Board of Canyon County Commissioners
Hearing Date: April 2, 2026
Canyon County Development Services Department

PLANNING DIVISION ADDENDUM

CASE NUMBER:	**CR2025-0001**
APPLICANT:	Robert Beltran
PROPERTY OWNER:	Oksana and Sergii Ryshko
APPLICATION:	Conditional Rezone from the Agricultural ("A") Zone to the Conditional Rezone-Rural Residential ("CR-RR") Zone
LOCATION:	The subject property is located at 8478 Purple Sage Rd, Middleton, ID 83644 also referenced as Parcel R37492010, a portion of the Southwest quarter of the Southeast quarter in Section 27, T5N, R2W, BM, Canyon County, Idaho.
ANALYST:	Emily Bunn, Principal Planner
P&Z RECOMMENDATION:	**Tie vote, so there is no recommendation.**

SUMMARY:
The property owners, Oksana and Sergii Ryshko, represented by Robert Beltran, are requesting a conditional rezone of approximately 10.94 acres from the "A" (Agricultural) zone to the "CR-RR" (Conditional Rezone –Rural Residential) zone. If approved, the applicant plans to proceed with an administrative land division application to divide the parcel into three (3) parcels. The Planning & Zoning Commission heard the case at a public hearing held on February 5, 2026. After deliberation, the Planning & Zoning Commission could not come to a recommendation due to a tie in the vote, so there are no Findings of Fact, Conclusions of Law, and Order of Decision (FCOs) for the Board of Canyon County Commissioners to consider (**Exhibit 1**).

The Staff Report Packet dated April 2, 2026, and all supporting material are contained in **Exhibit 2.** No additional agency comments were received for the subject public hearing. Any additional public comments received for the subject public hearing or received as a late exhibit at the previous public hearing may be found in **Exhibit 3**. Any additional supporting documentation provided by the applicant to be considered by the Board of Canyon County Commissioners may be found in **Exhibit 4**.

EXHIBITS:
1. **Planning and Zoning Commission Minutes from February 5, 2026 Hearing**
2. **Staff Report Packet Dated: February 5, 2026**
3. **Public Comments Received by March 23, 2026**
    a. Cecile McMonigle; Received: March 17, 2026
4. **Additional Supporting Documents Received by March 23, 2026**
    a. Master Application with New Agent
    b. Email Correspondence with Applicant from January 22, 2026 to March 11, 2026

EXHIBIT 1

P&Z Minutes Dated: February 5, 2026

Board of County Commissioners

Case# CR2025-0001

Hearing Date: April 2, 2026

CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, February 5, 2026
6:30 P.M.

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

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

Chairman Sturgill called the meeting to order at 6:30 p.m.

Commissioner Nevill read the testimony guidelines and proceeded to the first business item on the agenda.

Item 1: Consent Agenda – Action Items

A. **Case No. RZ2025-0003 – Brown:** Approve FCOs
B. **Case No. CR2023-0014 – Willoughby:** Approve FCOs
C. **Case No. CR2025-0004 – Smith:** Approve FCOs

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

Item 2A:

Case No. CU2025-0030 – Highway District No. 4: The applicant, Highway District No. 4, represented by Lenny Riccio, requests a conditional use permit modification/time extension to modify condition no. 4 regarding Case No. 011012L17-4N-2W, the approval of a long-term mineral extraction on approximately 38.14 acres in an "A" (Agricultural) zone. The applicant would like to extend the operations for another 30 years. The subject property is located Northwest of Lincoln Rd and Midland Blvd, also referenced as Parcel R34069010.

Chairman Sturgill affirmed the applicant to testify.

Bruce Bayne (Applicant) IN FAVOR –15435 Hwy 44, Caldwell, ID 83607

Mr. Bayne is the Director for Highway District No. 4. The highway district maintains a main office, storage yard, and gravel pits in Canyon County. They maintain 320 miles of road within the county. He discussed IDEQ's exhibit (C.5) and stated they do have an active permit with the agency and are asking for another five-year extension.

Lenny Riccio -Applicant) IN FAVOR –15435 Hwy 44, Caldwell, ID 83607

Mr. Riccio is the Senior Assistant Engineer with Highway District No. 4. The request is for a CUP modification of one condition which would allow the continuation of mineral extraction at the gravel pit. The pit is located on approximately 40 acres. The area has multiple gravel pits that surround the subject property. For the past 25 years the district has not utilized all the materials in the pit, thus, the reason for the requested modification. Their pits are utilized based on project locations. Typically, the district rebuilds 7-8 miles of road per year and depending on where the rebuild is located the district may utilize this pit or a different pit. Mr. Riccio stated that the highway district is a good neighbor and is mindful of the operation. Crushing gravel typically occurs every 3-4 years. As the staff report indicates there have been no code violations. At the neighborhood meeting, there were no people in attendance primarily because this is an existing gravel pit and is not establishing a new use. The pit has been utilized for 25 years, and the district is requesting an extension of that use for an additional 30 years.

Commissioner Nevill asked for clarification as to the number of years being requested and the final date. Mr. Riccio stated they are requesting 30 years with a final date of February 5, 2056. Commissioner Nevill asked how much life was left in the pit and Bruce Bayne returned to the podium. Mr. Bayne stated that they have not used half of the pit yet. Commissioner Nevill asked if the reclamation plan is for 30 years. Mr. Riccio replied yes.

Mr. Riccio also noted this is a continued use. The surrounding neighbors understand the use and appears to not negatively affect them in any way.

Associate Planner Dane Adams reviewed the Staff Report for the record.

Commissioner Nevill asked why there is a time frame, why can't it just be used until it is exhausted. Planner Adams stated that gravel pits are required by code to have an end date. Planning Supervisor Dan Lister stated that , yes, code requires a duration of extraction.

Chairman Sturgill noted a case approved in 2022 with 13 conditions. He asked if staff did an analysis of the current conditions applied to gravel pits vs what was applied to this 25-year-old permit and make an assessment or risks associated with not having updated conditions. Planning Supervisor Dan Lister stated that the findings used are for a time extension. Time extension states they just must provide a good reason as to why the use needs to be extended and to what date. They are not asking for a new gravel pit. The options this evening are to extend the use, finding that nothing has changed and that they meet the conditions or if there have been changes to where this use should not be extended the request could be denied. If the request were denied, the applicant would have to reapply for a CUP for mineral extraction. Chairman Sturgill hoped that there would have been some sort of analysis of conditions.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Matt Newton- IN FAVOR – 25370 Volendam St., Caldwell, ID 83607

Mr. Newton is a new Commissioner for Highway District No. 4. He is in favor of the approval.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CU2025-0030 seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:

Commissioner Sheets noted that this is an existing mineral resource use. It is for a governmental agency with an ongoing mission.

Commissioner Nevill asked if the Commission wanted to try to do anything about updating the conditions. He noted conditions concerning noise that are applied to gravel pits today.

Chairman Sturgill stated that there's been nothing about the way the pit has been operating that would suggest there is an issue or a challenge, and he is not inclined to deny the application. He is inclined to at least ask for some type of consideration or analysis of the best practices that we impose on the private industry for gravel pits in the area.

MOTION: Commissioner Nevill moved to **approve** Case No. CU2025-0030, and adopt the Findings of Fact, Conclusions of Law and order, with the completion date to be February 5, 2056. Seconded by Commissioner Sheets.

Discussion on the Motion:
None

Roll call vote: 5 in favor, 1 opposed, motion passes.

Item 2B:
Case No. VAC2025-0001 – Phillips: The applicant requests a plat vacation regarding the removal of an easement (approximately 12,150 square feet) on Lot 5, Block 1 of Two Towers Subdivision, parcel R33014104. The subject property is located at 12080 Rivendell Ct., Nampa.

Chairman Sturgill affirmed the applicant to testify.

Frank Phillips – (Applicant) IN FAVOR – 12080 Rivendell Ct., Nampa, ID 83686
Mr. Phillips stated he is trying to remove an E-2 designator on the plat. This was put on the plat in 2005 and was intended for an entrance sign for Rivendell Ct. into Two Towers Subdivision. Somewhere between 2005 and 2012 it was decided that it was not feasible and this area was never landscaped or irrigated. Mr. Phillips purchased his property in 2019 and found out about this easement. It was his understanding that this area was given back to lot 5 to the best of his knowledge. Mr. Phillips attempted to find the members of the HOA at the time & developers to no avail. There is only one home in the development that has residents that were there in 2012. Mr. Phillips would like the easement removed so he can take out the dead trees and clean them up and the HOA does not want it.

Commissioner Nevill asked if this portion of the property was included in his deed. Mr. Phillips said that the paperwork included in his deed was a legal description of lot 5 that was prepared and recorded in 2013. However, when Mr. Phillips visited the County, he found out that lot 5 was not part of his property. All easements and utilities would remain; he just wants control of that lot so he can clean it up.

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

Commissioner Sheets asked for clarification and wanted to ensure that all they would be doing through this request is adjusting the plat. Planning Supervisor Lister replied, yes.

Commissioner Nevill asked if this is approved, will it show up in a title search. Planning Supervisor Lister replied, yes.

MOTION: Commissioner Sheets moved to close public testimony on Case No. VAC2025-0001, seconded by Commissioner Mathews. Voice vote, motion carried.

Deliberation:
None

MOTION: Commissioner Sheets moved to **recommend approval to the Board of County Commissioners for** Case No. VAC2025-0001, and adopt the Findings of Fact, Conclusions of Law & Order as presented by staff. Seconded by Commissioner Nevill.

Discussion on the Motion:
Commissioner Nevill noted that the FCOs should state "recommend approval" rather than "approval."

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

Item 2C:
Case No. CR2025-0001 – Ryshko: The applicants, Oksana and Sergii Ryshko, request a conditional rezone of approximately 10.94 acres from an "A" (Agricultural) zone to a "CR-R-R" (Conditional Rezone – Rural Residential) zone. If approved, the applicant plans to proceed with an administrative land division application to split the parcel into three parcels. The subject property is located at 8478 Purple Sage Rd, Middleton, ID 83644, also referenced as Parcel R37492010.

Chairman Sturgill affirmed the applicant to testify.

Sergi Ryshko – (Applicant) IN FAVOR – 8478 Purple Sage Rd., Middleton, ID 83644
Mr. Ryshko is requesting a conditional rezone from agriculture to rural residential. The intent is to split the parcel into three lots. Two of the lots will be approximately two acres and one will be six acres. Access to the parcels will be from the current driveway. The road will be paved and privately maintained. Each lot will have an individual well and septic system and storm water will be retained with swales. The irrigation will be pressurized, and 9.5 shares of water will be split equally according to lot sizes. The conditional rezone is generally consistent with the 2030 Canyon County Comprehensive Plan, and the property is designated as rural residential. Surrounding lot sizes range from one to 2.5 acres and some have been conditionally rezoned to rural residential. Mr. Ryshko stated the conditional rezone will not negatively impact the character of the area. There will be no public street improvements required, and legal access exists. There will be no impact on essential services. Mr. Ryshko asked that there not be any prohibition of future division of the six-acre lot. They would like to have that option available for the future should the need arise.

Commissioner Nevill asked about recommended condition no. 4 and asked for clarification as to which Mr. Ryshko preferred. Mr. Ryshko's preference is to have a chance to build a secondary dwelling on the lots.

Principal Planner Emily Bunn reviewed the Staff Report for the record.

Commissioner Nevill asked for clarification regarding the access point from Purple Sage and where it will be located. Emily provided the access location utilizing her PowerPoint presentation.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Lisa Bertoni – IN OPPOSITION- 8366 Purple Sage Rd., Middleton, ID 83644
Ms. Bertoni stated that this development would surround the side and full back of her property. The landowner built his home directly behind their dwelling. Typically, new construction is offset out of respect for current landowners. She is not opposed to growth, but most of the growth that is happening is on the

bottom side of Purple Sage, not outside of city limits. Ms. Bertoni's family established their home and business long before this development was proposed, specifically because of the peace, quiet, and open space this area provided. By approving this development, the new neighborhood would overpower the existing one. Their business provides an incredible opportunity for the community and approval of the rezone would have an impact on their business and home moving forward. Ms. Bertoni asked that the request be denied.

Commissioner Sheets asked for more information about Ms. Bertoni's venue. Ms. Bertoni replied that they are a commercial use venue and have gained approval for the use. She stated they do approximately 50 events per year. Ridleys held their Christmas party at their venue. Events can be up to and over 100 people, however, they choose to stay in the lower hundreds. They do weddings, events, charity events, etc. They are currently in their sixth year of operation.

Commissioner Nevill asked which way the view shed is from her house. Ms. Bertoni stated to the north. She added that the west is important to because of the sunset. If two or three homes go in there it will block everything. It has already affected them because people come to book a wedding and see construction going on . Mr. Nevill asked if she had a CUP for her events center. Ms. Bertoni stated yes.

Chairman Sturgill asked if the building Ms. Bertoni uses for special events was large enough for 100 people. She replied yes, and it is separate from her home. Her lot is an acre and a half.

Annette Linan– IN OPPOSITION – PO Box 61, Horseshoe Bend, ID 83629

Ms. Linan agreed with testimony from Ms. Bertoni. Growth can be positive, but it can also be suffocating in places. Growth does place increased strain on critical resources such as water, irrigation, sewer, landfills, power maintenance, fire protection, EMT services. She also noted the emotional quality of life strain that is also caused by excessive development. Ms. Linan stated that the Bernoni's chose this area specifically for its agricultural character and open space. She requested that the request be denied.

Sonia Barrington– IN OPPOSITION – 8310 Purple Sage Rd., Middleton, ID 83644

Ms. Barrington is opposed to the rezoning of the property. She questioned when the development would stop. The parcel was not intended to have this many dwellings. Ms. Barrington felt it was inconsistent with the goals of the Comprehensive Plan and doesn't serve the long-term interest of the community.

Brynlee Madeiros– IN OPPOSITION – 10635 Avalon St., Nampa, ID 83687

Ms. Madeiros is here this evening because the place that her grandparents developed shaped a lot of her childhood. Growing up in this area has shown her how important quiet and open space can be. When large neighborhoods move in next to land that has always been peaceful, that feeling disappears and can't be brought back. Her grandparents have put care into keeping their property beautiful and respectful of its surroundings. They chose this life intentionally, long before the development was proposed. Ms. Madeiros understood that change happens, but the people that were already here lose what they've built just because something bigger comes later. She respectfully requested that the long-term impacts be considered.

Chairman Sturgill noted that Ms. Madeiros' comments speak to criteria no. 4. Chairman Sturgill asked what the biggest noise source is in the area. Ms. Madeiros replied, car noise and birds.

MaryLou Hokinson– IN OPPOSITION – 7780 Willow Creek Dr., Middleton, ID 83644

Ms. Hokinson is concerned about traffic impacts, water tables, emergency response, and overcrowding of schools. When people move to an agricultural area they complain about animals, cows mooing and chickens roosting.

Chairman Sturgill asked Ms. Hokinson if she could quantify what the status is in terms of occupancy and potential overcrowding in the schools. Ms. Hokinson referenced the school district bonds due to

overcrowding.

Sergi Ryshko – (Representative) REBUTTAL–8478 Purple Sage Rd., Middleton, ID 83644
Mr. Ryshko referenced testimony that their home is located close to the property line, but they decided to build in the middle of the property, so it has a good setback. Their home is located further than any neighbor's house to the property line. Mr. Ryschko stated they do understand that their neighbors have a business venue, and they are trying to be respectful to them. Their intention when they bought the land was to build a house and possibly split the land. The land was for sale for quite some time and if people were interested in preserving the land, it was available to buy. Mr. Ryshko's well produces more than 100 gallons per minute. He stated that Middleton School has quite a few available spots.

Commissioner Nevill asked if Mill Creek was over capacity. Mr. Ryshko stated no, but they do have portables. Commissioner Nevill asked if there are any administrative splits left. Planner Bunn stated that the parcel is not an original parcel. She also noted that non-viable would not be an option because the land is viable.

A request was made by a member of the audience to come back up to the podium to provide testimony. Chairman Sturgill asked if there was a motion to allow this, also recognizing that Mr. Ryshko would also have an opportunity to provide rebuttal testimony.

MOTION: Commissioner Nevill moved to allow additional public testimony and rebuttal on Case No. CR2025-0001 seconded by Commissioner Werhanowicz. Voice vote, motion carried.

Katie Bertoni– IN OPPOSITION – 10374 Mill Grain St., Nampa, ID 83687
Ms. Bertoni stated that she and her husband went to Middleton High School when the new building opened. At the time it was empty because it was brand new. The old high school building is the middle school, and it has portables. Between 2013-2026 the schools are overcrowding. Ms. Bertoni stated that they had asked Mr. Ryshko to move his RV and tractors, and he doesn't always move them.

Sergi Ryshko – (Representative) REBUTTAL–8478 Purple Sage Rd., Middleton, ID 83644
Mr. Ryshko stated that the impact from his development on the schools would be minimal as only two additional lots would be added. He added that his equipment has been moved, and it is on the roundabout.

Chairman Sturgill asked if staff had any updates or additional information to provide based on testimony. Planner Bunn stated that the P&Z Commission can add conditions to limit the effects to the area such as restricting secondary residences or further divisions.

Commissioner Nevill asked if there was a condition restricting secondary residences. Planner Bunn stated that it wasn't added, but if the Commission chooses to add it would be an additional condition.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CR2025-0001, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:
Commissioner Nevill stated that he is not in favor of the application as it has been presented. The only way that criteria 2, 3, and 4 could be answered in the affirmative is by restricting secondary residences. Commissioner Nevill is not convinced that he is entirely in favor of the concept of rezoning.

Commissioner Mathews understands the Bertoni's concerns. He stated that if this were to be approved, secondary residences would have to be restricted.

Commissioner Sheets stated that the future land use destination is residential, and the request is for a conditional rezone to rural residential. The proposed density is pretty similar to what is in the vicinity. Additional splits or additional secondary dwellings would not be appropriate. If that is not restricted, he would not be in favor of the application.

MOTION: Commissioner Nevill moved to **recommend denial** of Case No. CR2025-0001 to the Board of County Commissioners, as the use is not more appropriate (Criteria 2), the proposed use is not compatible with the area (Criteria 3) and would change the essential character (Criteria 4), noting testimony received on the record and exhibit E1 and E2. Seconded by Commissioner Werhanowicz.

Discussion on the Motion:
Commissioner Sheets stated that the project can be conditioned to minimize impacts by adding a condition prohibiting secondary residences and no additional land splits.

Roll call vote: 3 in favor, 3 opposed, motion fails.

MOTION: Commissioner Sheets moved to **recommend approval** of Case No. CR2025-0001 to the Board of County Commissioners and adopt Findings of Fact and Conclusions of law with the addition of conditions stating there shall be no secondary dwellings allowed and no subsequent land divisions. Seconded by Commissioner Mathews.

Roll call vote: 3 in favor, 3 opposed, motion fails.

Chairman Sturgill stated that this request will go to the Board of County Commissioners with essentially a "no recommendation." The Board will conduct another public hearing on this request.

Item 2D:
Case No. CU2024-0025 – Nevills: The property owner, Richard Oester, represented by Elizabeth Nevills, requests a conditional use permit for a kennel in a "R-R" (Rural Residential) zone. The kennel will house a maximum of 35 dogs for sled dog racing, rescues, and public pet care engagement with youth organizations. The subject property is located at 8932 Foothill Road, Middleton Idaho 83644, also referenced as Parcel R23015502B.

Chairman Sturgill affirmed the applicant to testify.

Liz Nevills – (Representative) IN FAVOR– 8932 Foothill Rd., Middleton, ID 83644
Ms. Nevills is requesting a conditional use permit to house 16-35 sled dogs on site for racing, promoting engagement with the public and youth, as well as an occasional rescue. Ms. Nevills takes the sled dogs to races between October and April. Ms. Nevills volunteers her time working with youth organizations and schools to teach them about dogs, pet care, etc. The dogs are housed in kennels in her backyard, and all kennels have a tarp roof. Ms. Nevills referred to Exhibit B10 and stated that there is additional fencing to ensure the dogs are kept inside the yard. Bark collars are worn by the dogs to help mitigate noise. The property is zoned rural residential, and the use is allowed by conditional use permit. The proposed use will not be injurious to property in the immediate vicinity and will not negatively impact the essential character of the area with the proposed conditions of approval. Ms. Nevills stated that on training days, she never leaves before 8 a.m. to be courteous of noise. She is usually back by dark or shortly after. Typically, cages are scooped 3-4 times a day. Cages are washed daily to help keep the area sanitary and keep smell down. The proposed use is not open to the public, therefore, there will be no impact on traffic. Currently there are 24 dogs on site.

Commissioner Sheets asked what breed the dogs are. Ms. Nevills stated they are Alaskan Huskies or Husky mixes. Commissioner Sheets asked if Ms. Nevills planned on doing any dog breeding. Ms. Nevils stated that it is not planned. She noted that, according to the advice of her vet, the animals are kept intact until they are two. Any females in season are moved into the house.

Commissioner Nevill asked how the dogs get transported to Alaska. Ms. Nevills stated they are transported by truck and ferry to Juno.

Commissioner Johnston asked how the kennels are washed in freezing winter temperatures. Ms. Nevills stated a bucket of hot water and brushes.

Chairman Sturgill asked about the current use of bark collars. Ms. Nevills stated that currently they have the bark collars on the dogs outside and they are checked every other week. She also double checks the test method to make sure they are still working with the bark collars. Chairman Sturgill noted that typically kennels of this size are fixed hard wall kennels that reduce barking, flies, etc. He asked if that would be within the realm of possibility. Ms. Nevills stated that they would be willing to make any modifications that are requested to mitigate noise and smell. Chairman Sturgill asked if an enclosed building with drains etc. would be possible because he did not want to impose a condition that could not be met. Ms. Nevills stated that at the moment, she does not know what kind of price tag that would hold and where that would be placed.

Commissioner Mathews asked if concrete floors rather than pallet floors could be used. Ms. Nevills stated yes.

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

Chairman Sturgill asked if this case was a result of a code compliance case. Planner Mberwa replied, it did not. Chairman Sturgill asked if there was barking when Planner Mberwa conducted her site visit. Planner Mberwa stated that upon arrival there was barking, however, it settled down pretty quickly and they were able to have a conversation.

Commissioner Johnston asked how many dogs are legal without a permit in this area. Planner Mberwa stated that you can have five dogs without a conditional use permit. The sixth dog triggers the need for a permit.

Shawna Staley – IN FAVOR– 7857 Bratton Dr., Nampa, ID 83687

Ms. Staley stated that her daughter is part of the voluntary dog sled team, and she has known the applicant for six years. Her daughter has anxiety, and this has provided a healthy and supportive way to help her manage it. Ms. Staley stated that Ms. Nevills is deeply committed to the wellbeing of the dogs and education. Approval of the request would allow the volunteer program to continue to serve the community.

Commissioner Nevill asked if Ms. Staley had any thoughts about requiring a septic system. Ms. Staley stated that she doesn't, but when she has been to the property it is very clean. Commissioner Nevill asked if there would be a benefit to having concrete floors in the kennels. Ms. Staley stated that right now it is fine and was unsure what the benefit would be requiring concrete floors. Commissioner Nevill asked about noise. Ms. Staley stated that her daughter goes out early in the morning to train with the dogs, typically 9 a.m. to 9:30 a.m. The dogs typically bark when they're loading them, but that only takes 10 to 15 minutes. Once they are in the trailer, they are quiet again.

Brianna Staley – IN FAVOR–7857 Bratton Dr., Nampa, ID 83687

Ms. Staley stated that the dogs are well cared for based on what she has seen. The dogs are fed properly and exercised daily. They are kept in clean spaces and are watched to ensure they are healthy and conformable. Ms. Staley stated the kennel is important to her personally, as she struggles with anxiety which can make things feel overwhelming. Working with the sled dogs has helped her to feel calm and focused. Being around

the dogs provides her with a sense of routine and purpose. Dog sledding has been a positive and healthy outlet. Losing access to this program would be very hard for her and the others who benefit from it.

Dayna Smith – IN FAVOR–8916 Foothill Rd., Middleton, ID 83644
Ms. Smith lives east of Ms. Nevills home. Ms. Smith stated that she enjoys listening to the dogs, and they don't often bark, it is more than a howl. The applicant does a great job.

Commissioner Nevill asked if there were any issues with traffic and this use. Ms. Smith replied, no.

Richard Oester – IN FAVOR–8932 Foothill Rd., Middleton, ID 83644
Mr. Oester helps with cleaning the kennels. Mr. Oester stated the have not had any complaints of noise or smell coming from any of the close neighbors.

Chairman Sturgill asked for more information about the bark collars and how they work if the dogs are still able to bark at firetrucks. Mr. Oester stated that it depends on the sound level the dog is barking at. If it is low enough, it doesn't trip the sensor but if it is a high level then it does give them a shock.

Donna Morton -IN FAVOR–11008 W. Mohawk Dr., Boise, ID 83709
Ms. Morton is a friend of Ms. Nevills and has known her since 2019. Ms. Nevills' operation is clean. Ms. Morton has travelled with her to different dog sled races and to training runs. There is minimal noise, except when they are getting hooked up, they are excited and want to go. Ms. Nevills takes care of her dogs, and she has an extreme passion for them.

Chairman Sturgill asked if there was adequate room on the property for the dogs to get exercise. Ms. Morton stated, yes.

Carleen Brehmer -IN FAVOR–2005 Hird Ave., Apt 1, Caldwell, ID 83605
Ms. Brehmer has had many years in the sled dog community, starting when she was five or six years old. Ms. Brehmer has house sat for Ms. Nevills while she was out of town. Ms. Nevills is a top-notch musher and she offers community outreach and education. She is out taking care of her dogs four times a day.

Amy Rupp – IN OPPOSITION–23991 Southview Ln., Middleton, ID 83644
Ms. Rupp's property is north of the subject property. She has not signed anything in support of the plan. Ms. Nevills came to her home requesting her signature as an acknowledgement of her efforts to obtain a permit. Ms. Rupp stated she called animal control at least three times last year due to excessive barking. It has been escalating for some time. The final time, the police officer that came to check on the complaint told us there was nothing they could do but to sue, because the applicant was pursuing a permit. Ms. Rupp noted that they live in a rural residential neighborhood. The zoning is to protect the quiet enjoyment of their homes. 24 or 35 dogs creamed into a tiny half acre backyard does not work well in a residential neighborhood. The sound carries uphill, and she can hear the dogs every time they bark. Huskies are not quiet, and Ms. Rupp stated she is not able to sleep with the windows open because the dogs wake up with the sunrise. Ms. Rupp went on to explain that the dogs bark when she goes into her garden, when her kids are playing outside, and basically anytime they can sense them nearby. Ms. Rupp noted that the applicant has been operating the kennel in violation of the code for many years. Ms. Rupp noted there were other concerns noted in her emailed letter. She has also written to her commissioner but received no response. The P&Z Commission is the last chance the neighbors have to maintain the peace and their quality of life. Ms. Rupp has no issue with Ms. Nevills hobby, just the location.

Chairman Sturgill asked if there was ever a point in time where the number of dogs and noise level was acceptable and reasonable. Ms. Rupp stated probably before she started complaining about it. She did not know the number of dogs Ms. Nevills had at that point. Ms. Rupp added that Ms. Nevills stated she only had

five dogs over the summer, and that there was still an incredible amount of noise. Chairman Sturgill asked Ms. Rupp if it was her testimony that five huskies produce more noise than is reasonable for the neighborhood. Mr. Rupp stated if it was only five huskies she didn't think she'd be standing here this evening, but she is concerned if 35 huskies are allowed.

Kathy Anderson – IN OPPOSITION–23980 Southview Ln., Middleton, ID 83644

Ms. Anderson lives east of Ms. Rupp. She asked the Commission if they had any questions for her.

Chairman Sturgill asked if Ms. Anderson agreed with Ms. Rupp's testimony in regard to the noise being unacceptable even with only five dogs. Ms. Anderson replied, yes, when she and her husband worked night shift as healthcare workers they would come home in the morning and try to sleep. There were times when they got no sleep at all. Chairman Sturgill referred to testimony in regard to bark collars being used 24/7 and asked if the noise level is acceptable today? Ms. Anderson stated that there are times when it is not. It is very quiet where they live, and the noise is noticeable.

Katie Westhorn – IN OPPOSITION–23659 Salinas Smt., Middleton, ID 83644

Ms. Westhorn stated that she supports private property rights, but they have to be balanced with the rights of neighboring property owners and their right of quiet enjoyment. Her family and those in the area intentionally chose to live here for the peace and quiet and to be away from the city. Ms. Westhorn stated that the land in question is barely over an acre in size and is surrounded by existing residential homes. Noise travels upward and she can hear every bark, whether it is from a husky, or from someone down the hill from her. Ms. Westhorn looked up "Alaskan Huskies," and learned they are highly vocal dogs prone to howling, whining, screaming and other noises which can cause significant noise complaints in residential areas. Not only are there going to be an excessive number of dogs, but this breed in particular are known for being very noisy. Ms. Westhorn was surprised to learn that the kennels are made of simple chain link fences with tarps over them, so there is no noise mitigation. She noted that according to her research bark collars are not safe to wear 24/7 and are only made for training. Ms. Westhorn was concerned about the impact on neighboring property values.

Commissioner Nevill asked if there is a number of dogs that would be acceptable. Ms. Westhorn stated that if the code allows five dogs without a conditional use permit. She is concerned about 35 dogs on the property and stated that number is excessive.

Commissioner Werhanowicz asked if the noise might be mitigated if the dogs were housed differently in an enclosed building with walls. Ms. Westhorn stated that based on her research there are ways to construct buildings so the sound wouldn't travel, but that may be expensive to build.

Marylou Hokinson– IN OPPOSITION–7780 Willow Creek Dr., Middleton, ID 83644

Ms. Hokinson is concerned about noise and healthcare of the dogs. 35 dogs is quite a few dogs to be taken care of. She has experience with cat rescues.

