# Board of Canyon County Commissioners
# Hearing Date: May 7, 2026
## *Canyon County Development Services Department*

## PLANNING DIVISION ADDENDUM

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|---|---|
| **CASE NUMBER:** | **RZ2025-0003** |
| **APPLICANT/PROPERTY OWNER:** | **Colby and Amy Brown** |
| **APPLICATION:** | **Rezone from "A" (Agricultural) to "R-R" (Rural Residential)** |
| **LOCATION:** | **24403 Falcon Lane, Caldwell, ID 83607**<br>**Also referenced as a portion of the SE1/4 of Section 34, T5N, R3W, BM, Canyon County, Idaho**<br>**Parcel R38160011 (+/-6.19 acres)** |
| **ANALYST:** | **Karla Nelson, Principal Planner** |
| **P&Z RECOMMENDATION:** | **Denial** |

**SUMMARY:**
The applicants, Colby and Amy Brown, are requesting a rezone of approximately 6.19 acres from the "A" (Agricultural) zone to the "R-R" (Rural Residential) zone. The Planning & Zoning Commission heard the case at a public hearing held on January 15, 2026. After deliberation, the Planning & Zoning Commission recommended denial of the request, finding that the proposed zoning is incompatible with surrounding land uses, not more appropriate than the current zoning, and would negatively affect the character of the area (**Exhibits 1 & 2**).

After the Planning and Zoning Commission hearing, the applicant provided a letter detailing that they would be amenable to a conditional rezone that limits future division of the property into two (2) residential parcels of approximately 2 and 4.19 acres. The applicant does want to retain the ability to add future ADUs/secondary residences to the new lots (**Exhibit 4a**). If the Board decides to approve the request and determines that a conditional rezone is necessary, the case could be remanded back to the Planning and Zoning Commission or if the change is not deemed a substantial modification, per Canyon County Code of Ordinances §01-17-11, the Board could table the hearing to a date uncertain to allow for the conditional rezone to be property noticed and the development agreement fee to be paid.

The Planning and Zoning Staff Report Packet dated January 15, 2026, and all supporting materials are contained in **Exhibit 3**. No additional agency or public comments were received for the subject public hearing. 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 Findings of Fact, Conclusions of Law, and Order (FCOs); Dated: February 5, 2026**
2. **Planning and Zoning Commission Minutes from January 15, 2026, Public Hearing; Dated March 19, 2026**
3. **Planning and Zoning Staff Report Packet Dated: January 15, 2026**
    A. **Application Packet & Supporting Materials**
        1. Master Application

2. Letter of Intent
3. Land Use Worksheet
4. Neighborhood Meeting
5. Agency Acknowledgement
    5.1. HD4 Pre-Development Meeting Minutes
6. Crossview Meadows Record of Survey
7. Warranty Deed
8. Email communication
    8.1. Email Correspondence June-July 2025
    8.2. Email Correspondence November 2025

**B. Supplemental Documents**

1. Parcel Tool
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
    2.7. Subdivision & Lot Report
    2.8. Nitrate Priority Wells
    2.9. TAZ Households
    2.10. Canyon County 2030 Future Land Use Map
    2.11. City Future Land Use Map
    2.12. Lot Classification Map
    2.13. Case Map (1-Mile) and Summary Report
    2.14. Slope Percent Map
3. Crossview Meadows Protective Restrictions and Covenants

**C. Site Visit Photos**

1. Site Visit Photos, July 15, 2025

**D. Agency Comments Received by: August 11, 2025**

1. Southwest District Health, Received June 6, 2025
2. Idaho Transportation Department, Received June 16, 2025
3. Canyon County Soil Conservation District, Received June 10, 2025
4. Black Canyon Irrigation District, Received June 18, 2025
    4.1. Black Canyon Irrigation District, November 21, 2025
5. Idaho Department of Environmental Quality, Received June 17, 2025
6. Middleton Rural Fire District, Received November 18, 2025
7. Canyon County Paramedics, Received November 18, 2025

**4. Additional Supporting Documents Received by April 27, 2026**

a. Letter Sent in By Applicant explaining willingness to conditionally rezone the subject property; Received January 27, 2026

b. Aerial depiction of surrounding properties including those with ADUs; Received January 27, 2026

**EXHIBIT 1**

**P&Z Signed FCOs Dated: February 5, 2026**

**-**

Board of County Commissioners

Case# RZ2025-0003

Hearing date: May 7, 2026

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

In the matter of the application of:
**Colby and Amy Brown – RZ2025-0003**

The Canyon County Planning and Zoning Commission considers the following:

1) A zoning map amendment (Rezone) of approximately 6.19 acres from an "A" (Agricultural) zone to a "R-R" (Rural Residential) zone.
2) The subject property is located at 24403 Falcon Lane, Caldwell, ID 83607, also referenced as Parcel R38160011, a portion of the Southeast quarter of Section 34, T5N, R3W, BM, Canyon County, Idaho.

