



## PLANNING AND ZONING COMMISSION

### FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

In the matter of the application of:  
**Jose Rodriguez – CR2025-0013**

The Canyon County Planning and Zoning Commission considers the following:

- 1) Conditional Rezone of 1.345 acres from the “RR” (Rural Residential) to “CR-C2” (Service Commercial) zone. The request includes a development agreement limiting allowed uses to an auto body/vehicle service facility and caretaker's residence.
- 2) Location: Case CR2025-0013: The subject property (Parcel R27917011) is located at 5903 E Orchard Ave, Nampa, also referenced as a portion of the NE ¼ of Section 19, T3N, R1W, BM, Canyon County, Idaho

#### Summary of the Record

1. The record is comprised of the following:
  - A. The record includes all testimony, the staff report, exhibits, and documents in Case File CR2025-0013.
    1. All exhibits can be found in the case staff report dated August 6, 2026.

#### Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-07 (Conditional Rezones), CCCO §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6511 (Zoning Map Amendments and Procedures), CCCO §09-11-25 (Area of City Impact Agreement), and §67-6519 (Application Granting Process).
  - a. Notice of the public hearing was provided per CCCO §07-05-01 and Idaho Code §67-6509.
  - b. The presiding party may establish conditions, stipulations, restrictions, or limitations which restrict and limit the use of the rezoned property to less than the full use allowed under the requested zone, and which impose specific property improvement and maintenance requirements upon the requested land use. Such conditions, stipulations, restrictions, or limitations may be imposed to promote the public health, safety, and welfare, or to reduce any potential damage, hazard, nuisance, or other detriment to persons or property in the vicinity to make the land use more compatible with neighboring land uses. *See CCCO §07-06-07(1).*
  - c. All conditional rezones for land use shall commence within two (2) years of the approval of the board. If the conditional rezone has not commenced within the stated time requirement, the application for a conditional rezone shall lapse and become void. *See CCCO §07-05-01*
2. The commission has the authority to exercise powers granted to it by the Idaho Local Land Use and Planning Act (“LLUPA”) and can establish its own ordinances regarding land use, including subdivision permits. *See I.C. §67-6504, §67-6511.*
3. The commission shall have those powers and perform those duties assigned by the board that are provided for in the local land use planning act, Idaho Code, title 67, chapter 65, and county ordinances. CCCO §07-03-01, 07-06-05.

4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.
5. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record. The County's hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCCO 07-05-03(1)(I).

The application, CR2025-0013, was presented at a public hearing before the Canyon County Planning and Zoning Commission on August 6, 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:

**Table 1. Conditional Rezone Standards of Evaluation**

| <b>Standards of Evaluation – CCCO §07-06-07(6)A:</b> The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone: |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <b>County Ordinance and Review</b>                                                                                                                                                                                                                                        |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Criteria Met?</b>                                                                                                                                                                                                                                                      | <b>Code Section</b> | <b>Criteria</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>No</b>                                                                                                                                                                                                                                                                 | <b>1</b>            | <b>Is the proposed conditional rezone generally consistent with the comprehensive plan?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Analysis</b>                                                                                                                                                                                                                                                           |                     | The proposed conditional rezone change is generally inconsistent with the Comprehensive Plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                           |                     | The 2030 Canyon County Comprehensive Plan designates the parcel and area as “residential” ( <b>Staff Report Exhibit B.2.4</b> ). The residential designation is described as follows: “The residential designation is for residential development. Residential development should promote compatibility with the existing agricultural activity” (page 25, 2030 Comprehensive Plan). Applicable zoning districts identified for the residential future land use designation include Rural Residential, Single-Family Residential, and Combined Medium-Density Residential (RR, R-1, and R2). Vehicle services facilities are not a permitted land use in any of the applicable residential zoning districts.               |
|                                                                                                                                                                                                                                                                           |                     | The property is in the Nampa Area of City Impact, approximately 0.45 miles from the City of Nampa. Nampa designates the future land use of the parcel and surrounding area as “Low-Density Residential” ( <b>Staff Report Exhibit B.2.5</b> ). Updated correspondence from the City of Nampa details that pre-annexation is not an option with this request, as vehicle sales are not permitted by the City of Nampa in Low-Density Residential areas and even if the applicant were to significantly scale down the use “home occupation” automobile repair shops are also not allowed in Nampa City Limits ( <b>Staff Report Exhibits D.6.1 and D.6.2</b> ).                                                             |
|                                                                                                                                                                                                                                                                           |                     | Canyon County code does offer allowances for conditional rezones that do not align with the underlying future land use designation, if conditions of approval can adequately mitigate compatibility concerns. The requested vehicle services facility, with associated concerns such as storing vehicles in need of repair near residential uses, along with the noise and activity associated with a vehicle repair facility, is difficult to align with the area's intended residential use. The proposed conditional rezone to service commercial is not aligned with the following goals and policies of the 2030 Comprehensive Plan.                                                                                  |
|                                                                                                                                                                                                                                                                           |                     | <p><b>Property Rights Goals and Policies</b></p> <p>Future land use map designations and applicable zoning standards for both Canyon County and the City of Nampa provide expectations for surrounding property owners that the subject property and area will remain residential without the sounds and activity anticipated from commercial use. While the applicant desires commercial use on the property, it could negatively impact adjacent property owners who reasonably anticipate residential use and activity in the area.</p> <ul style="list-style-type: none"> <li>• <u>G1.01.00</u>: Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.</li> </ul> |