Liz Nevills – (Representative) REBUTTAL– 8932 Foothill Rd., Middleton, ID 83644

Ms. Nevills addressed the concerns about bark collars. The dogs do not wear the bark collars when they are loaded in the truck or when they travel for races. They are just used at home to help mitigate noise. Ms. Nevills stated that, yes, Alaskan Huskies bark a lot but she does prefer quiet dogs that aren't super excitable. She gives the dogs a chance to see if they're willing to train with her barking methods, but she has re-homed some to other mushers that lived in different situations. Over the last year and a half, she has not had animal control call her or talk to her about anything that has been referred to in opposition testimony. Ms. Nevills added that all of her immediate neighbors have her cell phone number. She does her best to keep the dogs calm and quiet and they go out as soon as the dogs bark to it never lasts very long. It is very rare that there is no one at home, there's almost always someone there. When Ms. Nevills submitted her application, her plan

was for 35 dogs because at the time she had rescued 10 from a situation that was not ideal. She has a vet that comes out to the property to do chiropractic work on the dogs regularly. Ms. Nevills stated that she does not want to deal with any mass diseases either because it costs money and is not conducive to the dogs being able to complete.

Commissioner Nevill asked if Ms. Nevills had a chance to review the 12 recommended conditions of approval. She stated she had and agreed with them. Commissioner Nevill asked how many dogs she had currently, and Ms. Nevills stated 24. Commissioner Nevill asked what the minimum number of dogs was for a sled team. Ms. Nevills replied, 12 to complete in the 100–300-mile races. Commissioner Nevill asked what the most important the sled team, outreach, or rescue. Ms. Nevills stated the team and outreach.

Commissioner Werhanowicz asked how bark collars work on double coated dogs. Ms. Nevills stated that they are on fairly close to their necks.

Commissioner Mathews asked if there were two dogs in each kennel. Ms. Nevills stated yes. On the map there are two smaller 6x6 kennels that only house one dog. Commissioner Mathews asked if the dogs are fed in the kennels at the same time. Ms. Nevills stated that they put the dogs on a drop chain to separate them out. This helps prevent food aggression and fighting. Commissioner Mathews asked if there were any problems with them fighting in the kennels. Ms. Nevills stated not normally but there is the occasional tussle.

Commissioner Werhanowicz asked if the permit were not to be approved, what would happen to the dogs. Ms. Nevills stated she would need time to find appropriate homes for them, so they are not dumped at a shelter.

Commissioner Nevill asked if there was a long-range plan when her husband retires from the military. Ms. Nevills discussed some of the races she competes in. Commissioner Nevill asked if she goes down to sprint races, less dogs would be needed (6-8). She also stated that some of her dogs may age out by then, and they tend to live 12-15 years.

Chairman Sturgill asked if staff had any additional information to add. Planner Mberwa referred to condition 4a may not be applicable after hearing testimony.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CU2024-0025. Seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:
Commissioner Mathews stated that the outreach portion of the request is great, however, the property is too small. He does not see a way to condition the CUP in a manner that would be acceptable to the neighbors.

Commissioner Nevill stated that he does believe the Commission can condition the CUP to the point that they could approve it. The number of dogs would need to be limited, and the dogs would have to be in some sort of structure that is built specifically for that purpose. Commissioner Nevill concurred with staff's findings with the removal of condition 4a, change the number of dogs on condition 4b, and create a new condition for the building.

Commissioner Sheets referenced condition 4b and reducing the number of dogs would be appropriate based on the size of the property. He suggested 25 based on the testimony from the applicant. Commissioner Sheets was also in favor of a condition requiring a building to house the dogs.

Chairman Sturgill agreed with Commissioner Mathews. He invited a discussion regarding the building that has been mentioned.

Planner Mberwa stated that the Commission can be as specific on the building that they need to. Planning Supervisor Lister suggested adding a time frame as well. The structure may be located at the front of the structure to meet setbacks.

Commissioner Nevill asked if requiring a condition for a building would also necessitate a septic system. Planner Mberwa noted the condition that is currently being recommended.

Commissioner Mathews suggested adding a size requirement for the kennels and number of dogs in each kennel, 25 x 10 kennels.

Commissioner Nevill stated that the minimum size of the structure would be 1,250 ft. with the size of kennels Commissioner Mathews recommended. That doesn't include common areas and walkways.

Commissioner Sheets noted that if the Commission limits the number of dogs, the square footage should not be micromanaged. He just wants to see the dogs in an enclosed structure with sound minimization. If for some reason the building can't support 25 dogs, then the applicant would need to have less.

Planning Supervisor Lister recommended adding a timeframe.

Commissioner Nevill outlined a potential motion: Concurred with staff's findings, limit the number of dogs to 25, remove condition 4a, add a condition 13 requiring the dogs to be contained within a building that has sound minimization, add condition 14 that the building has to be completed within six months.

Chairman Sturgill suggested modifying condition no. 2.

Planning Supervisor Lister stated that condition 2 is standard code. There are other conditions that can suggest a time frame, such as a building permit.

Commissioner Sheets suggested allowing the applicant a time frame of twelve months as he felt six months was a little short.

MOTION: Commissioner Nevill moved to **approve** Case No. CU2024-0025, and adopting staff's findings, with the modification to condition 2 to add the phrase "unless otherwise specified," deletion of condition 4a, amending condition 4b to reduce the number of dogs to 25, adding condition 13 which will state that the dogs will be contained in a building that has sound minimization features, adding condition 14, that will require the building to be completed within 12 months. Seconded by Commissioner Sheets.

Discussion on the Motion:
Commissioner Nevill stated that property rights go both ways. Commissioner Nevill referred to testimony received from both sides.

Commissioner Werhanowicz suggested looking into a 5013C Non-Profit.

Chairman Sturgill noted that community benefit is not part of the criteria for a CUP.

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

3. DIRECTOR, PLANNER, COMMISSION COMMENTS:
Commissioner Nevill asked if the P&Z Commission vacancy would be filled. Planning Supervisor Lister stated that he did not have an update on that.

Chairman Sturgill asked staff to be mindful of the cases scheduled on the agendas. Planning Supervisor Lister stated they are trying to schedule 4 cases an evening and that is important until there is a Hearing Examiner in place. Planning Supervisor suggested questions that are tied to the decision criteria to be mindful of time. He did add that staff will be mindful of the cases on agendas.

Planning Supervisor Lister discussed a case that will be remanded back to the P&Z on the 26th. It will be the only hearing on the agenda.

Chairman Sturgill stated that he received a flyer in the mail about an upcoming case (Middleton 187). Planning Supervisor Lister stated that this is a new application/new owner. He also reminded the Commission that they can table cases to other dates if they need to.

4. ADJOURNMENT:

MOTION: Commissioner Nevill moved to adjourn, seconded by Commissioner Sheets. Voice vote, motion carried. Hearing adjourned at 10:16 P.M.

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

Approved this 19th day of March, 2026

Robert Sturgill, Chairman

ATTEST

Jennifer Almeida, Office Manager

EXHIBIT 2

Staff Report Packet Dated: February 5, 2026

Board of County Commissioners

Case# CR2025-0001

Hearing Date: April 2, 2026

Planning and Zoning Commission
Hearing Date: February 5, 2026
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER: **CR2025-0001**

PROPERTY OWNER/APPLICANT: **Oksana and Sergii Ryshko**

APPLICATION: **Conditional Rezone from the Agricultural ("A") Zone to the Conditional Rezone-Rural Residential ("CR-RR") Zone**

LOCATION: **The subject property is located at 8478 Purple Sage Rd, Middleton, ID 83644 also referenced as Parcel R37492010, a portion of the Southwest quarter of the Southeast quarter in Section 27, T5N, R2W, BM, Canyon County, Idaho.**

ANALYST: **Emily Bunn, Principal Planner**

STAFF RECOMMENDATION: **Approval**

REQUEST:
The applicants, Oksana and Sergii Ryshko, are requesting a conditional rezone of approximately 10.94 acres from the "A" (Agricultural) zone to the "CR-RR" (Conditional Rezone –Rural Residential) zone. If approved, the applicant plans to proceed with an administrative land division application to divide the parcel into three (3) parcels.

PARCEL INFORMATION REPORT: *See Exhibit B1 for information*

APPLICABLE CODE:
The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-07 (Conditional Rezone Criteria), CCCO §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6511 (Zoning Map Amendments and Procedures, and Idaho Code §67-6519 (Application Granting Process).

BACKGROUND:
Per PI2023-0148, the original parcel was approximately 16.9 acres on September 6, 1979. In 2007, an administrative land division application was approved to divide the original parcel into two (2) parcels – one (1) parcel with 10.93 acres (R37492010) and 5.92 acres (R37492) (LS2007-63). In 2025, certificate of occupancy was issued for the single-family residence on site (BP2024-0171).

See **Exhibit B3** for Easement and Maintenance Agreement between Parcels R37492 and R37492010.

HEARING CRITERIA:

Table 1. Conditional Rezone Standards of Evaluation		
Standards of Evaluation – CCCO §07-06-07(6)A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:		
County Ordinance and Staff Review		
Criteria Met?	**Code Section**	**Analysis**

Yes	1	Is the proposed conditional rezone generally consistent with the comprehensive plan?
Staff Analysis	The proposed conditional rezone change is generally consistent with the Canyon County Comprehensive Plan for 2030. The Future Land Use Map in the 2030 Comprehensive Plan designates the parcel as "Rural Residential (R-R)" (**Exhibits B1 and B2.9**). "The R-R district provides rural transitional areas to create a boundary between agricultural and urban areas. These areas are generally conducive to small-scale farming operations and compatible with non-agricultural uses" (Page 26, 2030 Comprehensive Plan). The request aligns with the following goals and policies of the 2030 Comprehensive Plan: • **Property Rights G1.01.00**: "Protect the integrity of individual property rights while safeguarding public health, safety, and welfare." • **Property Rights P1.01.01**: "No person shall be deprived of private property without due process of law." • **Property Rights P1.01.03**: "Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals." • **Population P2.01.01**: "Plan for anticipated population and households that the community can support with adequate services and amenities" • **Population G2.02.00***:* "Promote housing, business, and service types needed to meet the demand of the future existing population." • **Land Use and Community Design P4.04.04**: "Maintain a balance between residential growth and agriculture that protects the rural character." • **Land Use and Community Design P4.01.02**: "Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights." • **Land Use and Community Design G4.03.00:** "Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning. " • **Land Use and Community Design P4.03.02**: "Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns." • **Land Use and Community Design P4**.03.03: "Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances require conditions of approval to promote compatibility." • **Land Use and Community Design G4.04.00**: "Concentrate future higher density residential growth in appropriate areas in and around existing communities while preserving and enhancing the County's agricultural and rural character." • **Land Use and Community Design P4.07.01**: "Plan land uses that are compatible with the surrounding community." • **Housing G11.1.00**: "Encourage opportunities for a diversity of housing choices in the County." • **Housing G11.02.00**: "Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural and natural resources."	
Criteria Met? **Yes**	**2**	**When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?**
Staff Analysis	In consideration of the surrounding land uses, the proposed conditional rezone to "RR" Rural Residential is as appropriate than the current zoning designation of "A" (Agricultural). The surrounding area primarily contains residential uses with some interspersed agricultural uses. To the north, south, east, and west, there are residential subdivisions with lot sizes generally between 1-2.5 acres in size. There are also agricultural uses found in all directions of the property. It is important to note that some of the agricultural parcels have been conditionally rezoned with a development agreement (such as Parcels	

R37608, R37626011, and R37626), which will further trend this area to be residential (**Exhibits B2.1, B2.3, and B2.6**).

The Rural Residential (R-R) zone would be more appropriate than the Agricultural (A) zone as this area appears to have been transitioning steadily to contain more residential uses. Within 1-mile of the subject property, there are 28 platted subdivisions with an average lot size of 2.05 acres and eleven (11) subdivisions in platting with an average lot size of 1.65 acres. In the immediate vicinity, Kingsbury Meadows Subdivision (platted in 2007) is found approximately 0.13 miles to the east with an average lot size of 1.20 acres. Parcels R37608, R37626011, and R37626 found south and southeast have a development agreement that would allow for two (2) dwellings per gross acre (CR2007-3). Hawk View Estates Subdivision (platted in 2024) is also found approximately 0.28 miles to the northwest with an average lot size of 2.24 acres. The applicant's request to rezone the property to rural residential is consistent with the average lot sizes found within subdivisions in the area (**Exhibits B2.3, B2.6 and B2.11**).

Pursuant to Canyon County ordinance CCCO §07-10-25(2) the purpose of the "RR" zoning district is to encourage and guide growth in areas where a rural lifestyle may be determined to be suitable.

Adjacent Existing Conditions (Exhibits B2.1 and B2.3):

Direction	Existing Use	Primary Zone	Other Zone
N	**Agricultural Uses with homesites and some agriculturally zoned parcels with residences**	**A**	
S	**Agricultural Uses and Residential Uses**	**A, CR-RR, R-1**	**CR-R-1**
E	**Agricultural Uses and Residential Uses**	**A, CR-RR**	**R-1, RR**
W	**Agricultural Uses and Residential Uses**	**A, CR-RR**	**RR, R-1**
"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)			

Surrounding Land Use Cases Within the Past 5 Years (Exhibit B2.11):

1. **SD2020-0011 – Preliminary Plat (C3) – Approved**
2. **SD2021-0008 - Preliminary Plat (C4) – Approved**
3. **CU2019-0025 – Special Events Facility – Approved**
4. **RZ2020-0006 – Rezone from AG to R-1 (Callister, LLC) – Approved**
5. **CR2021-0010 –Rezone from AG to R-1 (Callister, LLC) – Approved**
6. **RZ2021-0034 – Rezone from AG to R-R (Cotner) – Approved**
7. **RZ2021-0056 – Rezone from AG to CR-R1 (Farmington Hills) – Denied**
8. **SD2021-0059 – Preliminary Plat (Farmington Hills) – Denied**
9. **SD2021-0021 – Preliminary Plat (Hawk View Estates) – Approved**
10. **CR2023-0001 – Rezone from AG to CR-R1 (Johns) – Approved**
11. **SD2021-0033 – Preliminary Plat (Johnston) – Approved**
12. **CR2022-0003 – Rezone from AG to CR-R1 (LWD Development) – Approved**
13. **CR2022-0016 – Rezone from AG to CR-RR (MDC LLC/Carter) – Approved**
14. **SD2020-0003 – Preliminary Plat (Oaklee Estates) – Approved**
15. **RZ2021-0012 – Rezone from AG to R-1 (Reynolds Brothers, LLC) – Denied**
16. **RZ2021-0036 – Rezone from AG to CR-R-1 (Richards/Larsen) – Approved**
17. **RZ2022-0011 – Rezone from AG to R-R (Sierra Vista Properties) – Denied**
18. **RZ2020-0024 – Rezone from AG to R-1 (Spohn) – Approved**
19. **SD2023-0001 – Short Plat (Sunset View) – Approved**
20. **SD2019-0039 – Preliminary Plat (Wyatt's Hollow) – Approved**

	It is important to note that the parcel immediately to the west of the subject property (Parcel R37496) was denied for a rezone in 2023 due to Middleton School District capacity impacts and cumulative impacts to the existing road system that were not adequately addressed (RZ2022-0011). The subject property does not appear to have the same issues due to the smaller scale nature of this request (See **Exhibit D5** for Highway District No. 4 comment and **Exhibit D8** for Middleton School District comment).	
Criteria Met? **Yes**	**3**	**Is the proposed conditional rezone compatible with surrounding land uses?**
Staff Analysis	The proposed conditional rezone to Conditional Rezone – Rural Residential (CR-RR) is compatible with the surrounding land uses. Per the applicant's letter of intent and site plan, the proposed conditional rezone is intended to facilitate the development of three (3) residential parcels – two (2) parcels with approximately 2-acres and one (1) parcel with 6-acres (**Exhibits A2 and A4**). This area has been transitioning to contain more residential uses as evidenced by the surrounding land use decisions in the past five years and average lot size of subdivisions in the area. In the past five years, eight (8) rezones have been approved from the agricultural zone to a residential zone, and seven (7) subdivision plats have been approved. The average lot size of current and future subdivisions in the area is 2.05 acres and 1.65 acres, respectively, which is consistent with the applicant's request. As conditioned, the proposed development is not anticipated to interfere with adjacent agricultural production, nor detract from established residential uses (**Exhibits B2.6 and B2.11)**. Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere or conflict with or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses. See further analysis located in 07-06-07(6)A2 and A4.	
Criteria Met? **Yes**	**4**	**Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?**
Staff Analysis	The proposed conditional rezone will not negatively affect the character of the area. Any necessary measures to mitigate impacts are detailed below. **Character of the Area:** The surrounding area primarily contains residential uses with interspersed agricultural uses. To the north, south, east, and west, there are residential subdivisions with acreage sizes generally between 1-2.5 acres in size. There are also agricultural uses found in all directions of the property. Some of these agricultural parcels have been conditionally rezoned to a residential zone, which will further trend this area to contain residential uses. Additionally, the character of the area has further transitioned to contain more residential parcels and subdivisions as evidenced by the number of land use cases approved in the past five (5) years and the average lot sizes of current and future subdivisions in the area (2.05 acres and 1.65 acres, respectively) (**Exhibits B2.1, B2.3, B2.6, and B2.11**). **The following measures will be implemented to mitigate the impact** The applicant is proposing to limit the development to three (3) parcels with a minimum lot size of two (2) acres (**Exhibits A2 and A3**). If the applicant desires to develop the property further in the future, they will have to reapply for a rezone and subdivision plat to create additional residential properties. The applicant does not want to restrict secondary residences at this time (**Exhibit A8**). Staff recommends that the Planning and Zoning Commission and Board of Canyon County Commissioners consider placing development standards on secondary residences if allowed (see recommended condition "A" for recommended conditions on secondary residences).	

Criteria Met?	5	Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone?
Yes		
Staff Analysis	The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein. **Sewer:** Per the applicant's land use worksheet, individual septic systems are proposed for the development. (**Exhibit A3**). Per Southwest District Health's (SWDH)'s comment letter, the proposed development does not qualify as a subdivision, so a nutrient pathogen study is not required. Additionally, the applicant will need to apply for a sub-surface sewage disposal permit and conduct test holes to determine site suitability on each parcel, but there are not any concerns with rezoning the property if the applicant meets all of SWDH's requirements (**Exhibits D2 and D2.1**). **Water:** Per the applicant's land use worksheet, domestic water will be provided via individual domestic wells (**Exhibit A3**). Future development shall comply with IDWR standards at the time of building. **Drainage:** Per the applicant's land use worksheet, stormwater is retained with swales (**Exhibit A3**). **Irrigation:** The parcel is served by Black Canyon Irrigation District (BCID). The Willow Creep Pump (W.C.P.) Lateral is located on the southern, eastern, and northern boundaries of the subject property. Per BCID, the W.C.P Lateral "…has a historical 50-foot easement (25-feet from centerline). The applicant will need to provide an easement, including providing the District with a legal description and exhibit for an easement along the W.C.P. Lateral per District Resolution 2023-04 if one does not exist. All documents must be stamped and signed by a licensed land surveyor in the State of Idaho." BCID also states in their comment letter that the "… division of irrigation water between lots needs to be identified by the property owner and all outstanding account balances and development fees need to be paid prior to the District providing concurrence." BCID also had general comments on protecting irrigation and related right-of-ways, crossing agreements, and piping agreements. BCID also recommends fencing along the W.C.P. lateral. (**Exhibit D6**). Per the applicant's land use worksheet, surface irrigation water is currently provided via gravity irrigation (**Exhibit A3**). Per email correspondence with the applicant, they are still working on their irrigation plan. To address irrigation on the property, staff has proposed that at the time of application for an administrative land division: an irrigation plan must be submitted to Canyon County Development Services and the irrigation plan shall be reviewed and approved by the local irrigation district per Idaho Code §67-6537(1). Additionally, staff is also recommending that BCID requirements be met at the time of an administrative land division (*see proposed conditions of approval #2 and #3*). **Utility:** Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on July 31, 2025 and December 31, 2025. No agency comments were provided by those services at the time the staff report was written. It is anticipated that the applicant will be able to work with utility providers to gain any utilities needed.	
Criteria Met?	**6**	**Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?**
Yes		

Staff Analysis	The proposed conditional rezone will not require public street improvements to provide adequate access to and from the subject property to minimize undue interference with existing and future traffic patterns created by the proposed development. Highway District No. 4 (HD4) states in their comment letter, "the proposed three (3) additional residential parcels are not anticipated to significantly impact the existing or proposed transportation system. Traffic impacts from the new development will be mitigated by collection of transportation impact fees at the time of building permit issuance" (**Exhibit D5**).	
Criteria Met? **Yes**	**7**	**Does legal access to the subject property for the conditional rezone exist or will it exist at time of development?**
Staff Analysis	The subject property does have legal access for the conditional rezone and it will exist at the time of the development. See the review and analysis detailed below. Highway District No. 4 states in their comment letter that Purple Sage Road is classified as a minor arterial on the functional classification maps adopted by HD4 and Canyon County and the existing. right-of-way width is a 25-foot prescriptive easement measured from the existing roadway centerline. HD4 adds the ultimate right-of-way width for a minor arterial is a 50-foot half-width measured from the section line. Additionally, HD4 finds that the existing access location is suitable for the proposed development density and that access to arterial is located at or near the ¼ section line, which provides the best opportunity to provide a single access. "The existing gravel driveway approach will need to be improved with a paved apron to meet ACCHD Standard Drawing 106, with a 24-ft throat width and minimum 20-ft radii. An access permit is required from HD4 is required with each new building permit; the third permit using this driveway (including existing dwellings) will be required to construct the paved apron, or it may be constructed with the first new building permit" (**Exhibit D5**). Per CCCO §07-10-03, a private road will need to be created for three (3) inhabited buildings or more. Currently, there is a 60 foot access easement running north-to-south on the western boundary of the property for Parcel R37492 to take access on which is also where the proposed parcels will take access when entering from Purple Sage Road (**Exhibit B3)**. Another private road will need to be created and constructed running east to west on the subject property prior to building permit issuance for the third (3rd) residence taking access. The applicants state in their letter of intent they plan to pave the private road, but this has not been added as a condition since it is not a Canyon County Code requirement (**Exhibits A2, A3, and A8)**.	
Criteria Met? **Yes**	**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?**
Staff Analysis	The proposed use is not anticipated to impact essential public services and facilities, including, but not limited to, schools, police, fire, and emergency medical services. Any necessary measures to mitigate impacts are detailed below. **Schools:** Middleton School District sent in a comment letter on December 29, 2025 and stated that they do not have any comments at this time as the number of proposed parcels is low but stated "…busses do not typically enter private roads or subdivisions so students being picked up will need to utilize stops on the nearest main road." (**Exhibit D8**). **Police:** The Canyon County Sheriff's Office is required to provide services to Parcel R37492010. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency comments were sent out on July 31, 2025 and December 31, 2025, and no comments were received by the Sheriff's Office.	

	Fire Protection Middleton Rural Fire District (MRFD) sent a comment letter on July 31, 2025 which outlined that the development shall comply with the 2018 International Fire Code (IFC), the development will be serviced by Middleton Fire Station 53 (located at 302 E. Main St, Middleton, ID), and the development will not have access to municipal water supply so the development will be responsible for providing adequate water supply for fire fighting operations. Additionally, the estimated response time from Middleton Fire Station 53 is 8 minutes under ideal driving conditions (See **Exhibit D1** to review the fire district's full comment letter). **Emergency Medical Services:** Canyon County Ambulance District responded with estimated response times for three (3) nearby stations on November 3, 2025: Station M53 has an estimated response time of 7.88 minutes, Station M52 has an estimated response time of 17.31 minutes, and Station M51 has an estimated response time of 19.6 minutes (**Exhibit D7**).

NOTIFICATION AND COMMENTS:
Notice of the public hearing was provided as per CCCO §07-05-01. Agencies were notified on July 31, 2025. Property owners within 600 feet of the subject property boundaries were notified on January 5, 2026. Full political notice was completed on December 31, 2025. A newspaper notice was published on January 6, 2026. Staff was made aware of a property posting error, but this was adjusted not less than one (1) week of the public hearing which meets Idaho Code §65-6512(b).

Pursuant to CCCO §01-17-07B - Materials Deadline, the submission of late documents or other materials does not allow all parties time to address the materials or allow sufficient time for public review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

AGENCY COMMENTS
All agency comments received by the aforementioned materials deadline are located in **Exhibit D**.

PUBLIC COMMENTS
Staff received two (2) total written public comments by the materials deadline of January 26, 2026. The two letters received were both in opposition, All public comments received by the aforementioned materials deadline are located in **Exhibit E.**

RECOMMENDATION AND DECISION OPTIONS:
In consideration of the application and supporting materials, staff concludes that the proposed conditional rezone is compliant with Canyon County Ordinance 07-06-07(6). A full analysis is detailed within the staff report.

Should the Commission wish to approve the subject application, staff recommends the following conditions be attached:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
2. At the time of application for an administrative land division, an irrigation plan must be submitted to Canyon County Development Services. The irrigation plan shall be reviewed and approved by the local irrigation district per Idaho Code §67-6537(1) prior to submittal to Canyon County's Development Services Department.
3. At the time of application for an administrative land division, Black Canyon Irrigation District (BCID) applicable requirements shall be met as outlined in their comment letter in **Exhibit D6**. Evidence of compliance with BCID requirements shall be an approved irrigation district document indicating completion of requirements.
4. The subject property, approximately 10.94 acres, shall be divided in compliance with Chapter 7, Article 18 (Administrative Land Divisions) of the Canyon County Code of Ordinances (CCCO) and shall not exceed three (3) residential parcels (**Exhibit A2**).

a. Further divisions of the subject property are prohibited.
b. The minimum lot size for parcels created shall be 2 acres.

5. The developer shall comply with CCCO §07-06-07 (4): Time Requirements: "All conditional rezones for a land use shall commence within two (2) years of the approval of the board."
    a. Commencement (or "commence") shall be as defined in CCCO §07-02-03 (Definitions Enumerated).

If the Planning and Zoning Commission would like to add standards to potential future secondary residences on site, staff recommends altering proposed condition number 4 to the following:

4. The subject property, approximately 10.94 acres, shall be divided in compliance with Chapter 7, Article 18 (Administrative Land Divisions) of the Canyon County Code of Ordinances (CCCO) and shall not exceed three (3) residential parcels (**Exhibit A2**).
    a. Further divisions of the subject parcel is prohibited.
    b. The minimum lot size for parcels created shall be 2 acres.
    c. The development and placement of a secondary residence on future lots and parcels created as result of this decision, if allowed by ordinance in effect at the time of building permit application, shall comply with the following standards:
        1. The secondary residence shall be located within 200 feet of the primary residence (or as near to that distance in compliance with Southwest District Health requirements for applicable waste systems).
        2. The secondary residence shall be subordinate in total living area to the primary residence.
        3. The secondary residence shall utilize the primary residence potable water well (shared).
        4. The secondary residence shall not be divided from the primary residence parcel.
        5. The property shall be in compliance with all other zoning ordinance requirements for a secondary residence at the time of building permit application.

<u>DECISION OPTIONS</u>

- **Approval of the Application**: "I move to approve CR2025-0001, Ryshko, finding the application **does** meet the criteria for approval under Article 07-06-07(6)A of Canyon County Zoning Ordinance, **with the conditions listed in the staff report, finding that**: [*Cite reasons for approval & Insert any additional conditions of approval*].
- **Denial of the Application**: "I move to deny CR2025-0001, Ryshko, finding the application **does not** meet the criteria for approval under 07-06-07(6)A of Canyon County Zoning Ordinance, **finding that** [*cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5)*].
- **Table the Application:** "I move to continue CR2025-0001, Ryshko, to a [*date certain or uncertain*]

EXHIBITS:

A. **Application Packet & Supporting Materials**)
    1. Master Application
    2. Letter of Intent
    3. Land Use Worksheet
    4. Site Plan
    5. Neighborhood Meeting Sign-In Sheet and Letter
    6. Agency Acknowledgement
    7. Warranty Deed with Instrument No. 2023-037099

8. Email Correspondence with Applicant on RUMA, Paving Private Road, Secondary Residences, Irrigation Plan, and Site Plan as of December 9, 2025

B. Supplemental Documents

1. Parcel Information Report
2. Cases Maps/Reports
   - 2.1. Small Air Ortho (1-Mile)
   - 2.2. Small Vicinity Map
   - 2.3. Zoning and Classification
   - 2.4. Dairy, Feedlot and Gravel Pit
   - 2.5. Soil and Prime Farmlands Map with Report
   - 2.6. Subdivision Map with Report
   - 2.7. Nitrate Priority and Well Map
   - 2.8. TAZ Households
   - 2.9. Canyon County 2030 Future Land Use Map
   - 2.10. Lot Classification Map
   - 2.11. Case Map (1-Mile) and Summary Report
   - 2.12. Slope Percent Map
3. Easement and Road Maintenance Agreement with Instrument No. 2023-037100

C. Site Visit Photos: January 5, 2026

D. Agency Comments Received by: January 26, 2026

1. Middleton Rural Fire District; Received July 31, 2025
2. Southwest District Health; Received: August 1, 2025
   - 2.1. Southwest District Health Pre-Development Notes, Dated March 25, 2024
3. Idaho Department of Environmental Quality; Received: August 4, 2025
4. Idaho Transportation Department; Received: August 5, 2025
5. Highway District No. 4; Received: August 27, 2025
6. Black Canyon Irrigation District; Received: November 3, 2025
7. Canyon County Ambulance District Response Times Map; Received November 3, 2025
8. Middleton School District; Received December 29, 2025
9. City of Nampa; Received January 14, 2026
10. Idaho Department of Water Resources (Floodplain); Received January 20, 2026

E. Public Comments Received by: January 26, 2026

1. Rachael Hall; Received: January 13, 2026
2. Cecile McMonigle; Received: January 16, 2026

F. Draft FCOS

EXHIBIT A

Application Packet & Supporting Materials

Planning & Zoning Commission

Case# CR2025-0001

Hearing date: February 5, 2025

Exhibit A1

ZONING AMENDMENT
PUBLIC HEARING - MASTER APPLICATION

PROPERTY OWNER	OWNER NAME: Oksana Ryshko Sergii Ryshko	
	MAILING ADDRESS: 6073 W Mikonos St Meridian ID 83646	
	PHONE: (916) 990-7674	EMAIL: lutsivo@yahoo.com

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

Signature: Sergii Ryshko *Date:* 1/9/25

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	APPLICANT NAME:	
	COMPANY NAME:	
	MAILING ADDRESS:	
	PHONE:	EMAIL:

SITE INFO	STREET ADDRESS: 8478 Purple Sage Rd Middleton, ID	
	PARCEL NUMBER: 37492010	
	PARCEL SIZE: 10.99	
	CHECK THE APPLICABLE APPLICATION TYPE:	
	☐ REZONE	☒ CONDITIONAL REZONE WITH DEVELOPMENT AGREEMENT
	CURRENT ZONING: agricultural	PROPOSED ZONING: rural residential
	FLOOD ZONE (YES/NO) NO	ZONING DISTRICT: agricultural

FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER CR2025.4001		DATE RECEIVED: 1-23-25	
RECEIVED BY: D. LISTER	APPLICATION FEE: $1,400		CK MO CC CASH

pd 1-24-25

Exhibit A2

Sergii and Oksana Ryshko
8478 Purple Sage Rd
Middleton, ID

Jan 9, 2025

Letter of Intent for Proposed Zoning Change

Canyon County Planning Department

Dear Members of the Planning and Zoning Commission,

We, Sergii Ryshko and Oksana Ryshko, the property owners of 8478 Purple Sage Rd kindly request conditional rezone from Agricultural to Rural Residential. The reason for this is our intention to split the lot into 3 lots, two lots about 2 acres and one lot about 6 acres. Currently the land is empty on 4 acres, alfalfa grows on it. We already have started building a house for ourselves on 6 acres, and one of the lots we are planning to put it for sale, and on one lot we will build a house either to sell or for our children.

