



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

In the matter of the application of:
Greg S Payne – CR2025-0011

The Canyon County Board of County Commissioners
considers the following:

- 1) Conditional Rezone of a 6.46-acre portion of Parcel R37423 from the "A" (Agricultural) zone to the "CR-RR" (Conditional Rezone-Rural Residential) zone. The request includes a development agreement limiting the future subdivision into no more than three (3) residential lots out of the 6.46-acre portion in the northeast corner of the 70.89-acre parcel. The remaining 64.43 acres is proposed to be a non-buildable agricultural-only parcel.
- 2) Location: Case CR2025-0011: The subject property (Parcel R37423) is located at 0 Middleton Road, Middleton, also referenced as a portion of the SW ¼ of Section 20, T5N, R2W, BM, Canyon County, Idaho

Summary of the Record

1. The record is comprised of the following:
 - A. The record includes all testimony, the staff report, exhibits, and documents in Case File CR2025-0011.
 1. All exhibits can be found in the case staff report dated May 7, 2026, and 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), 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 Board has the authority to exercise powers granted to it by the Idaho Local Land Use and Planning Act (“LLUPA”) and can establish its own ordinances regarding land use, including subdivision permits. *See* I.C. §67-6504, §67-6511.
3. The Board has the authority to hear this case and make its own independent determination. *See* I.C. §67-6519, §67-6504, 67-6509 & 67-6511.
4. The Board can sustain, modify or reject the Commission’s recommendations. *See* CCCO §07-05-03.
5. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.
6. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record. The County’s hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCCO 07-05-03(1)(I).

The application, CR2025-0011, was presented at a public hearing before the Canyon County Board of County Commissioners 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 Board of County Commissioners decides as follows:

Table 1. Conditional Rezone Standards of Evaluation		
Standards of Evaluation – CCCO §07-06-07(6)A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:		
County Ordinance and Review		
Criteria Met?	Code Section	Criteria
Yes	1	Is the proposed conditional rezone generally consistent with the comprehensive plan?
Analysis		The proposed conditional rezone change is generally consistent with the comprehensive plan.
		The subject property is approximately one mile north of the Middleton Area of Impact and the City of Middleton. The 2030 Comprehensive Plan designates the property for future agricultural use. Page 25 of the Plan describes the agricultural designation as follows: “The agricultural designation is the base designation throughout the County. It contains areas of productive irrigated croplands, grazing lands, feedlots, dairies, seed production, and ground of lesser agricultural value.”
		The applicant requests a conditional rezone of approximately 6.46 acres on the northeast corner of the property to the Rural Residential “CR-RR” zone. The rezone will allow for three residential lots with an average lot size of at least two acres. The proposed rezone portion of the property lacks surface irrigation water rights. According to the applicant's letter of intent, when Pheasant Landing Subdivision was developed to the east, the pipe delivering water to the northeast corner was compromised, as was access to the tap on the lateral. Comments from Black Canyon Irrigation District detail that the applicant made a permanent water rights transfer to remove six acres of irrigation water from the northeast corner of the property in 2023, and therefore, none of the proposed additional parcels will receive irrigation water from the district (Staff Report Exhibit D1). The Soil Conservation District designates the soil in this non-irrigated section to be Class 6 with severe limitations, making it generally unsuitable for cultivation (Staff Report Exhibit D6.2).
		The applicants' request will preserve the majority of the property with the existing pivot and irrigation rights, approximately 64.43 acres, as non-buildable land for agricultural use (Staff Report Exhibits A3 and A4). The non-buildable portion will retain the agricultural “A” zone. The requested Conditional Rezone to Rural Residential “CR-RR” will apply to approximately 6.46 acres on the northeast portion of the property (Staff

Report Exhibit A4). The 2030 Comprehensive Plan envisions rural residential use as a boundary between agricultural and urban areas. Rural residential areas are generally conducive to small-scale farming operations and are compatible with non-agricultural uses. The 2030 Future Land Use Map depicts future rural residential use 0.50 miles to the south, demonstrating that the subject property is near an urban transition area. Per CCCO §07-06-07(3), a conditional rezone of a parcel does not set a precedent that adjacent property should be rezoned the same.

