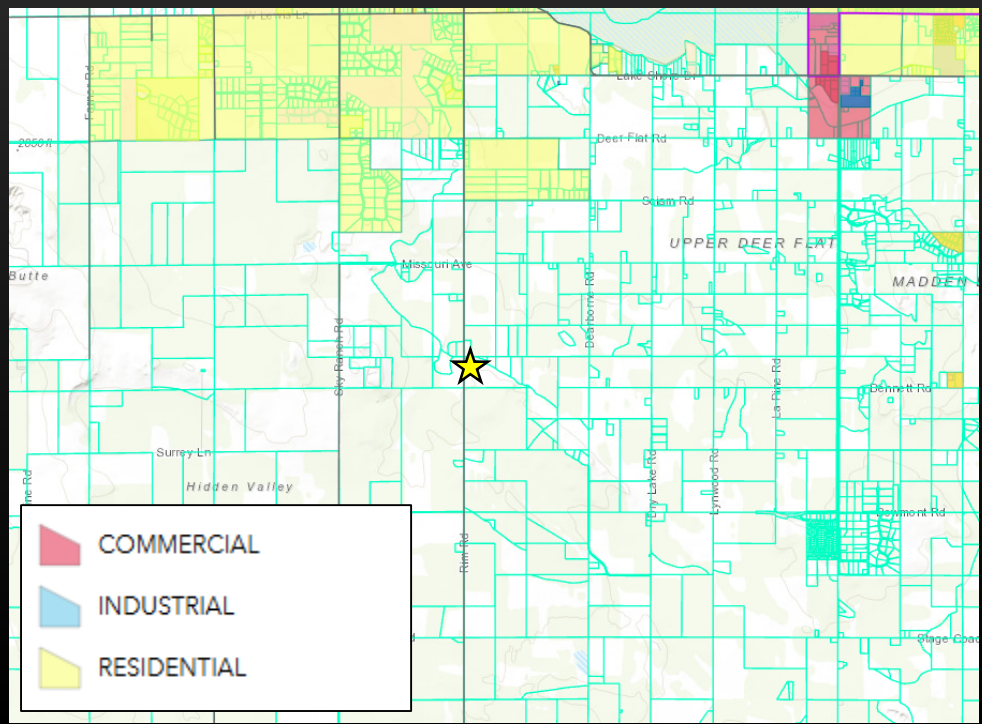


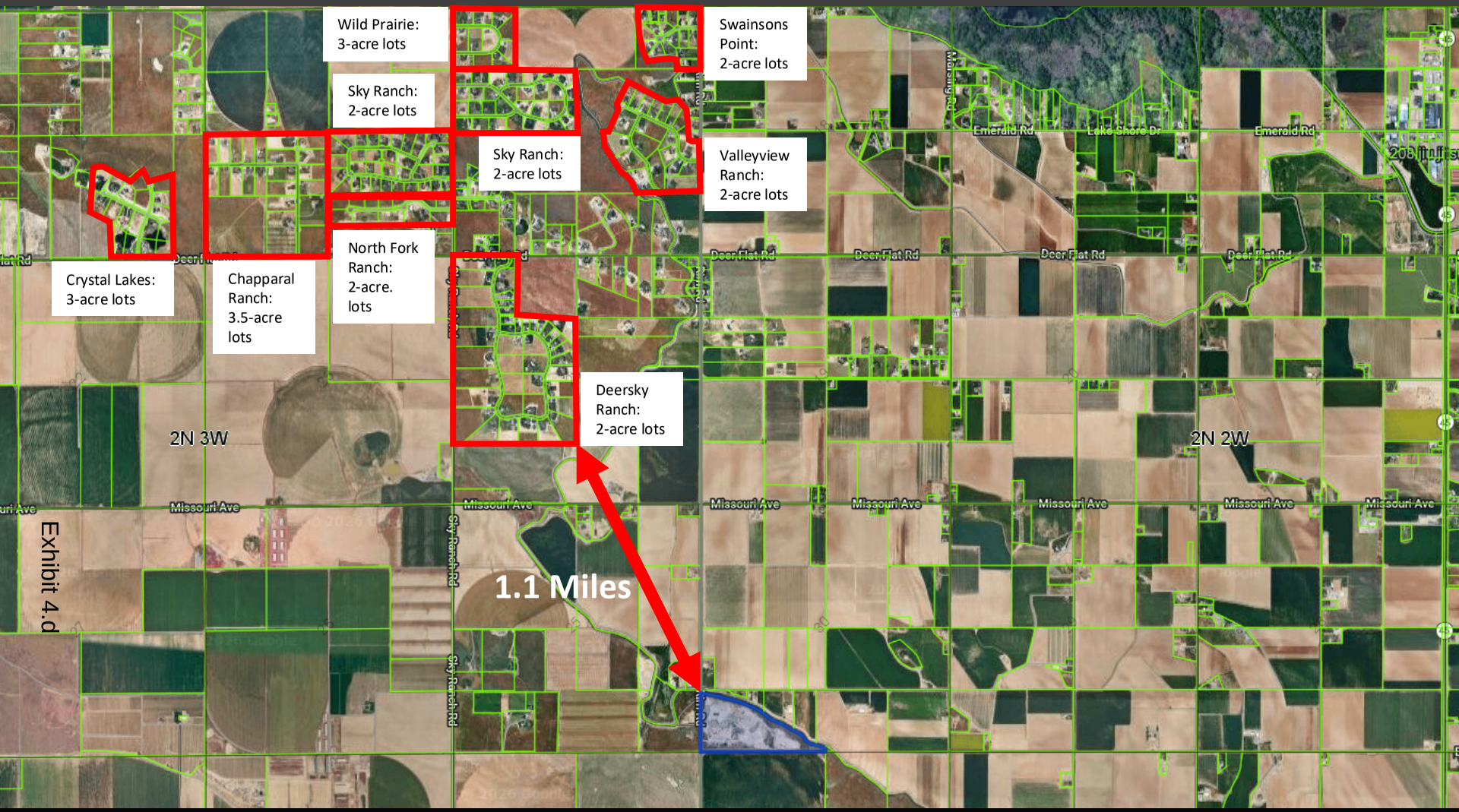
Exhibit 4.d

2030 Future Land Use Map

2020 Future Land Use Map



Nearby “Rural Residential” Subdivisions



Agricultural Viability

Exhibit 4.d



Map Unit Legend

Canyon Area, Idaho (ID665)

Canyon Area, Idaho (ID665)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BaE	Bahem silt loam, 12 to 30 percent slopes	8.0	16.8%
MnC	Minidoka-Scism silt loams, 3 to 7 percent slopes	26.9	56.7%
MnD	Minidoka-Scism silt loams, 7 to 12 percent slopes	12.5	26.5%
Totals for Area of Interest		**47.4**	**100.0%**

BaE—Bahem silt loam, 12 to 30 percent slopes