Number of close neighborhoods are Rural Residential parcels, with lots ranging about 1 and 2 acres. Our goal is to match existing neighborhood and to fit future land use as rural residential. It will better mimic the lot sizes around us. Approval of our request for rezoning would neither be novel nor out of line with current trends in our corner of Canyon County.

Impact on county services and our neighborhood will be minimal, as we are adding only 3 homes on 11 acre lot. We are going to pave a private road leading to our dwellings, and it also will be privately maintained. Also, the dwellings will have their own septic and well system. Each lot will have separate irrigation.

Thank you in advance for your attention to this matter,

Sergii and Oksana Ryshko

Sergii Ryshko 1/9/25
Oksana Ryshko 1/9/25

Exhibit A3

LAND USE WORKSHEET

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

GENERAL INFORMATION

1. **DOMESTIC WATER:** ☒ Individual Domestic Well ☐ Centralized Public Water System ☐ City

   ☐ N/A – Explain why this is not applicable: _____

   ☐ How many Individual Domestic Wells are proposed? _____

2. **SEWER (Wastewater)** ☒ Individual Septic ☐ Centralized Sewer system

   ☐ N/A – Explain why this is not applicable: _____

3. **IRRIGATION WATER PROVIDED VIA:**

   ☒ Surface ☐ Irrigation Well ☐ None

4. **IF IRRIGATED, PROPOSED IRRIGATION:**

   ☐ Pressurized ☒ Gravity

5. **ACCESS:**

   ☒ Frontage ☐ Easement Easement width_____Inst. # _____

6. **INTERNAL ROADS:**

   ☐ Public ☒ Private Road User's Maintenance Agreement Inst #_____

7. **FENCING** ☐ Fencing will be provided (Please show location on site plan)

   Type: white vinyl rail fencing Height: 6ft

8. **STORMWATER:** ☐ Retained on site ☒ Swales ☐ Ponds ☐ Borrow Ditches

   ☐ Other: _____

9. **SOURCES OF SURFACE WATER ON OR NEARBY PROPERTY:** (i.e. creeks, ditches, canals, lake)

   Black Canyon Irrigation District's WCP Lateral

RESIDENTIAL USES

1. **NUMBER OF LOTS REQUESTED:**

☒ Residential 3 ☐ Commercial _____ ☐ Industrial _____

☐ Common _____ ☐ Non-Buildable _____

2. **FIRE SUPPRESSION:**

☒ Water supply source: domestic well

3. **INCLUDED IN YOUR PROPOSED PLAN?**

☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☒ None

NON-RESIDENTIAL USES

1. **SPECIFIC USE:** N/A

2. **DAYS AND HOURS OF OPERATION:**

☐ Monday _____ to _____

☐ Tuesday _____ to _____

☐ Wednesday _____ to _____

☐ Thursday _____ to _____ N/A

☐ Friday _____ to _____

☐ Saturday _____ to _____

☐ Sunday _____ to _____

3. **WILL YOU HAVE EMPLOYEES?** ☐ Yes If so, how many? N/A ☐ No

4. **WILL YOU HAVE A SIGN?** ☐ Yes ☐ No ☐ Lighted ☐ Non-Lighted

Height: _____ ft Width: _____ ft. Height above ground: _____ ft

What type of sign: _____Wall _____ Freestanding _____ Other N/A

5. **PARKING AND LOADING:**

How many parking spaces? _____

Is there is a loading or unloading area? _____ N/A

ANIMAL CARE-RELATED USES

1. **MAXIMUM NUMBER OF ANIMALS:** _____ N/A

2. **HOW WILL ANIMALS BE HOUSED AT THE LOCATION?**

   ☐ Building ☐ Kennel ☐ Individual Housing ☐ Other _____ N/A

3. **HOW DO YOU PROPOSE TO MITIGATE NOISE?**

   ☐ Building ☐ Enclosure ☐ Barrier/Berm ☐ Bark Collars N/A

4. **ANIMAL WASTE DISPOSAL**

   ☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System

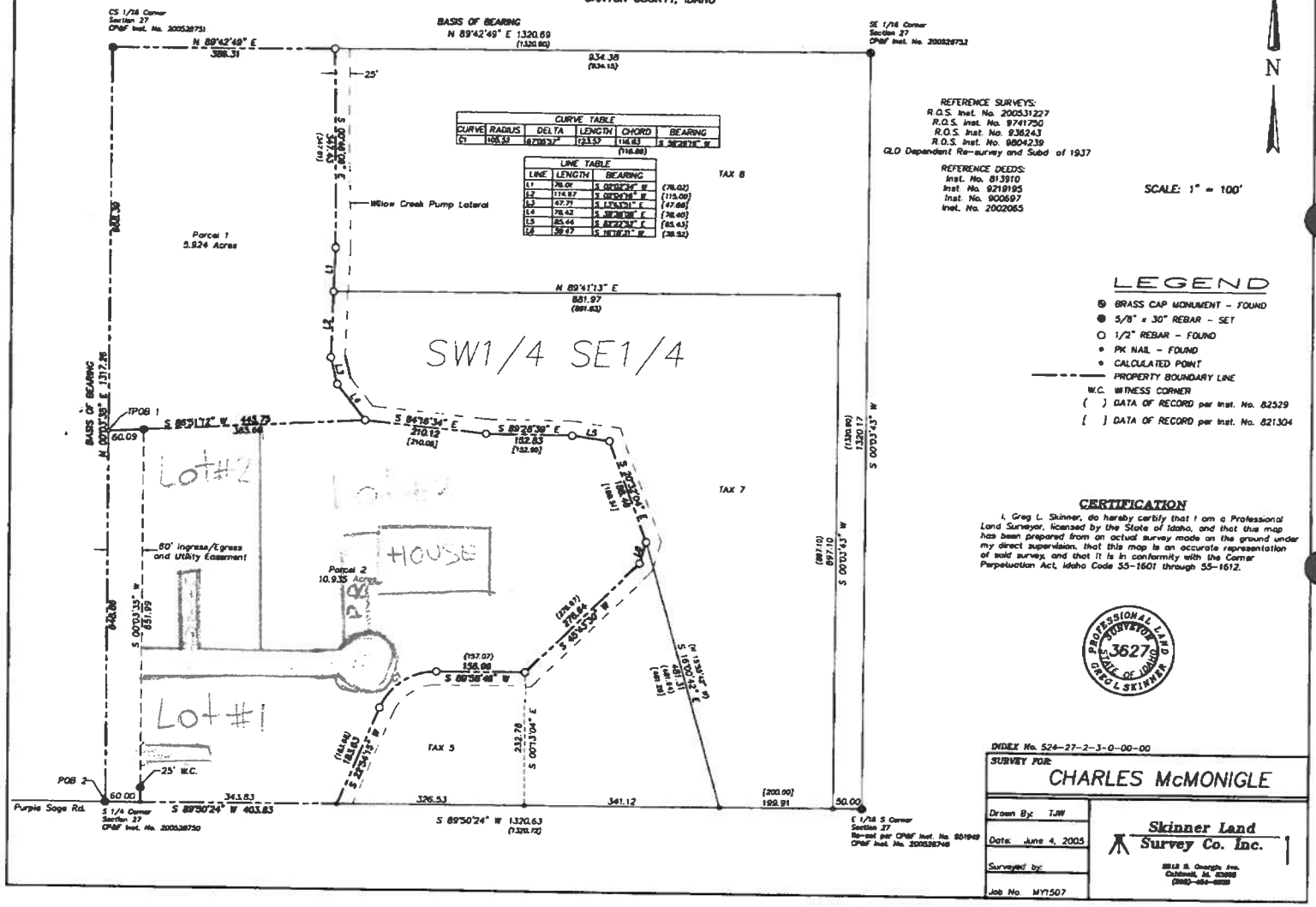
   ☐ Other: _____ N/A

Exhibit A4

8478 Purple Sage Rd

RECORD OF SURVEY

A PORTION OF THE SW1/4 SE1/4 OF SECTION 27
TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN
CANYON COUNTY, IDAHO



REFERENCE SURVEYS:
R.O.S. Inst. No. 200531227
R.O.S. Inst. No. 9741750
R.O.S. Inst. No. 936243
R.O.S. Inst. No. 9804239
GLO Dependent Re-survey and Subd of 1937

REFERENCE DEEDS:
Inst. No. 813910
Inst. No. 9219195
Inst. No. 900697
Inst. No. 2002065

SCALE: 1" = 100'

LEGEND

- BRASS CAP MONUMENT – FOUND
- 5/8" x 30" REBAR – SET
- 1/2" REBAR – FOUND
- PK NAIL – FOUND
- CALCULATED POINT
- PROPERTY BOUNDARY LINE
- W.C. WITNESS CORNER
- ( ) DATA OF RECORD per Inst. No. 82329
- [ ] DATA OF RECORD per Inst. No. 821304

CERTIFICATION

I, Greg L. Skinner, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the Corner Perpetuation Act, Idaho Code 55-1601 through 55-1612.

PROFESSIONAL LAND SURVEYOR 3627 STATE OF IDAHO GREG L. SKINNER

INDEX No. 524-27-2-3-0-00-00

SURVEY FOR: CHARLES McMONIGLE

Drawn By: TJW	Skinner Land Survey Co. Inc.
Date: June 4, 2005	
Surveyed by:	
Job No. MY1507	

Exhibit A5

NEIGHBORHOOD MEETING SIGN-UP

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov Phone: 208-454-7458 Fax: 208-454-6633

NEIGHBORHOOD MEETING SIGN UP SHEET

CANYON COUNTY ZONING ORDINANCE §07-01-15

Applicants shall conduct a neighborhood meeting for any proposed comprehensive plan amendment, zoning map amendment (rezone), subdivision, variance, conditional use, zoning ordinance map amendment, or other requests requiring a public hearing.

SITE INFORMATION

Site Address: 8478 Purple Sage Rd	Parcel Number:	
City: Middleton	State: ID	ZIP Code: 83644
Notices Mailed Date: 01/10/25	Number of Acres: 10.93	Current Zoning: Agricultural
Description of the Request: Conditional rezone from Agricultural to Rural Rezidential		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Oksana Ryshko		
Company Name:		
Current address: 6073 W Mikonos St		
City: Meridian	State: ID	ZIP Code: 83646
Phone: (916) 990-7674	Cell: (916) 990-7674	Fax:
Email: lutsivo@yahoo.com		

MEETING INFORMATION

DATE OF MEETING: 01/21/25	MEETING LOCATION: 8478 Purple Sage Rd
MEETING START TIME: 10:30 am	MEETING END TIME: 10:45 am

ATTENDEES:

NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. Lisa C Bacon		8366 Purple Sage Rd
2. John Bacon		Middleton, Id. 83644
3. Lori Tibbs		8519 Purple Sage rd
4. Rachael Hall	Rachael Hall	8310 Purple Sage Rd. 83644
5. Charles Mcmurtrey		8500 Purple Sage 83644
6.		
7.		
8.		
9.		

10.
11.

12.
13.
14.
15.
16.
17.
18.
19.
20.

NEIGHBORHOOD MEETING CERTIFICATION:

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accordance with Canyon County Zoning Ordinance § 07-01-15.

APPLICANT/REPRESENTATIVE (Please print):

Oksana Ryshko Sergii Ryshko

APPLICANT/REPRESENTATIVE (Signature): Sergii Ryshko

DATE: 1/21/25

Notice Of Neighborhood Meeting
Conditional Rezone
Pre-application requirement for a Public Hearing

Date 01/10/2025

Dear Neighbor,

We are in the process of submitting an application for a Conditional rezone from Agricultural to Rural Residential to create three lots to Canyon County Development Services (DSD). One of the requirements necessary prior to submitting the application is to hold a "neighborhood meeting" and provide information to our surrounding neighbors (Canyon County Zoning Ordinance 07-01-15).

This meeting is for informational purposes and to receive feedback from you as we move through the application process. This is **not** a Public Hearing before a government body of the County. Once our application has been submitted and processed, a public hearing date will be scheduled. Prior to the scheduled date, you will receive an official notification from Canyon County DSD regarding the Public Hearing via postal mail, newspaper publication, and /or a display on the property for which the Conditional Use Permit is applied.

The Neighborhood Meeting details are as follows:
Date: 01/21/2025
Time: 10:30 am
Location: 8478 Purple Sage Rd, Middleton ID 83644
Property description: land

The project is summarized below:

Site Location : 8478 Purple Sage Rd, land next to 8500 Purple Sage Rd, Middleton ID 83644
Proposed access: private driveway
Total Acreage: 10.93.
Proposed lots: 3 (two lots about 2 acres, and one lot about 6 acres)

We look forward to the neighborhood meeting and encourage you to attend. At that time we will answer any question you may have.
Please do **not** call Canyon County development Services regarding this meeting. This is a PRE-APPLICATION requirement and we have not submitted the application for consideration at this time. The County currently has no information on this project.
If you have any questions prior to the meeting, please contact me at (916) 459-6597, lutsivo@yahoo.com, or written correspondence.

Sincerely,
Sergii and Oksana Ryshko
1/10/25

Exhibit A6

AGENCY ACKNOWLEDGMENT

Date: 3/7/2024
Applicant: Sergii Ryshko Oksana Ryshko
Parcel Number: 37492010
Site Address: TBD Purple Sage Road

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

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

Southwest District Health:
☒ Applicant submitted/met for informal review.
Date: 03/26/2024 Signed: Anthony La
Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District: District: Middleton RFD
☒ Applicant submitted/met for informal review.
Date: 3/8/24 Signed:
Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District: District: HD 4
☑ Applicant submitted/met for informal review.
Date: 3/7/24 Signed:
Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District: District:
☐ Applicant submitted/met for informal review.
Date: Signed:
Authorized Irrigati
(This signature does not guaran

see next page for Irrig. Dist.

Area of City Impact City:
☐ Applicant submitted/met for informal review.
Date: 3/7/2024 Signed: Roberta Stewart
Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

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

AGENCY ACKNOWLEDGMENT

Date:
Applicant: Sergii Ryshko Oksana Ryshko
Parcel Number: 37492010
Site Address: TBD Purple Sage Road

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

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

Southwest District Health:
☐ Applicant submitted/met for informal review.

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

Fire District: District: Middleton RFD
☒ Applicant submitted/met for informal review.
Date: 3/8/24 Signed: _____
Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District: District: HD 4
☒ Applicant submitted/met for informal review.
Date: 3/7/24 Signed: _____
Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District: District: Black Canyon Irr. District
☒ Applicant submitted/met for informal review.
Date: 3/8/2024 Signed: _____ District Engineer
Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact City: _____
☐ Applicant submitted/met for informal review.
Date: 3/7/2024 Signed: _____ Roberta Stewart
Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

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

Exhibit A7

2023-037099
RECORDED
11/17/2023 02:56 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=2 JWINSLOW $15.00
TYPE DEED
PIONEER TITLE CANYON - CALDWELL
ELECTRONICALLY RECORDED

PioneerTitleCo.
GOING BEYOND
775 S. Rivershore Ln., Ste. 120
Eagle, ID 83616

ELECTRONICALLY RECORDED-DO NOT REMOVE THE COUNTY STAMPED FIRST PAGE AS IT IS NOW INCORPORATED AS PART OF THE ORIGINAL DOCUMENT

File No. 842080 KG/SM

WARRANTY DEED

For Value Received Charles C. McMonigle and Cecile M. McMonigle, husband and wife hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Sergii Ryshko and Oksana Ryshko, husband and wife

hereinafter referred to as Grantee, whose current address is **6073 W. MIKONOS ST. MERIDIAN, ID 83646**

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), that the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: November 17, 2023

Charles C. McMonigle

Cecile M. McMonigle

State of Idaho, County of Ada

This record was acknowledged before me on 11/17/23 by Charles C. McMonigle and Cecile M. McMonigle

Signature of notary public
Commission Expires:

KIM GEIS
COMMISSION #40458
NOTARY PUBLIC
STATE OF IDAHO
MY COMM. EXPIRES JUL 30, 2027

PioneerTitleCo.
GOING BEYOND

775 S. Rivershore Ln., Ste. 120
Eagle, ID 83616

ELECTRONICALLY RECORDED-DO NOT REMOVE THE COUNTY STAMPED FIRST PAGE AS IT IS NOW INCORPORATED AS PART OF THE ORIGINAL DOCUMENT

File No. 842080 KG/SM

WARRANTY DEED

For Value Received Charles C. McMonigle and Cecile M. McMonigle, husband and wife hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Sergii Ryshko and Oksana Ryshko, husband and wife

hereinafter referred to as Grantee, whose current address is **6073 W. MIKONOS ST. MERIDIAN, ID 83646**

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), that the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: November 17, 2023

Charles C. McMonigle

Cecile M. McMonigle

State of Idaho, County of Ada

This record was acknowledged before me on 11/17/23 by Charles C. McMonigle and Cecile M. McMonigle

Signature of notary public
Commission Expires:

KIM GEIS
COMMISSION #40458
NOTARY PUBLIC
STATE OF IDAHO
MY COMM EXPIRES JUL 30, 2027

EXHIBIT A

Parcel 2

This parcel is a portion of the Southwest Quarter of the Southeast Quarter of Section 27, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

BEGINNING at the Southwest corner of said Southwest Quarter of the Southeast Quarter; thence

North 0°03'36" East along the West boundary of said Southwest Quarter of the Southeast Quarter a distance of 648.86 feet to a point witnessed by a 5/8 x 30 inch rebar bearing North 86°51'12" East a distance of 60.09 feet;

thence North 86°51'12" East a distance of 445.75 feet to a found 1/2" diameter iron pin;

thence South 84°16'34" East a distance of 210.12 feet (of record 210.06 feet) to a found 1/2" diameter iron pin;

thence South 89°28'39" East a distance of 152.83 feet (of record 152.95 feet) to a found 1/2" diameter iron pin;

thence South 82°22'52" East a distance of 65.44 feet (of record 65.43 feet) to a found 1/2" diameter iron pin;

thence South 20°32'04" East a distance of 188.46 feet (of record 188.51 feet) to a found 1/2" diameter iron pin;

thence South 16°18'30" West a distance of 39.47 feet (of record 39.52 feet) to a found 1/2" diameter iron pin;

thence South 45°43'30" West a distance of 276.64 feet (of record 276.67 feet) to a found 1/2" diameter iron pin;

thence South 89°58'46" West a distance of 156.99 feet (of record 157.07 feet) to a found 1/2" diameter iron pin;

thence along a curve to the left having a central angle of 67°05'57", a radius of 105.52 feet an arc length of 123.57 feet and a long chord which bears South 56°26'16" West a distance of 116.63 feet (of record 116.66 feet);

thence South 22°54'15" West a distance of 183.63 feet (of record 183.68 feet) to a point on the south boundary of said Southwest Quarter Southeast Quarter;

thence South 89°50'24" West along said south boundary a distance of 403.83 feet to the POINT OF BEGINNING.

TOGETHER WITH a 60 foot wide ingress-egress and utility easement described as follows:

This easement is a portion of the Southwest Quarter of the Southeast Quarter of Section 27, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

BEGINNING at the Southwest corner of said Southwest Quarter of the Southeast Quarter; thence
North 00°03'35" East along the West boundary of said Southwest Quarter of the Southeast Quarter a distance of 648.86 feet; thence
North 86°51'12" East a distance of 60.09 feet; thence
South 00°03'35" West parallel with the West boundary of said Southwest Quarter of the Southeast Quarter a distance of 651.99 feet to a point on the South boundary of said Southwest Quarter of the Southeast Quarter; thence
South 89°50'24" West along said South boundary a distance of 60.00 feet to the POINT OF BEGINNING.

Exhibit A8

Hello,

See my responses in red below:

1. We do have road maintenance agreement with our neighbor! I'm attaching the copy!

Thank you for sending this over.

2. Yes, we are planning to pave the road with asphalt, but would like this requirement to be excluded from the rezone process! We might do it after the rezone is complete!

Thank you for the information.

3. We would split the shares equally depending on the size of the lot!

a.) We currently don't have an irrigation pump, but in the process of development we will come up with the most efficient way to use the irrigation water! We are planning to do administrative split after rezoning, which doesn't require irrigation water usage agreement and easement!

So during the administrative land division process, it does require an irrigation plan if it is applicable. In your case, since you have surface irrigation water rights you are planning on dividing between the parcels, our office will want an irrigation plan, which may include a draft water user's maintenance agreement and irrigation easement shown on the survey that divides the property.

3. We are dividing the land on three lots only, we are not going to restrict secondary residence on lots.

Thank you for the information on secondary residences. This will may become a topic of discussion at the public hearings for your case, so I would suggest deciding before the hearings if you are open to the restricting them because sometimes the hearing bodies view it as doubling the density of the development you are proposing.

5. We are still deciding on the lot locations and sizes to make it more efficient , and final site plan map will be provided at the process of the lot split application.

Thank you, this is helpful.

I will let you know if I have any more questions. I have another staff report to write in front of yours, so hopefully I can let you know which Planning and Zoning Commission hearing I am aiming for soon.

Sincerely,

Emily Bunn,

Principal Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Development Services Department (DSD)

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

From: Oksana Lutsiv <lutsivo@yahoo.com>
Sent: Monday, December 8, 2025 9:00 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: Fwd: [External] 8478 purple sage rd conditional rezone

Hi Emily, I replied to your email but accidentally sent it to my husband! Sorry! Here it is below!

Sent from my iPhone

Begin forwarded message:

From: Oksana Lutsiv <lutsivo@yahoo.com>
Date: November 9, 2025 at 11:17:39 PM MST

To: Sergey Ryshko <ryshkos@yahoo.com>
Subject: Re: [External] 8478 purple sage rd conditional rezone

Hello Emily! Thank you for the updates! Let me answer your questions. 1. We do have road maintenance agreement with our neighbor! I'm attaching the copy! 2. Yes, we are planning to pave the road with asphalt, but would like this requirement to be excluded from the rezone process! We might do it after the rezone is complete! 3. We would split the shares equally depending on the size of the lot! a.) We currently don't have an irrigation pump, but in the process of development we will come up with the most efficient way to use the irrigation water! We are planning to do administrative split after rezoning, which doesn't require irrigation water usage agreement and easement! 4.) We are dividing the land on three lots only, we are not going to restrict secondary residence on lots. 5.) We are still deciding on the lot locations and sizes to make it more efficient , and final site plan map will be provided at the process of the lot split application.

Thank you! Oksana

On Nov 9, 2025, at 10:53 PM, Oksana Lutsiv <lutsivo@yahoo.com> wrote:

Sent from my iPhone

Begin forwarded message:

From: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Date: November 4, 2025 at 4:55:50 PM MST
To: Oksana Lutsiv <lutsivo@yahoo.com>
Subject: RE: [External] 8478 purple sage rd conditional rezone

Hello,

I appreciate your patience as I have been working though my case load.

Attached are the agency comments I have received so far for you to review. If you have any questions on any of the agency comments, please reach out to them.

Also, I have the following questions on your case:

1. Do you have a Road User's Maintenance Agreement (RUMA) with the property owner north of you? If so, could I get a copy of the recorded RUMA?
2. Are you still planning on paving the private road to the residences?
3. How are you planning on dividing the irrigation water available to the property between the three (3) proposed parcels? It might be worth reaching out to Black Canyon Irrigation District on the process to do this to help inform your plan.
    a. If you have an irrigation system currently (such as a irrigation pump), what is your plan to allow future property owners to this pump? Such as, are you planning on having a water user's maintenance agreement and irrigation easements to allow them access?
4. Have you considered proposing restricting secondary residences on site? The reason I suggest this, is because if density becomes a topic of conversation for your case (the potential of 6 houses instead of the 3 houses you are proposing), then you could suggest restricting secondary residences to restrict only three (3) houses (one (1) house on each parcel)
5. What are your thoughts about a condition restricting your development to be in substantial compliance with the site plan you have proposed?

If you have any questions, please let me know.

Sincerely,

<image001.png>

Emily Bunn,

Principal Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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From: Oksana Lutsiv <lutsivo@yahoo.com>
Sent: Monday, September 22, 2025 4:27 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: Re: [External] 8478 purple sage rd conditional rezone

Hi Emily! Can you please update mailing address in the system to 8478 Purple sage rd Middleton ID 83644 ! Thank you! Oksana

Sent from my iPhone

On Aug 1, 2025, at 12:43 PM, Oksana Lutsiv <lutsivo@yahoo.com> wrote:

Sounds good! Keep me posted! Have a great weekend! Oksana

Sent from my iPhone

On Aug 1, 2025, at 11:36 AM, Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

Your application is moving through the process. It is currently in the initial agency notice process, which is a 30-day notice period. After that has been completed, I can send over those responses to you and then I can discuss next steps.

Sincerely,



Emily Bunn,

Principal Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Development Services Department (DSD)

NEW public office hours

Effective Jan. 3, 2023

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

**We will not be closed during lunch hour **

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

From: Oksana Lutsiv <lutsivo@yahoo.com>
Sent: Friday, August 1, 2025 12:11 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: Re: [External] 8478 purple sage rd conditional rezone

Good afternoon Emily! Following up on conditional rezone for 8478 Purple Sage RD, Middleton ID! How are things going, I hope we are moving along with the process! Thanks! Oksana and Sergii

Sent from my iPhone

On Jan 10, 2025, at 2:50 PM, Oksana Lutsiv <lutsivo@yahoo.com> wrote:

Thank you!

Sent from my iPhone

On Jan 10, 2025, at 2:09 PM, Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

Here is the zoning amendment application that includes the neighborhood meeting sign-up sheet.

Sincerely,

<image001.png>

Emily Bunn,

Associate Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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**We will not be closed during lunch hour **

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From: Oksana Lutsiv <lutsivo@yahoo.com>
Sent: Friday, January 10, 2025 12:47 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: Re: [External] 8478 purple sage rd conditional rezone

Hi Emily! I probably need new neighborhood meeting sign up application since I will be conducting new meeting! Can you email me a copy or I need an original application? Thanks ! Oksana

Sent from my iPhone

On Jan 10, 2025, at 9:54 AM, Oksana Lutsiv <lutsivo@yahoo.com> wrote:

I Appreciate you checking them! Thank you! 😊

Sent from my iPhone

On Jan 10, 2025, at 9:40 AM, Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

Both letter of intent and neighborhood letter appear to be acceptable to me.

Sincerely,

<image001.png>

Emily Bunn,

Associate Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

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PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

From: Oksana Lutsiv <lutsivo@yahoo.com>
Sent: Thursday, January 9, 2025 2:19 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: [External] 8478 purple sage rd conditional rezone

Hi Emily, I did letter of intent. If you have a minute, can you please look thru it and let me know if I need to add anything. Thank you in advance for your help! Oksana Ryshko. I hope you can open the attachment, as I did it on the apple computer.