The request generally complies with the following goals and policies of the 2030 Comprehensive Plan:

Property Rights Goals and Policies

The request was processed per the following laws and ordinances: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-07 (Conditional Rezone), and Idaho Code §67-6511 (Zoning Map Amendments and Procedures).

- Goal No. 1: “Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.”
- Policy No. 1: “No person shall be deprived of private property without due process of law.”

Economic Development Goal

- Goal No. 5: “Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability.”

Land Use Policies and Goals:

The proposed conditional rezone applies to only 6.46 acres, preserving the remaining 64.43 acres for agricultural use. The proposed rezoned portion of the property lacks surface irrigation water rights and is adjacent to the Pheasant Landing Phase 1 and 2 subdivisions, where lot sizes are commensurate with the proposed 2-plus-acre lots. This limited scale with only three residential lots aligns with nearby development while protecting the rural character of the area and balances residential growth with nearby agricultural production.

- Policy No. 1.1: “Maintain a balance between residential growth and agriculture that protects the rural character.”
- Policy No. 1.2: “Planning, zoning, and land-use decisions should balance the community’s interests and protect private property rights. “
- Goal No. 2: “Ensure that growth maintains and enhances the unique character throughout the County.”
- Goal No. 3: “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. “
- Policy No. 3.2: “Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns.”
- Policy No. 3.3: “Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility.”
- Goal No. 7: “Protect rural qualities that make the County distinct and conserve and enhance the elements contributing to the good quality of life. “
- Policy No. 7.1: “Plan land uses that are compatible with the surrounding community.”

Housing Goals

The proposed development will place three residential lots in the northeast corner of the property, adjacent to residential development on a portion of the property that has not been farmed since approximately 2006 (**Staff Report Exhibit A.3**). The proposed location for the limited residential development will not fragment agricultural or natural resources while providing housing opportunities.

- Goal 1: “Encourage opportunities for a diversity of housing choices in the County.”

	Goal 2: “Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural and natural resources.”	
Criteria Met?	2	When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?
Yes		
Analysis	In consideration of the surrounding land uses, the proposed conditional zone change for a small portion of the property to “CR-RR” is more appropriate than the current zoning designation of “A”. Existing Conditions: According to Canyon County Code of Ordinances (CCCO) §07-10-25 (1), the purposes of the existing “A” zoning district are to: A. Promote the public health, safety, and welfare of the people of the County by encouraging the protection of viable farmland and farming operations B. Limit urban density development to Areas of City Impact in accordance with the comprehensive plan; C. Protect fish, wildlife, and recreation resources, consistent with purposes of the “Local Land Use Planning Act”, Idaho Code title 67, chapter 65; D. Protect agricultural land uses, and rangeland uses, and wildlife management areas from unreasonable adverse impacts from development; and E. Provide for the development of schools, churches, and other public and quasi-public uses consistent with the comprehensive plan. The surrounding area contains agricultural and residential uses with primarily agricultural zoning. Aerial and site visit photos show large agricultural properties to the west, southwest, and south with irrigated row crops (Staff Report Exhibits B2.1 and C). The Pheasant Landing Subdivision Nos. 1 and 2 are directly to the east with an average lot size of 2.52 and 1.96 acres (Staff Report Exhibits B2.8 and B2.9). Property to the north, leading up to Goodson Road, includes agricultural and residential uses. In this area, some of the original parcels, as well as parcels that have been divided through conditional use permits and administrative land divisions, are smaller than the proposed 2-acre lots (Staff Report Exhibit B2.12). Rural residential zoning “CR-RR” is found approximately 560 feet north of the subject property on the west side of Middleton Road (Staff Report Exhibit B2.3). The property primarily consists of class 3 and 4 moderately suited soils with some class 6 and 8 least suited soils. The parcel is considered prime farmland if irrigated (69.9%), farmland of statewide importance if irrigated (17.9%) and not prime farmland (12.2%) (Staff Report Exhibit B2.7). The portion of the property that will be rezoned is not currently irrigated and contains class 6 soils that are not considered prime farmland (Staff Report Exhibit D6.2). There are no dairies, feedlots, or gravel pits within a 2-mile radius (Staff Report Exhibit B2.6). Rezoning Request The request is to conditionally rezone 6.46 acres of the 70.89-acre property to an R-R Zone, subject to the conditions of a development agreement. According to Canyon County Code of Ordinances (CCCO) §07-10-25(2), the purposes of the “R-R” zoning district is to “<i>encourage and guide growth in areas where a rural lifestyle may be determined to be suitable.</i>” The applicant provided a conceptual site plan (Staff Report Exhibit A.4) demonstrating that the result of the rezone is to create three buildable parcels, clustered in the northeast corner of the property, each approximately 2 acres in size. The remaining 64.43 acres will retain agricultural zoning and will be non-buildable (Staff Report Exhibit A3 and A4). Testimony provided during the August 6, 2026 Board of County Commissioners hearing found that the northeast corner of the property lacks irrigation water and has experienced significant weed growth that negatively impacts farming operations. Residential zoning and uses are anticipated to mitigate weeds on this 6.46-acre portion of the property. The adjacent Pheasant Landing Subdivision has shown that a rural lifestyle is suitable for the area, and the applicant’s site plan will mirror these similarly sized residential lots while also preserving the productive agricultural portion of the property.	