Map Unit Setting

National map unit symbol: 2pzz
Elevation: 2,000 to 5,000 feet
Mean annual precipitation: 7 to 12 inches
Mean annual air temperature: 46 to 52 degrees F
Frost-free period: 110 to 170 days
Farmland classification: Not prime farmland

MnC—Minidoka-Scism silt loams, 3 to 7 percent slopes

Map Unit Setting

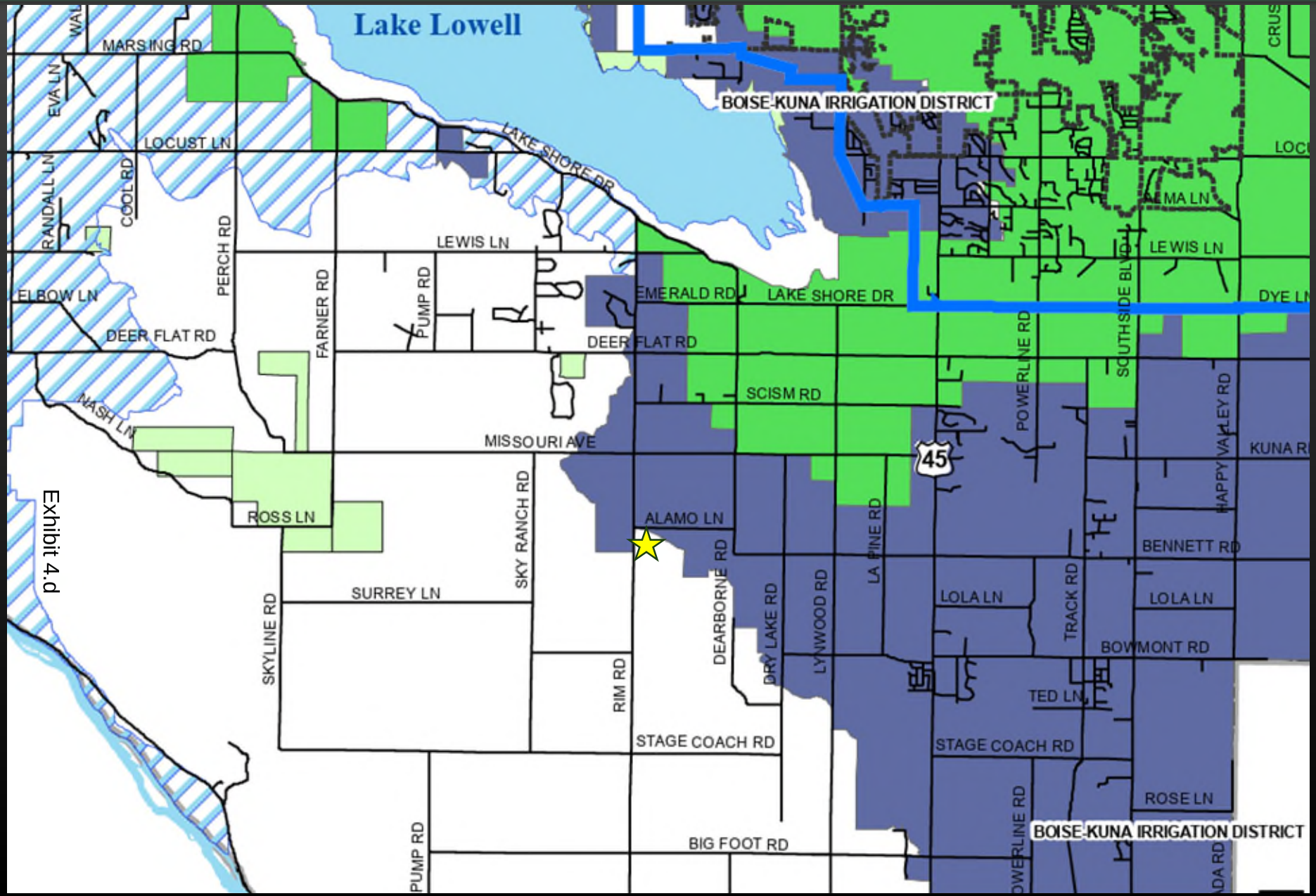
National map unit symbol: 2q2m
Elevation: 2,000 to 5,000 feet
Mean annual precipitation: 8 to 11 inches
Mean annual air temperature: 45 to 52 degrees F
Frost-free period: 100 to 160 days
Farmland classification: Farmland of statewide importance, if irrigated