EXHIBIT B

Supplemental Documents

Planning & Zoning Commission

Case# CR2025-0001

Hearing date: February 5, 2026

Exhibit B1

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

R37492010 PARCEL INFORMATION REPORT

12/30/2025 2:04:59 PM

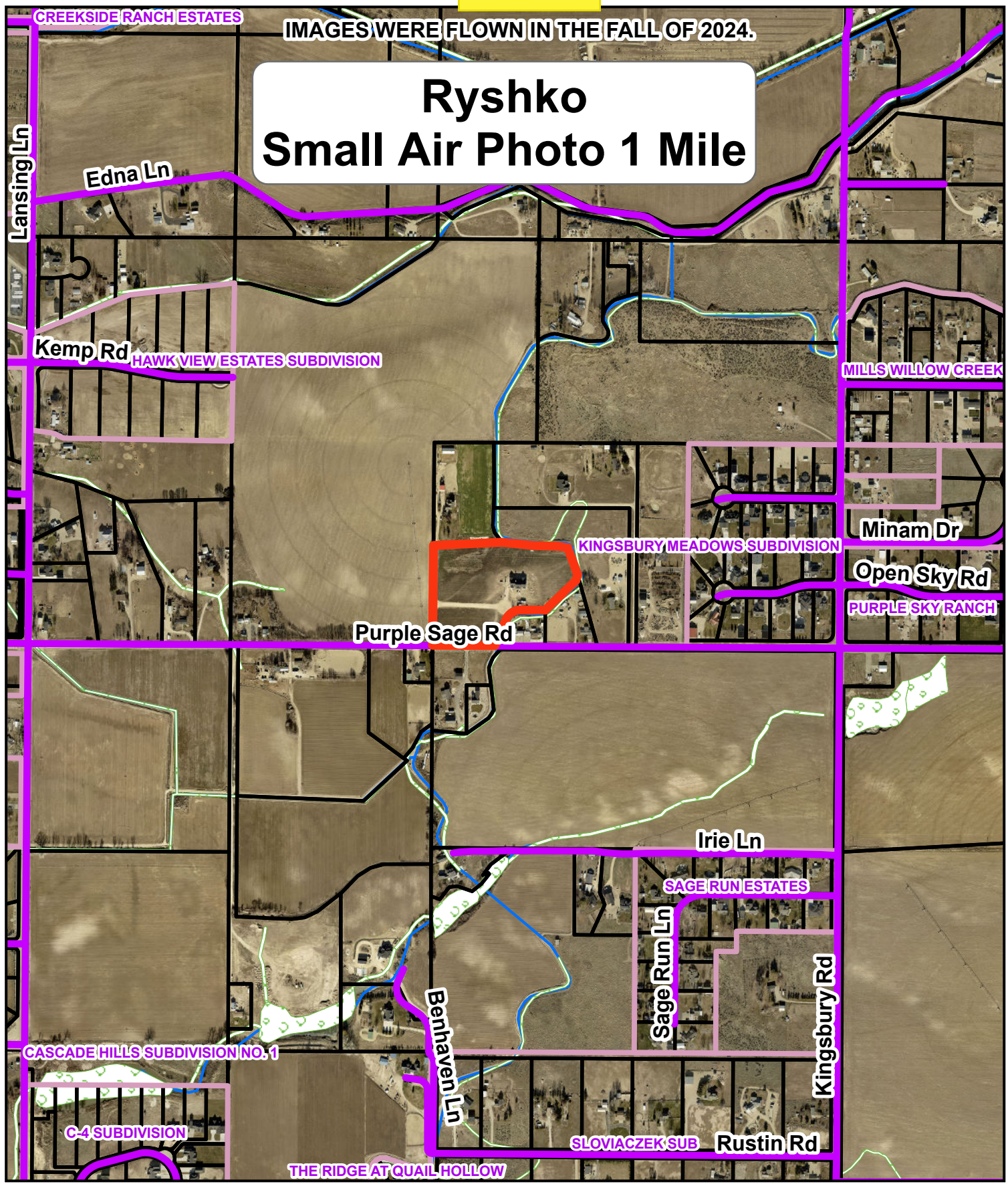
PARCEL NUMBER:	R37492010
OWNER NAME:	RYSHKO SERGII
CO-OWNER:	RYSHKO OKSANA
MAILING ADDRESS:	8478 PURPLE SAGE RD CALDWELL ID 83607
SITE ADDRESS:	8478 PURPLE SAGE RD
TAX CODE:	0310000
TWP:	5N **RNG:** 2W **SEC:** 27 **QUARTER:** SE
ACRES:	10.94
HOME OWNERS EXEMPTION:	Yes
AG-EXEMPT:	Yes
DRAIN DISTRICT:	NOT In Drain Dist
ZONING DESCRIPTION:	AG / AGRICULTURE
HIGHWAY DISTRICT:	HIGHWAY DISTRICT #4
FIRE DISTRICT:	MIDDLETON FIRE
SCHOOL DISTRICT:	MIDDLETON SCHOOL DIST #134
IMPACT AREA:	NOT In Impact Area
FUTURE LAND USE 2011-2022 :	RES
FLU Overlay Zone Desc 2030:	
FLU RR Zone Desc 2030:	RURAL RESIDENTIAL
FUTURE LAND USE 2030:	AGRICULTURE
IRRIGATION DISTRICT:	BLACK CANYON IRRIGATION DIST
FEMA FLOOD ZONE:	X **FLOODWAY:** NOT In FLOODWAY **FIRM PANEL:** 16027C0275F
WETLAND:	NOT In WETLAND
NITRATE PRIORITY:	NO Nitrate Prio
FUNCTIONAL Classification:	MINOR ARTERIAL
INSTRUMENT NO. :	2023037099
SCENIC BYWAY:	NOT In Scenic Byway
LEGAL DESCRIPTION:	27-5N-2W SE TAX 23569 SWSE
PLATTED SUBDIVISION:	
SMALL CITY ZONING:	
SMALL CITY ZONING TYPE:	

DISCLAIMER:

1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS. POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER.
2. THIS FORM DOES NOT CALCULATE DATA FOR PARCELS INSIDE CITY LIMITS SO WATCH YOURSELVES.
3. WETLANDS CLASSIFICATION WILL POPULATE IF "ANY" PORTION OF SAID PARCEL CONTAINS A DELINEATED WETLAND.
4. COLLECTORS AND ARTERIALS ARE BASED ON THE SHERRIFS CENTERLINE WITH AN ADDITIONAL 100 FOOT BUFFER.

CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR MISUSE OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.

Exhibit B2.1

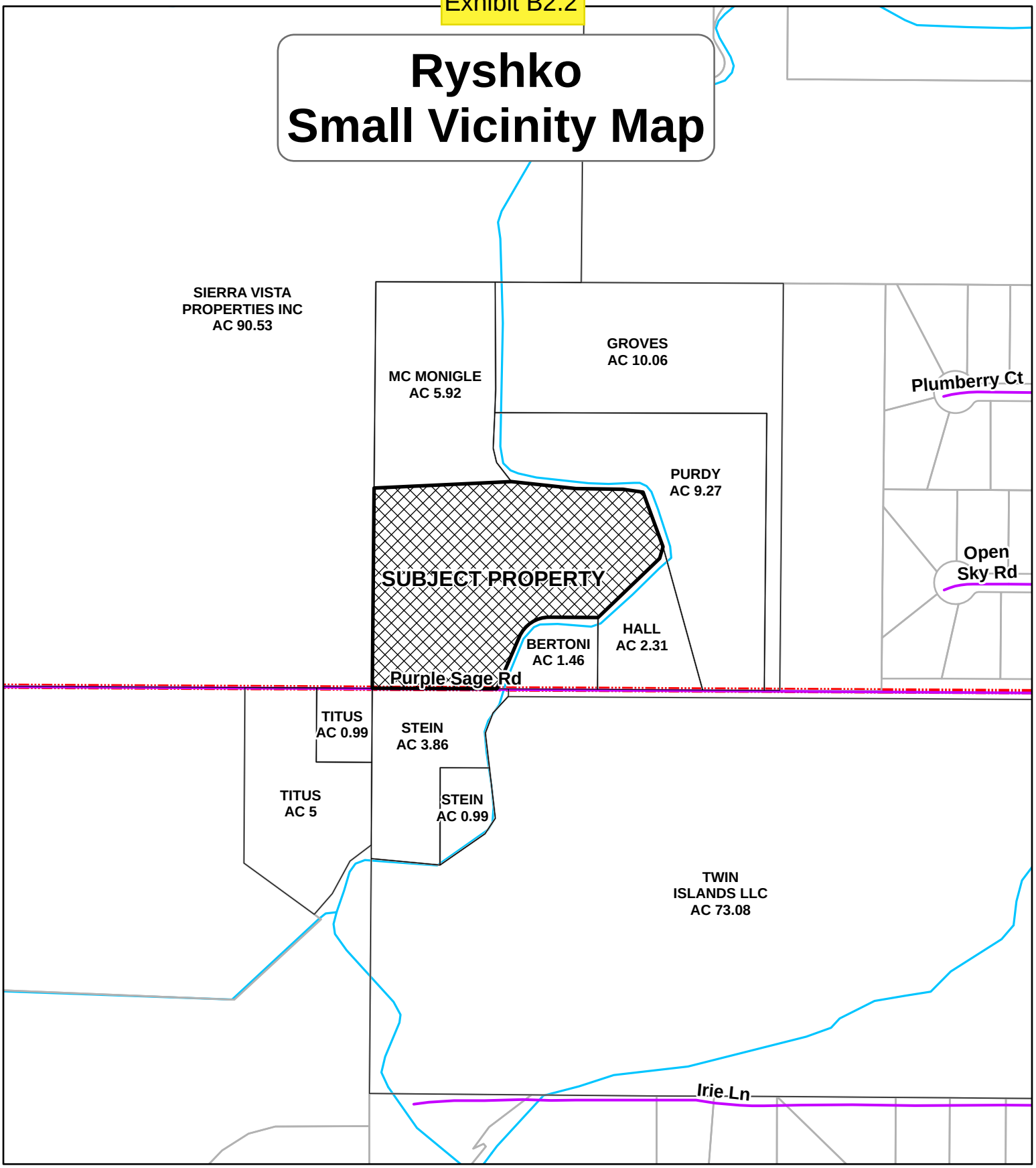


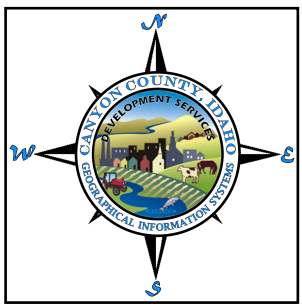
City_Limits
Wetlands

0 0.25 0.5 Miles

Exhibit B2.2

Ryshko
Small Vicinity Map





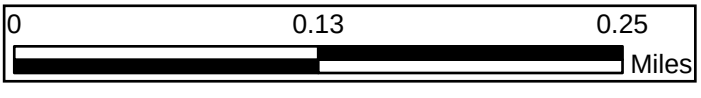
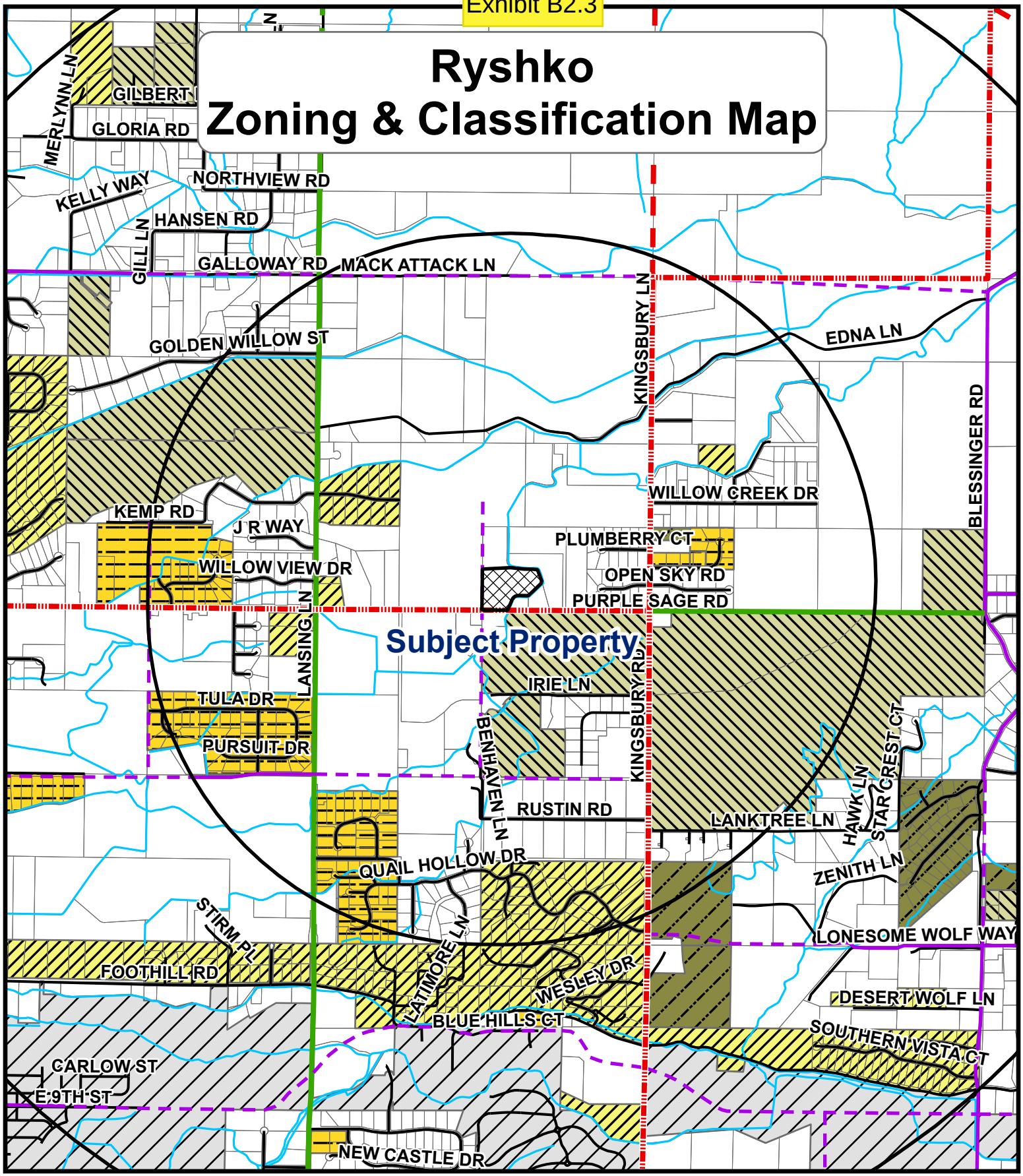


Exhibit B2.3

Ryshko
Zoning & Classification Map



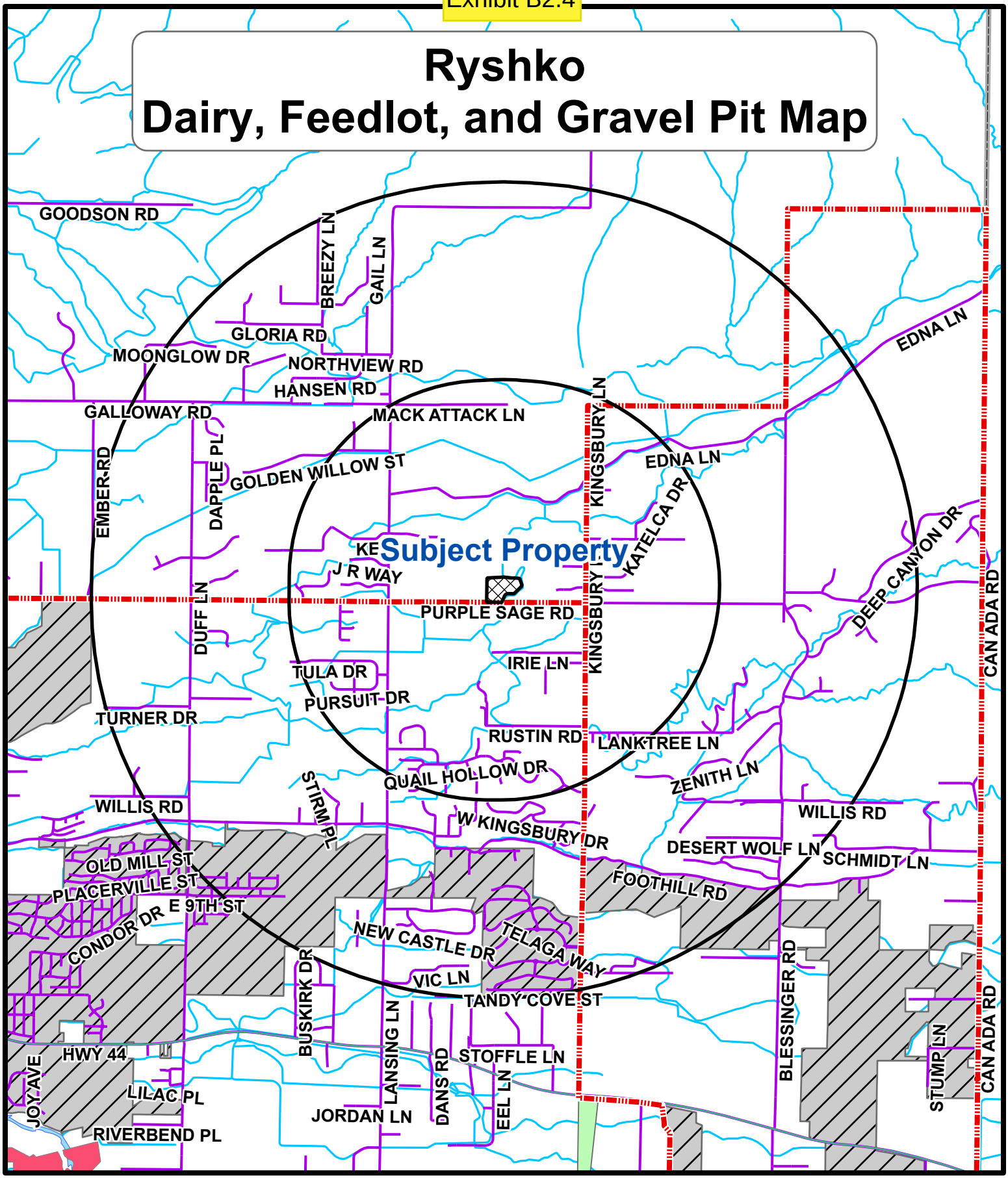
CANYON COUNTY, IDAHO — DEVELOPMENT SERVICES — GEOGRAPHICAL INFORMATION SYSTEMS

RR	C2	OTHER FREEWAY/ EXPRESSWAY	PROPOSED PRINCIPAL ARTERIAL
CR-RR	CR-C2		
R1	M1	PROPOSED OTHER FREEWAY/ EXPRESSWAY	MINOR ARTERIAL
CR-R1	CR-M1		PROPOSED MINOR ARTERIAL
R2	M2	PRINCIPAL ARTERIAL	COLLECTOR
C	AG		PROPOSED COLLECTOR
C1	INTERSTATE		
CR-C1			

0 0.25 0.5 Miles

Exhibit B2.4

Ryshko
Dairy, Feedlot, and Gravel Pit Map



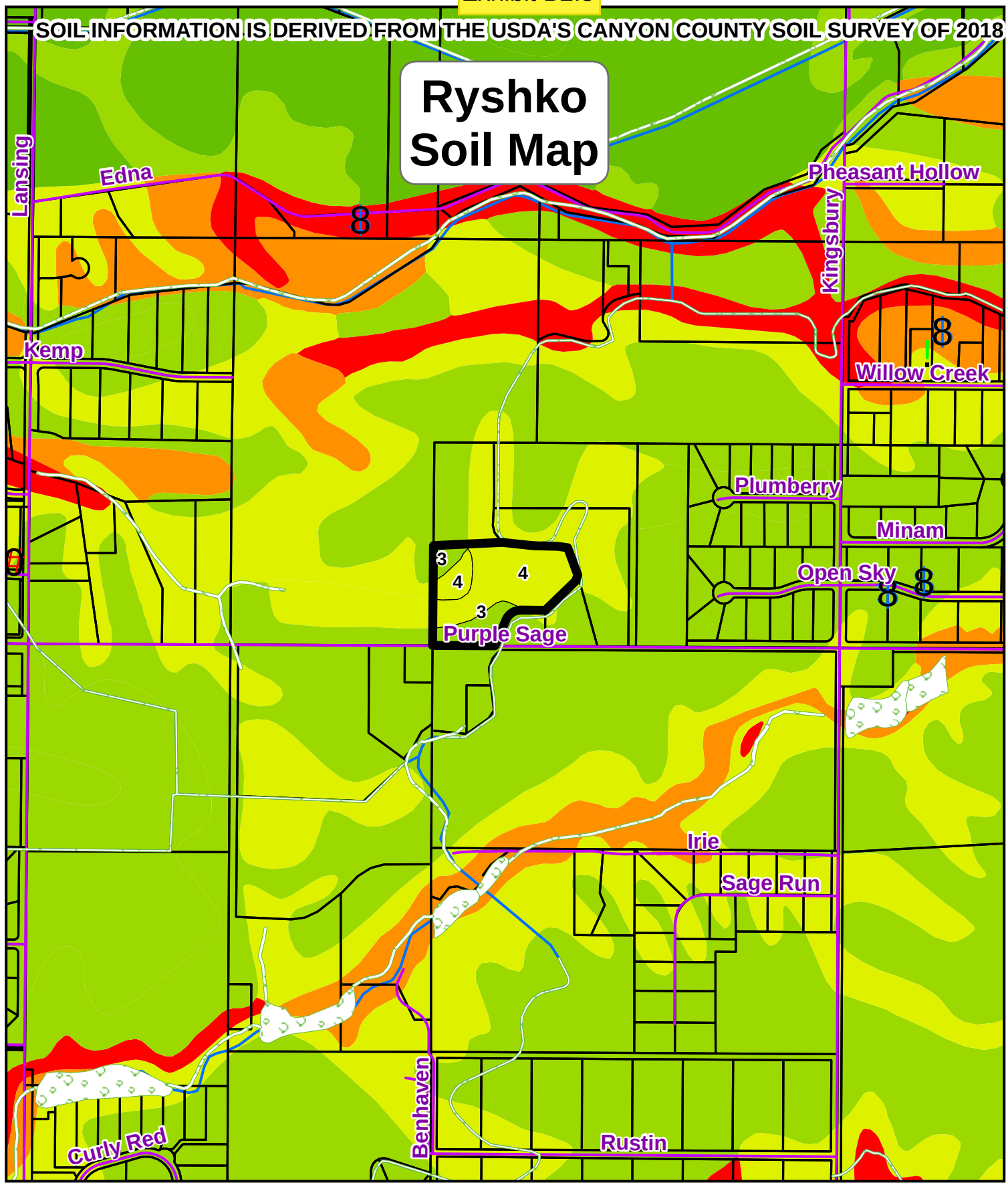
FEEDLOTS

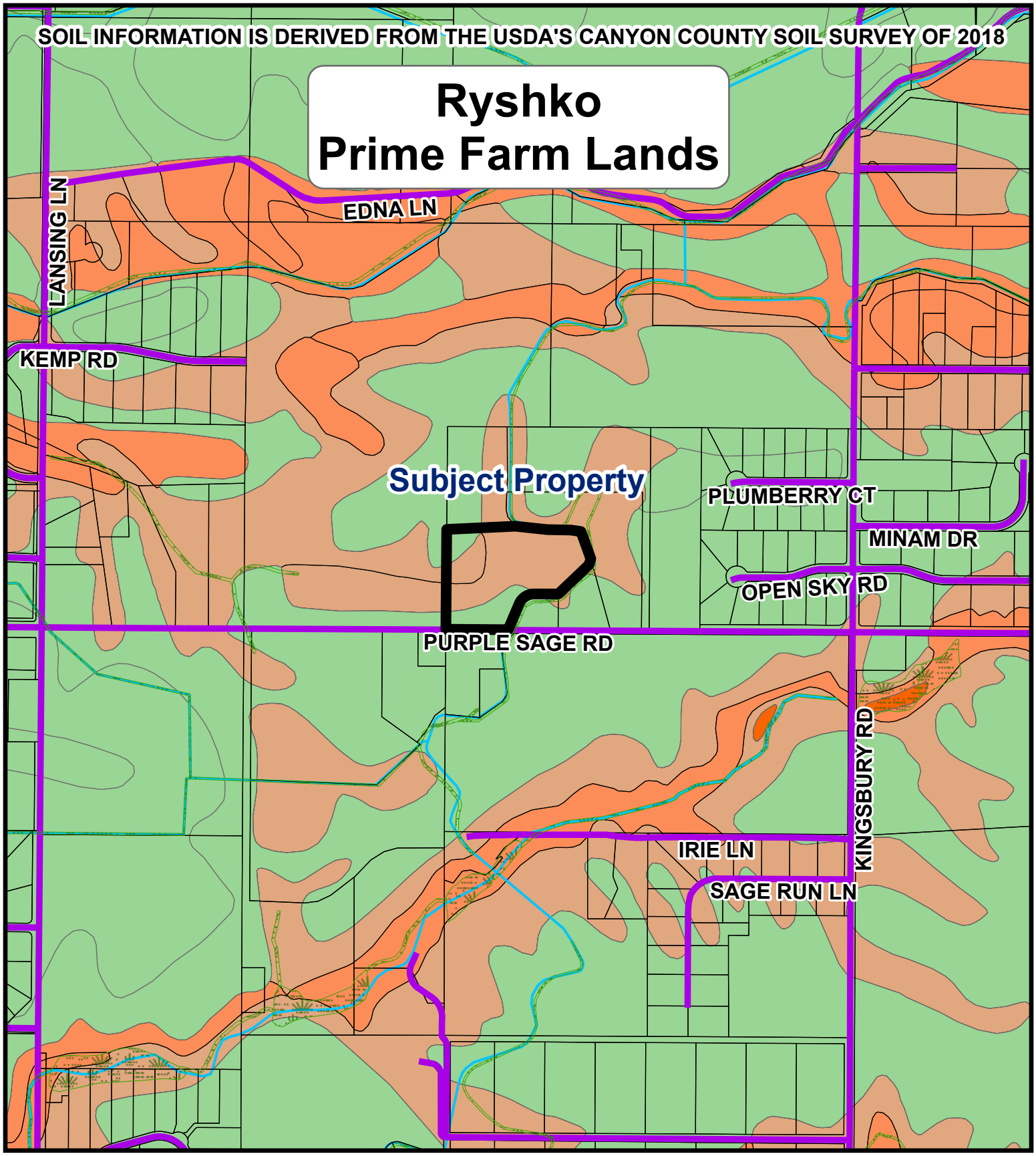
DAIRIES

GRAVELPITS

0 0.75 1.5 Miles

Exhibit B2.5


SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018
Ryshko Soil Map
Lansing
Edna
Pheasant Hollow
Kingsbury
Kemp
Willow Creek
Plumberry
Minam
Open Sky
Purple Sage
Irie
Sage Run
Benhaven
Curly Red
Rustin
3
4
4
3
8
8
8
8
0
Nitrate Priority Wells
0.005000 - 2.000000
2.000001 - 5.000000
5.000001 - 10.000000
10.000001 - 49.800000
IDWR_2C_Geothermal_
Wetlands
0
0.25
0.5
Miles


SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018
Ryshko
Prime Farm Lands
LANSING LN
EDNA LN
KEMP RD
Subject Property
PLUMBERRY CT
MINAM DR
OPEN SKY RD
PURPLE SAGE RD
KINGSBURY RD
IRIE LN
SAGE RUN LN
TAXLOTS
City_Limits
WETLANDS
2C_Hydro
FARMLAND
Farmland of statewide importance
Farmland of statewide importance, if irrigated
Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
Not prime farmland
Water/Gravel Pit/ Rock outcrop/ Riverwash/ Terrace Escarpments
Prime farmland if irrigated
Prime farmland if irrigated and drained
Prime farmland if irrigated and reclaimed of excess salts and sodium
0
0.125
0.25
Miles

SOIL REPORT

SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
4	MODERATELY SUITED SOIL	304065.92	6.98	63.84%
4	MODERATELY SUITED SOIL	52186.79	1.20	10.96%
3	MODERATELY SUITED SOIL	120077.67	2.76	25.21%
		476330.38	10.94	100%

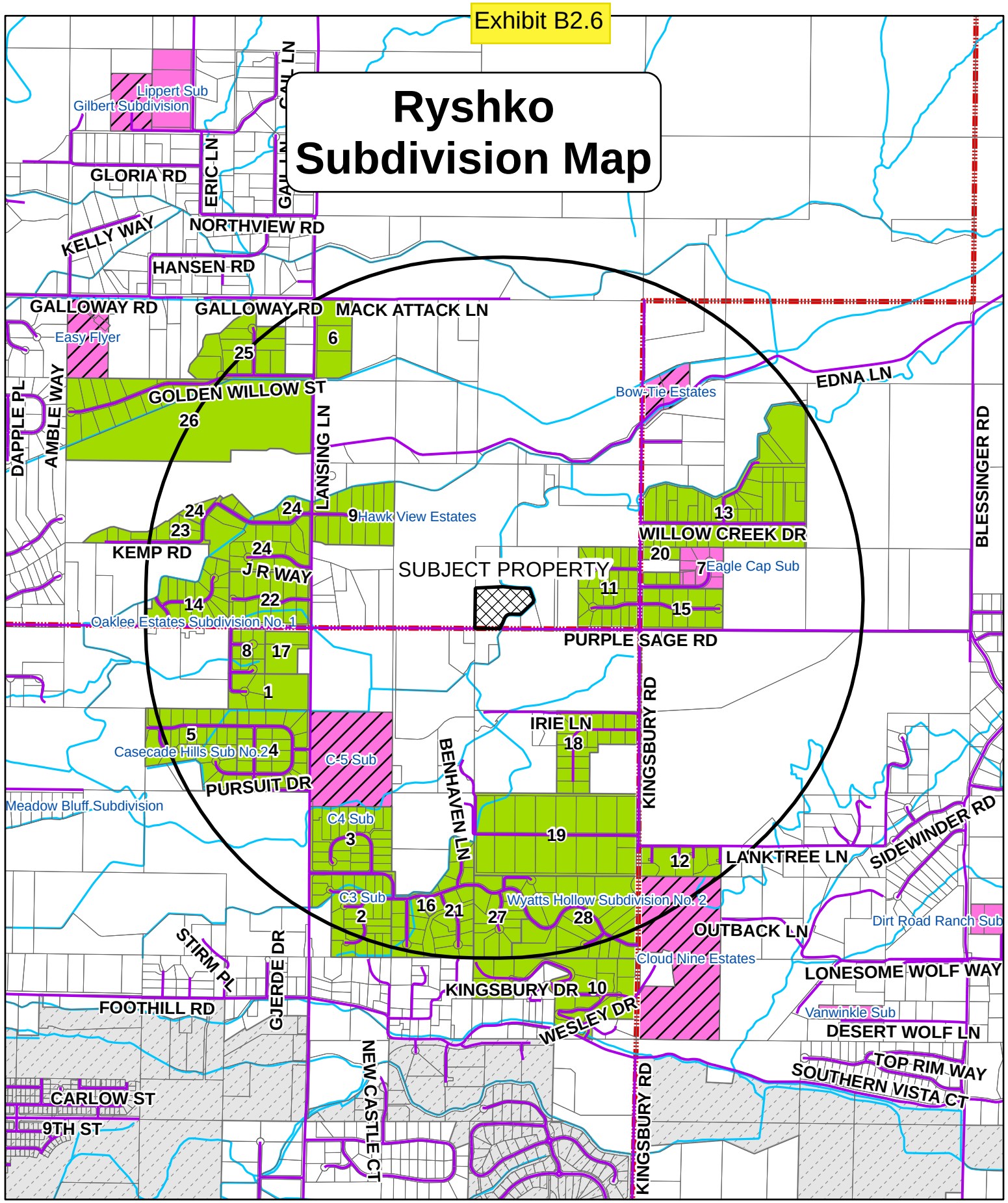
FARMLAND REPORT

SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
PhC	Farmland of statewide importance, if irrigated	304065.92	6.98	63.84%
EvC	Farmland of statewide importance, if irrigated	52186.79	1.20	10.96%
EsB	Prime farmland if irrigated	120077.67	2.76	25.21%
		476330.38	10.94	100%

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

Exhibit B2.6

Ryshko Subdivision Map



SUBDIVISION & LOT REPORT

NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
28	903.98	442	2.05

NUMBER OF SUBS IN PLATTING	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
11	419.20	254	1.65