**Summary of the Record**

1. The record is comprised of the following:
   A. The record includes all testimony, the staff report, exhibits, and documents in Case File RZ2025-0003.
      1. All exhibits are located in the case staff report dated January 15, 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 §07-06-05 (Rezones), CCCO §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6511 (Zoning Map Amendments and Procedures), and CCCO §09-01-25, 09-09-17 (Area of City Impact Agreement).
   a. Notice of the public hearing was provided per CCCO §07-05-01 and Idaho Code §67-6509.
2. The commission has the authority to exercise powers granted to it by the Idaho Local Land Use and Planning Act ("LLUPA") and can establish its own ordinances regarding land use, including subdivision permits. *See* I.C. §67-6504, §67-6511.
3. The commission shall have those powers and perform those duties assigned by the board that are provided for in the local land use planning act, Idaho Code, title 67, chapter 65, and county ordinances. CCCO §07-03-01, 07-06-05.
4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.
5. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record. The County's hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCCO 07-05-03(1)(I).

**The application, RZ2025-0003, was presented at a public hearing before the Canyon County Planning and Zoning Commission on January 15, 2026. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, the Planning and Zoning Commission decides as follows:**

**Table 1. Zoning Map Amendment Standards of Evaluation Analysis**

| | | |
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| **Standards of Evaluation – CCCO §07-06-05(1):** The commission shall review the particular facts and circumstances of each proposed zoning amendment and make a recommendation regarding the same to the board. The presiding party shall make its review in terms of the following standards and shall find adequate evidence regarding the following criteria when evaluating the proposed zoning district boundary amendment: | | |
| **County Ordinance and Review** | | |
| **Criteria Met?** | **Code Section** | **Criteria** |
| **Yes** | **A** | **Is the proposed zone change generally consistent with the comprehensive plan?** |
| **Analysis** | The proposed zone change is generally consistent with the Comprehensive Plan. The 2030 Canyon County Comprehensive Plan designates the future land use of the parcel as "residential" (**Staff Report Exhibit B2.10**). The parcel is located within the City of Middleton's Area of Impact, and Middleton's comprehensive plan designates the area for future residential growth (**Staff Report Exhibit B2.11**). COMPASS forecasts modest residential growth of 27 households by the year 2050 for the associated Traffic Analysis Zone (TAZ 2090).<br><br>The 2030 Canyon County Comprehensive Plan states that 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. The property is in a transitional area near the City of Middleton, in an area where rural residential zoning and uses are common.<br><br>The request aligns with the following goals and policies of the 2030 Comprehensive Plan:<br>• Property Rights Goals and Policies:<br>o Goal No. 1: "Protect the integrity of individual property rights while safeguarding public health, safety, and welfare."<br>o Policy No. 1: "No person shall be deprived of private property without due process of law."<br>o Policy No. 3: "Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals."<br>• Population Component Policy and Goal:<br>o Goal No. 2: "Promote housing, business, and service types needed to meet the demand of the future and existing population."<br>• Economic Development Goal<br>o Goal No. 5: "Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability."<br>• Land Use Policies and Goals:<br>o Policy No 1.1: "Maintain a balance between residential growth and agriculture that protects the rural character." | |
| **Criteria Met?** | **B** | **When considering the surrounding land uses, is the proposed land use more appropriate than the current zoning designation?** |
| **No** | | |
| **Analysis** | In consideration of the surrounding land uses, the proposed zone change to "R-R" Rural Residential is not more appropriate than the current zoning designation of "A" Agricultural.<br><br>Pursuant to Canyon County ordinance CCCO §07-10-25(2), the purpose of the "R-R" zoning district is to encourage and guide growth in areas where a rural lifestyle may be determined to be suitable.<br><br>The surrounding area is comprised of "A" Agricultural, "R-R" Rural Residential, and "R-1" Single-Family Residential zoning and uses that have been approved with both conditional and unconditional rezones (**Staff Report Exhibits B2.3 and B2.1**). The Rural Residential zoning directly to the west of the subject property has been in place since 2007. However, the use of the 40-acre property has remained agricultural. In contrast, residential uses that have maintained agricultural zoning are found directly to the north, east, and | |



Exhibit 1

south on properties that are between three (3) and seven (7) acres (**Staff Report Exhibits B2.3 and B2.2**). Some of these surrounding residential properties with agricultural zoning also contain hobby farms, large gardens, and raise animals.

While the applicant's letter of intent indicates that only a single division of the property is proposed, the requested unconditional rezone does not provide a mechanism to limit future divisions beyond those permitted by the zoning district. The subject property exceeds six (6) acres in size, and the proposed "R-R" Rural Residential zoning district allows for an average lot size of two (2) acres, which would permit the division of the property into three parcels. In addition, the unconditional rezone would allow for secondary dwellings to be developed. Consequently, approval of the rezone could result in up to six (6) dwelling units on the property, representing an intensity of development that is not more appropriate than the existing "A" Agricultural zone.

The subject parcel consists of moderately suited soils (Class III and IV) and least-suited soils (Class VIII) and is considered to be a mix of farmland of statewide importance if irrigated, prime farmland if irrigated, and not prime farmland (**Staff Report Exhibit B2.5**).