MnD—Minidoka-Scism silt loams, 7 to 12 percent slopes

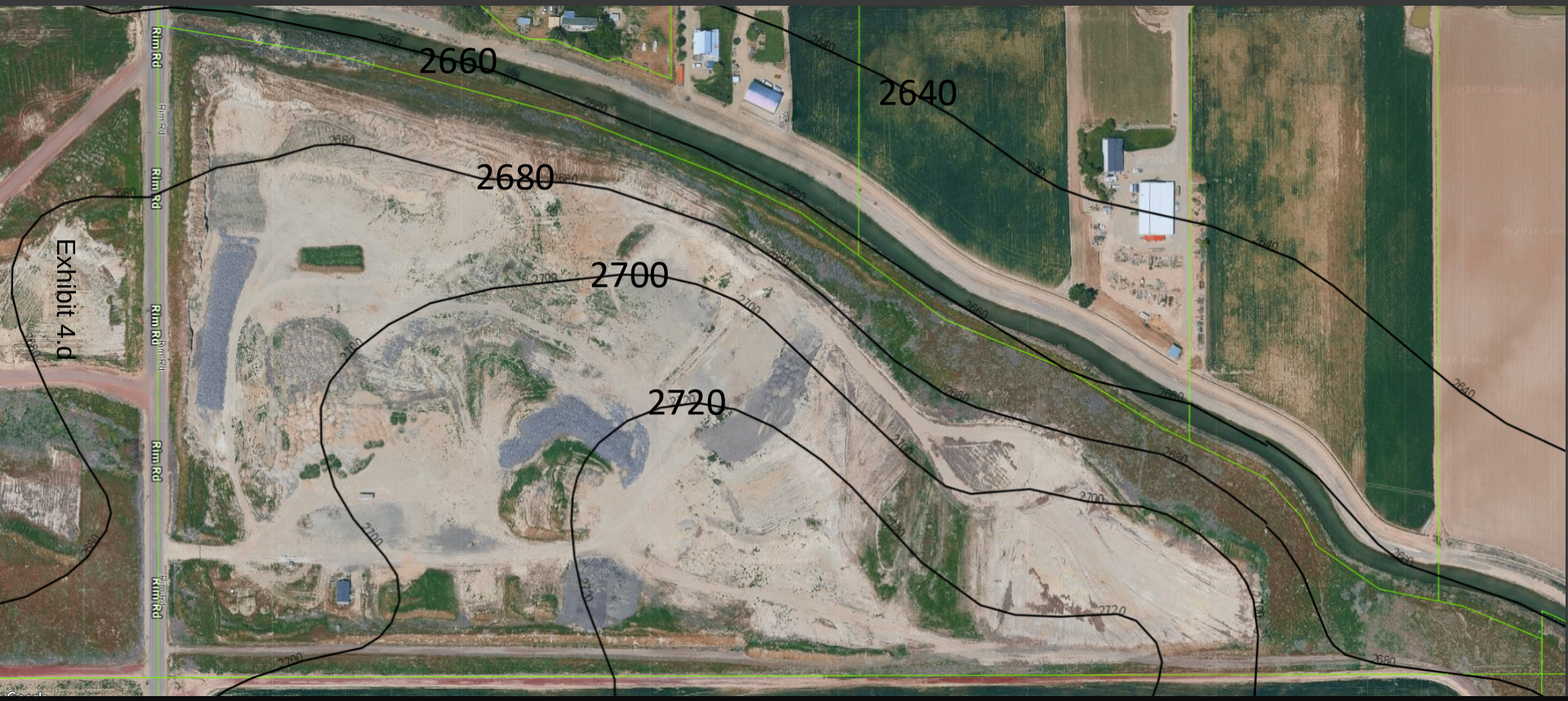
Map Unit Setting

National map unit symbol: 2q2n
Elevation: 2,000 to 5,000 feet
Mean annual precipitation: 8 to 11 inches
Mean annual air temperature: 45 to 52 degrees F
Frost-free period: 100 to 160 days
Farmland classification: Not prime farmland

