



**PLANNING AND ZONING COMMISSION**  
**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

In the matter of the application of:  
**Middleton 187, LLC. – CR2025-0012**

The Canyon County Planning and Zoning Commission considers the following:

Middleton 187, LLC is requesting an amendment to the official zoning map to conditionally rezone the subject properties from “A” (Agricultural) to “CR-R1” (CR-Single Family Residential). The 2030 Comprehensive Plan designates this area of the county as Residential. The subject parcels R37597, R37602010, R37605010, R37605 [217 acres more or less], are located north of Foothill Road, south of Meadow Park Blvd., between Lansing Lane and Duff Lane, Middleton, in a portion of the SW ¼ and the SE ¼ of Section 33, T5N, R2W, BM, Canyon County, Idaho.

**Summary of the Record**

1. The record is comprised of the following:
  - A. The record includes all testimony, the staff report, exhibits, and documents in Case File CR2025-0012.
    1. All exhibits are located in the case staff report CR2025-0012 dated 9-10-2025.
  - B. On February 19, 2026, The Planning and Zoning Commission conducted a public hearing, took testimony, and considered the record and recommended denial of the conditional rezone to the Board of County Commissioners.

**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 CCCO §09-09-17 (Area of City Impact Agreement).
  - 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, CR2025-0012, was presented at a public hearing before the Canyon County Planning and Zoning Commission on February 19, 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: 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:</b> |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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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 is <b>NOT</b> generally consistent with the Comprehensive plan. The Comprehensive Plan and vision for the County strongly promotes the preservation of agricultural properties. The vision statement evolving from public outreach states, <i>"Ensuring the quality of life for Canyon County residents by preserving our agricultural heritage and planning for a smart growth future through physical and fiscal management."</i> Although the 2030 Comprehensive Plan Future Land Use Map designation has the subject properties identified for residential growth, the Commission determined that the primary use at this time is agriculture and that preservation of agriculture is of primary importance and that converting 217 acres of productive agricultural farmland is not in conformance with the vision, goals and policies of the Plan. |
|                                                                                                                                                                                                                                                                           |                     | The application was submitted under the 2030 Comprehensive Plan (here after "Plan"). The Plan designates the property as 'Residential'. <i>The 'Residential' designation is for residential development. Residential development should promote compatibility with existing agricultural activity.</i> Pg. 25 of the 2030 Comprehensive Plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                                                                                                                                                                                                                                                                           |                     | <i>"The Agriculture designation is the base designation throughout the County. It contains area of productive irrigated croplands, grazing lands, feedlots, dairies, see production, and ground of lesser value."</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                                                                                                                                                                                                                                                           |                     | <ul style="list-style-type: none"> <li>• The applicant is requesting to conditionally zone the property to "CR-RI" (CR-Single Family Residential). <i>The RI district promotes and enhances predominantly single family living areas at a low density standard [typically one (1) unit per acre] Pg. 26 of the Plan.</i> <ul style="list-style-type: none"> <li>○ At the time of application, September 10, 2025, the subject properties were lying within the boundary of the Middleton area of city impact. On December 30, 2025 the Board of County Commissioners adopted a new area of impact boundary for the City of Middleton which excludes the subject property and surrounding developments.</li> </ul> </li> </ul>                                                                                                                                                            |