**Existing Conditions within One Mile (Exhibit B2.3):**

| Direction | Existing Use | Primary Zone | Other Zone |
|---|---|---|---|
| N | Agricultural and Residential | A | CR-R1, R1, RR |
| S | Agricultural and Residential | A, RR | R1 |
| E | Agricultural Residential | A, RR | |
| W | Irrigated Agricultural Land | RR, A | R1 |

"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:**
SD2018-0019 – Green Hills Landing Subdivision – Approved
RZ2019-0034 – Rezone from "A" to "R-1" - Approved
RZ2019-0037 – Rezone from "RR" to "R2" – Approved
RZ2019-0040 – Rezone from "A" to R-1" - Approved
SD2019-0043 – Purple Sage Estates No. 4 – Approved
SD2020-0010 – Spring Hills Ranch Subdivision Preliminary Plat – Approved
SD2020-0026 – Purple Sage Estates No. 5 - Approved
RZ2020-0012 – Rezone "A" to "R-R" – Approved
SD2020-0039 – Steady Acres Subdivision - Approved
RZ2021-0016 – Rezone from "A" to "R-1" – Approved
CR2022-0026 – Rezone from "A" to "CR-R"1 – Approved
SD2024-0001 – Ridgeland Estates Subdivision – Approved

**Other Cases**
RZ2006-13 – Rezone of six parcels totaling 181.10 acres from "A" (Agricultural) Zone to "R-R" (Rural Residential) Zone. Including the property directly to the west of the subject property. - Approved

| Criteria Met? | C | **Is the proposed zoning map amendment compatible with surrounding land uses?** |
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| No | | |

**Analysis**

The proposed zone change to "RR" is not compatible with surrounding land uses.

Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere or conflict with or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one

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| | another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses.<br><br>The applicant proposes to retain the existing residence on an approximately four (4)-acre parcel and construct one new home on a two (2)-acre parcel (**Staff Report Exhibit A2**). However, the requested Rural Residential zoning district would allow for up to three parcels and, with the allowance of secondary dwellings, up to six (6) dwelling units on the subject property. This level of development intensity is not compatible with the surrounding land use pattern. The average lot size within the 600-foot notification radius is 9.07 acres (**Staff Report Exhibit B2.7**), the potential density enabled by the rezone exceeds that which currently characterizes the immediate area.<br><br>The future land use designation of residential in the 2030 Canyon County Comprehensive Plan and recent residential land use cases in the vicinity (Exhibits B2.10 and B2.13) do not, by themselves, justify the increased development potential associated with the requested rezone. While residential development exists in the broader area, including numerous platted subdivisions, the surrounding properties to the west and south continue to support agricultural uses, including feedlots and a dairy operation within a two (2)-mile radius (**Staff Report Exhibit B2.4**). Allowing a rezone that could result in up to six (6) dwelling units would introduce a level of residential intensity that is not compatible with surrounding land uses.<br><br>See further analysis located in section 07-06-05(1)A, B & D. |
| **Criteria Met?**<br>**No** | **D** | **Will the proposed zoning map amendment negatively affect the character of the area? What measures will be implemented to mitigate impacts?** |
| **Analysis** | The proposed use will negatively affect the character of the area. Any necessary measures to mitigate impacts are detailed below.<br><br>**Character of the Area:**<br>The property is just over 1 mile west of the City of Middleton. The surrounding area is characterized by residential and agricultural uses (**Staff Report Exhibits B2.1 and B2.3**). Residential properties between three (3) and seven (7) acres in size are found directly to the north, east, and south. Many of these residential properties include small-scale agricultural uses that contribute to a rural character, such as raising animals, pastures, or large gardens. Directly to the west is a 40-acre parcel with rural residential "R-R" zoning that is in active crop production. The proposed "R-R" zoning designation allows for an average minimum lot size of two (2) acres, which is greater than the average lot size of 9.07 acres among properties within the 600-foot notification radius (**Staff Report Exhibit B2.7**). The proposed unconditional rezone could result in six (6) dwelling units on the property, which would be out of character with the area and would have a negative effect.<br><br>**The following measures will be implemented to mitigate the impact**<br>The applicant has requested a rezone without conditions. To gain approval, the applicant could resubmit a conditional rezone with a development agreement that would restrict future division of the property into two (2) parcels and prohibit secondary dwellings. | |
| **Criteria Met?**<br>**Yes** | **E** | **Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed zoning map amendment?** |
| **Analysis** | The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed zone map amendment based on the analysis contained herein.<br><br>**Sewer:**<br>Per the applicant's letter of intent and land use worksheet, sewer will be provided with individual septic systems (**Staff Report Exhibits A.2 and A.3**). There is one (1) individual septic system on the property serving the existing residential dwelling. A new individual septic system is requested for the proposed two (2) acre parcel. Per Southwest District Health, subsurface sewage disposal systems have not yet been determined, but there are no concerns with the use or request for rezoning if the applicant meets all SWDH requirements (**Staff Report Exhibit D.1**). | |