Irrigation Districts



Site Topography



Conceptual Lot Layout

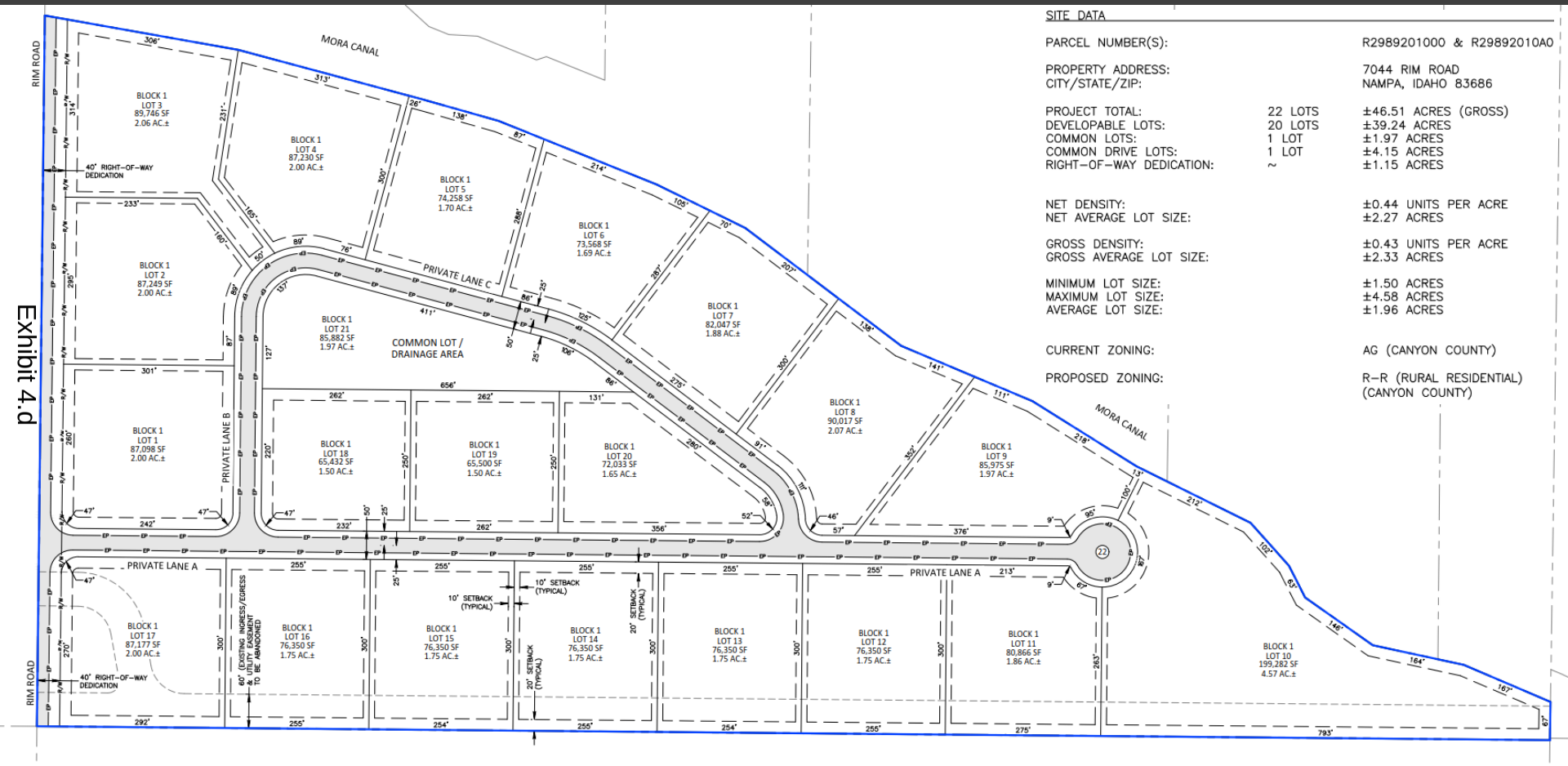


Exhibit 4.d

Conclusion

- Rural Residential subdivisions with 2-acre average lot sizes nearby
- Inadequate soils
- Years of mineral extraction
- No irrigation water rights
- Topographic challenges
- 20 residential lots = Increased tax base

Exhibit 4.d

EXHIBIT 5

Draft FCOs

-

Board of County Commissioners

Case# OR2025-0023

Hearing date: July 15, 2026

BOARD OF COUNTY COMMISSIONERS

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:
Granite Companies LLC – OR2025-0023

The Canyon County Board of County Commissioners considers the following:

Comprehensive Plan Map Amendment of Parcel R29892010 from an "agriculture" future land use designation to a "rural residential" future land use designation.

