



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

In the matter of the application of:

Deschutes Investments, LLC – CR2025-0005

The Canyon County Board of County Commissioners considers the following:

- 1) Conditional Rezone of Parcel R28836 from “A” (Agricultural) to “CR-C-2” (Conditional Rezone – Service Commercial). The request includes a development restriction that limits the rezoned area to approximately 9 acres to establish an RV/outdoor storage facility. The remaining acreage will remain zoned “A”.
- 2) Location: The 32.28-acre property is located north of 7519 E. Locust Lane, Nampa, also referenced as a portion of the SE quarter of Section 5, T2N, 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, audio of the hearing, and documents in Case File CR2025-0005.
 1. On August 7, 2025, the Planning and Zoning Commission recommended denial of CR2025-0005 (Exhibits 1 & 2).
 2. All exhibits can be found in the Board of County Commissioners staff report for CR2025-0005 dated November 4, 2025.

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)), and Idaho Code §67-6511 (Zoning Map Amendments and Procedures).
 - 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. *See* I.C. §67-6504, §67-6511. 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.
3. The Board can sustain, modify, or reject the Commission’s recommendations. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. *See* CCCO §07-05-03.

4. 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, CR2025-0005, was presented at a public hearing before the Canyon County Board of County Commissioners on November 4, 2025. 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:

CONDITIONAL REZONE CRITERIA – CCCO §07-06-07(6)

1. Is the proposed conditional rezone generally consistent with the comprehensive plan?

Conclusion: The proposed conditional rezone is not generally consistent with the 2030 Comprehensive Plan because the 2030 Canyon County Comprehensive Plan promotes an agricultural designation in the area. The request is premature and should wait until the parcel can be annexed, where the City of Nampa promotes commercial growth.

Findings:

- (1) The 2030 Canyon County Comprehensive Plan designates the future land use as “agriculture” (Exhibit 3.B.2c). The parcel is located approximately a mile from an industrial designation. The agricultural designation is the base designation throughout the County. It contains areas of productive irrigated croplands, grazing lands, feedlots, dairies, seed production, and ground of lesser agricultural value (Page 25, 2030 Canyon County Comprehensive Plan).
- (2) As stated during the public hearing, the property is located near the border of Ada County, where Ada County's plans promote agricultural and rural preservation.
- (3) The property is located in the Nampa Area of City Impact, where the city's future land use plan designates the property for commercial use (Exhibit 3.B.2d). Until the subject parcel is annexed into city jurisdiction, consistency with county plans and ordinances is required.

2. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?

Conclusion: In consideration of the surrounding land uses, the proposed conditional zone to “CR-C-2” (Conditional Rezone – Service Commercial) is not more appropriate than the current zoning designation of “A”.

Findings:

- (1) The subject property is currently zoned “A” (Agricultural). Per CCCO 07-10-25(1), the purposes of the A (Agricultural) Zone 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 the 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.*
 - a. The parcel is currently in agricultural production, receiving agricultural tax exemption (Exhibit 3.B.1). The property consists of best or moderately suited soils (Exhibit 3.B.2h). Canyon County Soils Conservation District does not recommend approval of the request due to the request impacting Class II (best-suited) soils that make up 77% of the parcel (Exhibit 3.D.5). The parcel is located within a two-mile radius of existing dairies and feedlots (Exhibit 3.B.2i).

- b. Letters received in opposition (Exhibit 3.E), as well as testimony received during the hearing, demonstrated that the vicinity is still zoned “A” (Agricultural) and still maintains large agricultural lands and uses with some rural residential development.
- (2) The applicant is requesting a conditional rezone to “C-2” (Service Commercial). Per CCCO 07-10-25(6): *The purpose of the C-2 (Service Commercial) Zone 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.* The request proposed 486 storage spaces for RVs and similar vehicles on 9 acres. One 4’x8’ unlit sign is proposed. Hours of operation will be 7 am to 9 pm daily. Landscaping, including shrubs and trees, is proposed along the frontage of Locust Road, while the remaining perimeter will have a 6-foot-tall white vinyl privacy fence. No structures, septic, or wells are proposed. (Exhibits 3.A.2, A.3, A.5, and A.12). Exterior lighting is proposed, which will be muted, shielded, and directed away from existing residential uses.
- a. Letters received in opposition (Exhibit 3.E), as well as testimony received during the hearing, demonstrated that the vicinity is still zoned “A” (Agricultural) and still maintains large agricultural lands and uses with some rural residential development. The area does not have any commercial uses or zoning designations in the vicinity. Therefore, the proposed use will create noise, dust, lighting, access, and traffic impacts currently not experienced in the area.
 - b. Although the City of Nampa plans commercial growth in the area, evidence provided during testimony demonstrates that commercial growth at this time is premature and should wait until city services and infrastructure reach the area.