Exhibit 1

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| | Comments from Southwest District Health state that a Nutrient Pathogen Study is not required.<br><br>**Water:**<br>The existing home is served with an individual well, and a second individual well will be requested for the new parcel if the rezone is approved (**Staff Report Exhibit A.3**). Notice was given to the Idaho Department of Water Resources, but no comments were received. Individual wells are anticipated to adequately provide services to the two (2) residential dwellings (four (4) if secondary residences are added).<br>The property is located within a nitrate priority area. Per the Nitrate Priority Well Map, the closest known well with a nitrate level elevated above the 10 milligram per liter standard is approximately 0.88 miles to the northwest. (**Staff Report Exhibit B.2.8**).<br><br>**Drainage:**<br>Historic drainage patterns will be maintained. The subject property is on a gradual slope, with the highest portion of the property along Falcon Lane. The property flattens out toward the western half. Given the natural slope of the property, the applicant anticipates that drainage will be retained on site (**Staff Report Exhibits A.8.1, B.2.14**).<br><br>**Irrigation:**<br>The parcel is within Black Canyon Irrigation District (BCID) but does not receive water from the District. Per BCID, all prior matters are resolved, and the district has no comments on the proposed land use change (**Staff Report Exhibit D.4.1**). The Idaho Department of Water Resources website shows that the property does have an active water right (63-34947) from March 15 through November 15 for 0.14 CFS of groundwater for irrigation purposes (**Staff Report Exhibit A.8.2**). The new parcel will be eligible for the half-acre domestic exemption, or the property owners could seek to divide the existing groundwater irrigation right.<br><br>**Utility:**<br>Utility agencies were notified on June 6, 2025, and December 16, 2025, but no comments were received. There are residences and utility poles in the general vicinity that are indicative of utility services being available (**Staff Report Exhibit C**). |
| **Criteria Met?**<br>**Yes** | **F** | **Does legal access to the subject property for the zoning map amendment exist or will it exist at the time of development?** |
| **Analysis** | The subject property does have legal access for the zoning map amendment and will have adequate access at the time of the development. See review and analysis detailed below.<br><br>Access to the subject property exists via Falcon Lane, a local road with a 60-foot right-of-way easement (**Staff Report Exhibit A.6**). Pre-development meeting minutes from Highway District 4 detail that right-of-way dedication of 30 feet from each side of the Falcon Lane centerline may be required with the administrative land division (**Staff Report Exhibit A.5.1**). Rural driveway spacing at 140 feet applies, and the existing driveway approach may need to be improved per ACCHD-105 standards (**Staff Report Exhibit A.5.1**). The applicant proposes a new approach for the new parcel (**Staff Report Exhibit A.2**); approval from Highway District 4 will be required with the administrative land division. |
| **Criteria Met?**<br>**Yes** | **G** | **Does the proposed zoning map amendment 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 created by the proposed development? What measures have been taken to mitigate road improvements or traffic impacts?** |
| **Analysis** | The proposed rezone will not require public street improvements to provide adequate access to and from the subject property or to minimize undue interference with existing and/or future traffic patterns created by the proposed development.<br><br>Pre-Development Meeting Minutes from Highway District 4 indicate that they have no objection to the rezone (**Staff Report Exhibit A.5.1**). Property access comes from Falcon Lane, a local road. Right-of-way |



Exhibit 1

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| | dedication may be required **(Staff Report Exhibit A.5.1).** Highway District 4 will be notified and provided with the opportunity to comment and include conditions of approval at the time of the administrative land division. Due to only two (2) parcels being created, there does not appear to be a need to mitigate traffic impacts. Comments from the Idaho Transportation Department state that this application does not meet thresholds for a Traffic Impact Study, nor does it pose any safety concerns **(Staff Report Exhibit D.2)**. | |
| **Criteria Met?** | **H** | **Will the proposed zoning map amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?** |
| **Yes** | | |
| **Analysis** | The proposed use is not anticipated to impact essential public services and facilities, including, but not limited to, schools, police, fire, and emergency medical services. Any necessary measures to mitigate impacts are detailed below.<br><br>**Schools:**<br>The subject property is served by Middleton School District #134. It is not anticipated that the proposed rezone will impact the school district and accommodation is not expected, as only one (1) additional parcel is planned. Agency comments were sent on June 6, 2025, and December 16, 2025, and no comments were received by the school district.<br><br>**Police:**<br>Parcel R38160011 is under the jurisdiction of the Canyon County Sheriff's Office. The Canyon County Sheriff's Office is required to provide services to the parcel. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency comments were sent out on June 6, 2025, and December 16, 2025, and no comments were received by the Sheriff's Office.<br><br>**Fire protection:**<br>Middleton Rural Fire District sent a comment letter on November 11, 2025, and outlined fire code requirements and conditions of approval that will be required with the new residential building permit. The project is outside of the Fire District's 5-minute response time service goal. Station 52 is approximately 5.5 miles from the property, with an estimated travel time of 11 minutes under optimal driving conditions **(Staff Report Exhibit D.6)**. The comment letter notes that the area does not have an established water supply for firefighter operations. The owners will have to provide a water supply as outlined in the International Fire Code with the new residential building permit. Applicant correspondence details that fire suppression sprinklers are planned to be installed in the new residence (Exhibit A.8.1).<br><br>**Emergency Medical Services:**<br>Canyon County Paramedics and EMT provided response time maps showing a response time of 11.8 minutes from station M52, 13.8 minutes from station M51, and 9.8 minutes from station M53. Canyon County's Emergency Management was provided notice of the application, but no comment was received. | |