The 46.5-acre property is located at 7044 Rim Road, Nampa, also referenced as a portion of the SW quarter of Section 30, T2N, 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 OR2025-0023.

      1. All exhibits can be found in the case staff report dated July 15, 2026

      2. Notice of the public hearing was provided as per CCCO §07-05-01. Agencies were notified on June 10, 2026. Property owners within 300 feet of the subject property boundaries were notified on June 10, 2026. A full political notice was sent on April 2, 2026. A newspaper notice was published on June 15, 2026. The subject property was posted with a notice on June 15, 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 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(b).

3. The Board can sustain, modify, or reject the Commission's recommendations. *See* I.C. §67-6509(b).

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 of 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, OR2025-0023, was presented at a public hearing before the Canyon County Planning and Zoning Commission on July 15, 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:

Comprehensive Plan Amendment Criteria Analysis

HEARING CRITERIA – CCCO §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, Idaho Code title 67, chapter 65, and is consistent with the comprehensive plan's purposes, goals, and policies:

County Ordinance and Review

Criteria Met?	Code Section	Criteria
No	**A**	**Is the requested type of growth generally in conformance with the comprehensive plan?**

Analysis

The requested type of growth is generally <u>not</u> consistent with the 2030 Comprehensive Plan. The request would promote residential growth in an area planned to preserve agricultural uses and character.

- The 2030 Canyon County Comprehensive Plan designates the property as "agriculture" (**Exhibit 3.C.2c**). "The agricultural designation is the base designation throughout the County. It contains areas of productive irrigated croplands, grazing lands, feedlots, dairies, seed production, and ground of lesser agricultural value" (Page 25, 2030 Comp. Plan).
- The property is in an intensive agriculture overlay. "This overlay is applied to protect working lands and operations. These areas may have higher-quality soils, water availability, and relatively flat topography. Uses may include seed production, crops, orchards, vineyards, concentrated animal feeding operations, grazing, and other agriculturally based uses. This designation aims to protect agriculture operations from incompatible uses and reduce the conflicts concerning noise, dust, smells, and safety" (Page 28, 2030 Comp. Plan).
- The property is zoned "A" (Agricultural), consistent with the comprehensive plan (**Exhibit 3.C.2d**). CCCO §07-10-25 states the purpose of the "A" Zone is 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, 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.*
- The request is to allow a rural residential designation on the subject parcel (**Exhibit 3.B.2**). The applicant contests that the property contains slopes, soils, and a lack of water, making the property nonviable farm ground. If approved, a rezone would be required, and a subsequent subdivision to establish 20 residential lots (2.27-acre average lot size).
  - "The rural residential district provides rural transitional areas to create a boundary between agricultural and urban areas. These areas are generally conducive to small-scale farming operations and compatible with non-agricultural uses" (Page 26, 2030 Comp. Plan). This property is not within a transition area. The Nampa Impact Area is over 3 miles from the property. Nampa city jurisdiction is approximately 4 miles from the subject parcel. The Melba Impact area is over 7 miles from the subject parcel. The nearest similar rural residential zone is approximately 2 miles from the subject parcel.
  - Although agricultural uses may be limited on the subject property, the surrounding area appears to be in agricultural uses (**Exhibit 3.B.2a**). The request would establish a residential subdivision in an agricultural area, which may impact agricultural operations, such as aerial spraying. On October 1, 2025, DSD staff recommended that the applicant submit a conditional rezone instead of a comprehensive plan amendment to create residential lot sizes commensurate with the area (five

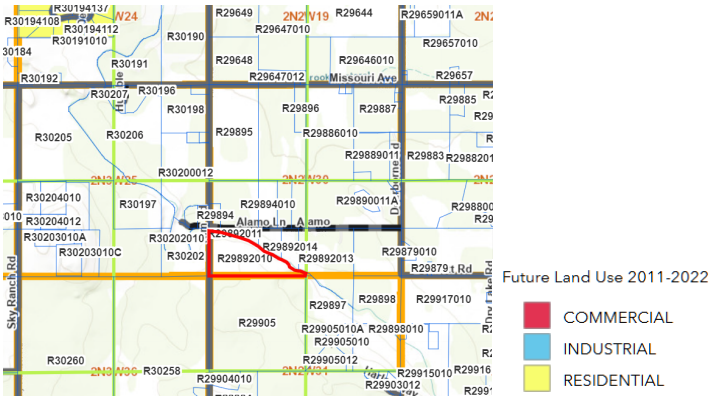
acres or greater) without a comprehensive plan amendment, which would set a precedent per CCCO 07-06-07(3). The applicant declined (**Exhibit 3.B.7**).