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|               | <ul style="list-style-type: none"><li>○ There is significant residential development on all sides of the property inclusive of residential development created through rezones, administrative land divisions, and legacy conditional use permit processes. The average lot size for the 13 platted subdivisions that are surrounding the subject properties is 1.66 acres (Exhibit C2f.2). The average lot size for the five (5) platted “R1” zoned subdivisions located on the adjacent boundaries is 1.32 acres. The average lot size for the 103 notified properties within 600 feet (inclusive of the subject parcels) is 6.04 acres with a median lot size of 1.41 acres. See Case Maps Exhibits C2a, C2e, and C2f. However, the Planning and Zoning Commission finds that the property (217 acres) is in agricultural production, there are agricultural properties in the area, and the Plan promotes preservation of agricultural lands; the plan more explicitly promotes the preservation of agriculture.</li></ul> <p>The request is not consistent with the following goals and policies.</p> <ul style="list-style-type: none"><li>▪ <u>Land Use &amp; Community Design</u><ul style="list-style-type: none"><li>▪ <i>Maintain a balance between residential growth and agriculture that protects the rural character. (P4.01.01)</i></li><li>▪ <i>Planning, zoning, and land-use decisions should balance the community’s interests and protect private property rights. (P4.01.02)</i></li><li>▪ <i>Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning. (G4.03.00)</i></li><li>▪ <i>Development design should improve the area’s character and be compatible with the community’s visual appearance and the natural environment. (G4.06.00)</i></li><li>▪ <i>Maintain and enhance the aesthetic beauty of the County. (G4.08.00)</i></li></ul></li><li>▪ <u>Natural Resources</u><ul style="list-style-type: none"><li>▪ <i>Protect and enhance waterways, groundwater, wetlands, wildlife habitat, air, soils, and other natural resources. (P5.01.01)</i></li></ul></li><li>▪ <u>Schools</u><ul style="list-style-type: none"><li>▪ <i>Ensure adequate school facilities and services meet the community’s education, social, and recreational needs. (G6.01.00)</i></li><li>▪ <i>Consider cumulative impact residential development will have on the capacity of schools. (P6.01.01)</i></li></ul></li><li>▪ <u>Housing</u><ul style="list-style-type: none"><li>▪ <i>“Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural land and natural resources.” (G11.02.00)</i></li></ul></li><li>▪ <u>Agriculture</u><ul style="list-style-type: none"><li>▪ <i>“Prioritize the protection of agriculture and farmlands in Canyon County as an essential part of the County’s economy, identity, and sense of place.” (P12.01.04)</i></li></ul></li></ul> |                                                                                                                                      |
| Criteria Met? | 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation? |
| NO            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                      |
| Analysis      | <p>In consideration of the surrounding land uses, the proposed conditional zone change to “CR-R1” (CR-Single Family Residential) is NOT as appropriate as the current zoning designation of “A” (Agricultural).</p> <p>The Commission finds that the 217 acre subject properties are currently in agricultural production. The property is surrounded by residential development. The zoning designations and development of “R1” (Single Family Residential) and “RR” (Rural Residential) in the area reflect a trend toward single family residential development. However, the Planning and Zoning Commission finds that development of the property as single-family residential instead of maintaining the agricultural production and zoning is not consistent with the Comprehensive Plan or with agricultural properties in the nearby area at this time as</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                      |

evidenced in public testimony and staff report exhibits C2a, C2e, and exhibits F1-3,5-22. Agriculture is the most appropriate zoning designation for the 217 acres.

**Adjacent Existing Conditions:**

"A" (Agricultural), "R-R" (Rural Residential), "R-1" (Single-Family Residential), "C-1" (Neighborhood Commercial), "C-2" (Service Commercial), "M-1" (Light Industrial), "CR" (Conditional Rezone)

| Direction | Existing Conditions                                                                                                        | Primary Zone | Other Zones       |
|-----------|----------------------------------------------------------------------------------------------------------------------------|--------------|-------------------|
| N         | Agricultural, residential subdivisions<br>Meadow Bluff Estates, Cascade Hills, Gray Hawk, Moon Shadow Est., Port of Chance | R1/AG        | CR-R1/CR-RR       |
| E         | Agricultural, C3 & C4 Subdivisions, Ridge at Quail Hollow, Wyatt's Hollow, Sloviaczek Sub                                  | R1/AG        | CR-R1/CR-RR       |
| S         | Agricultural dry land/ Rural Residential, Gjerde View Sub, Country Foothills Sub, JPS Sunrise Est., Bernice Estates        | AG/RR        | City of Middleton |
| W         | Agricultural and AG Rural Residential, Killdeer Meadow Sub, Smith Ridge Est., Turner's Skyline Sub.                        | AG           | RR/City           |