|                      | <p><b>Population</b><br/>The Community Planning Association of Southwest Idaho (COMPASS) forecasts 40 additional residential households and 1 additional job within the associated Traffic Analysis Zone (TAZ 2459) by the year 2050 (<b>Staff Report Exhibits B.11 and B.12</b>), indicating that the area is appropriately designated for residential use. TAZs are used by the Community Planning Association of Southwest Idaho (COMPASS) as a tool to plan funding for future transportation needs.</p> <ul style="list-style-type: none"><li>• <u>Population G2.02.00</u>: “Promote housing, business, and service types needed to meet the demand of the future and existing population.”</li></ul> <p><b>Land Use and Community Design</b><br/>The County and City of Nampa both identify the area for residential, not commercial growth (<b>Staff Report Exhibits B.2.4 and B.2.5</b>). A vehicle service facility is not a permitted use in any of the associated residential zoning districts envisioned for the subject property.</p> <ul style="list-style-type: none"><li>• <u>G4.03.00</u>: 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.</li><li>• <u>P4.03.01</u>: Designate areas that may be appropriate for industrial, commercial, and residential land uses while protecting and conserving farmland and natural resources.</li><li>• <u>P4.03.02</u>: Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns.</li><li>• <u>P4.04.02</u>: Align planning efforts in areas of city impact.</li><li>• <u>P4.04.05</u>: Encourage buffering and/or transitional uses between residential and more impactful uses to promote the health and well-being of existing and future residents.</li><li>• <u>P4.07.01</u>: Plan land uses that are compatible with the surrounding community.</li></ul> <p><i>See criteria 07-06-07(6)A2 &amp; A3 findings for supporting evidence.</i></p> |                                                                                                                                             |             |           |              |              |            |   |             |     |             |   |             |     |   |   |             |     |          |
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| <b>Criteria Met?</b> | <b>2</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?</b> |             |           |              |              |            |   |             |     |             |   |             |     |   |   |             |     |          |
| <b>No</b>            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                             |             |           |              |              |            |   |             |     |             |   |             |     |   |   |             |     |          |
| <b>Analysis</b>      | <p>In consideration of the surrounding land uses, the proposed conditional rezone to a “CR-C-2” (Conditional Rezone – Service Commercial) is <u>not</u> more appropriate than the current zoning designation of “R-R” (Rural Residential).</p> <p><b>Existing/Current Conditions</b><br/>The parcel and surrounding area are zoned “R-R” (Rural Residential, two-acre average minimum lot size) (<b>Staff Report Exhibit B.2.3</b>). According to CCCO §07-10-25(2), “the purpose of the R-R (Rural Residential) Zone is to encourage and guide growth in areas where a rural lifestyle may be determined to be suitable.” The zoning is commensurate with the 2030 Canyon County Comprehensive Plan, which designates the parcel and area as “residential” (<b>Staff Report Exhibit B.2.4</b>).</p> <p>The parcel and area are in the Nampa Area of Impact. The city designates the future land use of the area as “low-density residential” (<b>Staff Report Exhibit B.2.5</b>). The city of Nampa jurisdictional boundary is located approximately 0.43 miles northwest of the subject parcel (<b>Staff Report Exhibit B.2.1</b>).</p> <p>The surrounding area is primarily comprised of residential land uses. The 600-foot notification radius consists of parcels with an average lot size of 1.61 acres and a median of 1.07 acres. There are 47 subdivisions within a one-mile radius consisting of 867 lots that are primarily residential and have an average lot size of 1.32 acres (<b>Staff Report Exhibit B.2.9</b>). Ten (10) out of the 47 subdivisions are located in the City of Nampa.</p> <p><b>Existing Conditions within 1-mile (Exhibit B.2.3):</b></p> <table><tr><th>Direction</th><th>Existing Use</th><th>Primary Zone</th><th>Other Zone</th></tr><tr><td>N</td><td>Residential</td><td>R-R</td><td>City Zoning</td></tr><tr><td>S</td><td>Residential</td><td>R-R</td><td>A</td></tr><tr><td>E</td><td>Residential</td><td>R-R</td><td>A, CR-R1</td></tr></table>                                                                                                                                     |                                                                                                                                             |             | Direction | Existing Use | Primary Zone | Other Zone | N | Residential | R-R | City Zoning | S | Residential | R-R | A | E | Residential | R-R | A, CR-R1 |
| Direction            | Existing Use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Primary Zone                                                                                                                                | Other Zone  |           |              |              |            |   |             |     |             |   |             |     |   |   |             |     |          |
| N                    | Residential                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | R-R                                                                                                                                         | City Zoning |           |              |              |            |   |             |     |             |   |             |     |   |   |             |     |          |
| S                    | Residential                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | R-R                                                                                                                                         | A           |           |              |              |            |   |             |     |             |   |             |     |   |   |             |     |          |
| E                    | Residential                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | R-R                                                                                                                                         | A, CR-R1    |           |              |              |            |   |             |     |             |   |             |     |   |   |             |     |          |