- "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" (Last sentence from CCCO 07-06-07(3)).

- The request does not align with the goals and policies of the comprehensive plan, including but not limited to:
  - Property Rights - G1.01.00: *Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.*
    - The request introduces residential growth, which may impact the property rights of existing agricultural parcels. The adjacent parcels may create noise, dust, odors, and traffic common to the existing, planned agricultural area, which are uncommon in a residential subdivision and become a nuisance to residential property owners (**Exhibits 3.C.2a, 3.C.2b, 3.C.2h & 3.F.1**).
  - Population G2.01.00: *Incorporate population growth trends & projections when making land-use decisions. P2.01.01: Plan for the anticipated population and households that the community can support with adequate services and amenities.*
    - Based on TAZ (Traffic Analysis Zone) forecasts (**Exhibit 3.C.2k**), there is no household growth forecasted in the area. *The TAZ is used by COMPASS (Community Planning Association)* and other agencies as a tool to plan growth and funding for future transportation needs.
  - Land Use and Community Design - G4.03.00: *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. P4.03.01: Designate areas that may be appropriate for industrial, commercial, and residential land uses while protecting and conserving farmland and natural resources.* G4.05.00*: Support a diversity of agricultural uses to sustain the agricultural and agriculturally related economy. P4.05.01: Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators. P4.05.03: Encourage uses on agricultural parcels to be planned and placed to limit interference with farming operations, which may include clustering of residences and other structures, placement near existing utilities and infrastructure, and placement to minimize conflicts with allowed agricultural uses on the proposed site and adjacent lands.* G4.07.00: *Protect rural qualities that make the County distinct and conserve and enhance the elements contributing to a good quality of life. P4.07.01: Plan land uses that are compatible with the surrounding community. P4.07.02: Discourage incompatible development near existing agricultural businesses that would cause the operator undue hardship through complaints, traffic, or other complications.*
    - *See findings and evidence in criteria B, C & D for additional supporting analysis.*
  - Natural Resources & Hazards – G5.01.00: *Protect, enhance, and steward natural resources. P5.01.03: Encourage the protection of groundwater and surface water quality and quantity in land use through drought-tolerant design and community systems. P5.01.04: Encourage subdivisions of over fifteen lots to install community water systems.*
  - Schools – G6.01.00: *Ensure adequate school facilities and services meet the community's educational, social, and recreational needs.*
    - The nearest Nampa School District elementary school, Ronald Regan Elementary, is almost 6 miles away. It is over 8 miles to the nearest school in the Melba School District. The applicant's conceptual plans are project-specific and do not provide long-term impacts to the school district if the surrounding area includes residential growth.
    - The applicant has provided project-specific plans for the subject property and does not provide an analysis for the long-term impacts to the surrounding area, surrounding uses, infrastructure, and public services if the residential land use promotes additional residential growth beyond the subject property. Without a long-term plan, the impacts could be detrimental to the

	surrounding area and the overall community (including schools, taxation, and community infrastructure costs). ▪ *See findings and evidence in criteria E for supporting analysis.*	
Criteria Met? **No**	**B**	**When considering the surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation?**
Analysis	In consideration of the surrounding land uses, the proposed comprehensive plan amendment to "Rural Residential" is <u>not</u> more appropriate than the current comprehensive plan designation of "Agriculture". • The request is to allow a rural residential designation on the subject parcel (**Exhibit 3.B.2**). "The rural residential district provides rural transitional areas to create a boundary between agricultural and urban areas. These areas are generally conducive to small-scale farming operations and compatible with non-agricultural uses" (Page 26, 2030 Comp. Plan). This property is not within a transition area. The Nampa Impact Area is over 3 miles from the property. Nampa city jurisdiction is approximately 4 miles from the subject parcel. The Melba Impact area is over 7 miles from the subject parcel. • There is no planned residential growth in the area (See **Exhibit 3.C.2c,** Future Land Use Map). The 2030 Canyon County Comprehensive Plan designates the property as "agriculture" with an intensive agriculture overlay. o The applicant contests that the property contains slopes, soils, and a lack of water, making the property nonviable farm ground. The property consists of moderate to least suitable soils (**Exhibit 3.C.2g**). The applicant does not demonstrate how the property cannot be reclaimed into viable farm ground or how uses supported by the agriculture designation cannot be supported on the property (**Exhibit 3.B.2**). Therefore, the request does not adequately demonstrate why the rural residential designation is more appropriate. ▪ The area has other gravel pits (**Exhibit 3.C.2h**). Gravel pit uses are allowed subject to a conditional use permit in an agricultural designation/zoning. Concern was raised regarding the request, and if it's approved, it potentially sets a precedent allowing gravel pits to change the county's plan to further develop the area, instead of matching the county's plan (**Exhibits 3.C.2a, 3.C.2h & 3.F.1**). ▪ Properties in the area without surface irrigation have historically been rangeland for grazing cattle and sheep. Grains, oilseeds, fruits, and pasture grasses are crops found in low-water/dry farming areas (**Exhibits 3.C.2a, 3.C.2h & 3.F.1**). ▪ Per CCCO 07-10-027, the "A" zone, consistent with the agricultural designation in the comprehensive plan, allows uses such as a batch plant, special events facilities, winery, contractor shop, and staging areas with an approved conditional use permit. The property may qualify for nonviable land division in an "A" Zone per CCCO §07-18-09, which would allow the creation of six parcels (7.5-acre average lot size). The applicant declined other uses and options for development of the parcel (**Exhibit 3.B.7**). o Although the subject property is not viable farm ground, the surrounding area consists of viable farm ground, which could be impacted if residential growth is established in the area. ▪ The subject property is surrounded by larger agricultural ground (**Exhibit 3.C.2b**). The smallest property is 0.96 acres (an original parcel, pre-1979). The next smallest is 4.66 acres, created by a conditional use permit/land division. The largest parcel sizes in the area are 317 acres and 161.55 acres (Tiegs), directly southwest and south of the subject parcel. ▪ The property is between one and two miles from existing feedlot/dairy operations (**Exhibit 3.C.2h**). • Pancheri feedlot, 11066 Missouri Ave. • Rocky Butte Farms, 12037 Sky Ranch Road • Savage Cattle, 13748 Surrey Lane	