	Existing Conditions within One Mile:			
	Direction	Existing Use	Primary Zone	Other Zone
	N	Residential and Agricultural	A	CR-RR
	S	Agricultural with dwellings	A	
	E	Residential	A	CR-R1, RR
	W	Agricultural	A	CR-RR, RR
"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)				
Recent Land Use Cases within a One Mile Radius:				
• RZ2021-0043 (directly west of the subject property) – Rezone "A" to "RR"- Denied • SD2020-0009 – Echo Estate Subdivision – Approved • SD2022-0047 – Preliminary Falcon Rim Subdivision – Approved • RZ2021-039 – Rezone "A" to "CR-R1" - Approved				
Criteria Met?	3	Is the proposed conditional rezone compatible with surrounding land uses?		
Yes				
Analysis	The proposed conditional rezone to "CR-RR", as restricted by the development agreement, is compatible with surrounding land uses. Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere or conflict with or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses. The proposed conditional rezone of 6.46 acres will allow for 3 residential lots, each greater than 2 acres. The 15 subdivisions that are within a one-mile radius of the property have an average lot size of 2.32 acres (Staff Report Exhibit B2.9). The lot classification map shows lots of 1.1 -2 acres directly east of the proposed rezone area within the Pheasant Landing Subdivision (Staff Report Exhibits B2.12 and B2.8). The limited scale of development that will add only three residential lots is not anticipated to interfere with nearby agricultural production to the west and south, as residential uses have long been established in the area, as demonstrated by the 15 subdivisions with 151 lots within a one-mile radius (Staff Report Exhibits B2.1, B2.8, and B2.9). Within a 1-mile radius, there are several areas which have been rezoned and conditionally rezoned to rural residential (RR and CR-RR), demonstrating compatibility with surrounding land uses and zones. Furthermore, the site plan places the residential lots adjacent to residential uses (Staff Report Exhibit A4). The approximately 64-acre agricultural portion of the subject property will maintain agricultural zoning along Middleton and Galloway Roads and will preserve compatibility with larger agricultural fields to the west and south (Staff Report Exhibits A4 and B2.1). Converting the 6.46 acres in the northeast corner to rural residential zoning and use will support existing agricultural operations by allowing the property owner/agricultural operator to live on-site and to more easily attend to emergent needs on the farm. See further analysis located in sections 1, 2, and 4.			
Criteria Met?	4	Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?		
Yes				
Analysis	The proposed conditional rezone will not negatively affect the character of the area. Any necessary measures to mitigate impacts are detailed below. Character of the Area: The character of the area is primarily agricultural with interspersed residential use and some residential subdivisions. The proposed conditional rezone to rural residential of the approximately 6.46-acre northeast			