NUMBER OF LOTS NOTIFIED	AVERAGE	MEDIAN	MINIMUM	MAXIMUM
15	17.68	9.27	0.99	90.53

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

PLATTED SUBDIVISIONS

SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF...	Year
BLACKMON ACRES	1	5N2W33	16.86	5	3.37	COUNTY (Canyon	2004
C-3 SUBDIVISION	2	5N2W34	33.03	30	1.10	COUNTY (Canyon	2021
C-4 SUBDIVISION	3	5N2W34	31.43	25	1.26	COUNTY (Canyon	2023
CASCADE HILLS SUBDIVISION NO. 1	4	5N2W33	36.67	26	1.41	COUNTY (Canyon	2021
CASCADE HILLS SUBDIVISION NO. 2	5	5N2W33	33.20	26	1.28	COUNTY (Canyon	2022
CREEKSIDE RANCH ESTATES	6	5N2W27	17.42	3	5.81	COUNTY (Canyon	2003
EAGLE CAP SUBDIVISION	7	5N2W26	14.29	11	1.30	COUNTY (Canyon	2024
GRAY HAWK SUB	8	5N2W33	10.01	9	1.11	COUNTY (Canyon	2003
HAWK VIEW ESTATES SUBDIVISION	9	5N2W27	26.83	12	2.24	COUNTY (Canyon	2024
KINGSBURY ESTATES	10	4N2W03	46.32	17	2.72	COUNTY (Canyon	1972
KINGSBURY MEADOWS SUBDIVISION	11	5N2W27	30.05	25	1.20	COUNTY (Canyon	2007
LANKTREE ESTATES	12	5N2W35	15.01	7	2.14	COUNTY (Canyon	1998
MILLS WILLOW CREEK	13	5N2W26	82.92	38	2.18	COUNTY (Canyon	1987
OAKLEE ESTATES NO. 1	14	5N2W28	24.46	17	1.44	CANYON COUNTY	2024
PURPLE SKY RANCH	15	5N2W26	19.96	10	2.00	COUNTY (Canyon	2004
RE-PLAT OF LOT 14, THE RIDGE AT (	16	5N2W34	1.00	1	1.00	COUNTY (Canyon	2019
REPLAT OF PONY MEADOW SUBDIV	17	5N2W33	9.26	2	4.63	COUNTY (Canyon	2021
SAGE RUN ESTATES	18	5N2W34	26.02	21	1.24	COUNTY (Canyon	2001
SLOVIACZEK SUB	19	5N2W34	80.17	17	4.72	COUNTY (Canyon	1971
SUNSET VIEW SUBDIVISION	20	5N2W26	2.91	2	1.45	COUNTY (Canyon	2025
THE RIDGE AT QUAIL HOLLOW	21	5N2W34	41.58	26	1.60	COUNTY (Canyon	2007
WILLOW CRK RCH ESTATES #1	22	5N2W28	26.90	16	1.68	COUNTY (Canyon	1993
WILLOW CRK RCH ESTATES #2	23	5N2W28	14.92	8	1.87	COUNTY (Canyon	1998
WILLOW CRK RCH ESTATES #3	24	5N2W28	39.39	22	1.79	COUNTY (Canyon	2004
WILLOWVIEW SUB	25	5N2W28	29.88	14	2.13	COUNTY (Canyon	2005
WILLOWVIEW SUB #2	26	5N2W28	113.75	16	7.11	COUNTY (Canyon	2006
WYATT'S HOLLOW SUBDIVISION NO	27	5N2W34	20.77	13	1.60	COUNTY (Canyon	2014
WYATT'S HOLLOW SUBDIVISION NO	28	5N2W34	58.98	23	2.56	COUNTY (Canyon	2024

SUBDIVISIONS IN PLATTING

SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE
Hawk View Estates	26.75	12	2.23
Wyatts Hollow Subdivision No. 2	59.10	23	2.57
C4 Sub	31.43	24	1.31
Eagle Cap Sub	2.54	13	0.20
Eagle Cap Sub	8.85	13	0.68
C3 Sub	32.23	27	1.19
Casecade Hills Sub No.2	33.23	26	1.28
Oaklee Estates Subdivision No. 1	54.90	36	1.53
C-5 Sub	86.41	34	2.54
Cloud Nine Estates	72.79	44	1.65
Bow-Tie Estates	10.97	2	5.48

MOBILE HOME & RV PARKS

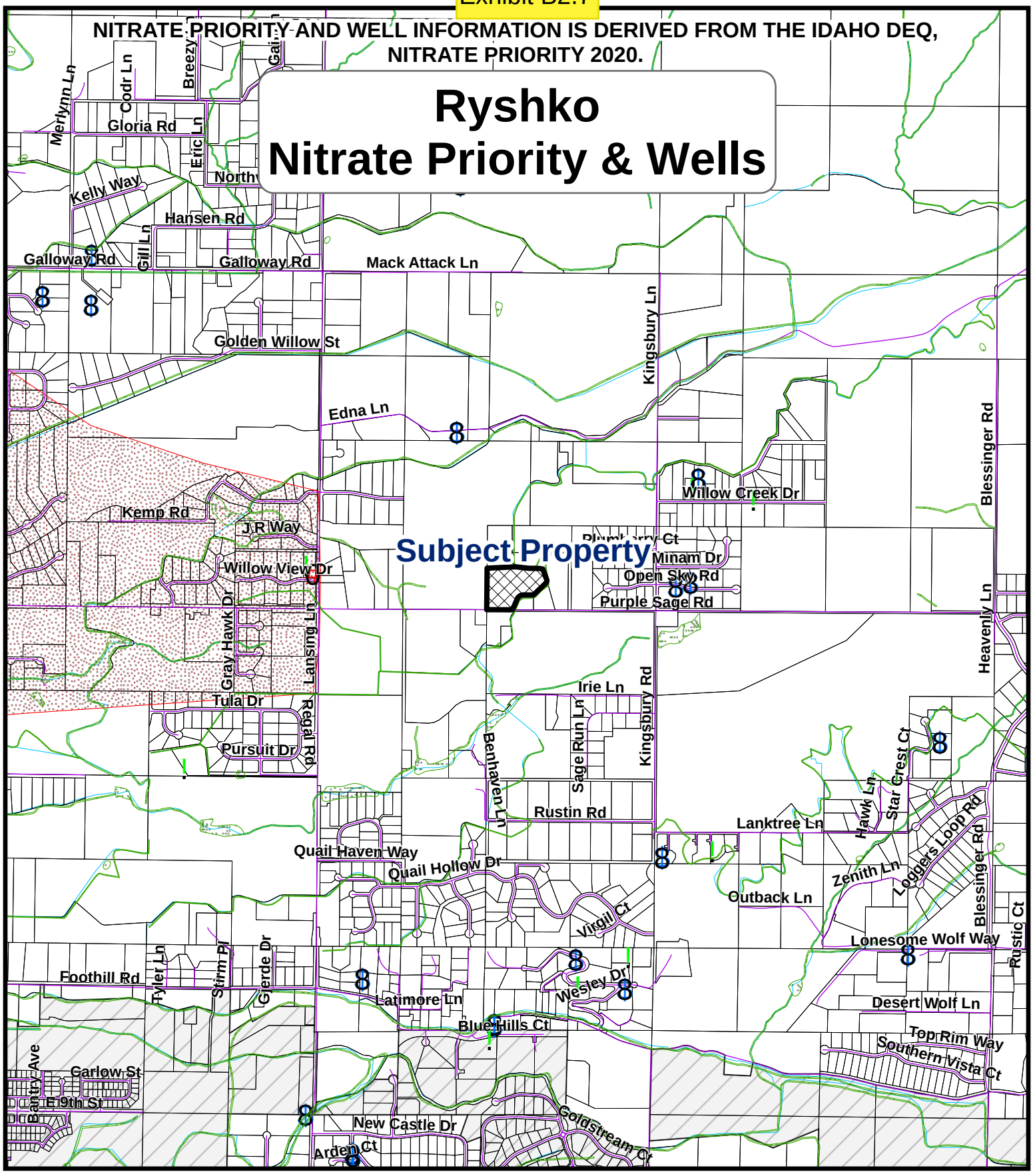
SUBDIVISION NAME	SITE ADDRESS	ACRES	NO. OF SPACES	UNITS PER ACRE	CITY OF...

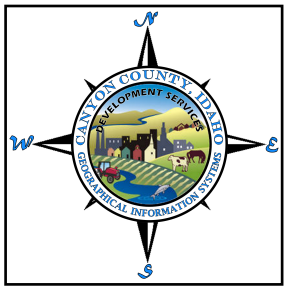
GRADE	SOILTYPE
1	BEST SUITED SOIL
2	BEST SUITED SOIL
3	MODERATELY SUITED SOIL
4	MODERATELY SUITED SOIL
5	LEAST SUITED SOIL
6	LEAST SUITED SOIL
7	LEAST SUITED SOIL
8	LEAST SUITED SOIL
9	LEAST SUITED SOIL

Exhibit B2.7

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

Ryshko
Nitrate Priority & Wells





GEO-THERMAL LOCATIONS

WETLANDS

NITRATE_PRIORITY

DEQ WELLS
N03_MGL

0.005 - 2.00

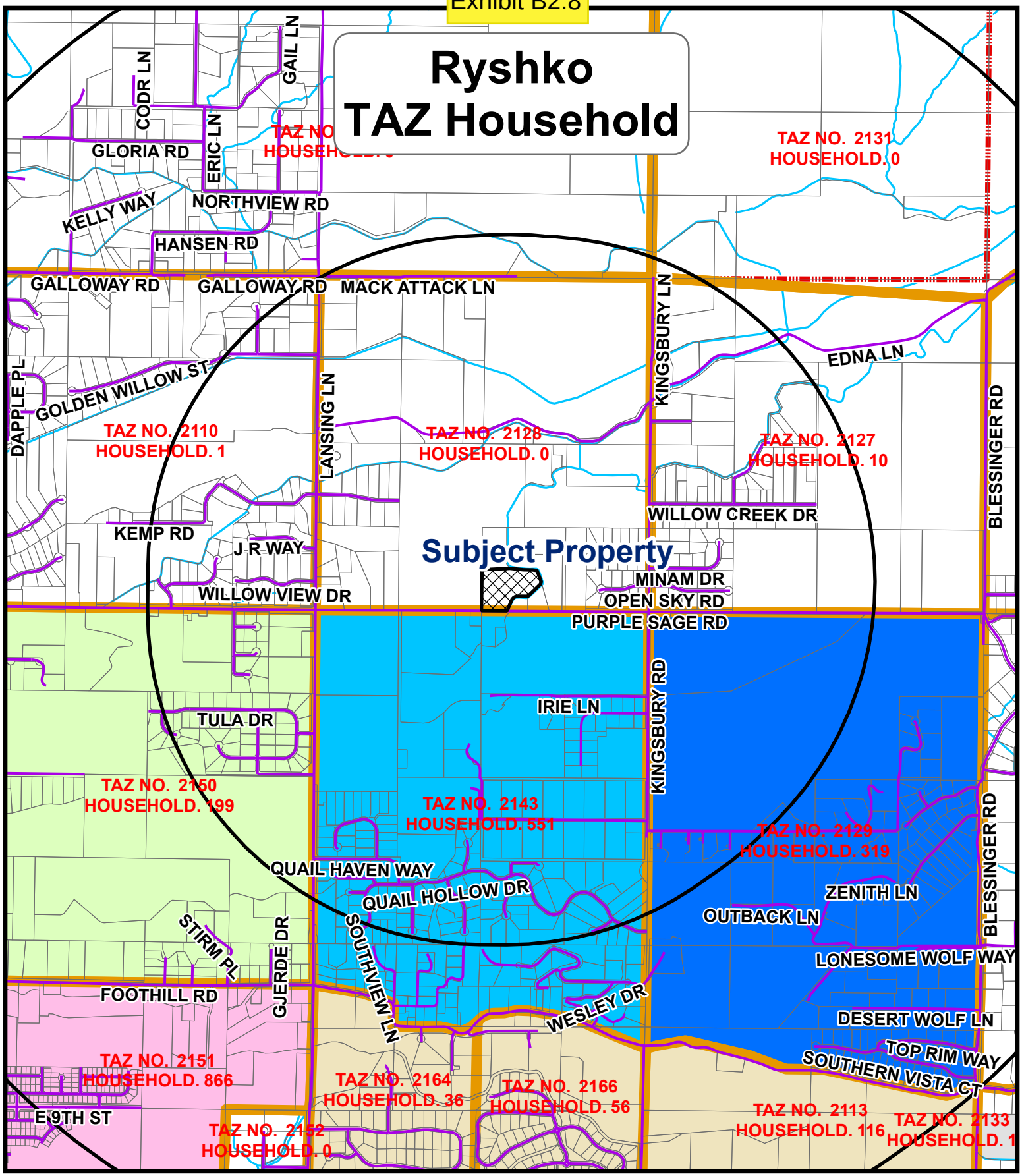
2.000001 - 5.00

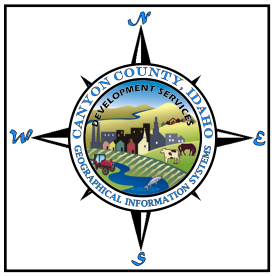
5.0000001 - 10.00

10.000001 - 49.80

0 0.5 1 Miles

Exhibit B2.8





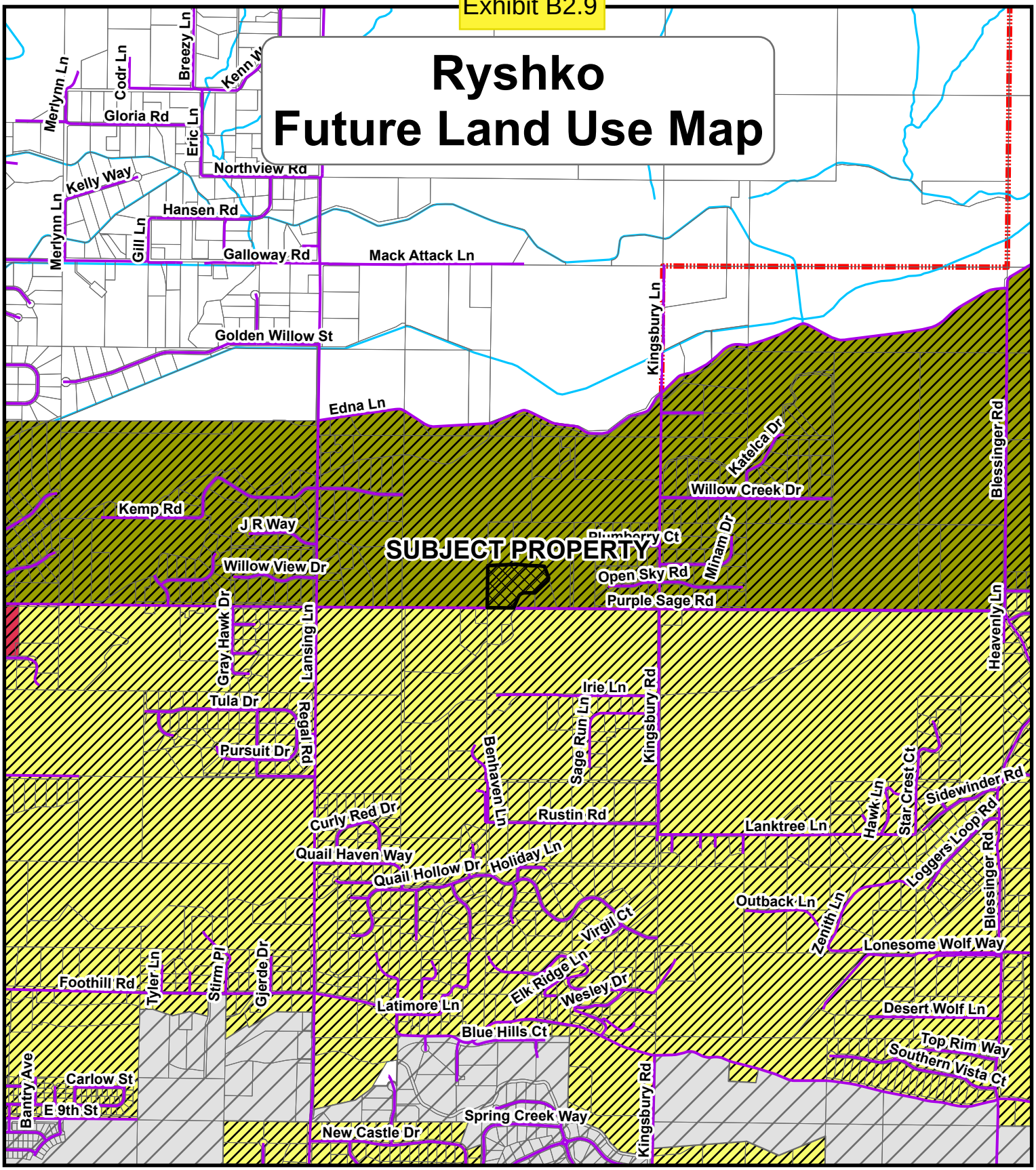
House Hold 2025-2050

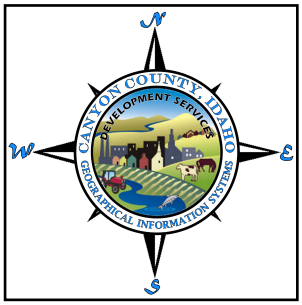
-4 - 50	251 - 500
51 - 150	501 - 750
151 - 250	751 - 1263

0 0.5 1 Miles

Exhibit B2.9

Ryshko
Future Land Use Map





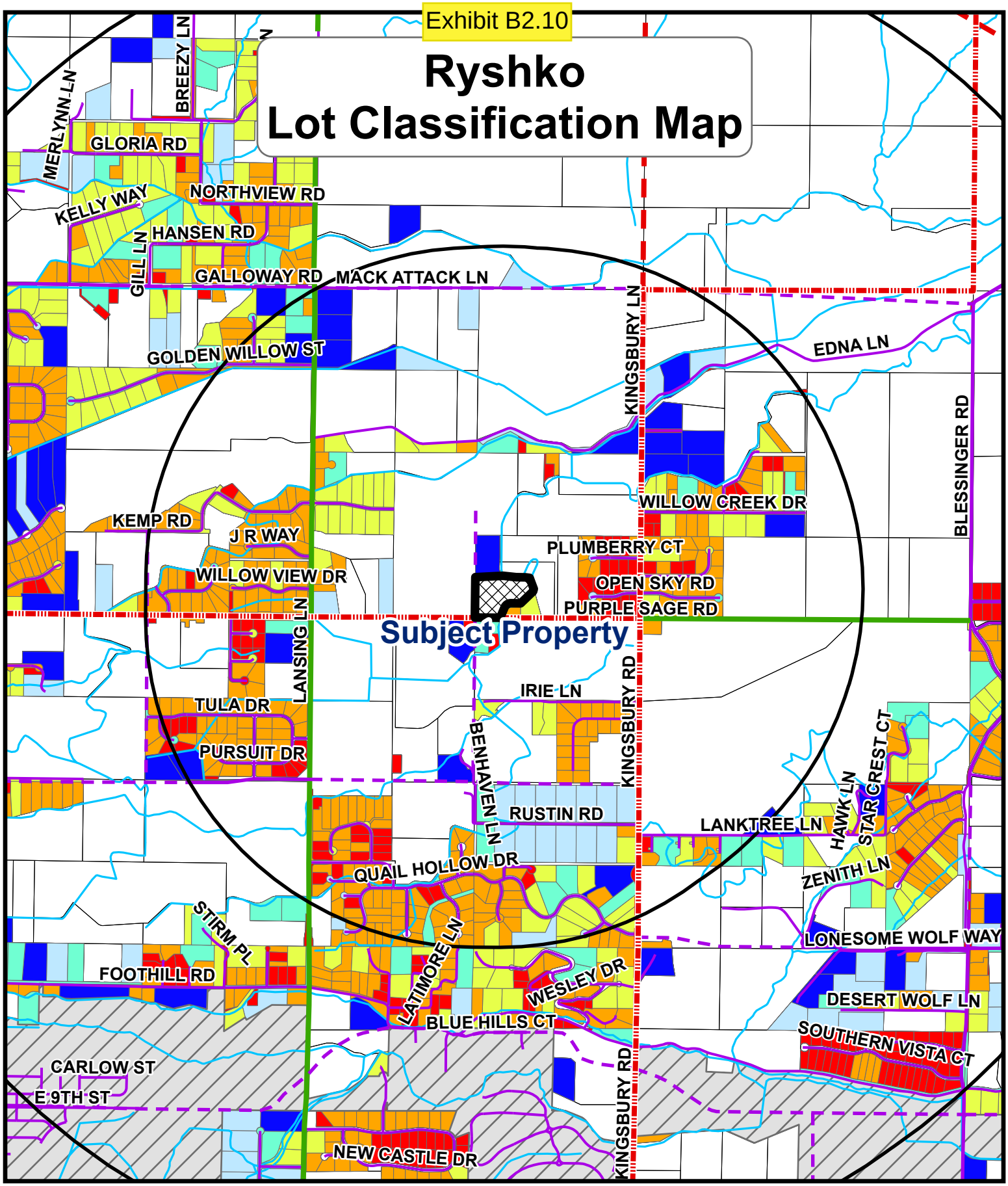
Future Land Use 2030

- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL
- RURAL RESIDENTIAL

0 0.5 1 Miles

Exhibit B2.10

Ryshko
Lot Classification Map



Lot Size

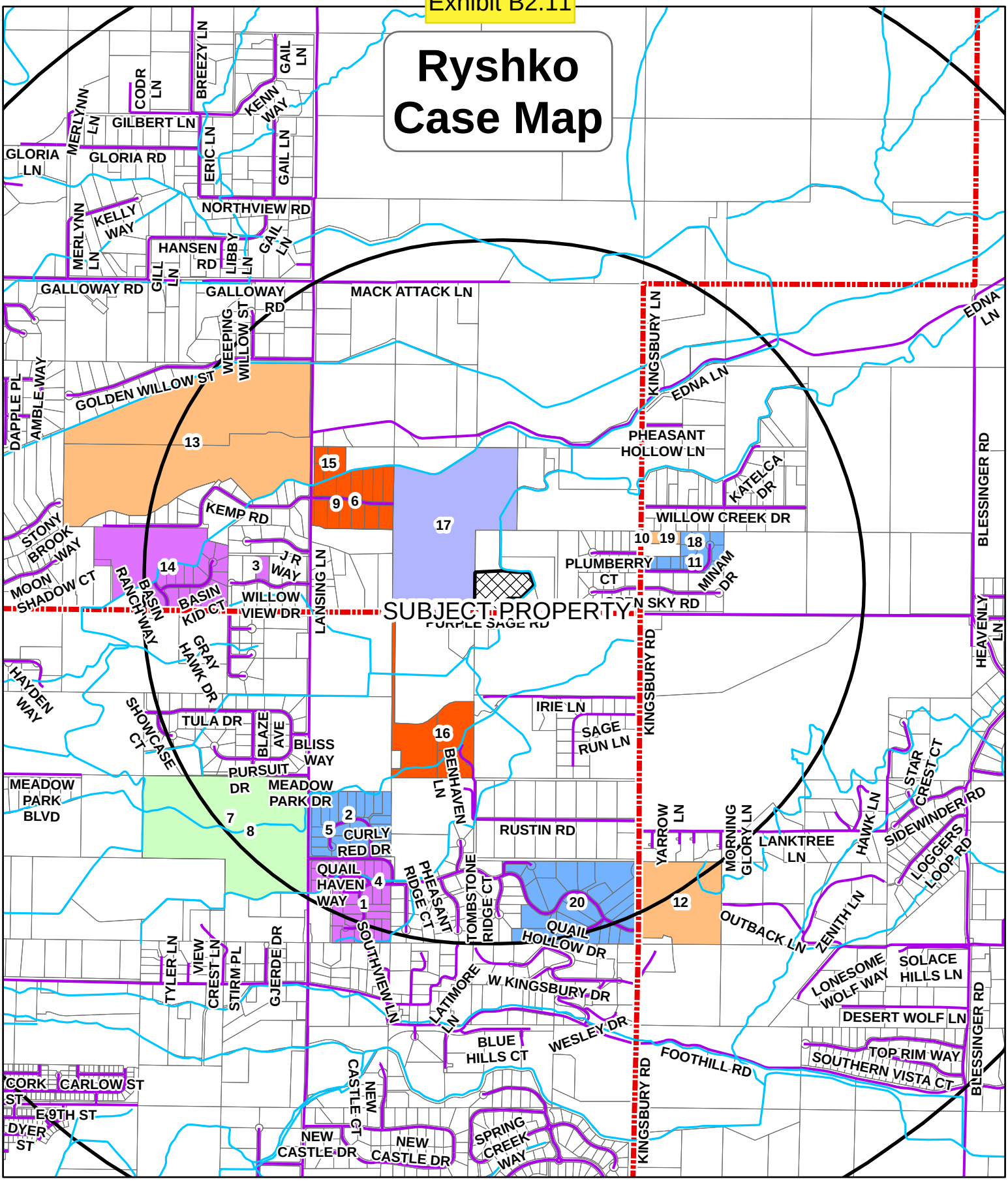
- 0.0 - 1.0
- 1.1 - 2.0
- 2.1 - 3.0
- 3.1 - 4.0
- 4.1 - 5.0
- 5.1 - 6.0

- INTERSTATE
- OTHER FREEWAY/ EXPRESSWAY
- PROPOSED OTHER FREEWAY/ EXPRESSWAY
- PRINCIPAL ARTERIAL
- PROPOSED PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- PROPOSED MINOR ARTERIAL
- COLLECTOR
- PROPOSED COLLECTOR

0 0.17 0.35 Miles

Exhibit B2.11

Ryshko Case Map



Year
2020
2021
2022
2023
2024
2025

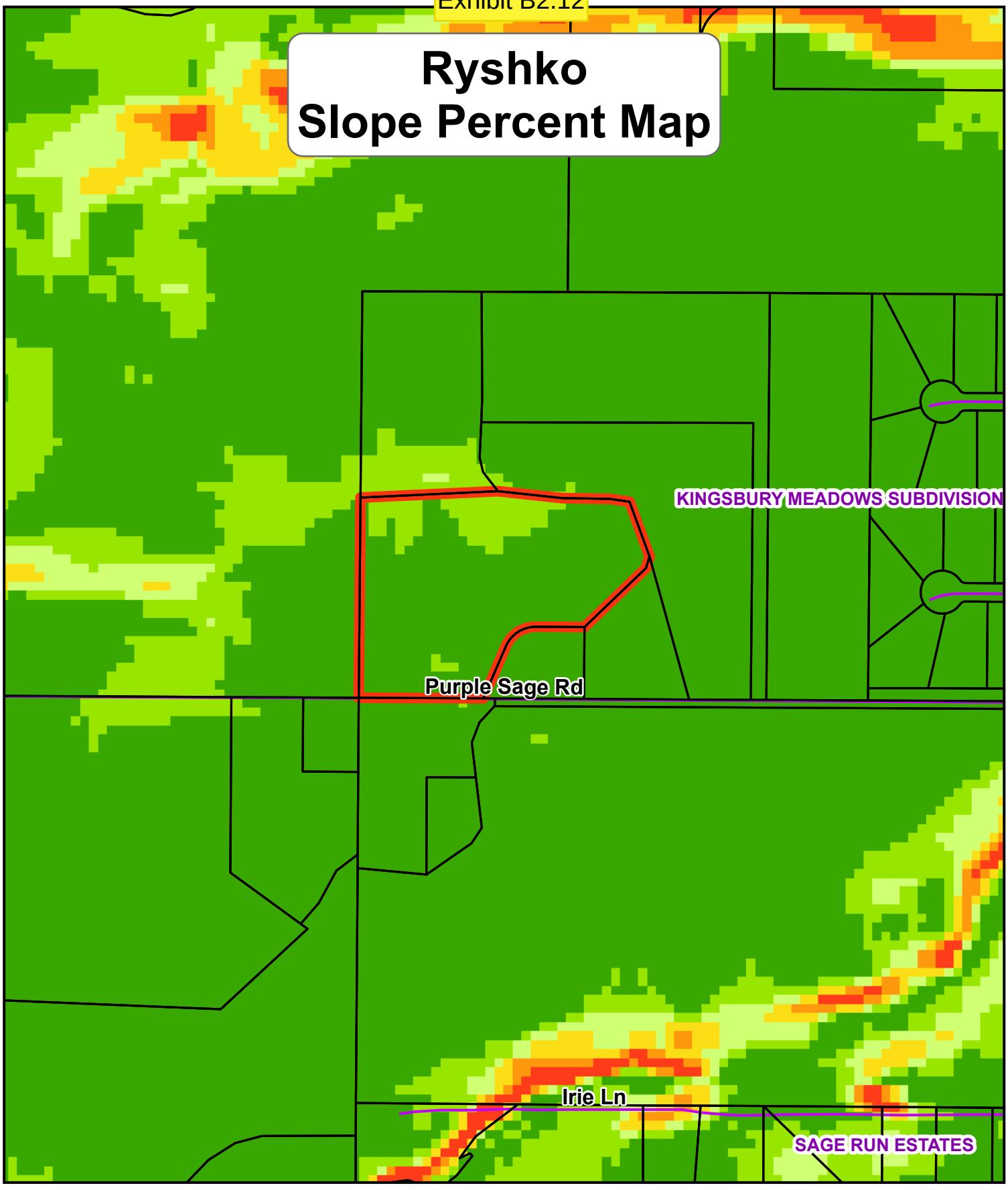
0 0.5 1 Miles

CASE SUMMARY

ID	CASENUM	REQUEST	CASENAME	FINALDECIS
1	SD2020-0011	Preliminary Plat - C3	C3	APPROVED
2	SD2021-0008	Plat - C4 sub	C4 Callister, LLC	APPROVED
3	CU2019-0025	CUP Special Events Facility	CU2019-0025	APPROVED
4	RZ2020-0006	Rezone AG to R1	Callister LLC	APPROVED
5	CR2021-0010	Rezone AG to R1	Callister, LLC	APPROVED
6	RZ2021-0034	Rezone A to RR	Cotner John	APPROVED
7	RZ2021-0056	Rezone AG to CR-R1	Farmington Hills	DENIED
8	SD2021-0059	Farmington Hills Plat - 492 lots	Farmington Hill Sub	DENIED
9	SD2021-0021	Preliminary Plat	Hawk View Estates	APPROVED
10	CR2023-0001	Rezone AG to CR-R1	Johns	APPROVED
11	SD2021-0033	Preliminary Plat	Johnston	APPROVED
12	CR2022-0003	AG to CR-R1	LWD Development, Inc	APPROVED
13	CR2022-0016	Conditional Rezone from Ag to CR-RF	MDC LLC/Carter	APPROVED
14	SD2020-0003	Oaklee Estates Sub	Oaklee Estates Sub	APPROVED
15	RZ2021-0012	Rezone AG to R1	Reynolds Brothers, LLC	DENIED
16	RZ2021-0036	Rezone AG to CR-R1	Richards/ Larsen	APPROVED
17	RZ2022-0011	Rezone AG to RR	Sierra Vista PRoperties	DENIED
18	RZ2020-0024	Rezone AG to R1	Spohn	APPROVED
19	SD2023-0001	Short plat - 2 lots	Sunset View Subdivision	APPROVED
20	SD2019-0039	Plat - Watt's Hollow Sub	Wyatt's Hollow Sub	APPROVED

Exhibit B2.12

Ryshko
Slope Percent Map



Slope Percent

0.001 - 3	9.001 - 12
3.001 - 6	12.001 - 14.999
6.001 - 9	15 - 202.718

0 200 400 600 Feet

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RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

Exhibit B3

Wm. Lyman Belnap
Belnap Legal, PLLC
12550 W. Explorer Drive, Suite 100
Boise, ID 83713

2023-037100
RECORDED
11/17/2023 02:56 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=14 JWINSLOW $49.00
TYPE: EASEMENT
PIONEER TITLE CANYON - CALDWELL
ELECTRONICALLY RECORDED

EASEMENT AND MAINTENANCE AGREEMENT

This Easement and Maintenance Agreement ("Agreement") is made and entered into effective as of November 17, 2023 by and among Charles C. McMonigle and Cecile M. McMonigle, husband and wife (jointly "Grantee"), whose current address is 8500 Purple Sage Rd., Middleton, ID 83644, and Sergii Ryshko and Oksan Ryshko, husband and wife (jointly "Grantor"), whose current address is 6073 W Mikonos Meridian ID 83646.