|                      | W                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Residential                                                                      | R-R | R-1, CR-M1, R2, City |
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|                      | "A" (Agricultural), "R-R" (Rural Residential), "R-1" (Single-Family Residential), "C-1" (Neighborhood Commercial), "C-2" (Service Commercial), "M-1" (Light Industrial), "CR" (Conditional Rezone)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                  |     |                      |
|                      | <b>Request</b><br>The applicant requests "CR-C-2" Service Commercial Zoning with a Development Agreement. Pursuant to Canyon County ordinance 07-10-25 (6), the purpose of the "C-2" Service Commercial zoning district is to provide areas where activities of a service nature, which are more intensive in character than in other Commercial Zones, may be carried out.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                  |     |                      |
|                      | There are no commercial zones within the vicinity of the subject parcel ( <b>Staff Report Exhibit B.2.3</b> ). Businesses found on google maps in the area between Happy Valley Rd, Robinson Rd, Stamm Ln and Airport Rd are allowed in the "R-R" zone subject to meeting home business or home occupation requirements per CCCO Section 07-02-03, 07-10-27, and 07-14-11 & 13 or are legal nonconforming uses or code violations ( <b>Staff Report Exhibit B.4</b> ). Laser and Leveling located approximately 0.5 miles from the subject property did receive a conditional rezone in 2016 (PH2016-7) to M-1 (Light Industrial). The approved Development Agreement for Laser and Leveling allows a staging area and contractor's shop, vehicle service specifically for the applicant's equipment, and a caretaker's residence. While this light industrial use is similar to the applicant's request for the subject property, the Planning and Zoning Commission finds that the area is primarily residential and that Rural Residential RR zoning remains more appropriate than commercial zoning ( <b>Staff Report Exhibits B2.1, B2.3, B2.8 and B2.9</b> ). |                                                                                  |     |                      |
|                      | The nearest commercial use and designation is within the City of Nampa's jurisdiction at the Nampa Gateway Center, approximately 0.43 miles west of the subject parcel ( <b>Staff Report Exhibit B2.3</b> ). The City of Nampa opposes the conditional rezone and requested uses due to the city's future land use designation of low-density residential and because the uses proposed are not allowed within Nampa's low-density residential zone ( <b>Staff Report Exhibit D.6.1</b> ).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                  |     |                      |
|                      | <b>Surrounding Land Use Cases</b><br>The following land use decisions were found within a one-mile radius of the subject property since 2018, demonstrating support for residential, not commercial, growth in the area:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                  |     |                      |
|                      | <ul style="list-style-type: none"><li>• CR2023-0005 – Rezone RR to C1-Denied</li><li>• RZ2020-0018 – Rezone AG to RR – Approved</li><li>• RZ2022-0008 - Rezone AG to CR-R1 – Approved</li><li>• SD2018-0013 – Preliminary Plat – Approved</li><li>• CR2022-0013 – Rezone RR to CR-R1 – Approved</li><li>• SD2021-0040 – Short Plat – Approved</li><li>• SD2019-0030 – Short Plat Approved</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                  |     |                      |
| <b>Criteria Met?</b> | <b>3</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Is the proposed conditional rezone compatible with surrounding land uses?</b> |     |                      |
| <b>No</b>            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                  |     |                      |
| <b>Analysis</b>      | The proposed conditional rezone to "CR-C-2" is not compatible with surrounding land uses.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                  |     |                      |
|                      | Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere or conflict with or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                  |     |                      |
|                      | The parcel and surrounding area are zoned "R-R" (Rural Residential, two-acre average minimum lot size, <b>Staff Report Exhibit B.2.3</b> ). The parcel and area are in the Nampa Area of City Impact. The city designates the future land use of the area as "low-density residential" ( <b>Staff Report Exhibit B.2.5</b> ). There are no commercial zones or similar land use decisions within the vicinity of the subject parcel except Nampa Gateway Center approximately 0.43 miles west of the parcel in Nampa city limits and some home business                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                  |     |                      |