	portion of the subject property will match the character of the adjacent Pheasant Landing Subdivision. The requested rural residential zone will allow for an average lot size of two (2) acres, which is aligned with the 2.32-acre average lot size in nearby subdivisions (Staff Report Exhibit B2.9). Future residential use is planned within the City of Middleton and Middleton's Area of Impact, approximately 1 mile to the south (Staff Report Exhibit B2.5). COMPASS anticipates 869 additional households by the year 2050 within the nearby Traffic Analysis Zones 2136 and 2137 (Staff Report Exhibit B2.11). While the subject property is not in a planned growth area, nearby residential growth adds to the mix of agricultural and rural residential use that characterizes the area. Furthermore, the dry portion of the property has experienced weed growth. Residential use on this dry portion of the land will help to mitigate weeds, thereby enhancing the area character. The following measures will be implemented to mitigate the impact The applicant's proposed conditions include limiting the development to 3 buildable residential lots. The Commission has broadened the proposed condition of approval to detail that the 3 buildable residential lots shall be in substantial conformity with the site plan. The site plan ensures that the residential lots are adjacent to the Pheasant Landing Subdivision, and it preserves agricultural zoning and use along the western and southern property boundaries where large agricultural fields are found. Conditions of approval will also prohibit secondary residences, ensuring that the 2-acre lots are characteristic of the rural area. With these conditions of approval, the development is not anticipated to negatively impact the essential character of the area.	
Criteria Met? Yes	5	Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone?
Analysis	The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein. Sewer: Per the land use worksheet, sewer will be provided with individual septic systems (Staff Report Exhibit A5). Southwest District Health provided comments stating that the project does not require a Nutrient Pathogen Study and that there are no concerns with the request provided all SWDH requirements are met (Staff Report Exhibit D5). An earlier pre-development meeting was held that envisioned two (2) rather than three (3) residential lots. Meeting notes detail that an abandoned concrete ditch is found to the south of the proposed lots and that survey data indicate silt loam with calcium carbonate soils (Staff Report Exhibit D5.1). All SWDH requirements will need to be met with the subdivision plat (Staff Report Exhibit D5). Water: Per the land use worksheet, water will be provided with individual domestic wells (Staff Report Exhibit A5). Notice was provided to the Idaho Department of Water Resources, but no comments were received. Future development shall comply with IDWR standards at the time of subdivision and/or building permits. The property is within a Nitrate Priority Area, the closest known well with a nitrate level elevated to the 10 milligram per liter standard is found approximately 620 feet to the north (Staff Report Exhibit B2.10). During the Board of County Commissioners hearing, the applicant provided additional supportive information regarding well monitoring. Drainage: Per the land use worksheet, stormwater is proposed to be retained on-site (Staff Report Exhibit A5). Irrigation: Per the letter of intent, there are no surface irrigation water rights available for the northeast corner of the property where the three residential lots are proposed. Each home will be able to utilize the ½ acre domestic exemption for irrigation if the total use does not exceed 13,000 gallons per day (Staff Report Exhibit A3). Comments from Black Canyon Irrigation District detail that the applicant made a permanent water rights transfer to remove six acres of irrigation water from the northeast corner of the property in 2023, and therefore, none of the proposed residential parcels will receive irrigation water from the district. All maintenance road right-of-way, lateral right-of-way, and drainage right-of-way will need to be protected. Any crossing	