**Table 2. Area of City Impact**

| **CCCO 09-09-13 and CCCO 09-09-17: Middleton Area of City Impact Applicable Ordinances and Application Procedures:** The following procedures shall be adhered to in processing applications within the Middleton area of city impact: | | |
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| **County Ordinance and Review** | | |
| **Criteria Met?** | **Code Section** | **Criteria** |
| **Yes** | **09-09-13**<br><br>**09-09-17** | **Applicable Ordinances**<br>The Canyon County zoning ordinance and the Canyon County subdivision ordinance shall apply in the Middleton area of city impact.<br>**Application Procedures**<br>(1) Processing Applications: The following procedures shall be adhered to in processing applications within the area of city impact:<br>A. Land Use Applications: All land use applications submitted to the county including, but not limited to, conditional use permits, variances and land divisions requiring notification of a |

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| | | public hearing, shall be referred to the city in the same manner as provided for in subsection 09-09-11(3) of this article. |
| **Analysis** | **Area of City Impact:** The City of Middleton was provided notice of RZ2025-0003 on June 6, 2025, and December 16, 2025, but no comments were received. The property is located approximately one (1) mile west of the City of Middleton and is designated for residential use within the 2030 Canyon County Comprehensive Plan as well as in Middleton's 2025 Comprehensive Plan and associated Future Land Use Map. Given the small scale of the proposed development and similar surrounding land uses, the proposal is not anticipated to negatively impact the County or the City of Middleton. | |

**Order**

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission or Hearing Examiner recommends **denial** of Case # RZ2025-0003, a rezone of Parcel R38160011 (+/-6.19 acres).

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

1. Submit a revised application as a conditional rezone with a development agreement that prohibits secondary dwellings and allows for a single division of the property, resulting in a maximum of two (2) parcels.

**DATED** this 5 day of February, 2026.

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

Robert Sturgill, Chairman

State of Idaho )

SS

County of Canyon County )

On this 5 day of February, in the year 2026, before me Caitlin Ross, a notary public, personally appeared Robert Sturgill, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.

CAITLIN ROSS
COMMISSION #20251885
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 05/07/2031

Notary: Caitlin Ross

My Commission Expires: 5/7/2031



Exhibit 1

**EXHIBIT 2**

**P&Z Minutes Dated: March 19, 2026 -**

Board of County Commissioners

Case# RZ2025-0003

Hearing date: May 7, 2026

CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, January 15, 2026
6:30 P.M.

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

| | |
|---|---|
| Commissioners Present : | Robert Sturgill, Chairman<br>Brian Sheets, Vice Chairman<br>Harold Nevill, Commission Secretary<br>Geoff Mathews, Commissioner<br>Holley Werhanowicz, Commissioner<br>Anita Johnston, Commissioner |
| Staff Members Present: | Dan Lister, Planning Supervisor<br>Karla Nelson, Principal Planner<br>Emily Bunn, Principal Planner<br>Arbay Mberwa, Associate Planner<br>Dane Adams, Associate Planner<br>Amber Lewter, Associate Planner<br>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: Action Item – Election of Planning & Zoning Commission Officers**

**Motion:**
Commissioner Sheets nominated Robert Sturgill for Chairman for 2026. Chairman Sturgill accepted the nomination. Voice vote, motion carried.

Commissioner Mathews nominated Brian Sheets for Vice-Chairman for 2026. Commissioner Sheets accepted the nomination. Voice vote, motion carried.

Commissioner Sheets nominated Harold Nevill for Secretary for 2026. Commissioner Nevill accepted the nomination. Voice vote, motion carried.

**Item 2: Consent Agenda – Action Items**

A. **Case No. CU2025-0002 – Bighorn Traffic Services:** Approve FCOs
B. **Case No. CU2025-0024 – Gomez:** Approve FCOs
C. **Case No. SD2021-0061 – Victory Springs Subdivision:** Approve FCOs

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

**Item 3A:**

**Case No. ZV2025-0001 – Emry**: The applicant, Austin Emry, requests a variance to reduce the front setback requirements in the "A" (Agricultural) zone from 30 feet to 3 feet to build an addition to the primary dwelling on approximately 0.66 acres. The subject property is located at 15949 Hill Top Circle, Wilder, also referenced as Parcel R26293.