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|               | and home occupation uses that are allowed in an “R-R” Zone ( <b>Staff Report Exhibits B.2.3 and B.4</b> ). Approximately 0.5 miles to the west, a conditional rezone to light industrial was approved for a staging area and contractors’ shop but the remainder of the area within the county remains predominantly residential in zoning and use.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                          |
|               | Commercial uses such as that proposed by the applicant can create impacts for surrounding residential uses with noise, increased activity, and aesthetic concerns related to storing vehicles in need of repair near residential properties. Maintaining Rural Residential zoning would ensure greater compatibility with surrounding land uses than the proposed conditional rezone to Service Commercial.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                          |
|               | See criteria 07-06-07(6)A2 & A4 findings for supporting evidence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                          |
| Criteria Met? | 4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?                 |
| No            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                          |
| Analysis      | <p>The proposed conditional rezone could negatively affect the character of the area. The applicant has proposed measures to help mitigate impacts, but negative impacts are still anticipated.</p> <p><b>Character of the Area:</b><br/>The area consists predominantly of residential uses. Within a one-mile radius, there are 47 subdivisions with 867 associated lots averaging 1.32 acres in size. Outside of platted subdivisions, the area is characterized by large rural residential county lots. Within the 600-foot notification radius, there are 36 lots with an average lot size of 1.61 acres. There are several small businesses operated out of homes within the surrounding area, many of which are allowed as home occupations/home businesses in the Rural Residential zone by CCCO Section 07-02-03, 07-10-27, and 07-14-11 &amp; 13 (<b>Staff Report Exhibit B4</b>). These home businesses, which are allowed or allowed through a Director’s Decision, fit within the residential character of the area. The proposed vehicle service facility does not meet the criteria for a home business or a home occupation and is prohibited within the Rural Residential zoning district. The closest commercial zone is 0.43 miles to the northwest within the City of Nampa (<b>Staff Report Exhibit B2.3</b>). Vehicle service facilities are also allowed within the industrial zoning designations. The closest is a conditional rezone of 1.84 acres to Light Industrial (M-1) that was approved in 2016, approximately 0.5 miles west of the subject property.</p> <p><b>Request and Proposed Mitigation Measures</b><br/>The applicant proposes several conditions of approval that will help to mitigate impacts. These include screening of outdoor storage, limited hours of operation from 8 am to 6 pm Monday- Friday, and conducting vehicle repairs indoors to reduce noise impacts. The applicant intends to have six (6) employees, and three (3) work bays will be dedicated to the vehicle service/autobody facility. During the site visit on April 3, 2026, staff observed that the property frontage has largely retained a residential character with a landscaped front yard and home facing Orchard Avenue. However, numerous vehicles were parked along the paved circular driveway entrance off Orchard Avenue, and vehicles were also found along the side of the home, behind the home, and behind the shops (<b>Staff Report Exhibit C</b>). The number of cars on the property contributes to a commercial presence that is out of character with the rural residential neighborhood and may not be fully mitigated by the proposed conditions. The number of vehicles observed indicates extensive operations that are out of scale with a residential neighborhood. Additional conditions could be considered to limit the percentage of the property that can be devoted to storing vehicles and/or to require that all vehicles associated with the business must be stored behind the residence and behind a site-obscuring fence.</p> |                                                                                                                                                          |
| Criteria Met? | 5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone? |
| Yes           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                          |
| Analysis      | <p>The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein.</p> <p><b>Sewer:</b> The existing dwelling is served by an individual septic system. The vehicle repair service use requested as part of the conditional rezone application may require a Nutrient Pathogen Study if wastewater flows meet or exceed 600 gallons per day. A site evaluation and test holes have not been conducted on the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                          |