	agreements and or piping agreements will need to be acquired from the Bureau of Reclamation once approved by Black Canyon Irrigation District, to cross over or under any existing lateral, pipe any lateral, or encroach into the right-of-way of the District or Reclamation (Staff Report Exhibit D1). All irrigation district requirements will need to be met during the subdivision process. Utility: Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on September 8, 2025, and April 2, 2026. No agency comments were provided by those services at the time the staff report was written. Utility poles exist along Middleton Road (Staff Report Exhibit C). There are also residences in the general vicinity that are indicative of utility services being available. It is anticipated that the applicant will be able to work with utility providers to gain any needed utilities.	
Criteria Met?	6	Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?
Yes		
Analysis	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. ITD had no concerns with the request as the property is greater than 3 miles north of SH-44 and minimal impact can be anticipated. Comments received from Highway District No. 4 detail that Middleton Road is classified as a minor arterial and Galloway as a major collector on the functional classification maps adopted by the County and Highway District. The applicant letter of intent details an expected 29 average daily trips based 9.52 average daily trips per household. During the subdivision phase of the development, the applicant will be required to meet all highway district requirements, and an approach permit with a paved apron meeting ACCHD standards will be required (Staff Report Exhibit D2). The proposed three additional residential lots are not anticipated to significantly impact the existing or proposed transportation system. Traffic impacts from the new development will be mitigated by the collection of transportation impact fees at the time of building permit issuance (Staff Report Exhibit D2).	
Criteria Met?	7	Does legal access to the subject property for the conditional rezone exist or will it exist at time of development?
Yes		
Analysis	The subject property does have legal access for the conditional rezone and will have legal access at the time of the development. See the review and analysis detailed below. Existing access to the subject property is via one or more unimproved agricultural approaches to Middleton Road along the property's western boundary. Comments from Highway District No. 4 state that these approaches may remain in use to serve the ongoing agricultural uses but are subject to restriction or removal if the land use changes in the future. The applicant proposes a 20-foot-wide private road within a 60-foot easement to serve three new residential lots, with an approach to Middleton Road located near the northwest property boundary (Staff Report Exhibits A3 and A4). Highway District No. 4 will require the access point to provide adequate sight distances of at least 555 feet in both directions. Before platting, the applicant could utilize the administrative land division amendment process to separate the 6.4-acre rezone portion from the remaining agricultural-only parcel and in this situation, a 60-foot easement to Middleton Road will be permitted as depicted on the site plan. However, if all divisions occur through the subdivision process, a dedicated 60-foot private road lot will be required for the entire length of the road. During the subdivision phase of development, the applicant must meet all subdivision, private road, and highway district requirements, including the acquisition of an approach permit. Based on established private road standards, the road must be contained within a separate road lot for the portion located inside the 6.46-	

	acre future subdivision, even if the remainder of the access to Middleton Road is secured via an easement prior to the platting process.	
Criteria Met?	8	Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?
Yes		
Analysis	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. Schools: The subject property is within the Middleton School District #134. The school district was noticed on September 8, 2025, and April 2, 2026, but no comments were received. The development of three residential lots that prohibit secondary residences is not anticipated to negatively impact schools. Police: The subject parcels are under the jurisdiction of the Canyon County Sheriff’s Office. The Canyon County Sheriff’s Office is required to provide services to the parcel. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency comments were sent out on September 8, 2025, and April 2, 2026, and no comments were received by the Sheriff’s Office. Fire protection & Emergency Medical Services: Canyon County Paramedics provided estimated response times on April 19, 2026, for three (3) nearby stations: Station M53 has an estimated response time of 6.49 minutes, Station M51 has an estimated response time of 15.6 minutes, and Station M52 has an estimated response time of 17.7 minutes. The subject property is under the jurisdiction of the Middleton Rural Fire District (MRFD). MRFD is required to provide services to this parcel, and a fire district sign-off is also required for residential building permits. Middleton Rural Fire District was provided notice of the application on September 8, 2025, and April 2, 2026, but no comments were received. The use is not anticipated to be significant enough to cause a negative impact or require additional public funding	

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Board of County Commissioners **approves** Case # CR2025-0011, a conditional rezone of a 6.46-acre portion of Parcel R37423, from an "A" (Agricultural) zone to a "CR-RR" (Conditional Rezone-Rural Residential) zone subject to conditions of the development agreement (Attachment A).

DATED this 17th day of September, 2026.

CANYON COUNTY BOARD OF COMMISSIONERS

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

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

Attest: Jess Urresti, Clerk

By: [Signature]
Deputy

Date: 9/17/26

ATTACHMENT A
CONDITIONS OF APPROVAL

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use, including but not limited to:
 - a. Comments received from Southwest District Health (Exhibit D5)
 - b. Comments received from Highway District No. 4 (Exhibit D2)
 - c. Comments received from Black Canyon Irrigation District (Exhibit D1).
2. The rezoned parcels shall be divided per the subdivision requirements of Chapter 7, Article 17 of the Canyon County Code of Ordinances. An administrative land division amendment process may be utilized to divide the agricultural-only portion of the property from the rezoned portion of the property.
3. The development shall be restricted to 3 residential lots in substantial conformance with the site plan (**Staff Report Exhibit A3**).
4. The developer shall comply with CCCO §07-06-07 (4): Time Requirements: “All conditional rezones for a land use shall commence within two (2) years of the approval of the board.”
5. Secondary residences per CCCO §07-02-03, §07-10-27, and §07-14-25 are prohibited.