**Chairman Sturgill** affirmed the applicant to testify.

**Austin Emry – (Applicant) IN FAVOR – 15949 Hill Top Cir, Wilder, ID 83676**

Mr. Emry is requesting approval for a setback variance of the 30 feet to 3 feet for an addition on the east side of his current residence. He is requesting approval for 3 reasons. The first reason is due to the house being non-conforming based on how and where it was built in 1978. The second reason is due to the location of the septic on the south side of the house, preventing any additions to the backside of the house. The third reason is due to the 15% or greater slope on 60% of the property, which leaves limited space for a septic system and any other additions or improvements.

Commissioner Nevill asked if the 2 proposed conditions of approval were acceptable. Mr. Emry agrees to the conditions. Commissioner Nevill inquired about the use of the addition to the house. Mr. Emry confirmed it will be living space.

Chairman Sturgill asked what the speed limit is on Hill Top Circle and if that speed limit is typically followed. Mr. Emry stated it is 15 miles an hour, and the speed of drivers range anywhere up to 35 mph.

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

Commissioner Sheets asked what the distance is between the property line and the home as it stands now. Planner Adams is not aware of the exact distance.

Commissioner Nevill inquired about the code violation. Planner Adams explained the code violation was opened for an unpermitted addition to the home. Commissioner Nevill confirmed the approval of this application will clear that code violation and they can then apply for a building permit.

Planning Supervisor Dan Lister answered an earlier question regarding the distance between the property line and the home – the western portion meets a 50-foot setback but the area of the existing 1978 house is 11 feet from the setback.

Commissioner Nevill confirmed the history of the legal non-conforming house and the change of code regarding the setbacks.

Chairman Sturgill asked what the purpose of a setback from the road is. Planning Supervisor Lister explained the safety reasons for setbacks, including space for neighbors, fire safety to limit the jumping of a fire, and traffic safety.

**MOTION:** Commissioner Sheets moved to close public testimony on Case No. ZV2025-0001, seconded by Commissioner Mathews. Voice vote, motion carried.

**Deliberation:**

Commissioner Sheets is in favor of this request.

Commissioner Nevill explained he does not like using these types of applications to fix code violations; however, the addition is already built, so he is supportive.

Chairman Sturgill expressed concerns regarding a 3-foot setback when traffic traveling at high rate of speeds and swinging around the corner could be a liability; however, the road does end shortly after the turn. He also suggested modifying 2C in the findings to remove the other legal non-conforming home as there is no justification and it is inappropriate to include in the findings.

**MOTION:** Commissioner Sheets moved to **approve** Case No. ZV2025-0001, amending criteria 2C. Seconded by Commissioner Mathews.

**Discussion on the Motion:**
None.

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

**Item 3B:**
**Case No. CU2025-0017 – White Cloud Communication Inc**: The applicant, White Cloud Communication Inc., requests a conditional use permit for an unmanned telecommunication facility within a 10,000 square foot lease area on parcel R28634. The facility includes a 190-foot-tall tower with a 5-foot-tall lightning rod. The property is zoned the "A" (Agricultural) zone. The subject property, approximately 61.91 acres, is located at 0 Melba Road, Melba.

**Chairman Sturgill** affirmed the applicant to testify.

**Andrew Kittle – (Representative) IN FAVOR – 4732 Fenton St, Garden City, ID 83706 & Eric Smallwood – (Representative) IN FAVOR – 132 Fillmore St, Twin Falls, ID 83301**
Mr. Kittle explained the request for a tower for rural broadband use on property owned by the Nampa Highway District. This property is needed due to its proximity to Owyhee County, as well as being a low impact area. White Cloud Communication Inc is the recipient of a grant to provide rural broadband to the market area. Mr. Kittle stated there is a concern on the timeline of condition 1b regarding FAA approval prior to a building permit issuance, explaining that the FAA does not require that for a tower under 200 feet unless there are airport issues that would be affected, and the FAA has concerns about it. Getting that approval prior to obtaining a building permit would create undue pressure on the project, especially having 6 total to contend with, including towers in Owyhee County. Mr. Kittle explained a concern regarding condition 4 for fencing. He requested that this condition be amended to require fencing in a smaller area, which ultimately is just for protection of the asset, as fencing the full lease area of 100' by 100' would be expensive.

Mr. Smallwood provided a background on the project. There has been a large push to bring better internet to the citizens of Idaho, and this project comes out of the Idaho Office of Broadband to provide better internet. This tower will fill a huge need in an area that is an internet desert currently, and will offer affordable high-speed internet. It is a fiber and wireless mixed hybrid project, providing fiber to homes in areas with more density, such as Murphy, Bruno and Grandview, while serving licensed fix wireless to the rural residents. Mr. Smallwood addressed the FAA condition, stating he has never had to get approval for towers under 200 feet, but will still be lighting the tower although it is not required. Mr. Smallwood also agreed that it does not make sense to fence a bunch of desert, and the fencing that will be built will protect the asset while keeping wildlife and people from trespassing. This tower will also potentially provide the Nampa Highway District with better radio communications.