1. Background.

1.1 Burdened Real Property. Grantee is the owner of the real property described on ***Exhibit A*** attached ("Burdened Real Property").

1.2 Benefited Real Property. Grantee is also the owner of the real property described on ***Exhibit B*** attached.

1.3 Grant of Easement. The Grantee has requested the Grantor to convey to the Grantee a nonexclusive easement on a portion of the Grantor Real Property in favor of the Benefited Real Property for the purposes described in Section 2.2 below. The portion of the Grantor Real Property that has been requested for the easement is described on ***Exhibit C*** attached and depicted on ***Exhibit D*** ("Easement Real Property").

1.4 Purpose of Agreement. The purposes of this Agreement are (i) to describe the easement granted, and (ii) to establish the relative rights and obligations of the parties regarding the easement reserved under this Agreement.

2. Grant of Easement.

2.1 Grant. As a condition to selling the Burdened Property to Grantor, Grantee hereby reserves unto Grantee an access and utilities easement on the Easement Real Property ("Easement").

2.2 Purposes of Easement. The Easement is reserved solely for ingress/egress and utilities and no other.

2.3 Term of Easement. The term of this Agreement shall be perpetual.

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2.4 Covenants and Agreements. Grantee and Grantor, on behalf of the Grantee and Grantor and their respective heirs, successors, assigns, purchasers, or transferees of any kind, each covenants and agrees with the other and each other's respective heirs, successors, assigns, purchasers, or transferees of any kind, that the provisions of this Agreement and Easement reserved hereby (i) shall run with and bind the Easement Real Property, and (ii) shall inure to the benefit of, and be enforceable (at law or in equity) by any owner of all or part of, the Benefited Real Property and the Burdened Real Property.

2.5 Improvements, Repair and Maintenance. At Grantor's sole expense, Grantor is authorized to prepare the road base and install asphalt pavement on the Easement Real Property ("Improvement"). Except as limited in this Section 2.5, Grantee and Grantor shall divide pro rata (excluding the cost of the Improvement which shall be paid by Grantor) and pay all expenses of repairing and maintaining (including without limitation snow removal) the Easement. If damage to the Improvement or Easement Property is the result of an act of a party or the party's guests or invitees, the cost of repairing said damage shall be the sole responsibility of said party. Any other repair or maintenance cost in excess of $250 annually shall be agreed upon in advance. In the event that Grantee and Grantor are unable to reach such an agreement after good-faith negotiations, the parties agree to each designate a mediator who will then select a third mediator to address the issue. The parties agree that the results of any such mediation shall be binding upon the parties. All damage to the Improvement or Easement Real Property shall be repaired as promptly as is reasonably possible.

2.6 Contribution to Repair and Maintenance Based on Usage. It is recognized that both the Benefited Real Property and the Burdened Real Property may be developed and future transferees may use the existing Easement or future improvements that may be constructed on the Easement Real Property. In such an event, Grantee and the Grantor desire to allocate repair, maintenance, and all other costs related to the Easement pro rata based upon the ultimate number of occupied lots on the Burdened Property and/or the Benefited Property. Therefore, Grantee and Grantor, on behalf of Grantee and Grantor and their respective heirs, successors, assigns, purchasers, or transferee of any kind, each covenants and agrees that all costs or expenses related to the improvements on the Easement Real Property (including, without limitation, all costs of maintenance and repair) shall be allocated pro rata among persons or individuals owning all or part of the Grantor Real Property or the Benefited Real Property based upon the number of occupancy permits issued to lot owners on the respective Property. As an example, if the Burdened Property has 5 occupancy permits issued to lot owners and the Benefited Property has 2 occupancy permits issued to lot owners, the Burdened Property would be allocated 5/7ths of the costs of maintenance and repair and the Benefited Property would be allocated 2/7ths of said costs.

3. General Provisions.

3.1 Attorney Fees and Costs. If a suit, action, or other proceeding arising out of or related to this Easement Agreement is instituted by any party to this Easement Agreement, the prevailing party shall be entitled to recover its reasonable attorney fees, expert witness fees, and costs (i) incurred in any settlement negotiations, (ii) incurred in preparing for, prosecuting or defending any suit, action, or other proceeding, and (iii) incurred in preparing for, prosecuting or defending any appeal of any suit, action, or other proceeding. For the purpose of this section, "attorney fees" shall mean and include (i) attorney fees and (ii) paralegal fees. This Section shall

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survive and remain enforceable notwithstanding any rescission of this Easement Agreement or a determination by a court of competent jurisdiction that all or any portion of the remainder of this Easement Agreement is void, illegal, or against public policy.

3.2 Governing Law, Jurisdiction, and Venue. This Agreement shall be construed and interpreted in accordance with the laws of the State of Idaho. The parties agree that the courts of Idaho shall have exclusive jurisdiction and agree that Canyon County is the proper venue.

3.3 Time of the Essence. Time is of the essence with respect to the obligations to be performed under this Agreement.

3.4 Rights Cumulative. Except as expressly provided in this Agreement, and to the extent permitted by law, any remedies described in this Agreement are cumulative and not alternative to any other remedies available at law or in equity.

3.5 Nonwaiver of Remedies. The failure or neglect of a party to enforce any remedy available by reason of the failure of the other party to observe or perform a term or condition set forth in this Agreement shall not constitute a waiver of such term or condition. A waiver by a party (i) shall not affect any term or condition other than the one specified in such waiver, and (ii) shall waive a specified term or condition only for the time and in a manner specifically stated in the waiver.

3.6 Successors and Assigns. Burdened to any express provisions in this Agreement regarding restrictions on transfers or assignments, this Agreement shall be binding upon and inure to the benefit of the parties and their respective successors, assigns, heirs, personal representatives, purchasers, or transferees of any kind.

3.7 Entire Agreement. All Exhibits to this Agreement constitute a part of this Agreement. This Agreement, together with the accompanying Exhibits, constitutes the entire agreement among the parties and supersedes all prior memoranda, correspondence, conversations and negotiations.

GRANTEE:

Dated: 11-17-2023

Charles C. McMonigle

Charles C. McMonigle

Dated: 11/17/2023

Cecile M. McMonigle

Cecile M. McMonigle

GRANTOR:

Dated: 11/17/2023

Sergii Ryshko

Dated: 11/17/2023

Oksan Ryshko

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STATE OF IDAHO)
) ss.
County of ~~Canyon~~ Ada)

On this 17 day of Nov, 2023, before me, a Notary Public in and for the State of Idaho, personally appeared Charles C. McMonigle, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

KIM GEIS
COMMISSION #40458
NOTARY PUBLIC
STATE OF IDAHO
MY COMM. EXPIRES JUL 30, 2027

Kim Geis
NOTARY PUBLIC FOR IDAHO
Residing at Meridian, Idaho
My Commission Expires _____

STATE OF IDAHO)
) ss.
County of ~~Canyon~~ Ada)

On this 17 day of Nov, 2023, before me, a Notary Public in and for the State of Idaho, personally appeared Cecile M. McMonigle, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

KIM GEIS
COMMISSION #40458
NOTARY PUBLIC
STATE OF IDAHO
MY COMM. EXPIRES JUL 30, 2027

Kim Geis
NOTARY PUBLIC FOR IDAHO
Residing at Meridian, Idaho
My Commission Expires _____

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STATE OF IDAHO)
County of ~~Canyon~~ Ada) ss.

On this 17 day of Nov, 2023, before me , a Notary Public in and for the State of Idaho, personally appeared Sergii Ryshko, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

KIM GEIS
COMMISSION #40458
NOTARY PUBLIC
STATE OF IDAHO
MY COMM. EXPIRES JUL 30, 2027

Kim Geis
NOTARY PUBLIC FOR IDAHO
Residing at Meridian, Idaho
My Commission Expires _____

STATE OF IDAHO)
County of ~~Canyon~~ Ada) ss.

On this 17 day of Nov, 2023, before me, a Notary Public in and for the State of Idaho, personally appeared Oksan Ryshko, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Kim Geis
NOTARY PUBLIC FOR IDAHO
Residing at Meridian, Idaho
My Commission Expires _____

KIM GEIS
COMMISSION #40458
NOTARY PUBLIC
STATE OF IDAHO
MY COMM. EXPIRES JUL 30, 2027

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EXHIBIT A

Burdened Real Property

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

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UNOFFICIAL COPY

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EXHIBIT A

Parcel 2

This parcel is a portion of the Southwest Quarter of the Southeast Quarter of Section 27, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

BEGINNING at the Southwest corner of said Southwest Quarter of the Southeast Quarter; thence

North 0°03'36" East along the West boundary of said Southwest Quarter of the Southeast Quarter a distance of 648.86 feet to a point witnessed by a 5/8 x 30 inch rebar bearing North 86°51'12" East a distance of 60.09 feet;

thence North 86°51'12" East a distance of 445.75 feet to a found 1/2" diameter iron pin;

thence South 84°16'34" East a distance of 210.12 feet (of record 210.06 feet) to a found 1/2" diameter iron pin;

thence South 89°28'39" East a distance of 152.83 feet (of record 152.95 feet) to a found 1/2" diameter iron pin;

thence South 82°22'52" East a distance of 65.44 feet (of record 65.43 feet) to a found 1/2" diameter iron pin;

thence South 20°32'04" East a distance of 188.46 feet (of record 188.51 feet) to a found 1/2" diameter iron pin;

thence South 16°18'30" West a distance of 39.47 feet (of record 39.52 feet) to a found 1/2" diameter iron pin;

thence South 45°43'30" West a distance of 276.64 feet (of record 276.67 feet) to a found 1/2" diameter iron pin;

thence South 89°58'46" West a distance of 156.99 feet (of record 157.07 feet) to a found 1/2" diameter iron pin;

thence along a curve to the left having a central angle of 67°05'57", a radius of 105.52 feet an arc length of 123.57 feet and a long chord which bears South 56°26'16" West a distance of 116.63 feet (of record 116.66 feet);

thence South 22°54'15" West a distance of 183.63 feet (of record 183.68 feet) to a point on the south boundary of said Southwest Quarter Southeast Quarter;

thence South 89°50'24" West along said south boundary a distance of 403.83 feet to the POINT OF BEGINNING.

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EXHIBIT B

Benefited Real Property

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

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EXHIBIT B

This parcel is a portion of the SW ¼ SE ¼ of Section 27, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the southwest corner of said SW ¼ SE ¼;

thence North 00° 03' 35" East along the west boundary of said SW ¼ SE ¼ a distance of 648.86 feet to the **TRUE POINT OF BEGINNING**, witnessed by a 5/8 x 30 inch rebar bearing North 86° 51' 12" East a distance of 60.09 feet;

thence continuing North 00° 03' 35" East along the west boundary of said SW ¼ SE ¼ a distance of 668.39 feet to the northwest corner of said SW ¼ SE ¼;

thence North 89° 42' 49" East along the north boundary of said SW ¼ SE ¼ a distance of 386.31 feet to a found ½" diameter iron pin which lies 934.38 feet (of record 934.15 feet west of the northeast corner of said SW ¼ SE ¼;

thence South 00° 46' 06" East a distance of 347.43 feet (of record 347.61 feet) to a found ½" diameter iron pin;

thence South 02° 02' 34" West a distance of 76.01 feet (of record 76.02 feet) to a found ½" diameter iron pin;

thence South 02° 04' 16" West a distance of 114.97 feet (of record 115.00 feet) to a found ½" diameter iron pin;

thence South 13° 43' 51" East a distance of 47.71 feet (of record 47.68 feet) to a found ½" diameter iron pin;

thence South 38° 38' 08" East a distance of 78.42 feet (of record 78.40 feet) to a found ½" diameter iron pin;

thence South 86° 51' 12" West a distance of 445.75 feet to the **TRUE POINT OF BEGINNING.**

This parcel contains 5.924 acres, more or less, and is subject to any and all easements and rights-of-way of record or implied.

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EXHIBIT C

Easement Real Property

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

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EXHIBIT C

TOGETHER WITH a 60 foot wide ingress-egress and utility easement described as follows:

This easement is a portion of the Southwest Quarter of the Southeast Quarter of Section 27, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

BEGINNING at the Southwest corner of said Southwest Quarter of the Southeast Quarter; thence North 00°03'35" East along the West boundary of said Southwest Quarter of the Southeast Quarter a distance of 648.86 feet; thence

North 86° 51 '12" East a distance of 60.09 feet; thence
South 00°03'35" West parallel with the West boundary of said Southwest Quarter of the Southeast Quarter a distance of 651.99 feet to a point on the South boundary of said Southwest Quarter of the Southeast Quarter; thence
South 89° 50'24" West along said South boundary a distance of 60.00 feet to the POINT OF BEGINNING.

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EXHIBIT D

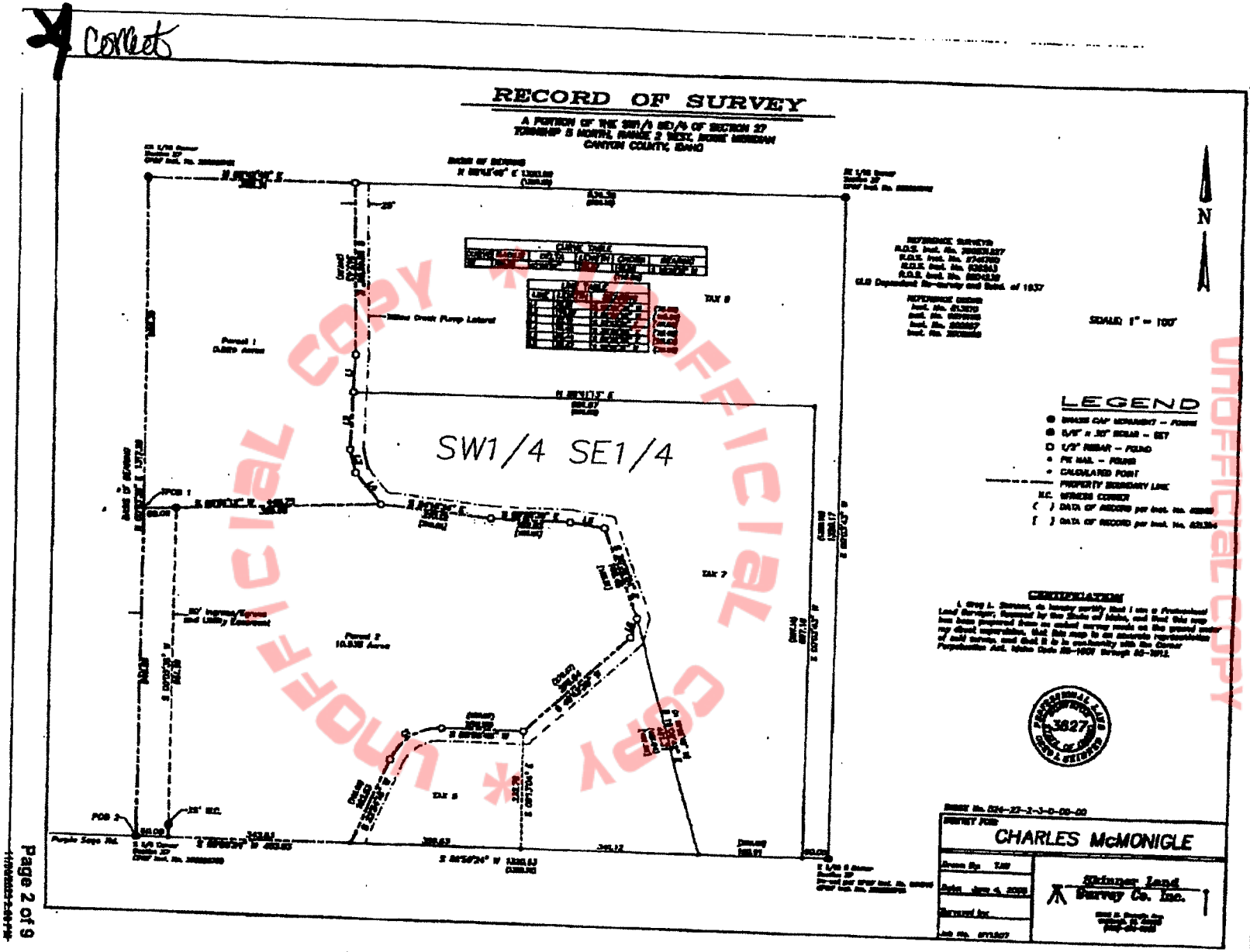
Depiction of Access Easement

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EXHIBIT C

Site Visit Photos: January 5, 2026

Planning & Zoning Commission

Case# CR2025-0001

Hearing date: February 5, 2026

Exhibit C: Site Photos Taken on January 5, 2026

Images 1 and 2 (top left and right): Taken on Purple Sage Road facing east and west, respectively

Image 3 (bottom left): Taken on Purple Sage Road facing south

Image 4 (bottom right): Taken at the entrance of the North-to-South Driveway on the Subject Property





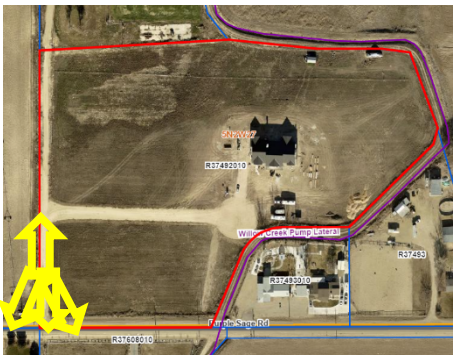






Image 5 (top left): Taken North-to-South Driveway, near entrance to second driveway

Image 6 (top right): Taken on East-to-West Driveway facing east

Image 7 (middle): Taken on East-to-West Driveway showing northern part of property

Image 8 (bottom): Taken on East-to-West Driveway showing southern part of property







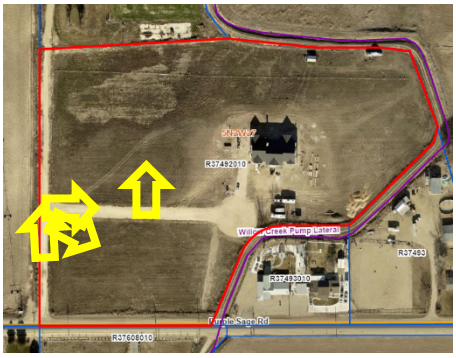




Image 9 (top): Single-Family Residence on Site Facing North

Image 10 (bottom left): Taken near lateral on site, Facing South

Image 11 (bottom right): Taken near lateral on site, Facing East





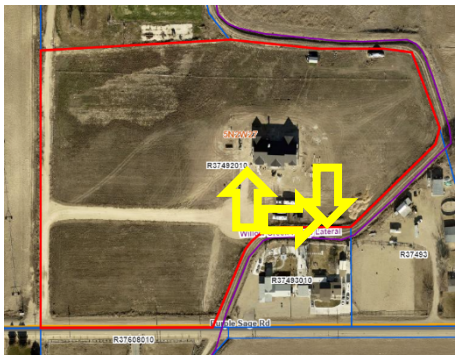






Image 12 (top): Taken at driveway turnaround, facing east

Image 13 (middle): Taken at driveway turnaround, facing south, showing potentially occupied RV



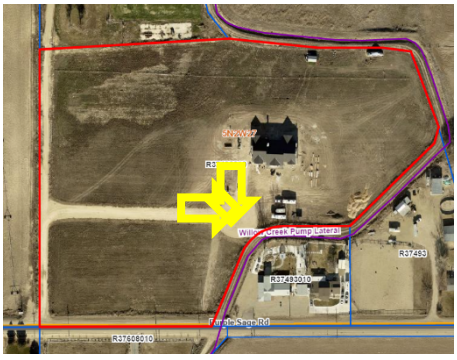


Image 14 (left): Taken near East-to-West-Driveway, facing east showing field

Image 15 (right): Taken on East-to-West Driveway facing south showing field





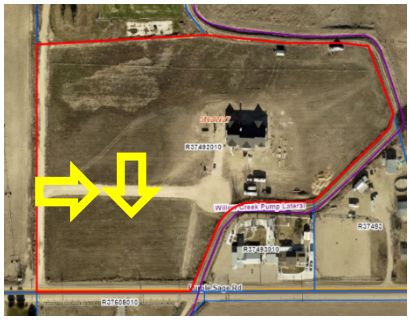


EXHIBIT D

Agency Comments Received by January 26, 2026

Planning & Zoning Commission

Case# CR2025-0001

Hearing date: February 5, 2026

Exhibit D1

Emily Bunn

From: Victor Islas <vislas@midstarfire.org>
Sent: Thursday, July 31, 2025 9:08 AM
To: Emily Bunn
Subject: [External] Fire District Comments: CR2025-0001

Below you will find the fire district comments for CR2025-0001 subject property located at 8478 Purple Sage Rd., Middleton, ID.

1. The fire district does have a process to provide a full staff report for land development project. The application can be found at www.midstarfire.org At this time the fire district does not have any application for this property or project.

2. This development shall comply with the 2018 International Fire Code (IFC) and any codes set forth by the Canyon County Idaho.

3. Will essential services be provided to accommodate requested use?
    a. This development will be serviced by Middleton Fire Station 53, located at 302 E. Main St., Middleton, ID

4. Will services be negatively impacted by such use or require additional public funding to meet the needs created by the requested use? Are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and nearby city?
    a. This development is will not have access to a municipal water supply. The development will be responsible for providing adequate water supply for firefighter operations as outlined in IFC 2018.

5. What is the estimated response time to the subject property? Is this response time adequate for life safety concerns?
    a. Middleton Fire Station 53 is 5.1 miles with a travel time of 8 minute under ideal driving conditions to the purposed entrance of off Hwy 44.
    b. The Fire District level of service expectation goal is 5 minutes. This development sits outside of the Fire District service level expectations when resources are available.

If you have any questions, please feel free to contact my office at (208) 286-7772

Victor Islas
DeputyChief | **Middleton Rural Fire District & Star Fire Protection District**
P: (208) 286-7772 **M:** (208) 860-1078
E: vislas@midstarfire.org **W:** linktr.ee/dcmidstarfd
A: 11665 W. State St. Suite B, Star, ID 83669

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Exhibit D2

Emily Bunn

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Friday, August 1, 2025 7:50 AM
To: Emily Bunn
Cc: Mitch Kiester
Subject: [External] RE: Agency Notice CR2025-0001 / Ryshko
Attachments: Pre.Development.Notes.Signed.03.25.2024.pdf

Hi Emily,

1.) Will a Nutrient Pathogen Study be required? **Given the nature of the administrative split and the fact that the project does not qualify as a subdivision consisting of five or more lots, a Nutrient Pathogen Study is not required**.
2.) Will adequate sanitary systems be provided to accommodate the use? **The applicant will need to apply for a subsurface sewage disposal permit and conduct test holes to determine site suitability on each parcel.**
3.) Any concerns about the use or request for rezoning? If so, are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and the nearby city? **There are no concerns with the use or request for rezoning if the applicant meets all SWDH requirements.**

Please see the attached pre-development meeting notes.

Let me know if you have any questions.

Thank you,

SOUTHWEST DISTRICT HEALTH

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

Anthony Lee, RS/BS | Land Development Senior

o 208.455.5384 | c 208.899.1285 | f 208.455.5300

anthony.lee@swdh.id.gov | SWDH.org

13307 Miami Ln., Caldwell, ID 83607

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Thursday, July 31, 2025 8:49 AM
To: 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>;

'permits@starfirerescue.org' <permits@starfirerescue.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'chopper@hwydistrict4.org' <chopper@hwydistrict4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingram@idahopower.com' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'arobins@idahopower.com' <arobins@idahopower.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'Contract.Administration.Bid.Box@ziply.com' <Contract.Administration.Bid.Box@ziply.com>; 'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>; Mitch Kiester <Mitch.Kiester@swdh.id.gov>; Anthony Lee <Anthony.Lee@swdh.id.gov>; 'gis@compassidaho.org' <gis@compassidaho.org>; 'D3Development.services@itd.idaho.gov' <D3Development.services@itd.idaho.gov>; 'niki.benyakhlef@itd.idaho.gov' <niki.benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; christine.wendelsdorf@canyoncounty.id.gov; Michael Stowell <mstowell@ccparamedics.com>; Assessor Website <2cAsr@canyoncounty.id.gov>; 'middletown.rich@gmail.com' <middletown.rich@gmail.com>; Lucy Ostyn <lucy.ostyn@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Code Enforcement <CodeEnforcement@canyoncounty.id.gov>; GIS and Addressing Division <GISAddressing@canyoncounty.id.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'file@idwr.idaho.gov' <file@idwr.idaho.gov>; 'makline2@marathonpetroleum.com' <makline2@marathonpetroleum.com>
Subject: Agency Notice CR2025-0001 / Ryshko

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Please see the attached agency notice. You are invited to provide written testimony or comments by **August 30, 2025**, although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day. The deadline for written testimony or additional exhibits is to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

Please direct your comments or questions to Planner **Emily Bunn** at emily.bunn@canyoncounty.id.gov.

Thank you,

Caitlin Ross
Hearing Specialist
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-7463
Email: Caitlin.Ross@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

Development Services Department (DSD)
NEW public office hours
Effective Jan. 3, 2023
Monday, Tuesday, Thursday and Friday
8am – 5pm
Wednesday

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

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Exhibit D2.1

SOUTHWEST DISTRICT HEALTH

Pre-Development Meeting

Name of Development: Sergii Ryshko
Applicant: Sergii Ryshko
P.E./P.G.:
All others in Attendance:

EHS#035 Date 03/26/2024

Number of Lots or Flow: 1 Acreage of Proposed Development: 10.99
Location of Development: 8478 Purple Sage Rd
Middleton, ID 83644

Project in Area of Concern: No Groundwater/Rock <10' Not observed
Level 1 NP Necessary for N: No

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

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

Additional Comments: Applicant discussed with SWDH the proposal for changing the zoning from agriculture to rural residential. There is an existing septic permit that was issued for a 5-bedroom house. SWDH has no concerns with the rezoning changes. Anthony Lee

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

Exhibit D3

1445 N Orchard St
Boise, ID 83706 • (208) 373-0550

Brad Little, Governor
Jess Byrne, Director

August 4, 2025

Emily Bunn, Planner
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
emily.bunn@canyoncounty.id.gov

Subject: Agency Notice CR2025-0001 / Ryshko

Dear Ms. Bunn:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: *https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/*.

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

1. AIR QUALITY

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

- For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

2. WASTEWATER AND RECYCLED WATER

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

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. DRINKING WATER

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

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Multi-Sector General Permit from DEQ may be required for facilities that have an allowable discharge of storm water or authorized non-storm water associated with the primary industrial activity and co-located industrial activity. For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- If this project is near a source of surface water, DEQ requests that projects incorporate the best construction management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

  For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material released to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

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

  For questions, contact Matthew Pabich, Waste & Remediation Manager, at (208) 373-0550.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/ for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,



Troy Smith
Regional Administrator

Exhibit D4

Emily Bunn

From: Caitlin Ross
Sent: Tuesday, August 5, 2025 9:44 AM
To: Emily Bunn
Subject: FW: [External] RE: Agency Notice CR2025-0001 / Ryshko

FYI – thanks!

Caitlin

From: D3 Development Services <D3Development.Services@itd.idaho.gov>
Sent: Tuesday, August 5, 2025 9:28 AM
To: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Subject: [External] RE: Agency Notice CR2025-0001 / Ryshko

Hello,

After careful review of the transmittal submitted to ITD on July 31, 2025 regarding, CR2025-0001/Ryshko, the Department has no comments or concerns to make at this time. If you have any questions please contact Niki Benyakhlef at (208) 334-8337/ Niki.Benyakhlef@itd.idaho.gov.

Thank you
Mila Kinakh
D3 Planning and Development

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Thursday, July 31, 2025 8:49 AM
To: 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'chopper@hwydistrict4.org' <chopper@hwydistrict4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingram@idahopower.com' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'arobins@idahopower.com' <arobins@idahopower.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'Contract.Administration.Bid.Box@ziply.com' <Contract.Administration.Bid.Box@ziply.com>; 'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; 'gis@compassidaho.org' <gis@compassidaho.org>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; Assessor Website <2cAsr@canyoncounty.id.gov>; 'middletown.rich@gmail.com' <middletown.rich@gmail.com>; Lucy Ostyn <lucy.ostyn@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Code Enforcement <CodeEnforcement@canyoncounty.id.gov>; GIS and Addressing Division <GISAddressing@canyoncounty.id.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'file@idwr.idaho.gov' <file@idwr.idaho.gov>; 'makline2@marathonpetroleum.com' <makline2@marathonpetroleum.com>
Subject: Agency Notice CR2025-0001 / Ryshko

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Please see the attached agency notice. You are invited to provide written testimony or comments by **August 30, 2025**, although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day. The deadline for written testimony or additional exhibits is to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

Please direct your comments or questions to Planner **Emily Bunn** at emily.bunn@canyoncounty.id.gov.