**Surrounding Land Use Cases:**

- Turner's Skyline Sub. (1972 AG zone w/subsequent land divisions), JP's Sunrise Estates (1983 AG zone) Country Foothills (1994 RR zone), Gjerde View Subdivision (1971 RR zone w/subsequent land divisions), Hunter's Ridge Subdivision (1979 zoned RR w/subsequent land divisions)
- Meadow Bluff Estates (2020 R1 zone RZ-PH2018-0016, SD2020-0007, FP-SD2020-0045)
- C3 Subdivision: RZ2020-0006, PP-SD2020-0011/FP-SD2021-0004 recorded Nov. 2021 zoned R1
- C4 Subdivision: RZ2021-0010, PP-SD2021-0008, FP-2022-0004 zoned R1
- Proposed C5 Subdivision: (proposing CR-R1) CR2022-0025 (Denied), PP-SD2022-0025 (Not heard)
- Cascade Hills No. 1 & 2: RZ2018-0026, PP-SD2019-0012, FP-SD2020-0018, FP-SD2021-0019
- MDC, LLC/Carter: CR2022-0016 (163 acres "A" to "CR-RR")

**Criteria Met?**  
**NO**

**3**

**Is the proposed conditional rezone compatible with surrounding land uses?**

**Analysis**

The proposed conditional rezone to "CR-R1" (Single Family Residential) is **NOT compatible** with surrounding land uses. The Commission finds that there are agricultural properties and activities in the area and that the subject property is in active agricultural production citing public testimony and staff report exhibits (see Criteria 2). The developer is commended for agreeing to a restricted minimum lot size of 1.3 acres, a community water system, common open space, and offering to pay to install two intersections at Hwy 44 which would significantly improve safety and mobility in the region; but development of the 217 acres as residential may encourage additional development, further disrupting the area agricultural properties.

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

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|               | another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                          |
|               | The challenges for this area of the county and the potential impacts to existing properties are that the road infrastructure, school capacity, and the ability for emergency services to effectively service the area are not keeping pace with development. The application is for a conditional rezone and there is not currently a development plan submitted for review by the agencies. The actual impacts of development are unknown. The developer indicates that there could be up to 165 one acre residential lots as indicated in the letter of intent and draft concept plan (Exhibits B2 and B3). The development can be conditioned to reduce the number of lots by requiring common lots for existing gas pipeline, irrigation structures, and drainages as well as requiring lot sizes to be a minimum of 1.3 acres commensurate with the average lot size of five "R1" zoned developments adjacent to the subject properties. A community water system versus individual wells could further reduce potential impacts to surrounding properties. Community systems would potentially provide for development of smaller but specified lot sizes maintaining a low density standard.                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                          |
| 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 <u>WILL</u> negatively affect the character of the area. The Commission finds that development of 217 acres of property that is currently in agricultural production will change the character of the area and encourage further development of nearby agricultural properties. Public testimony indicated the existence of hobby farms with farm animals and that diminishing farmland was driving up prices to those users; development of large blocks of farmland making it more difficult for other farmers to keep surrounding properties in the nearby areas in agricultural production; and that there is strong sentiment to preserve agriculture throughout the county. Commissioner Neville cites the survey results for the Comprehensive Plan as evidence along with public oral and written testimony and site photos. There is residential development in the area, but preservation of agriculture is very important and the timing for residential development of the 217 acres is not appropriate.</p> <p><b>Character of the Area:</b><br/>Currently the subject property is irrigated farmland and is in agricultural production. The character of the area is and has historically been transitioning from Agricultural to Residential as evidenced by the surrounding platted developments (Exhibit C2f). There remain large blocks of agricultural properties that are in crop production and there are large lot developments in the nearby area consisting of small farms raising animals and crops.</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 is anticipated to have adequate sewer, water, drainage, irrigation, and utilities to accommodate the potential development at the time of preliminary plat if the conditional rezone is approved.</p> <p>The application was submitted specifically as a rezone application only. The developer chose to not provide development details on the land use worksheet or within other application materials and chose to not provide agencies with additional details when requested citing that this is a rezone application and additional information, studies, etc. will be provided at the time of preliminary plat.</p> <p><b>Sewer:</b><br/>Type of wastewater treatment plan was not provided by applicant.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                          |