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| <p>site. SWDH states that they are not concerned with the use or requested rezone, provided all IDAPA 58.01.03 requirements are met (<b>Staff Report Exhibit D.3</b>).</p> <p><b>Water:</b> The existing dwelling is served by a domestic well, and the applicant intends to use the existing well for the vehicle service facility. Idaho Department of Water Resources was notified of the request, but no comments were received. Comments from Nampa Fire District detail that a fire hydrant capable of producing the required fire flow shall be located along approved fire lanes (<b>Staff Report Exhibit D.5</b>). Compliance with Nampa Fire District requirements shall be included as a condition of approval.</p> <p><b>Drainage:</b><br/>The applicant proposes to retain drainage on site (<b>Staff Report Exhibit A.2</b>).</p> <p><b>Irrigation:</b> The property has surface irrigation water from the Nampa-Meridian Irrigation District (<b>Staff Report Exhibit A.2</b>). Nampa-Meridian Irrigation District was notified of the request, but no comments were received. All historic irrigation lateral, drains, ditch flow patterns, and associated easements shall be maintained and protected unless approved in writing by Nampa and Meridian Irrigation District.</p> <p><b>Utility:</b> The property appears to have utilities established for the existing dwelling (<b>Staff Report Exhibit C</b>). If the conditional rezone is approved, a new address is recommended for the business, and the applicant will work with the applicable utility agencies to maintain appropriate service.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                         |
| <b>Criteria Met?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 6                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?</b> |
| <b>Yes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                         |
| <b>Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>The proposed conditional rezone will not require public street improvements to provide adequate access to and from the subject property to minimize undue interference with existing and/or future traffic patterns created by the proposed development. Any necessary measures to mitigate traffic impacts are detailed below.</p> <p>The subject property has access to E Orchard Ave, a rural local roadway. Comments from Nampa Highway District No. 1 detail that no parking associated with the vehicle service facility is allowed on E Orchard Ave. (<b>Staff Report Exhibit D.2.2</b>). The Highway District does not object to the conditional rezone, subject to the applicant meeting access requirements. A paved apron will be required for any approach serving a commercial/business property per ACCHD standards (Drawing # ACCHD-106, <b>Staff Report Exhibit D.2.1</b>). The Idaho Transportation Department submitted comments stating that they have no concerns with the request and that the application does not meet thresholds for a Traffic Impact Study, nor does it pose any safety concerns (<b>Staff Report Exhibit D.1</b>).</p> <p><i>See criteria 07-06-07(6)A7 for additional evidence.</i></p> |                                                                                                                                                                                                                                                                                         |
| <b>Criteria Met?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 7                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Does legal access to the subject property for the conditional rezone exist or will it exist at time of development?</b>                                                                                                                                                              |
| <b>Yes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                         |
| <b>Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>The subject property does have legal access for the conditional rezone and will continue to have legal access at the time of the development. See the review and analysis detailed below.</p> <p>The subject property has legal access to E Orchard Avenue, a local public roadway. The applicant will need to upgrade the existing residential access to a paved apron to meet Nampa Highway District No. 1 commercial access standards (<b>Staff Report Exhibit D.2.1</b>).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                         |
| <b>Criteria Met?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 8                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?</b>                                                             |
| <b>Yes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                         |
| <b>Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>The proposed use is not anticipated to impact essential public services and facilities, including, but not limited to, schools, police, fire, and emergency medical services. Any necessary measures to mitigate impacts are detailed below.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                         |