Thank you,

Caitlin Ross
Hearing Specialist
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-7463
Email: Caitlin.Ross@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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

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HIGHWAY DISTRICT No.4
15435 HIGHWAY 44
CALDWELL, IDAHO 83607

TELEPHONE 208.454.8135
FAX 208.454.2008

Exhibit D5

August 27, 2025

Canyon County Board of Commissioners and Planning & Zoning Commission
111 N. 11th Street
Caldwell, Idaho 83605
Attention: Emily Bunn, Planner

RE: RZ2025-001 Rezone from Agricultural to CR-R Residential
Canyon County Parcel R37492010 aka 8478 Purple Sage Rd

Dear Commissioners:

Highway District No. 4 has reviewed the application for Rezone of the above described parcel R37492010 from Agricultural to CR-R Residential and offers the following comments on the proposed use:

General
The subject property consists of approximately 10.9 acres located north of Purple Sage Rd in the SE 1/4 Sec 27 T5N R2W. The subject property has approximately 410-feet of frontage on Purple Sage Rd along the southerly boundary. Purple Sage Rd is classified as a minor arterial on the functional classification maps adopted by the County and HD4. Existing right-of-way width is a 25-ft prescriptive easement measured from the existing roadway centerline. Ultimate right-of-way width for a minor arterial is 50-ft half-width measured from the section line.

The application materials indicate the applicants are requesting a conditional rural residential zoning to allow development of up to three residential lots.

Access
Existing access to the subject property is via a gravel driveway onto Purple Sage Rd located at the west property line. This driveway is shared with Parcel R37492 aka 8500 Purple Sage Rd, which has no direct public road access.

The existing access location is suitable for the proposed development density. Access to arterial roads such as Purple Sage is typically limited to the greatest extent practical to promote safety and mobility along the arterial corridor. The proposed access location is located at or near the 1/4 section line for Section 27, which meets the recommended 1/2 mile spacing for a future collector roadway. This location also provides the best opportunity to provide a single access location for the subject property, Parcel R37492 to the north, and Parcel R37496 to the west.

The existing gravel driveway approach will need to be improved with a paved apron to meet ACCHD Standard Drawing 106, with a 24-ft throat width and minimum 20-ft radii. An access permit from HD4 is required with each new building permit; the third permit using this driveway (including existing dwellings) will be required to construct the paved apron, or it may be constructed with the first new building permit.

Transportation Impacts:
The proposed 3 additional residential lots are not anticipated to significantly impact the existing or proposed transportation system. Traffic impacts from the new development will be mitigated by collection of transportation impact fees at the time of building permit issuance.

HD4 does not opposed the requested zoning changes, but requests the Commission make these comments conditions of any approved land use action. Please feel free to contact me with any questions on this matter.

Respectfully,

Chris Hopper, P.E.
District Engineer

File: Purple Sage Rd- CR2025-001 Ryshko rezone



November 3, 2025

Canyon County Development Services Department
111 North 11th Ave. Suite 140
Caldwell, ID 83605
(208) 454-7458

RE: Conditional Rezone. Parcel R37492010
Case No. CR2025-0001
Applicant: Oksana and Sergii Ryshko
Property Owner: Oksana and Sergii Ryshko
Planner: Emily Bunn

The property is located at 8478 Purple Sage Rd, Middleton, ID. (Parcel R37492010). According to existing records, the parcel is within the Black Canyon Irrigation District (District) service area boundary and receives water from the W.C.P. Lateral. The W.C.P. Lateral is located along the eastern property boundary and is owned and operated by the District.

The District has the following initial comments.

*****Prior to District concurrence of the Conditional Rezone:**

1. The District received a New Project Application Form for the Conditional Rezone on March 18, 2024. The applicant's project number with the District is BCID SUB24-08. Communication with the applicant was provided, including specific steps to move forward on March 18, 2024. The applicant has not responded to the required requested items or paid the appropriate intake fees as requested on March 18, 2024. The District requests the Applicant provide the required items. (See attached previous communication.)
2. District mapping indicates that the W.C.P. Lateral is located along the eastern property boundary and has a historical 50-foot easement (25-feet from centerline). The Applicant will need to provide an easement, including preparing the District with a legal description and exhibit for an easement along the W.C.P. Lateral per District Resolution 2023-04 if one does not exist. All documents must be stamped and signed by a licensed land surveyor in the State of Idaho.
3. Division of irrigation water between lots needs to be identified by the property owner.
4. All outstanding account balances and development fees need to be paid prior to the District providing concurrence for the conditional rezone.

General Comments:

1. **Any and all maintenance road right-of ways, lateral right-of ways and drainage right-of ways** will need to be protected (including the restriction of all encroachments and including any proposed overlapping rights of ways). Also, any crossing agreement(s) and/or piping agreement(s) will need to be acquired from the Bureau of Reclamation (Reclamation), once approved by the District, to cross over or under any existing lateral, pipe any lateral or encroach in any way the right-of ways of the District or Reclamation.
2. The District recommends that fencing is installed along W.C.P. Lateral easement per District Resolution 2023-01.

The District is requesting that all the above requirements be satisfactorily addressed, including any others that arise during future reviews, prior to providing District concurrence.

Thank You,

Mike Meyers
District Manager
Black Canyon Irrigation District

Don Popoff

From: Don Popoff
Sent: Monday, March 18, 2024 3:34 PM
To: Sergey Ryshko
Cc: Development Review; Derick Corell; Teresa Taresh; Darla Erskine; Heather Grubaugh; Black Canyon Irrigation
Subject: Sergii Ryshko / Agency Acknowledgment Form - BCID SUB24-08
Attachments: Executed Agency Acknowledgement Form - Ryshko.pdf; District Intake Form - Ryshko.pdf

Sergii –

Please see the attached signed acknowledgement of rezone for your property at TBD Purple Sage Road - Parcel # R37492010.
We have given your application the following project number BCID SUB24-08.

The District will require the following upon approval of this rezone and subsequent parcel division (if that is what occurs).

- Division of your water on the property. (Verify how we are splitting the 10.5 acres of water between the lots, review for any deductions.)
- Division split fee will be required. (Currently $300 per lot)
- The District will recommend fencing of the lateral.
- Formal easements will be required if the lateral historical easement is on your property and does not have a formal easement.

Please follow-up with BCID staff at the District office to formalize changes once rezone is approved.
The District will note these requirements (and any others) to the County once formal notification is received for this rezone application.

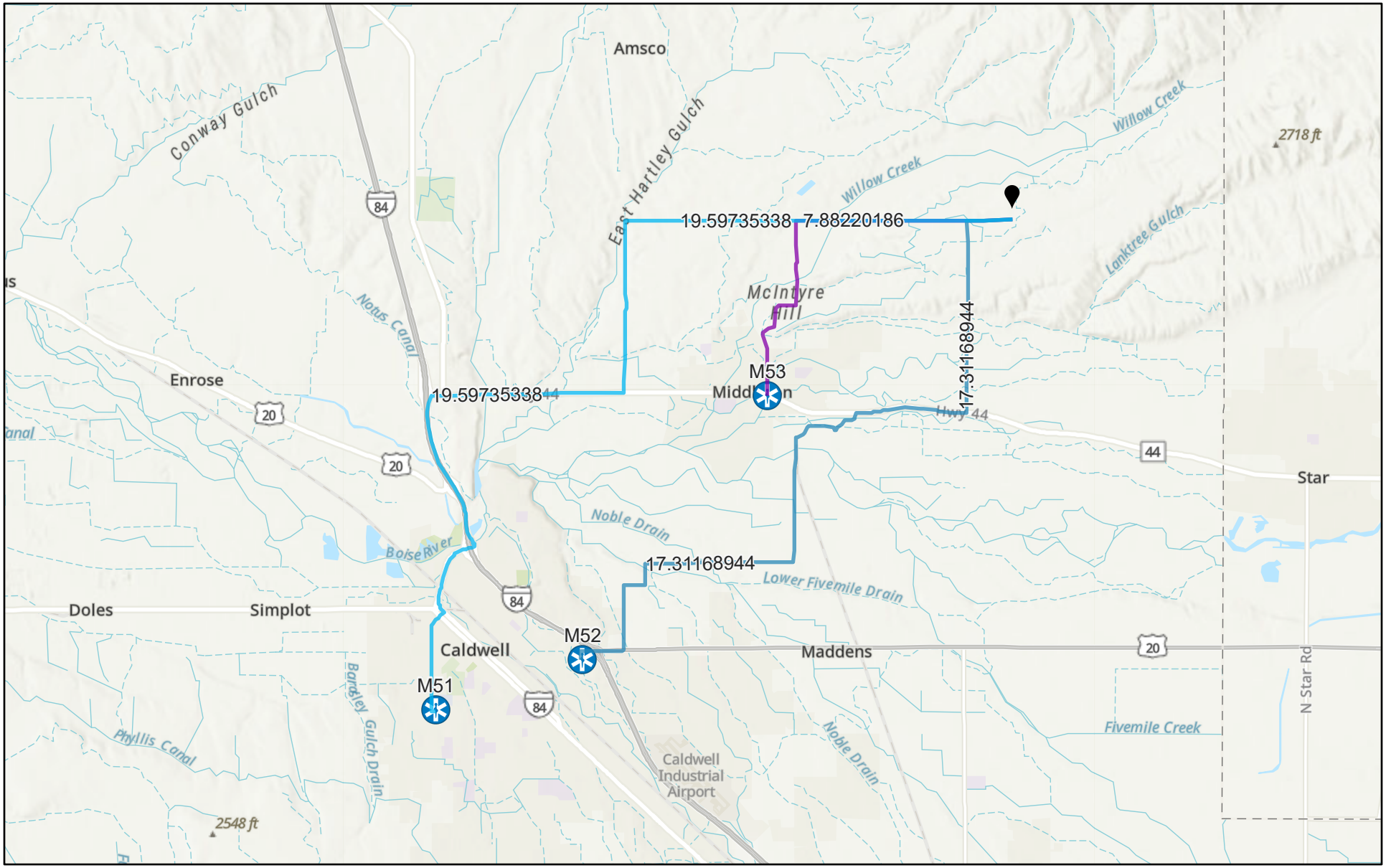
Thanks
Don
District Engineer
Black Canyon Irrigation District

Donald Popoff PE
Nampa Office Manager | RH2 Engineering, Inc.

16150 N. High Desert Street
Suite 201
Nampa, Idaho 83687
C: 208.807.0015
O: 208.563.2280
dpopoff@rh2.com
www.rh2.com

Exhibit D7

R37492010 Response Times



11/3/2025

Route 1 - 1 - 1
Route 1 - 1 - 1
Route 1 - 1 - 1

M51 station
M52 station
M53 station

R37492010 Response Times

World_Hillshade

1:141,270

0 0.75 1.5 3 mi

0 1.25 2.5 5 km

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

Exhibit D8

Emily Bunn

From: Marc Gee <mgee@msd134.org>
Sent: Monday, December 29, 2025 4:57 PM
To: Emily Bunn
Cc: Lisa Pennington
Subject: [External] Re: CR2025-0001 - School District Comment

Emily,

Thanks for reaching out. Typically we don't respond on developments under 5 lots unless it is adjacent to school properties. We do not have any comments as the number of lots is so low. Just a reminder that busses do not typically enter private roads or subdivisions so students being picked up will need to utilize stops on the nearest main road.

Thanks. Additionally, Lacey Grooms has taken a job with a neighboring school district and does not need to receive these notices. For a secondary address you could include Lisa Pennington (lpennington@msd134.org), Middleton's Assistant Superintendent.

Thank you!

Marc Gee

On Mon, Dec 29, 2025 at 4:06 PM Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

> Hello,
>
> I am working on a conditional rezone case for Oksana and Sergii Ryshko for Parcel R37492010 (8478 Purple Sage Road). The applicants are proposing three (3) buildable parcels for the approximately 11-acre parcel. I wanted to check in and see if Middleton School District has any comments for this case? If you do not have any comments at this time, I would appreciate knowing that as well. I have attached the application in case you wanted to review any of the details.
>
> Thank you for your time and I hope the holidays have been enjoyable.
>
> Sincerely,
>
> Emily Bunn,
>
> Principal Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Development Services Department (DSD)

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

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Exhibit D9

Emily Bunn

From: Doug Critchfield <critchfieldd@cityofnampa.us>
Sent: Wednesday, January 14, 2026 4:46 PM
To: Emily Bunn
Subject: [External] RE: Legal Notice CR2025-0001 / Ryshko

Emily – Nampa has no comments. Thanks - Doug

Doug Critchfield (ASLA)
Principal Planner | Planning & Zoning Department
Office: (208) 468-5442 | Cell: (208) 606-5799
500 12th Ave S | Nampa, ID 83651
cityofnampa.us | Stay Connected
Citizen's Guide to Planning – Learn More About Planning!
cityofnampa.us/2050 – Help us plan Nampa's future

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Wednesday, December 31, 2025 12:40 PM
To: rcollins@cityofcaldwell.org; kbuchan@cityofcaldwell.org; dgeyer@cityofcaldwell.org; jdodson@cityofcaldwell.org; mbessaw@cityofcaldwell.org; amy@civildynamics.net; alicep@cityofhomedale.org; jgreen@marsingcity.com; mayor@cityofmelba.org; cityclerk@cityofmelba.org; jhutchison@middletoncity.org; mhobbs@middletoncity.org; rstewart@middletoncity.org; Robyn Sellers <sellersr@cityofnampa.us>; Kristi Watkins <watkinsk@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; Addressing <Addressing@cityofnampa.us>; Doug Critchfield <critchfieldd@cityofnampa.us>; Clerks <clerks@cityofnampa.us>; Char Tim <timc@cityofnampa.us>; notuscityclerk@gmail.com; clerk@cityofparmaidaho.org; mayor@cityofparmaidaho.org; publicworks@cityofparmaidaho.org; cityhalladmin@cityofparmaidaho.org; snickel@staridaho.org; jmckillican@cityofwilder.org; kbagley@cityofwilder.org; casanderson@caldwellschools.org; nicmiller@cwi.edu; ddenney@homedaleschools.org; bgraves@kunaschools.org; tejensen@kunaschools.org; nstewart@marsingschools.org; sadams@melbaschools.org; Horner.Marci@westada.org; lpennington@msd134.org; mgee@msd134.org; cstauffer@nsd131.org; dleon@nsd131.org; colesr@notusschools.org; tkelly@parmaschools.org; jenny.titus@vallivue.org; lisa.boyd <lisa.boyd@vallivue.org>; joseph.palmer@vallivue.org; lshoemaker@wilderschools.org; lrichard@cityofcaldwell.org; aperry@cityofcaldwell.org; homedalefd@gmail.com; tlawrence@kunafire.com; Office@KunaFire.com; marsingfiredistrict@yahoo.com; marsingruralfire@gmail.com; brian.mccormack@melbafire.id.gov; kenny.hoagland@melbafire.id.gov; vislas@starfirerescue.org; permits@starfirerescue.org; eddy@heritagewifi.com; Elijah Effinger (Fire District) <effingere@nampafire.org>; prevention@nampafire.org; Jeff@parmafire.us; ParmaRuralFire@gmail.com; permits@starfirerescue.org; eddy@heritagewifi.com; wfdchief@wilderfire.org; jmaloney@wilderfire.org; knute.sandahl@doi.idaho.gov; chopper@hwydistrict4.org; lriccio@hwydistrict4.org; bobw@gghd3.org; office@gghd3.org; eddy@nampahighway1.com; gwatkins@nphd.net; admin1@kunalibrary.org; admin2@kunalibrary.org; lizardbuttelibrary@yahoo.com; brandy.walker@centurylink.com; eingram@idahopower.com; easements@idahopower.com; arobins@idahopower.com; monica.taylor@intgas.com; jessica.mansell@intgas.com; Contract.Administration.Bid.Box@ziply.com; developmentreview@blackcanyonirrigation.com; carl@blackcanyonirrigation.com; dpopoff@rh2.com; aflavel.bkirrdist@gmail.com; tritthaler@boiseproject.org; gashley@boiseproject.org; irr.water.3@gmail.com; kchamberlain.fcdc@gmail.com; office@idcpas.com; fcdc1875@gmail.com; farmers.union.ditch@gmail.com; irr.water.3@gmail.com; wilders04@msn.com; irrigation.mm.mi@gmail.com; tammy.middletonirrigation@gmail.com; nmid@nmid.org; eolvera@nmid.org; nyirrigation@nyid.org; kirk@pioneerirrigation.com; sheepmama25@gmail.com; fcdc1875@gmail.com; fcdc1875@gmail.com; Mack@settlersirrigation.org; kchamberlain.fcdc@gmail.com; mitch.kiester@phd3.idaho.gov;

anthony.lee@phd3.idaho.gov; wilderirrigation10@gmail.com; drain.dist.2@gmail.com; bryce@sawtoothlaw.com; scott_sbi@outlook.com; scott_sbi@outlook.com; farmerhouston@gmail.com; projectmgr@boiseriver.org; scott_sbi@outlook.com; testrada@starswd.com; jlucas@achdidaho.org; clittle@achdidaho.org; brentc@brownbuscompany.com; gis@compassidaho.org; D3Development.services@itd.idaho.gov; Kendra.Conder@itd.idaho.gov; ITDD3PERMITS@ITD.IDAHO.GOV; Airport.Planning@itd.idaho.gov; webmaster@valleyregionaltransit.org; smm5156@gmail.com; deb0815@yahoo.com; kunacemetery@gmail.com; 3tjj@frontiernet.net; melbacemetery@gmail.com; middletoncemdist13@gmail.com; ann_jacops@hotmail.com; prchuston@gmail.com; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; tryska7307@gmail.com; Curt Shankel <shankelc@cityofnampa.us>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Lucy Ostyn <lucy.ostyn@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Code Enforcement <CodeEnforcement@canyoncounty.id.gov>; GIS and Addressing Division <GISAddressing@canyoncounty.id.gov>; Diana.Little@canyoncounty.id.gov; Loretta Tweedy <Loretta.Tweedy@canyoncounty.id.gov>; Assessor Website <2cAsr@canyoncounty.id.gov>; Elections Clerk <electionsclerk@canyoncounty.id.gov>; roger@amgidaho.com; Historic Preservation (Canyon County Parks) <pr.historicpreservation@canyoncounty.id.gov>; Nichole Schwend <Nichole.Schwend@canyoncounty.id.gov>; Rick Britton <Rick.Britton@canyoncounty.id.gov>; middletown.rich@gmail.com; Jim Lunders <jlunders@2cmad.org>; jshoemaker@blm.gov; MGRodriguez@usbr.gov; edward_owens@fws.gov; BRO.Admin@deq.idaho.gov; kenny.huston@oer.idaho.gov; Brenna.Garro@oer.idaho.gov; peter.jackson@idwr.idaho.gov; maureen.oshea@idwr.idaho.gov; file@idwr.idaho.gov; smith.carolyn.d@epa.gov; John.Graves@fema.dhs.gov; idahoaaa@gmail.com; Zlathim@IDL.idaho.gov; brandon.flack@idfg.idaho.gov; Aubrie.Hunt@dhw.idaho.gov; tricia.canaday@ishs.idaho.gov; dan.everhart@ishs.idaho.gov; patricia.hoffman@ishs.idaho.gov; stevie.harris@isda.idaho.gov; laura.johnson@isda.idaho.gov; tate.walters@id.usda.gov; shawn.cafferty@usda.gov; noe.ramirez@usda.gov; cenww-rd-boi-tv@usace.army.mil; laura.j.freedman@usps.gov; Rakesh.N.Dewan@usps.gov; Chad.M.Franklin@usps.gov; Melvin.B.Norton@usps.gov; Tammi.L.Barth@usps.gov; henry.medel@usps.gov; Khrista.M.Holman@usps.gov; Rochelle.Fuquay@usps.gov; leroy.eyler@usps.gov; marc.c.boyer@usps.gov; mhuff@co.owyhee.id.us; gmprdjennifer@gmail.com; lisaitano@me.com; scott@fccnw.com; srcsbinfo@gmail.com; tottens@amsidaho.com; melvin.b.norton@usps.gov; scott.hauser@usrtf.org; info@destinationcaldwell.com; makline2@marathonpetroleum.com; Media - KBOI TV News <news@kboi2.com>; Media - KIVI News <news@kivitv.com>; Media - KTVB News <ktvbnews@ktvb.com>; 670@kboi.com; Media - IPT Newsroom <newsroom@idahopress.com>; middletonexpress1@gmail.com; rmorgan@kellerassociates.com
Subject: Legal Notice CR2025-0001 / Ryshko

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Dear Agencies,

Your agency is being notified pursuant to the Local Land Use Planning Act, Idaho Code 67-6509, to all political subdivisions providing services within the planning jurisdiction of Canyon County, including school districts and media.

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

Contact the planner of record, **Emily Bunn** at emily.bunn@canyoncounty.id.gov with any questions or additional agency comments or concerns if applicable.

Thank you,

Caitlin Ross
Hearing Specialist
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-7463
Email: Caitlin.Ross@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

Development Services Department (DSD)
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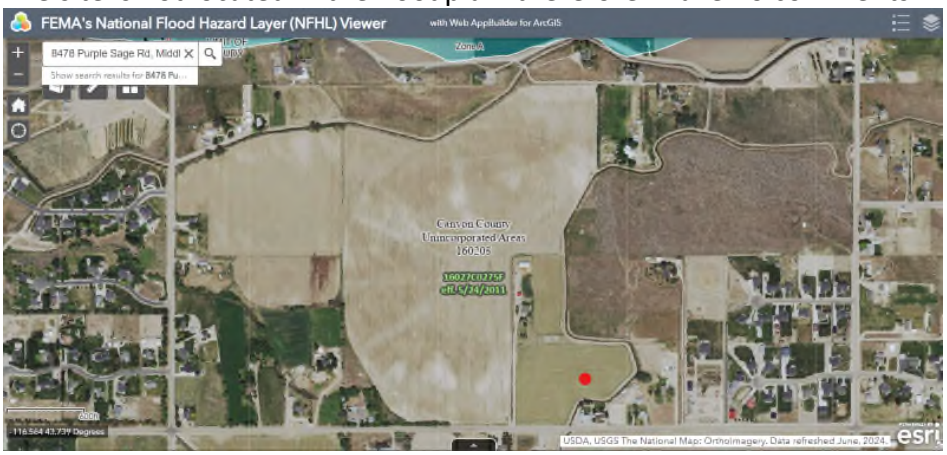
Exhibit D10

Emily Bunn

From: O'Shea, Maureen <Maureen.OShea@idwr.idaho.gov>
Sent: Tuesday, January 20, 2026 11:28 AM
To: Emily Bunn
Subject: [External] re: Legal Notice CR2025-0001 / Ryshko - 8478 Purple Sage Rd, Middleton
Attachments: NEW - P&Z Rezone full political agency notice.pdf

Emily,

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



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

Thank you,
Maureen O'Shea, CFM
Floodplain Specialist
Idaho Dept. of Water Resources
322 E. Front Street, PO Box 83720,
Boise, ID 83720-0098
Office # 208-287-4928
Cell # 208-830-4174
Maureen.OShea@idwr.idaho.gov
https://www.idwr.idaho.gov/floods/

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Wednesday, December 31, 2025 12:40 PM
To: Jackson, Peter <Peter.Jackson@idwr.idaho.gov>; O'Shea, Maureen <Maureen.OShea@idwr.idaho.gov
Subject: Legal Notice CR2025-0001 / Ryshko

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Contact the planner of record, **Emily Bunn** at emily.bunn@canyoncounty.id.gov with any questions or additional agency comments or concerns if applicable.

Thank you,

Caitlin Ross
Hearing Specialist
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-7463
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EXHIBIT E

Public Comments Received by: January 26, 2026

Planning & Zoning Commission

Case# CR2025-0001

Hearing date: February 5, 2026

Exhibit E1

January 12, 2026

Case number: CR2025-0001

Subject: Opposition to Conditional Rezoning Request – (8478 Purple Sage Rd Middleton, ID 83644; Parcel R37492010)

Dear Members of the Planning Commission,

I am writing to formally oppose the request to rezone the approximately 10-acre agricultural property located at 8478 Purple Sage Rd Middleton, ID 83644; Parcel R37492010, from Agricultural zoning to Conditional Rural Residential zoning.

I am a neighboring property owner, and I have a strong interest in preserving the agricultural character and long-term land-use planning goals of our community.

While the property currently contains one residence consistent with agricultural use, the proposed rezoning would allow the subdivision of the land to create two additional residential home sites. This represents a significant increase in residential density that is incompatible with the intent of agricultural zoning.

Agricultural zoning exists to protect productive farmland, minimize land-use conflicts, and preserve the rural character of our area. Approving this request would set an undesirable precedent that could encourage similar rezoning applications, leading to the gradual erosion of agricultural land throughout the community.

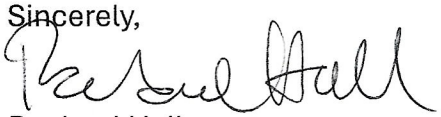
Additionally, increased residential development raises concerns regarding traffic, road maintenance, septic and well capacity, emergency services, and potential conflicts between residential uses and normal agricultural operations on neighboring properties.

I believe this rezoning request is inconsistent with the goals of our comprehensive land-use plan and does not serve the long-term interests of the community. I have been consistent in my stance on this, providing in-person comments to the landowners on the two occasions they asked for input at the neighborhood meetings they called on 2/26/24 and 1/21/25. I expressed confusion as to why they chose to live on open land and develop it vs buying within an already established sub-division.

For these reasons, I respectfully request that the Planning Commission deny this rezoning application. It is unfortunate that I am unable to be at this hearing in person but will be traveling. I do feel fortunate that I am able to provide written testimony.

Thank you for that opportunity and for your time and consideration to this very important matter.

Sincerely,



Rachael Hall

8310 Purple Sage Rd Middleton, ID 83644

rachhorse@aol.com 208/830-7781

Exhibit E2

Oksana and Sergii Ryshko CR 2025-0001 8478 Purple Sage Rd

Thursday, January 15, 2026

I am opposed to this conditional use permit. How are stated reasons for applying for this conditional use permit even related to Agriculture?

I note the Middleton Fire Department indicates this development would be outside their service level expectations. With recent difficulties passing new funding this will only get worse. I also note the Black Canyon Irrigation Company indicates the applicant has not responded with their required information related to an irrigation plan.

The proposed density of two acre lots is NOT compatible with an Agricultural zoning and the surrounding properties. Why should we allow conditional use permits to individuals who have purchased land knowing the zoning was Agricultural ?

Agricultural land that is situated miles from any services does not seem to be the appropriate place to developing land. The increased traffic on Purple Sage is definitely a concern, particularly for the existing farmers left in the area. Moving tractors and farm implements on the road is becoming increasingly problematic.

How is this proposal beneficial or how does it enhance the existing neighborhood? What is the public need for such a conditional use? I am hard pressed to think how this will benefit me and my neighbors. Fragmenting development amongst agricultural land seems ripe for conflict between neighbors. Lost will be wildlife habitat, open space, and the character of this area. If we wanted to live in a developed neighborhood, we can move to town for that experience.

Is part of the intent of the development is to provide a country experience? It has been our observation, that residents, specifically these landowners, have seeked that experience by walking along the road and irrigation ditchbank roads to enjoy their time in the country. The first being unsafe along an increasingly busy Purple Sage Road and the second being trespassing on private property.

Are we at a tipping point? Of course, we are. The approval of this rezone will send a truly clear message and have a ripple effect. Develop, develop, develop! Instead of these new residents having open space, they may find themselves in the midst of more developments looking like the one they will be living in. Was that their original expectation of moving to a development like this?

Please take these comments to heart and thoroughly consider them.

Sincerely,

Cecile McMonigle

EXHIBIT F

DRAFT – Findings of Fact, Conclusions of Law & Order (FCOs)

Planning & Zoning Commission

Case# CR2025-0001

Hearing date: February 5, 2026

PLANNING AND ZONING COMMISSION

DRAFT FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

In the matter of the application of:
Ryshko – CR2025-0001

The Canyon County Planning and Zoning Commission considers the following:

1) Conditional Rezone of Parcel R37492010 from the "A" (Agricultural) zone to the "CR-RR" (Conditional Rezone –Rural Residential) zone. The request includes a development agreement that limits the development to three (3) residential parcels with a minimum lot size of 2 acres.
2) Location: Case CR2025-0001: The subject property is located at 8478 Purple Sage Rd, Middleton, ID 83644 also referenced as Parcel R37492010, a portion of the Southwest quarter of the Southeast quarter in Section 27, T5N, R2W, BM, Canyon County, Idaho.

Parcel Size: 10.94 acres

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 CR2025-0001
1. All exhibits are located in the case staff report dated February 5, 2026
Applicable Law
1. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-07 (Conditional Rezones), CCCO §07-10-27 (Land Use Regulations (Matrix)), 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 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.

DRAFT

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. See CCCO §07-03-07.
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, CR2025-0001, was presented at a public hearing before the Canyon County Planning and Zoning Commission on February 5, 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

Standards of Evaluation – CCCO §07-06-07(6)A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:

County Ordinance and Review

Criteria Met?	Code Section	Analysis
Yes	**1**	**Is the proposed conditional rezone generally consistent with the comprehensive plan?**
Analysis		The proposed conditional rezone change is generally consistent with the Canyon County Comprehensive Plan for 2030. The Future Land Use Map in the 2030 Comprehensive Plan designates the parcel as "Rural Residential (R-R)" (**Staff Report Exhibits B1 and B2.9**). "The R-R district provides rural transitional areas to create a boundary between agricultural and urban areas. These areas are generally conducive to small-scale farming operations and compatible with non-agricultural uses" (Page 26, 2030 Comprehensive Plan). The request aligns with the following goals and policies of the 2030 Comprehensive Plan: • **Property Rights G1.01.00**: "Protect the integrity of individual property rights while safeguarding public health, safety, and welfare." • **Property Rights P1.01.01**: "No person shall be deprived of private property without due process of law." • **Property Rights P1.01.03**: "Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals." • **Population P2.01.01**: "Plan for anticipated population and households that the community can support with adequate services and amenities" • **Population G2.02.00***:* "Promote housing, business, and service types needed to meet the demand of the future existing population." • **Land Use and Community Design P4.04.04**: "Maintain a balance between residential growth and agriculture that protects the rural character." • **Land Use and Community Design P4.01.02**: "Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights." • **Land Use and Community Design G4.03.00:** "Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning. " • **Land Use and Community Design P4.03.02**: "Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns."