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|                      | <ul style="list-style-type: none"><li>Consider a condition of development be that a community waste treatment system be developed or connection to municipal sewer.</li></ul> <p><b>Water:</b><br/>No information was provided.</p> <ul style="list-style-type: none"><li>Consider a condition of development be that a community water system or connection to municipal system at time of development.</li></ul> <p><b>Drainage:</b><br/>The property is a sloping bowl with areas of significant slope. There is also a drain with ponds that traverse the property from east to west. At the time of application for the rezone, the developer did not provide additional information regarding drainage.</p> <p><b>Irrigation:</b><br/>The subject property lies within the Black Canyon Irrigation District and will be required to comply with district requirements and state code with regards to irrigation (Exhibit E4).</p> <ul style="list-style-type: none"><li>Consider a condition requiring a pressurized irrigation system for future development will be included.</li><li>Consider a condition requiring irrigation easements and structures be placed in common lots and not as part of residential development lots.</li></ul> <p><b>Utility:</b><br/>Utilities are provided in the area to adjacent developments. Staff did not receive agency responses indicating that utilities would not be provided and therefore anticipate that utilities will be available at the time of development.</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>NO</b>            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                         |
| <b>Analysis</b>      | <p>The proposed conditional rezone WILL 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. The Commission finds that although the applicant has offered to build the two intersections at State Highway 44 at an estimated cost of 4.4 million dollars; there are other area street improvements that will not be completed citing public concerns regarding intersections at Foothill Road and Purple Sage Road. Public testimony indicates that Purple Sage is and will be the primary route to the high school and that the intersections are unsafe due to speed and volumes of traffic in the area. The Commission questions if improvement of the intersections at Hwy 44 will improve the situation that exists with traffic in this region of the county to the extent that it helps to move cars onto a failing system. The Commission also does not desire that one developer should be responsible for a regional problem. They cite the oral and written public testimony and Highway District #4 agency response (Exhibit E1).</p> <p>This area of the county is challenged by transportation infrastructure lagging behind development pressures. Highway District 4 (HD4) indicates in Exhibit E1 that the intersections at Duff and Lansing intersecting with State Highway 44 currently operate below a level of service D (LOS D) during peak hours and “<i>will require improvements to accept the additional traffic demand from this or other developments proposed in the area.</i>” HD4 and ITD are working to develop projects to provide improvements, but they are in preliminary planning stages only and not funded. Lansing Lane is classified as a minor arterial roadway and Duff Lane is classified as a principal arterial roadway on the functional classification maps adopted by the county. Dedication of a 50’ half-width right-of-way will be required on Duff and Lansing at time of preliminary plat. Meadow Park Street located along the northern boundary is classified as a collector roadway and will require right-of-way dedication.</p> <p>HD4 indicates that a traffic impact study (TIS) will be required at the time of preliminary plat submission and that the scope of the TIS should be approved by the highway district prior to the study being completed.</p> |                                                                                                                                                                                                                                                                                         |