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|  | <p><b>Schools:</b> The property is served by the Nampa School District (<b>Staff Report Exhibit B.1</b>). The request with limited commercial uses is not anticipated to impact the school district. No comment was received from the district.</p> <p><b>Police:</b> The property is served by the Canyon County Sheriff's Office. No comments or concerns were received from the Sheriff's Office.</p> <p><b>Fire protection &amp; Emergency Medical Services:</b> The property is served by Nampa Fire District and Canyon County Paramedics/EMT. Nampa Fire District is not opposed to the request (<b>Staff Report Exhibit D.5</b>). The applicant will need to maintain a solid 20-foot-wide access for fire apparatus with a hammerhead turnaround at the back of the property. Fire District-required fire hydrants, access, and street identification shall be installed prior to construction or storage of combustible materials on site. Building construction requirements of the International Building Code, International Fire Code, and City of Nampa Code will apply (<b>Staff Report Exhibit D.5</b>).</p> <p>The property is 1.5 miles from Nampa Fire Station 5, with a response time of approximately four minutes, which exceeds response time goals. Nampa Fire District aims to arrive at 90 percent of emergency medical incidents within 5 minutes of alarm time and within 5 minutes and 20 seconds to fire incidents.</p> <p>Canyon County Ambulance District sent estimated response times for three (3) nearby stations: Station M44 has an estimated response time of 5.88 minutes, Station M42 has an estimated response time of 8.54 minutes, Station M41 has an estimated response time of 12.65 minutes (<b>Staff Report Exhibit D.9</b>).</p> <p><b>Addressing:</b> If approved, the applicant may receive an address for the shop being used for the vehicle service facility. An address is recommended for uses that involve employees working on-site so that emergency services can quickly and accurately locate the site in an emergency (<b>Staff Report Exhibit D.4</b>).</p> |
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**Table 2. Area of City Impact**

| <p><b>CCCO §09-11-25: APPLICATION PROCEDURES:</b> The following procedures shall be adhered to in processing applications within the Nampa area of city impact:</p> <p>Land Use Applications: All land use applications submitted to Canyon County including, but not limited to, rezones, conditional rezones, conditional use permits, variances, and land divisions requiring notification of a public hearing, shall be referred to the city of Nampa in the manner as provided for in subsection 09-11-17(3) of this article.</p> |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <b>County Ordinance and Review</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Criteria Met?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Code Section</b> | <b>Criteria</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Yes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>09-11-17</b>     | <p>The Canyon County comprehensive plan, as amended, shall apply to the Nampa area of city impact. Canyon County recognizes that the city of Nampa has also developed a comprehensive plan and accompanying map for the Nampa area of city impact. Canyon County shall give consideration to the city's comprehensive plan map designations when evaluating development requests with the Nampa area of city impact.</p> <p>All proposals to amend Canyon County's comprehensive plan, which may pertain to the Nampa area of city impact, but which do not originate from the city of Nampa, shall be referred to the city of Nampa's planning and community development director at least thirty (30) calendar days prior to the first county public hearing on the matter and the city of Nampa may make a recommendation before or at said public hearing. After the city receives its initial thirty (30) days' notice, any further notice of proposed changes to the proposal will be provided to the city of Nampa at least seven (7) days prior to the public hearing. If a recommendation is received by the county from the city of Nampa, it shall be considered by the county, provided it is factually supported, but such recommendation shall not be binding on the county. If no recommendation is received, Canyon County may proceed without the recommendation of the city of Nampa.</p> |

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| Analysis | <p><b>Area of City Impact:</b><br/>In accordance with Area of City Impact procedures, the City of Nampa was noticed on September 26, 2025, and July 2, 2026, and comments were received from the city and given consideration by the county (<b>Staff Report Exhibits D.6, D.6.1, and D.6.2</b>).</p> <p>The City of Nampa's comprehensive plan designates the parcel and surrounding area as "Low-Density Residential" on the future land use map (<b>Staff Report Exhibit B.2.5</b>). When considering the City of Nampa's future land use map, the request is not compatible. A comment was received from the City of Nampa's Planning and Zoning Division on September 26, 2025, and updated comments were received on June 4, 2026, and July 7, 2026 (<b>Staff Report Exhibits D.6, D.6.1 and D.6.2</b>). The city opposes the request because the proposed commercial zone and requested uses are not compatible with the Low-Density Residential future land use designation and associated residential zoning districts.</p> |
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### Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission recommends **denial** of Case # CR2025-0013, a zoning map amendment of 1.345 acres from the "RR" (Rural Residential) to the "CR-C2" (Service Commercial) zone.

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

1. The applicant may consider waiting until the area development trends and the Comprehensive Plan support commercial development on the property, or
2. The applicant may consider uses which are allowed within residential zoning districts.

DATED this 20 day of August, 2026.

### PLANNING AND ZONING COMMISSION CANYON COUNTY, IDAHO



Robert Sturgill, Chairman

State of Idaho )

SS

County of Canyon County )

On this 20 day of August, in the year 2026, before me CAITLIN ROSS, a notary public, personally appeared Robert Sturgill, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.



Notary: Caitlin Ross

My Commission Expires: 5/7/2031