	• There are no zones in the area promoting residential growth (See **Exhibit 3.C.2d**, Zoning Map). The nearest similar rural residential zone is approximately 2 miles from the subject parcel. • There are no recent decisions (cases) approving residential growth in the area (**Exhibits 3.C.2e & f**). The property and properties to the north and east were created by land division, which is allowed in the "A" Zone. The nearest residential subdivisions are Deersky Ranch and Deer Flat Tracts, over one mile from the subject parcel. o Deersky Ranch was created in 2001 via a conditional use permit (consistent with the comprehensive plan and zone at that time). The subdivision has a 5.2-acre average lot size and includes a 500-foot buffer adjacent to agricultural properties to ensure minimal disruption to agricultural production and aerial spraying operations. o Deer Flat Tracts was approved in 1988 per the county code at that time. The four lots have a 4.5-acre average lot size. ▪ Since then, the previous and current comprehensive plans have not promoted similar residential divisions in the area. This is evidenced by there being no similar decisions since 2001 in the area **Exhibits 3.C.2e & f**).	
Criteria Met? **No**	**C**	**Is the proposed comprehensive plan amendment compatible with surrounding land uses?**
Analysis	The proposed comprehensive plan amendment to "Rural Residential" is <u>not</u> compatible with surrounding land uses. Pursuant to Canyon County Code of Ordinances (CCCO) §07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere with or conflict with or negatively impact one another, and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses. • The majority of the properties surrounding the subject property are in active agricultural production. There is no planned residential growth in the area (See **Exhibit 3.C.2c**, Future Land Use Map). The 2030 Canyon County Comprehensive Plan designates the property as "agriculture". The property is also designated with an intensive agriculture overlay. The property is between one and two miles from existing feedlot/dairy operations (**Exhibit 3.C.2h**). • Pancheri feedlot, 11066 Missouri Avenue, • Rocky Butte Farms, 12037 Sky Ranch Road, and • Savage Cattle, 13748 Surrey Lane. • There are no zones in the area promoting residential growth (See **Exhibit 3.C.2d**, Zoning Map). The nearest similar rural residential zone is approximately 2 miles from the subject parcel. There are no recent decisions (cases) approving residential growth in the area (**Exhibits 3.C.2e & f**). • The request introduces residential growth, which may impact the property rights of existing agricultural parcels. The adjacent parcels may create noise, dust, odors, and traffic common to the existing, planned agricultural area, which are uncommon in a residential subdivision and become a nuisance to residential property owners (**Exhibits 3.C.2a, 3.C.2b, 3.C.2h & 3.F.1**). • *See findings and evidence in criteria B & D for additional supporting analysis.*	
Criteria Met? **No**	**D**	**Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted?**
Analysis	Development trends in the general area do <u>not</u> indicate that the current designation and circumstances have changed since the comprehensive plan was adopted.	