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|               | The developer representative testified that the developer would fund the two intersections at State Highway 44 as he had intended to with his prior application and that he would complete both of them prior to issuance of residential permits on the subject properties.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                      |
| 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      | Legal access exists for the conditional rezone and/or will exist at the time of the development. See the review and analysis detailed below.<br><br>HD4 indicates in Exhibit E1 that legal access exists to the property. The subject properties have frontage on Duff Lane, Lansing Lane and access from Meadow Park Drive. There are currently four unimproved agricultural accesses that exist as outlined in Exhibit E1. The concept plan, Exhibit B3, shows one access to Duff and one access to Lansing consistent with the previously approved access locations for Farmington Hills preliminary plat which would generally be acceptable to HD4 but final access approval will be evaluated at time of preliminary plat.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                      |
| Criteria Met? | 8                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts? |
| NO            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                      |
| Analysis      | <p>The proposed use WILL IMPACT essential public services and facilities, including, but not limited to, schools, police, fire, and emergency medical services. The Commission finds that although the developer has made significant concessions and proposed contributions to improve traffic concerns and to pay a one time fee of \$1500 per residential lot to the school district for infrastructure impacts to the schools for the new development, that is not a long-term solution and there remains the capacity concerns for the school district. The school district (Exhibit E2) indicates a current solution for the elementary school capacity is in the works and will be funded; but the Commission notes that capacity issues still remain for the middle school and high school that are at or near capacity. The school district should not rely on bailouts and the legislature to shift the tax burden to taxpayers of Idaho that are not patrons of the Middleton school district. The schools are in danger here and the solution is not throwing more people into the schools.</p> <p>This application is for a conditional rezone. A development plan has not been proposed or submitted. This area of the county and Middleton has experienced significant and rapid growth. The citizenry has been reluctant to fund fire, EMS, and school services through multiple bond and levy elections. Agencies were notified of the application including the Sherriﬀ’s department, Middleton Fire Department, Canyon County Emergency Services and Middleton School District. Services have been affected by development in the area. The proposed development is similar in nature to the developments that have been approved in the county jurisdiction. The proposed development property when fully developed with connecting collector roads may provide for improved response capability as it will provide for multiple route options connecting Duff and Lansing Lanes</p> <p><b>Schools:</b><br/>Marc Gee, Middleton School District Superintendent, has indicated that funding has been obtained to construct an additional elementary school in this service area. Exhibit E2 indicates that the new elementary school will be located near Hwy 44 and Kingsbury Road with an expected completion between the fall of 2027 and 2028. Mr. Gee indicates that as redistribution happens each of the elementary schools will be under capacity. He further states that the developer has committed to the previous agreement for providing \$1500 per residential lot to assist with school infrastructure needs and to be paid prior to the Board’s signature on each final plat. Middleton High School is at 99% of capacity and Middleton Middle School is at 100% capacity according to the Superintendent.</p> <p><b>Police:</b><br/>The Sherriﬀ’s office did not provide comment.</p> |                                                                                                                                                                                                                      |

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|--|----------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <b>Fire protection &amp; Emergency Medical Services:</b><br>The Middleton Fire Department and Emergency Services did not provide comment for the rezone. |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------|

**Table 2. Area of City Impact**

CCCO §09-09-01: Middleton Area of City Impact (Plans and Ordinances/Map) Ordinance Applicable Ordinances and Standards: Within the Star area of city impact, the following ordinances apply, 09-09-13 Applicable Ordinances: Canyon County Zoning Ordinance and Canyon County Subdivision Ordinance shall apply.

| County Ordinance and Review |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                        |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Criteria Met?               | Code Section                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Criteria               |
| Yes                         | 09-09-17                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Application Procedures |
| Analysis                    | <p><b>Area of City Impact:</b><br/>The City of Middleton was notified of the application and provided more than 30 days to respond with comment. No comments were received from the City of Middleton with regards to this rezone application.</p> <p>On December 30, 2025 the Board of County Commissioners amended the area of city impact for the City of Middleton. The subject properties no longer lie within the boundaries of the Middleton area of city impact. For the purpose of this application the properties would be considered to be within the area of city impact because the application was filed prior to the December 30, 2025 adjustment of the boundaries.</p> |                        |

**Order**

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission recommends **DENIAL** of Case # CR2025-0012, a conditional rezone of 217 acres from “A” (Agricultural) to “CR-R1” (Single Family Residential) zone.

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

1. It is not the appropriate time for development of the agricultural property. Reapply when there is school capacity for additional students at all grade levels and a stable funding mechanism is in place to ensure that those capacities are maintained.

DATED this 19 day of March, 2026.

**PLANNING AND ZONING COMMISSION  
CANYON COUNTY, IDAHO**

  
Robert Stargill, Chairman

State of Idaho )

SS

County of Canyon County )

On this 19 day of march, 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