Commissioner Nevill confirmed that the request to modify condition 1B was to allow proof of the submittal for approval from the FAA rather than providing evidence of the approval. He also verified the request for a 7-foot fence closer to the tower rather than around the whole perimeter.

Commissioner Johnston asked what the rest of the property is used for. Mr. Kittle stated it is 100% agriculture and confirmed that it would be used for grazing if there were cattle.

Chairman Sturgill asked if White Cloud was the tower construction company or if they will be the carrier as well. Mr. Smallwood stated they will be using a subcontractor for the construction and White Cloud is the service provider. Chairman Sturgill asked if they will be hosting third parties on the tower, to which Mr. Smallwood stated there were no immediate plans to, but they would like to reserve that right if there was a need. Chairman Sturgill asked what frequency of operations was expected. Mr. Smallwood stated 3.5 gigahertz, and the communications for the highway district would be 450 megahertz. Chairman Sturgill noted that it would be preferred to accommodate permitting additional carriers or tenants as the county policy would rather have less towers.

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

Commissioner Nevill inquired about the proximity of the dairies to the north of the property. Planner Mberwa said she would look it up.

Commissioner Nevill asked what staff's thoughts were on modifying the aforementioned conditions. Planning Supervisor Dan Lister explained the requirements per code regarding FAA approval or confirmation that they don't care. Regarding the fencing, anything 7 feet or taller requires a building permit. Starting with 40 feet by 40 feet is amendable, but if White Cloud chooses to expand, they will need to come back for another building permit.

Planner Mberwa provided a map showing the proximity of the dairies, and it was determined the nearest dairy is about a mile away.

**MOTION:** Commissioner Sheets moved to close public testimony on Case No. CU2025-0017, seconded by Commissioner Mathews. Voice vote, motion carried.

**Deliberation:**
Commissioner Sheets believes this is an appropriate area for the request and would have minimal impact. It is going to provide services that are needed. He is amendable to modify condition 4 to reflect the 7-foot fencing with minimum dimensions of 40 by 40 feet and that it shall be submitted as part of the building permit, as well as modifying condition 1B to reflect submittal of proof of requesting FAA approval, with proof of approval prior to commencement.

Commissioner Nevill stated he is familiar with the area and believes residents will have more issues with the smell of the dairy than they will with this request, so he does not have any problems with the request and agrees with Commissioner Sheets on the suggested modifications to the conditions.

**MOTION:** Commissioner Sheets moved to **approve** Case No. CU2025-0017, amending condition 1B regarding FAA approval and condition 4 regarding fencing. Seconded by Commissioner Nevill.

**Discussion on the Motion:**
None.

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

**Item 3C:**

**Case No. RZ2025-0003 – Brown**: The applicant, Colby and Amy Brown, requests a rezone of approximately 6.19 acres from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone. The subject property is located at 24403 Falcon Lane, Caldwell, also referenced as Parcel R38160011.

**Chairman Sturgill** affirmed the applicant to testify.

**Colby Brown – (Applicant) IN FAVOR – 24403 Falcon Lane, Caldwell, ID 83607**

Mr. Colby explained the request to divide the property so his son can build a house next to them, which would start as rezoning from agriculture to rural residential. Mr. Colby described a slide in his presentation showing the area that they want to split into a separate parcel. His next slide showed an overview of the subdivision and Mr. Colby described another nearby property that was split years ago and set a precedence for divisions in the area. He also showed a slide outlining the comprehensive plan, explaining they are in line with this area becoming residential. All essential services and facilities will be considered when designing the layout of the new home. Mr. Colby stated they want to keep their neighbors happy and haven't heard of any strong opposition. In conclusion, this application is consistent with the comprehensive plan, it is compatible with the development that is going on in the area, and adding a home for their son will not have a big impact.

Commissioner Nevill asked why this was applied as a straight rezone instead of a conditional rezone. Mr. Colby stated he didn't understand the difference and took the recommendations from Development Services staff. Commissioner Nevill asked for clarification on the property that was previously split. Mr. Colby stated he assumed it was rezoned, but it was a 6-acre parcel that was split in half and a house was built on each lot. Commissioner Nevill commented on how narrow the current parcel is and inquired about measurements for the new lot. Mr. Colby did not remember the exact number, but has already considered the measurements and how they align with setbacks and how the house would be built. Commissioner Nevill inquired about the access plan, to which Mr. Colby stated there will be a new access road off of Falcon Lane entering into that property.

**Principal Planner Karla Nelson** reviewed the Staff Report for the record.

Commissioner Sheets asked for clarification on the Call Family Revocable Trust that is listed on Exhibit B2.2 and Roger J. Donnay that is listed on the Warranty Deed in Exhibit A7. Planner Nelson deferred to the applicant to clarify who should be on the deed and trust. Commissioner Sheets confirmed that with a straight rezone, this property would not be restricted to the one new lot they are proposing, and with a 6-acre lot with a minimum 2-acre lot size, there could be up to 3 lots with possible secondary dwellings on each new lot. Planner Nelson confirmed, and clarified that there would be CC&R's, which Canyon County would not enforce, but it would limit it to one split.