	• There is no planned residential growth in the area (See **Exhibit 3.C.2c,** Future Land Use Map). The 2030 Canyon County Comprehensive Plan designates the property as "agriculture". The property is also designated with an intensive agriculture overlay. o The 2020 Canyon County Comprehensive Plan also designated the future land use of the property and area as "agriculture". Therefore, residential growth has never been planned for the area.  • Based on TAZ (Traffic Analysis Zone) forecasts (**Exhibit 3.C.2k**), there is no household growth forecasted in the area between 2025 and 2055. There is very little job growth in the area (possibly forecasting some agriculturally related job growth). *The TAZ is used by COMPASS (Community Planning Association) and other agencies as a tool to plan growth and funding for future transportation needs.* • The nearest similar rural residential zone is approximately 2 miles from the subject parcel (**Exhibit 3.C.2d**). There are no recent decisions (cases) approving residential growth in the area (**Exhibits 3.C.2e & f**). • *See findings and evidence in criteria B & C for additional supporting analysis.*
Criteria Met? **No**	**E** **Will the proposed comprehensive plan amendment impact public services and facilities? What measures will be implemented to mitigate impacts?**
Analysis	Short-term impacts (project-specific plans, **Exhibit 3.B.3**) can be addressed during the subsequent rezone and platting process. However, long-term impacts (residential growth beyond the subject property due to this requested land use amendment) are unknown. • Comments received from affected agencies focus on the short-term impacts of the project-specific request, which can be mitigated with conditions. o Idaho Transportation Department finds the request does not abut the state highway system. Therefore, ITD does not object to the request, subject to further review at the time of subsequent applications (**Exhibit 3.E.1**). o Southwest District Health will require a Nutrient Pathogen Study if a future subdivision is proposed. Soil and site suitability for subsurface sewage disposal systems have not been determined. Southwest District Health has no concerns about the request and will ensure the project-specific residential use meets SWDH requirements per IDAPA 58.01.03 (**Exhibit 3.E.2**). o Canyon County Paramedics show that the nearest stations are M45 and M41, which are over 10 miles away. The furthest station is over 20 miles away (M42) (**Exhibit 3.E.3**). ▪ There are 31 dwellings within a one-mile radius (**Exhibit 3.F.1**). The request, if approved, proposes 20 residential lots, which almost doubles the number of dwellings within the one-mile radius. If the request sets precedents and residential growth grows beyond the subject parcel, the growth could impact the agency as well as household health and safety due to longer response times. o Nampa Fire District does not oppose the request, subject to future development providing fire hydrants and meeting required fire access roadway widths and construction requirements. The

request is approximately 8.8 miles from Nampa Fire Station #2 with an approximate response time of 13 minutes, which does not meet the fire district's strategic plan (**Exhibit 3.E.4**).

- There are 31 dwellings within a one-mile radius (**Exhibit 3.F.1**). The request, if approved, proposes 20 residential lots, which almost doubles the number of dwellings within the one-mile radius. If the request sets a precedent that residential growth is allowed in the area and grows beyond the subject parcel, the growth could impact the agency as well as household health and safety due to longer response times.

- Boise-Kuna Irrigation District states the land is on high ground with no surface irrigation water from the Mora Canal (**Exhibit 3.E.5**).
- Idaho Dept. of Environmental Quality (DEQ) provided information about air quality, wastewater, drinking water, surface water, solid waste, and groundwater contamination, but nothing project/request specific (**Exhibit 3.E.6**).
- Nampa Highway District #1 does not oppose, subject to review at the time of rezone and subdivision platting. The property takes access from Rim Road, a rural principal arterial (**Exhibit 3.E.7**).
- IDWR – Floodplain Coordinator – Not in a floodplain (**Exhibit 3.E.8**).

Idaho Code §67-6537(4): When considering amending, repealing, or adopting a comprehensive plan, the local governing board shall consider the effect the proposed amendment, repeal, or adoption of the comprehensive plan would have on the source, quantity, and quality of groundwater in the area.

- The applicant submitted no information regarding the source, quality, or quantity of groundwater. Short-term impacts (project-specific plans, **Exhibit 3.B.3**) can be addressed during the subsequent rezone and platting process, if approved. However, the long-term impacts (residential land-use growth beyond the subject property) are unknown.
  - The subject property and area are designated as a nitrate priority area (**Exhibit 3.C.2j**). "General locations in Canyon County, as defined by the appropriate state agencies, where groundwater test results show the presence of nitrates in varying amounts" (Page 99, 2030 Comp. Plan).
  - Wells within a one-mile radius have nitrates, with some exceeding DEQ thresholds (**Exhibit 3.C.2j**). Well depths in the area are 260 to 560 feet (**Exhibit 3.C.5**). The Idaho Department of Environmental Quality (DEQ) sets the nitrate threshold for groundwater and drinking water quality at 10 milligrams per liter (10mg/L), which is equivalent to 10 parts per million (ppm).
  - The Idaho Department of Water Resources (IDWR) issued a temporary moratorium on March 20, 2026, due to ongoing concerns regarding groundwater availability and the potential impact of water appropriation applications for South Lake Lowell, which includes the subject parcel (**Exhibit 3.C.6**).

Order
Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Board of County Commissioners **denies** Case #OR2025-0023, a comprehensive plan map amendment of Parcel R298922010 from an "agriculture" future land use designation to a "rural residential" future land use designation.

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: _____ Date: _____
Deputy