- **Land Use and Community Design P4**.03.03: "Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances require conditions of approval to promote compatibility."
- **Land Use and Community Design G4.04.00**: "Concentrate future higher density residential growth in appropriate areas in and around existing communities while preserving and enhancing the County's agricultural and rural character."
- **Land Use and Community Design P4.07.01**: "Plan land uses that are compatible with the surrounding community."
- **Housing G11.1.00**: "Encourage opportunities for a diversity of housing choices in the County."
- **Housing G11.02.00**: "Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural and natural resources."

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

Analysis

In consideration of the surrounding land uses, the proposed conditional rezone to "RR" Rural Residential is as appropriate than the current zoning designation of "A" (Agricultural).

The surrounding area primarily contains residential uses with some interspersed agricultural uses. To the north, south, east, and west, there are residential subdivisions with lot sizes generally between 1-2.5 acres in size. There are also agricultural uses found in all directions of the property. It is important to note that some of the agricultural parcels have been conditionally rezoned with a development agreement (such as Parcels R37608, R37626011, and R37626), which will further trend this area to be residential (**Staff Report Exhibits B2.1, B2.3, and B2.6**).

The Rural Residential (R-R) zone would be more appropriate than the Agricultural (A) zone as this area appears to have been transitioning steadily to contain more residential uses. Within 1-mile of the subject property, there are 28 platted subdivisions with an average lot size of 2.05 acres and eleven (11) subdivisions in platting with an average lot size of 1.65 acres. In the immediate vicinity, Kingsbury Meadows Subdivision (platted in 2007) is found approximately 0.13 miles to the east with an average lot size of 1.20 acres. Parcels R37608, R37626011, and R37626 found south and southeast have a development agreement that would allow for two (2) dwellings per gross acre (CR2007-3). Hawk View Estates Subdivision (platted in 2024) is also found approximately 0.28 miles to the northwest with an average lot size of 2.24 acres. The applicant's request to rezone the property to rural residential is consistent with the average lot sizes found within subdivisions in the area (**Staff Report Exhibits B2.3, B2.6 and B2.11**).

Pursuant to Canyon County ordinance CCCO §07-10-25(2) the purpose of the "RR" zoning district is to encourage and guide growth in areas where a rural lifestyle may be determined to be suitable.

Adjacent Existing Conditions (Staff Report Exhibits B2.1 and B2.3):

Direction	Existing Use	Primary Zone	Other Zone
N	Agricultural Uses with homesites and some agriculturally zoned parcels with residences	A	
S	Agricultural Uses and Residential Uses	A, CR-RR, R-1	CR-R-1
E	Agricultural Uses and Residential Uses	A, CR-RR	R-1, RR
W	Agricultural Uses and Residential Uses	A, CR-RR	RR, R-1

"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)

Surrounding Land Use Cases Within the Past 5 Years (Staff Report Exhibit B2.11):

1. **SD2020-0011 – Preliminary Plat (C3) – Approved**
2. **SD2021-0008 - Preliminary Plat (C4) – Approved**

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	3. **CU2019-0025 – Special Events Facility – Approved** 4. **RZ2020-0006 – Rezone from AG to R-1 (Callister, LLC) – Approved** 5. **CR2021-0010 –Rezone from AG to R-1 (Callister, LLC) – Approved** 6. **RZ2021-0034 – Rezone from AG to R-R (Cotner) – Approved** 7. **RZ2021-0056 – Rezone from AG to CR-R1 (Farmington Hills) – Denied** 8. **SD2021-0059 – Preliminary Plat (Farmington Hills) – Denied** 9. **SD2021-0021 – Preliminary Plat (Hawk View Estates) – Approved** 10. **CR2023-0001 – Rezone from AG to CR-R1 (Johns) – Approved** 11. **SD2021-0033 – Preliminary Plat (Johnston) – Approved** 12. **CR2022-0003 – Rezone from AG to CR-R1 (LWD Development) – Approved** 13. **CR2022-0016 – Rezone from AG to CR-RR (MDC LLC/Carter) – Approved** 14. **SD2020-0003 – Preliminary Plat (Oaklee Estates) – Approved** 15. **RZ2021-0012 – Rezone from AG to R-1 (Reynolds Brothers, LLC) – Denied** 16. **RZ2021-0036 – Rezone from AG to CR-R-1 (Richards/Larsen) – Approved** 17. **RZ2022-0011 – Rezone from AG to R-R (Sierra Vista Properties) – Denied** 18. **RZ2020-0024 – Rezone from AG to R-1 (Spohn) – Approved** 19. **SD2023-0001 – Short Plat (Sunset View) – Approved** 20. **SD2019-0039 – Preliminary Plat (Wyatt's Hollow) – Approved** It is important to note that the parcel immediately to the west of the subject property (Parcel R37496) was denied for a rezone in 2023 due to Middleton School District capacity impacts and cumulative impacts to the existing road system that were not adequately addressed (RZ2022-0011). The subject property does not appear to have the same issues due to the smaller scale nature of this request (See **Staff Report Exhibit D5** for Highway District No. 4 comment and **Staff Report Exhibit D8** for Middleton School District comment).	
Criteria Met? **Yes**	**3**	**Is the proposed conditional rezone compatible with surrounding land uses?**
Analysis	The proposed conditional rezone to Conditional Rezone – Rural Residential (CR-RR) is compatible with the surrounding land uses. Per the applicant's letter of intent and site plan, the proposed conditional rezone is intended to facilitate the development of three (3) residential parcels – two (2) parcels with approximately 2-acres and one (1) parcel with 6-acres (**Staff Report Exhibits A2 and A4**). This area has been transitioning to contain more residential uses as evidenced by the surrounding land use decisions in the past five years and average lot size of subdivisions in the area. In the past five years, eight (8) rezones have been approved from the agricultural zone to a residential zone, and seven (7) subdivision plats have been approved. The average lot size of current and future subdivisions in the area is 2.05 acres and 1.65 acres, respectively, which is consistent with the applicant's request. As conditioned, the proposed development is not anticipated to interfere with adjacent agricultural production, nor detract from established residential uses (**Staff Report Exhibits B2.6 and B2.11)**. Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere or conflict with or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses. See further analysis located in 07-06-07(6)A2 and A4.	
Criteria Met? **Yes**	**4**	**Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?**
Analysis	The proposed conditional rezone will not negatively affect the character of the area. Any necessary measures to mitigate impacts are detailed below. **Character of the Area:** The surrounding area primarily contains residential uses with interspersed agricultural uses. To the north, south, east, and west, there are residential subdivisions with acreage sizes generally between 1-2.5 acres in	

	size. There are also agricultural uses found in all directions of the property. Some of these agricultural parcels have been conditionally rezoned to a residential zone, which will further trend this area to contain residential uses. Additionally, the character of the area has further transitioned to contain more residential parcels and subdivisions as evidenced by the number of land use cases approved in the past five (5) years and the average lot sizes of current and future subdivisions in the area (2.05 acres and 1.65 acres, respectively) (**Staff Report Exhibits B2.1, B2.3, B2.6, and B2.11**). **The following measures will be implemented to mitigate the impact** The applicant has proposed limiting the development to three (3) parcels with a minimum lot size of two (2) acres (**Staff Report Exhibits A2 and A3**). If the applicant desires to develop the property further in the future, they will have to reapply for a rezone and subdivision plat to create additional residential properties (**Staff Report Exhibit A8**) *(See conditions of approval #4, #4a, and #4b).*	
Criteria Met? **Yes**	**5**	**Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone?**
Analysis	The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein. **Sewer:** Per the applicant's land use worksheet, individual septic systems are proposed for the development. (**Staff Report Exhibit A3**). Per Southwest District Health's (SWDH)'s comment letter, the proposed development does not qualify as a subdivision, so a nutrient pathogen study is not required. Additionally, the applicant will need to apply for a sub-surface sewage disposal permit and conduct test holes to determine site suitability on each parcel, but there are not any concerns with rezoning the property if the applicant meets all of SWDH's requirements (**Staff Report Exhibits D2 and D2.1**). **Water:** Per the applicant's land use worksheet, domestic water will be provided via individual domestic wells (**Staff Report Exhibit A3**). Future development shall comply with IDWR standards at the time of building. **Drainage:** Per the applicant's land use worksheet, stormwater is retained with swales (**Staff Report Exhibit A3**). **Irrigation:** The parcel is served by Black Canyon Irrigation District (BCID). The Willow Creep Pump (W.C.P.) Lateral is located on the southern, eastern, and northern boundaries of the subject property. Per BCID, the W.C.P Lateral "…has a historical 50-foot easement (25-feet from centerline). The applicant will need to provide an easement, including providing the District with a legal description and exhibit for an easement along the W.C.P. Lateral per District Resolution 2023-04 if one does not exist. All documents must be stamped and signed by a licensed land surveyor in the State of Idaho." BCID also states in their comment letter that the "… division of irrigation water between lots needs to be identified by the property owner and all outstanding account balances and development fees need to be paid prior to the District providing concurrence." BCID also had general comments on protecting irrigation and related right-of-ways, crossing agreements, and piping agreements. BCID also recommends fencing along the W.C.P. lateral. (**Staff Report Exhibit D6**). Per the applicant's land use worksheet, surface irrigation water is currently provided via gravity irrigation (**Staff Report Exhibit A3**). Per email correspondence with the applicant, they are still working on their irrigation plan. To address irrigation on the property, the Planning and Zoning Commission has added a condition that at the time of application for an administrative land division: an irrigation plan must be submitted to Canyon County Development Services and the irrigation plan shall be reviewed and approved by the local irrigation district per Idaho Code §67-6537(1). Additionally, the Planning and Zoning Commission is also recommending that BCID requirements be met at the time of an administrative land division (*see conditions of approval #2 and #3*).	

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	Utility: Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on July 31, 2025 and December 31, 2025. No agency comments were provided by those services at the by the materials deadline. It is anticipated that the applicant will be able to work with utility providers to gain any utilities needed.	
Criteria Met? **Yes**	**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?**
Analysis	The proposed conditional rezone will not require public street improvements to provide adequate access to and from the subject property to minimize undue interference with existing and future traffic patterns created by the proposed development. Highway District No. 4 (HD4) states in their comment letter, "the proposed three (3) additional residential parcels are not anticipated to significantly impact the existing or proposed transportation system. Traffic impacts from the new development will be mitigated by collection of transportation impact fees at the time of building permit issuance" (**Staff Report Exhibit D5**).	
Criteria Met? **Yes**	**7**	**Does legal access to the subject property for the conditional rezone exist or will it exist at time of development?**
Analysis	The subject property does have legal access for the conditional rezone and it will exist at the time of the development. See the review and analysis detailed below. Highway District No. 4 states in their comment letter that Purple Sage Road is classified as a minor arterial on the functional classification maps adopted by HD4 and Canyon County and the existing. right-of-way width is a 25-foot prescriptive easement measured from the existing roadway centerline. HD4 adds the ultimate right-of-way width for a minor arterial is a 50-foot half-width measured from the section line. Additionally, HD4 finds that the existing access location is suitable for the proposed development density and that access to arterial is located at or near the ¼ section line, which provides the best opportunity to provide a single access. "The existing gravel driveway approach will need to be improved with a paved apron to meet ACCHD Standard Drawing 106, with a 24-ft throat width and minimum 20-ft radii. An access permit is required from HD4 is required with each new building permit; the third permit using this driveway (including existing dwellings) will be required to construct the paved apron, or it may be constructed with the first new building permit" (**Staff Report Exhibit D5**). Per CCCO §07-10-03, a private road will need to be created for three (3) inhabited buildings or more. Currently, there is a 60 foot access easement running north-to-south on the western boundary of the property for Parcel R37492 to take access on which is also where the proposed parcels will take access when entering from Purple Sage Road (**Staff Report Exhibit B3)**. Another private road will need to be created and constructed running east to west on the subject property prior to building permit issuance for the third (3rd) residence taking access. The applicants state in their letter of intent they plan to pave the private road, but this has not been added as a condition since it is not a Canyon County Code requirement (**Staff Report Exhibits A2, A3, and A8)**.	
Criteria Met? **Yes**	**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?**
Analysis	The proposed use is not anticipated to impact essential public services and facilities, including, but not limited to, schools, police, fire, and emergency medical services. Any necessary measures to mitigate impacts are detailed below. **Schools:** Middleton School District sent in a comment letter on December 29, 2025 and stated that they do not have any comments at this time as the number of proposed parcels is low but stated "…busses do not typically enter private roads or subdivisions so students being picked up will need to utilize stops on the nearest main road." (**Staff Report Exhibit D8**).	

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	Police: The Canyon County Sheriff's Office is required to provide services to Parcel R37492010. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency comments were sent out on July 31, 2025 and December 31, 2025, and no comments were received by the Sheriff's Office. **Fire Protection** Middleton Rural Fire District (MRFD) sent a comment letter on July 31, 2025 which outlined that the development shall comply with the 2018 International Fire Code (IFC), the development will be serviced by Middleton Fire Station 53 (located at 302 E. Main St, Middleton, ID), and the development will not have access to municipal water supply so the development will be responsible for providing adequate water supply for fire fighting operations. Additionally, the estimated response time from Middleton Fire Station 53 is 8 minutes under ideal driving conditions (**Staff Report Exhibit D1**) **Emergency Medical Services:** Canyon County Ambulance District responded with estimated response times for three (3) nearby stations on November 3, 2025: Station M53 has an estimated response time of 7.88 minutes, Station M52 has an estimated response time of 17.31 minutes, and Station M51 has an estimated response time of 19.6 minutes (**Staff Report Exhibit D7**).

Order
Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission recommends **approval** of Case #CR2025-0001, a conditional rezone of 10.94 acres, subject to conditions of the development agreement (Attachment A).

DATED this _____ day of _____, 2026.

PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO

_____
Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this _____day of _____, in the year 2026, before me_____, a notary public, personally appeared _____, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.

Notary: _____

My Commission Expires: _____

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ATTACHMENT A

DRAFT CONDITIONS OF APPROVAL

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
2. At the time of application for an administrative land division, an irrigation plan must be submitted to Canyon County Development Services. The irrigation plan shall be reviewed and approved by the local irrigation district per Idaho Code §67-6537(1) prior to submittal to Canyon County's Development Services Department.
3. At the time of application for an administrative land division, Black Canyon Irrigation District (BCID) applicable requirements shall be met as outlined in their comment letter in **Staff Report Exhibit D6**. Evidence of compliance with BCID requirements shall be an approved irrigation district document indicating completion of requirements.
4. The subject property, approximately 10.94 acres, shall be divided in compliance with Chapter 7, Article 18 (Administrative Land Divisions) of the Canyon County Code of Ordinances (CCCO) and shall not exceed three (3) residential parcels (**Staff Report Exhibit A2**).
   a. Further divisions of the subject property are prohibited.
   b. The minimum lot size for parcels created shall be 2 acres.
5. The developer shall comply with CCCO §07-06-07 (4): Time Requirements: "All conditional rezones for a land use shall commence within two (2) years of the approval of the board."
   a. Commencement (or "commence") shall be as defined in CCCO §07-02-03 (Definitions Enumerated).

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EXHIBIT 3

Public Comments Received by: March 23, 2026

Board of County Commissioners

Case # CR2025-0001

Hearing Date: April 2, 2026

Exhibit 3a

CR 2025-0001 Oksana and Sergii Ryshko 8478 Purple Sage Rd

March 17, 2026

I am opposed to this conditional rezone.

Agricultural land that is situated miles from any services does not seem to be the appropriate place to be developing land. The increased traffic on Purple Sage is a definite concern, particularly for the existing farmers left in the area. Moving tractors and farm implements on the road is becoming increasingly problematic. Incremental traffic with one or two new homes does not seem important, but certainly over time this increase has been significant.

The proposed density of two acre lots is NOT compatible with an Agricultural zoning and the surrounding properties. Parcels immediately bordering this property are at least 5 acres in size. Why should we allow conditional rezone to individuals who have purchased land knowing the zoning was Agricultural? Perhaps the intent was to grow houses instead of any agricultural endeavor?

This proposal is not beneficial, nor does it enhance the existing neighborhood. I prefer open space as opposed to homes, parked RVs, boats, and other items. What is the public need and/or benefit for such a rezone? I am hard pressed to imagine how this will benefit me and my neighbors. Fragmenting development amongst agricultural land seems ripe for conflict between neighbors. Lost will be wildlife habitat, open space, and the character of this area. If we wanted to live in a developed neighborhood, we would move to town for that experience.

Is part of the intent of the development is to provide homeowners with a country experience? It has been our observation, that residents, have seeked that experience by walking along the road and irrigation ditchbank roads to enjoy their time in the country. The first being unsafe along an increasingly busy Purple Sage Road and the second being trespassing on private property.

I note the Middleton Fire Department indicates this development would be outside their service level expectations. With recent difficulties passing new funding this will only get worse.

I also note the Black Canyon Irrigation Company indicates the applicant has not responded with their required information related to an irrigation plan.

Thank you for your thoughtful consideration.

Sincerely,

Cecile McMonigle

EXHIBIT 4

Additional Supporting Information Received by: March 23, 2026

Board of County Commissioners

Case # CR2025-0001

Hearing Date: April 2, 2026

Exhibit 4a

MASTER APPLICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

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

PROPERTY OWNER	OWNER NAME: Sergii and Oksana Ryshko
	MAILING ADDRESS: 8478 Purple Sage Rd Middleton ID
	PHONE: 208-579-0265 EMAIL: lutsivo@yahoo.com

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

Signature: _____ Date: 03/06/26

APPLICANT (IF DIFFERENT THAN OWNER)	CONTACT NAME: Robert Beltran
	COMPANY NAME: Lacey Villegas Law and Policy
	MAILING ADDRESS: 141 E. Carlton Ave
	PHONE: 208-908-4415 EMAIL: ben@lvlawidaho.com

SITE INFO	STREET ADDRESS: 8478 Purple Sage Rd Middleton ID
	PARCEL #: 37492010 LOT SIZE/AREA: 10.99
	LOT: BLOCK: SUBDIVISION:
	QUARTER: SECTION: TOWNSHIP: RANGE:
	CURRENT ZONING: agricultural FLOODZONE (YES/NO): No

HEARING LEVEL APPS	____CONDITIONAL USE	____COMP PLAN AMENDMENT	✓ CONDITIONAL REZONE
	____ZONING AMENDMENT (REZONE)	____DEV. AGREEMENT MODIFICATION	____VARIANCE > 33%
	____MINOR REPLAT	____VACATION	____APPEAL
	____SHORT PLAT SUBDIVISION	____PRELIMINARY PLAT SUBDIVISION	____FINAL PLAT SUBDIVISION
	____AG PROTECTION AREA	____ROAD NAME CHANGE	

DIRECTORS DECISION APPS	____ADMINISTRATIVE LAND DIVISION	____EASEMENT REDUCTION	____SIGN PERMIT
	____PROPERTY BOUNDARY ADJUSTMENT	____HOME BUSINESS	____VARIANCE 33% >
	____PRIVATE ROAD/DRIVEWAY CONST.	____TEMPORARY USE	____DAY CARE
	____OTHER_____	____EASEMENT REDUCTION	____(N) ROAD NAME

CASE NUMBER:	DATE RECEIVED:
RECEIVED BY:	APPLICATION FEE: CK MO CC CASH

Revised 1/14/26

Exhibit 4b

Hi Emily! We have decided to split into 3 lots! Thank you! Oksana

Sent from my iPhone

On Mar 11, 2026, at 2:03 PM, Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

If you want to give me a call this afternoon, I should be available.

Sincerely,
<image001.png>
Emily Bunn,
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

Development Services Department (DSD)
Monday, Tuesday, Thursday and Friday
8am – 5pm
Wednesday
1pm – 5pm

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

From: Oksana Lutsiv <lutsivo@yahoo.com>
Sent: Tuesday, March 10, 2026 3:28 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: Re: [External] Re: 8478 purple sage rd conditional rezone

Hi Emily! Do you have time on Wednesday or Thursday for a phone call?
Sent from my iPhone

On Mar 10, 2026, at 12:34 PM, Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

If you are wanting to meet this week to discuss your questions, please coordinate a time with me so when I can make sure I am available when you stop by.

Also, our office is closed to the public on Wednesday mornings for staff meetings, so if you do want to stop by tomorrow, we are only open 1pm to 5pm.

Sincerely,
<image001.png>
Emily Bunn,
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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Monday, Tuesday, Thursday and Friday
8am – 5pm
Wednesday
1pm – 5pm

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From: Emily Bunn
Sent: Tuesday, March 10, 2026 10:58 AM
To: 'Oksana Lutsiv' <lutsivo@yahoo.com>
Subject: RE: [External] Re: 8478 purple sage rd conditional rezone

Hello,

I just finished the meeting I was in. Are you wanting to chat on the phone or come in again to chat?

Sincerely,
<image001.png>
Emily Bunn,
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Oksana Lutsiv <lutsivo@yahoo.com>
Sent: Tuesday, March 10, 2026 10:31 AM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: Re: [External] Re: 8478 purple sage rd conditional rezone

Hi Emily! We are at the county right now, hoping to speak to you for few minutes! Do you have few minutes right now? Thank you ! Oksana
Sent from my iPhone

On Mar 6, 2026, at 11:40 AM, Oksana Lutsiv <lutsivo@yahoo.com> wrote:

Hi Emily, thank you for doing deeper research , if 5 lots won't work, then we will ask for 4! Hopefully 4 will not be a big change from 3 ! I will send you the application shortly! Thank you! Oksana
Sent from my iPhone

On Mar 5, 2026, at 5:48 PM, Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

I was thinking about your change in request today a little more and I wanted to let you know if get approved for five (5) lots, you will need a private road lot in the subdivision. In our subdivision code it states : "A minimum private road lot width of sixty feet (60') is required. This requirement may be reduced to a width not less than fifty feet (50'), in accordance with subsection 07-10-03(1)D of this chapter." A private road lot does not count towards the lot size of the subdivision. Therefore, if your private road is about 1 acre in size, this would not allow you to meet the lot size of 2 acres per parcel as it would mean one of the lots would be under 2 acres in size. I wanted you to be aware of this so you know that 5 lots may not be feasible depending on the acreage devoted to the private road.

Sincerely,
<image001.png>
Emily Bunn,
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

Development Services Department (DSD)
Monday, Tuesday, Thursday and Friday
8am – 5pm
Wednesday
1pm – 5pm

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From: Emily Bunn
Sent: Wednesday, March 4, 2026 3:42 PM
To: Oksana Lutsiv <lutsivo@yahoo.com>
Subject: RE: [External] Re: 8478 purple sage rd conditional rezone

Hello,

Thank you for letting me know. I want you to be aware of a few things:

1. If your attorney is going to be sending materials on behalf of you, please make sure to fill out the attached master application so you can designate him as your representative.
2. I was talking to my supervisor about the change to your application (you initially requested three (3) lots, now you are wanting to increase that to five (5) lots) and he stated that a few things could happen at the Board of Canyon County Commissioners' level:
    1. One option would be the Board of Canyon County Commissioners could find that the increase to 5 lots is a "substantial change" to the application and the application is remanded back to the Planning and Zoning Commission
        1. You can review the section of code on remanding here: https://codelibrary.amlegal.com/codes/canyoncountyid/latest/canyoncounty_id/0-0-0-407
    2. Another option is the Board of Canyon County Commissioners find it is a significant enough change that it requires a new application.
    3. The other option is they find it is not a substantial change and they can move forward with hearing the case on April 2nd, 2026.
3. I want you to be aware that if you request 5 lots, you will be required to go through the subdivision platting process (as 5 lots will result in more than 4 parcels from the original parcel, and this triggers subdivision platting requirements). Preliminary plats are likely taking 6-9 months to process and final plats are taking about 3-6 months to process.
4. I understand you do not want to restrict secondary residences. Are you okay with allowing secondary residences but with the conditions below so the secondary residence is subordinate to the primary or would you like to outright allow them? The reason I bring this up is because sometimes our hearing bodies view secondary residences as doubling the density of subdivisions and they sometimes prefer to restrict secondary residences so it limits the effects to the area.
    1. The development and placement of a secondary residence on future lots and parcels created as result of this decision, if allowed by ordinance in effect at the time of building permit application, shall comply with the following standards:
    2. The secondary residence shall be located within 200 feet of the primary residence (or as near to that distance in compliance with Southwest District Health requirements for applicable waste systems).
    3. The secondary residence shall be subordinate in total living area to the primary residence.
    4. The secondary residence shall utilize the primary residence potable water well (shared).
    5. The secondary residence shall not be divided from the primary residence parcel.
    6. The property shall be in compliance with all other zoning ordinance requirements for a secondary residence at the time of building permit application.

Please let me know if you have any questions.

Sincerely,
<image001.png>
Emily Bunn,
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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1pm – 5pm

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From: Oksana Lutsiv <lutsivo@yahoo.com>
Sent: Wednesday, March 4, 2026 2:27 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: Re: [External] Re: 8478 purple sage rd conditional rezone

Hi Emily! We have hired an attorney who will represent us . We would like to ask for 5 lots 2 acres minimum lot size, no restrictions on secondary dwelling. Thank you Emily for your help! Oksana and Sergii
Sent from my iPhone

On Feb 23, 2026, at 1:32 PM, Oksana Lutsiv <lutsivo@yahoo.com> wrote:

Sounds good! Thank you Emily!
Sent from my iPhone

On Feb 23, 2026, at 11:50 AM, Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

You do not need the sign to still be up. I think our inspectors are behind on picking up signs right now, so if you can just leave it in an area that is easy to get for them, that would be appreciated.

Sincerely,
<image001.png>

Emily Bunn,
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Oksana Lutsiv <lutsivo@yahoo.com>
Sent: Monday, February 23, 2026 10:44 AM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: [External] Re: 8478 purple sage rd conditional rezone

Good morning Emily, The sign was knocked down by wind! Do we still need the sign to be up? Thank you! Oksana
Sent from my iPhone

On Feb 9, 2026, at 9:49 AM, Oksana Lutsiv <lutsivo@yahoo.com> wrote:

Thank you Emily! Will keep you posted! Oksana
Sent from my iPhone

On Feb 9, 2026, at 9:41 AM, Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

Your case has been scheduled for the Board of Canyon County Commissioners hearing on April 2, 2026 at 1:30 p.m. The Board is the final decision maker for rezones.

The Board of Canyon County Commissioners' Meeting Room is located on the 1st floor of Canyon County's Courthouse – 1115 Albany Street, Caldwell, ID 83605.

As stated in the attached letter, if you have any materials to be included in the staff report for the Board to review, please send them by March 23, 2026.

If you want to change your request (such as ask for more divisions), please let me know prior to the materials deadline so this can be clearly stated in the staff report for the Board.

Please let me know if you have any questions or would like to meet to discuss your case prior to the Board hearing.

Sincerely,
<image001.png>
Emily Bunn,
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

Development Services Department (DSD)
Monday, Tuesday, Thursday and Friday
8am – 5pm
Wednesday
1pm – 5pm

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

From: Emily Bunn
Sent: Thursday, February 5, 2026 8:26 PM
To: 'Oksana Lutsiv' <lutsivo@yahoo.com>
Subject: RE: [External] 8478 purple sage rd conditional rezone

Hello,

As stated at the public hearing tonight, there was no recommendation made by the Planning and Zoning Commission as they did not have a majority for either motion presented.

The next step is getting your case scheduled for a public hearing in front of the Board of Canyon County Commissioners. I will reach out soon to the Board's staff to see when their next available hearing dates are so a final decision can be made for your conditional rezone case.

If you have any questions or would like to discuss the conditions for your case any further, please let me know.

Sincerely,
<image001.png>
Emily Bunn,
Principal Planner
Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Emily Bunn
Sent: Tuesday, February 3, 2026 2:09 PM
To: Oksana Lutsiv <lutsivo@yahoo.com>
Subject: RE: [External] 8478 purple sage rd conditional rezone

Hello,

Thank you for the information.

Sincerely,
<image001.png>
Emily Bunn,
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Oksana Lutsiv <lutsivo@yahoo.com>
Sent: Monday, February 2, 2026 6:17 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: Re: [External] 8478 purple sage rd conditional rezone

Hi Emily! RV is empty, not occupied!
Sent from my iPhone

On Feb 2, 2026, at 4:17 PM, Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

When I was on your property for the site visit, I saw that there may be an occupied RV on site. Is the RV occupied?

Sincerely,
<image001.png>
Emily Bunn,
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Oksana Lutsiv <lutsivo@yahoo.com>
Sent: Thursday, January 29, 2026 9:27 AM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: Re: [External] 8478 purple sage rd conditional rezone

Got it! Thank you!
Sent from my iPhone

On Jan 29, 2026, at 8:10 AM, Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

I did not get your email prior to the materials deadline, so the change was not made in the report.

I did make a slight change to say the following on the limitations on dividing the property (limited it to three parcels, instead of the site plan, and the minimum lot size for the parcels will all be 2 acres in size at a minimum), but did not take out the proposed condition on no further divisions can occur. If you do not want that condition added, you can discuss your concerns with the condition at the Planning and Zoning Commission hearing.

1. The subject property, approximately 10.94 acres, shall be divided in compliance with Chapter 7, Article 18 (Administrative Land Divisions) of the Canyon County Code of Ordinances (CCCO) and shall not exceed three (3) residential parcels (Exhibit A2).
    1. Further divisions of the subject property are prohibited.
    2. The minimum lot size for parcels created shall be 2 acres.

Also, I would suggest reviewing the staff report for your case prior to the hearing so you are prepared well for the public hearing. The agency and neighbor comment letters are attached to the report. You can review it here: https://landhearingsagenda.canyoncounty.id.gov/Hearing/pz-commission-hearing-examiner

Sincerely,
<image001.png>
Emily Bunn,
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
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From: Oksana Lutsiv <lutsivo@yahoo.com>
Sent: Wednesday, January 28, 2026 8:17 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: Re: [External] 8478 purple sage rd conditional rezone

Sorry for late response, I just realized it went to Sergey and not you! Can you please read below and let me know what you think! Thank you! Oksana
Sent from my iPhone

On Jan 22, 2026, at 10:53 PM, Oksana Lutsiv <lutsivo@yahoo.com> wrote:

Thank you Emily! Quick question, can we remove the 4 a) which says no further division shall occur? We wanted to keep it as an option for the future for the lot with 6 acres to possibly divide into one more lot if county allows! I know the plans for the future in the area

is to change to rural residential! Let me know what you think ? Thank you! Oksana Have a great weekend!
Sent from my iPhone