3. Is the proposed conditional rezone compatible with surrounding land uses?

Conclusion: When considering the definition of compatibility, the proposed conditional rezone to “CR-C-2” (Conditional Rezone – Service Commercial) is not compatible with surrounding land uses. Per CCCO § 07-02-03, land uses are compatible if: *a) they do not directly or indirectly interfere with or conflict with or negatively impact one another, and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses.*

Findings:

- (1) Surrounding Uses
 - a) The request is less than a mile from an approved contractor shop/staging area/quasi-public use conditional use permit for Nampa-Meridian Irrigation District approved in 2024 (Exhibit 3.B.2f).
 - b) The subject parcel is located within 3 miles of four similar storage facilities, the closest being Amity Storage, 1.73 miles northwest (Exhibit 3.C).
 - c) The subject parcel is located less than a mile from city jurisdiction (Exhibit 3.B.2a). Within one mile are 15 subdivisions equating to 267 lots. Two of the subdivisions are located in Nampa’s jurisdiction (Exhibit 3.B.2g).
- (2) Letters received in opposition (Exhibit 3.E), as well as testimony received during the hearing, demonstrated that the vicinity is still zoned “A” (Agricultural) and still maintains large agricultural lands and uses with some rural residential development. The area does not have any commercial uses or zoning designations in the vicinity. Therefore, the proposed use will create noise, dust, lighting, access, and traffic impacts currently not experienced in the area.
 - a. Canyon County Soils Conservation District does not recommend approval of the request due to the request impacting Class II (best-suited) soils that make up 77% of the parcel (Exhibit 3.D.5).

4. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?

Conclusion: The proposed conditional rezone will negatively affect the character of the area.

Findings: (1) Notice of the public hearing was provided per CCCO §07-05-01. Letters received in opposition (Exhibit 3.E), as well as testimony received during the August 7, 2025, hearing, demonstrated that the vicinity is still zoned "A" (Agricultural) and still maintains large agricultural lands and uses, and some rural residential development. The area does not have any commercial uses or zoning designations in the vicinity, so commercial uses will have noise, dust, and lighting impacts currently not experienced in the area.

Testimony in opposition also expressed concerns regarding access and traffic. Existing sight obstruction problems on Locust Lane and issues with UPRR and canal crossing traffic will be increased by the request. Although the City of Nampa plans commercial growth in the area, evidence provided by testimony demonstrates that commercial growth at this time is premature and should wait until city services and infrastructure reach the area.

5. Will adequate facilities and services, including sewer, water, drainage, irrigation, and utilities be provided to accommodate the proposed conditional rezone?

Conclusion: The project will have little to no need for services.

Findings: (1) The project will have little to no need for services.

- a. Water: Domestic water is not required. No offices or bathrooms proposed (Exhibits 3.A.2 & A.5).
- b. Sewer: A septic system or wastewater disposal is not proposed for the outdoor storage facility. City services are approximately a mile from the request. Southwest District Health finds there are no concerns with the use or request for rezoning (Exhibit 3.D.6).
- c. Irrigation: The property has surface water rights from the Nampa & Meridian Irrigation District. The rights will be utilized for the remaining agricultural ground and landscaping (Exhibits 3.A.2, A.3 & A.5). Nampa & Meridian Irrigation District finds that the Powell Lateral must be protected. Easement minimum: 35 feet. Any encroachments without a signed license agreement and approved plan before construction are unacceptable (Exhibit 3.D.4).
- d. Utility: Exterior light will require power from Idaho Power (Exhibit 3.A.3).

(2) Notice of the public hearing was provided per CCCO §07-05-01. Affected agencies do not oppose the request (Exhibit 3.D).

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?

Conclusion: The proposed conditional rezone will have impacts. Evidence of appropriate improvements to minimize undue interference with existing and/or future traffic patterns has not been provided.

Findings: The applicant provided a TIS for the proposed use dated July 2025 (Exhibit 3.A.11). The study finds that the use will generate 87 new daily trips, with 6 new trips occurring in the AM peak hour and 8 new trips occurring in the PM peak hour. All intersections operate at an acceptable level, and a westbound right turn lane at Locust Lane and McDermott intersection is warranted. The applicant also includes a summary from a TIS reviewed for a similar use located on 7031 S. Federal Way, reviewed by ACHD, which determined about 0.30 trips per space in the PM Peak hour. Although the applicant testified that Nampa Highway District #1 reviewed and approved the TIS, evidence was not provided of said review and approval.

Letters received in opposition (Exhibit 3.E), as well as testimony received during the hearing, expressed concerns regarding access and traffic not adequately addressed by the Nampa Highway

District or the TIS. Existing sight obstruction problems on Locust Lane and issues with UPRR and canal crossing traffic will be increased by the request. After the testimony, evidence was not provided by the applicant to adequately address traffic concerns.

- (1) Notice of the public hearing was provided per CCCO §07-05-01. Affected agencies do not oppose the request (Exhibit 3.D).

7. Does legal access to the subject property for the conditional rezone exist or will it exist at the time of development?

Conclusion: The subject property does have frontage and agricultural access from Locust Lane, a public road (Exhibit 3.B.2a).

- Findings:**
- (1) The subject property does have frontage and agricultural access from Locust Lane, a public road (Exhibit 3.B.2a). Access for use will consist of a main access that leads to a gated area with an electronic keypad. The proposal includes a secondary emergency access from Locust Road (Exhibits 3.A.2 & A.3). Nampa Highway District approved an access variance, subject to a deed restriction (Exhibit 3.D.2). Prior to the commencement of use, a paved apron is required for access to the storage facility.
 - (2) Notice of the public hearing was provided per CCCO §07-05-01. Affected agencies do not oppose the request (Exhibit 3.D).

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?

Conclusion: 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.

- Findings:**
- (1) 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.
 - a. The use can be served by the Nampa Fire District (Exhibit 3.D.3). Approximate response time of 8 minutes from Nampa Fire Station 2. “Due to this being an uncovered RV Parking lot, there are no water supply requirements. This project would not have a negative impact on our services as it is a low-risk, low-use property.” The applicant updated the site plan to remove the covered structure initially proposed to reduce the fire district and building permit review (Exhibit 3.A.12).
 - b. Nampa & Meridian Irrigation District finds that the Powell Lateral must be protected. Easement minimum: 35 feet. Any encroachments without a signed license agreement and approved plan before construction are unacceptable (Exhibit 3.D.4)
 - c. No comments were received from Nampa School District, Canyon County Sheriff’s Office, or Canyon County Ambulance/EMT.
 - (2) Notice of the public hearing was provided per CCCO §07-05-01. Affected agencies do not oppose the request (Exhibit 3.D).

Canyon County Code §09-11-25 - AREA OF CITY IMPACT AGREEMENT ORDINANCE

Conclusion: The property is located within the Nampa Area of City Impact. A notice was sent to the City of Nampa per Canyon County Code Section 09-11-25.

Findings: APPLICATION PROCEDURES: The following procedures shall be adhered to in processing applications within the Nampa area of city impact:

- (1) 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.

- 09-11-17(3): *All proposals...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 given consideration 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.*
- (1) The property is located in the Nampa Area of City Impact, where the city's future land use plan designates the property for commercial use, surrounded by planned residential growth (Exhibit 3.B.2d). Nampa defines the commercial designation as: *Includes retail establishments and marketplace development such as food markets, restaurants, office, medical, and other professional businesses, and services (Page 88, 2040 Nampa Comprehensive Plan).*
 - (2) The City of Nampa was provided notification of the case on May 14, 2025, and July 3, 2025. A comment letter was received for the City of Nampa stating (Exhibit 3.D.1):

"The proposed location of RV storage along the southern property line would have a minimal impact on the neighboring residential areas on the opposite side of the railroad tracks. Residential structures to the south of this site, south of Locust Lane, will be visually impacted. The elevated tracks will help with screening, but additional screening should be required. Nampa requests that the land use be limited to this portion of the site and that there be no additional expansion of the storage area due to screening concerns for future growth of the area. Additionally, site-obscuring screening should be provided for the residents to the south at 7519, 7605, 7625, and 7701 Locust Lane. This could be accomplished by a site-obscuring fence or landscaping, or a combination of fencing and landscaping."
 - (3) The applicant provided a landscaping plan with perimeter fencing and landscaping along Locust Road to reduce visual impacts to surrounding properties. As conditioned, the request is limited to the area shown in the site layout. Further expansions of the use would require rezoning or annexation.

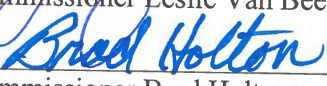
Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Board of County Commissioners **deny** Case #CR2025-0005, a conditional rezone of Parcel R28836 from "A" (Agricultural) to "CR-C-2" (Conditional Rezone – Service Commercial).

DATED this 14th day of November, 2025.

CANYON COUNTY BOARD OF COMMISSIONERS

- ☒ Motion Carried Unanimously
☐ Motion Carried/Split Vote Below
☐ Motion Defeated/Split Vote Below

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

Attest: Rick Hogaboam, Clerk

By: J Ross
Deputy

Date: 11.14.25