**Colby Brown – (Applicant) REBUTTAL – 24403 Falcon Lane, Caldwell, ID 83607**

Mr. Brown confirmed that the Call Family Revocable Trust is listed correctly on the trust, and the only people that should be listed on the deed are Mr. Brown and his wife Amy Brown. Roger J. Donnay is his wife's father, but he is no longer on the property and is not in the trust.

Commissioner Sheets confirmed that the deed included in the staff report is not the most recent property transaction for this property.

**MOTION:** Commissioner Nevill moved to close public testimony on Case No. RZ2025-0003, seconded by Commissioner Sheets. Voice vote, motion carried.

**Deliberation:**
Commissioner Nevill commented that he is not in favor of straight rezones that gives no ability to apply conditions such as restricting secondary dwellings. This could potentially turn into 6 lots and there is no way to stop it if there is no ability to say no.

Commissioner Sheets agrees that having two lots with one house is not a problem; however, he is concerned about who is formally making the request. The property is held in a trust, but the request appears to be made outside of the owner, which is a legal issue since a trust is a separate entity. Commissioner Sheets also expressed a concern about the proposed rezone being too unrestricted, and would be more comfortable if it were limited to one additional parcel that meets the setback requirements and allows just one additional unit.

Planning Supervisor Lister found a correction to the trust in 2023 through property records that lists only Colby Scott Brown and Amy Leanne Brown, trustees of the Call Family Revocable Trust. Commissioner Sheets confirmed that the application was submitted correctly according to this information. Planning Supervisor Lister stated the instrument number for the record, 2023-394.

Chairman Sturgill reminded the Commission that the decision for this case will be a recommendation to the Board of County Commissioners and the reasons of denial should be reflected in the findings. He requested removing the sentence on page 7 of 12 of the staff report that reads "due to these privately enforced covenants, as well as the applicant's expressed desire for only one split, the eventual average lot size with this change is anticipated to be three acres, similar in size to lots directly to the north and the east" as it should not be part of the findings.

**MOTION:** Commissioner Nevill moved to **recommend denial** for Case No. RZ2025-0003 to the Board of County Commissioners, finding that the application does not meet criteria, specifically regarding criterion B, C and D. Seconded by Commissioner Johnston.

To gain approval, the applicant could apply for a conditional rezone that would limit the development to a maximum of 2 lots and prohibit secondary dwellings.

**Discussion on the Motion:**
None.

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

**Item 3D:**
**Case No. CU2025-0018 – A&A Tires, LLC**: The applicant, Abraham Gonzalez, requests a Conditional Use Permit for a staging area and contractor shop for the applicant's business, A&A Tires, LLC, which is a 24-hour mobile tire repair service. The applicant is proposing to store service trucks, equipment, and tires with a contractor shop on-site. The property is approximately 1.58 acres in an "A" (Agricultural) zone. The subject property is located at 23930 Stone Lane, Caldwell, also referenced as Parcel R22073.

**Chairman Sturgill** affirmed the applicant to testify.

**Victor Ferral – (Representative) IN FAVOR – 1010 S Allante Pl, #100, Boise, ID 83709**
Mr. Ferral stated that all 15 criteria items as presented by staff were met. The property is currently zoned agricultural but is in the process of being rezoned to rural residential. A code violation was issued on May 30, 2025 because operating a vehicle service facility is not permitted under the current agricultural zoning per Canyon County code; however, under the pending RR zoning designation, the use would be allowed with a conditional use permit. This zoning transition is supported by the 2030 Canyon County Comprehensive Plan approved in October 2022 and confirmed by county planning staff. Mr. Ferral described the business,

explaining it is a mobile tire repair service. The owner or an employee will travel to customer locations (highways, roads, interstates) to perform repairs onsite. While the service operates 24/7 offsite, activity at the property itself will be limited to standard business hours, 8:00 a.m. to 5:00 p.m. Mr. Ferral further described that the proposed future development includes an approximately 30 by 60 pre-engineered metal building for the shop. No roadside parking will occur and vehicles will go to the site improvements. Mr. Ferral explained that all required application materials and agency approvals were submitted on August 6, 2025. Operational commitments include limiting on-site noise and activity to business hours, implementing a dust mitigation plan, and scheduling deliveries during business hours only. Site improvements will include a new driveway meeting Highway District 4 standards and a fire apparatus turnaround as required by the Middleton Star Fire Department. The proposed shop will be located on the east side of the property, away from the existing residence, with vehicles and equipment stored on-site and screened similarly to a nearby landscaping business that completed a comparable approval process.

Commissioner Mathews asked if the 3 garage doors shown on the rendering of the building will be on the building and what the height of the doors will be. Mr. Ferral stated the applicant asked for a bid for a building with 3 overhead doors, and he believes they are 12 by 14. Commissioner Mathews asked how long the tires would be stored on the property. Mr. Ferral deferred the question to the applicant, but stated it would be limited to 2-4 weeks as old tires are quickly picked up for a tire reclaim service in Caldwell and new tires quickly go out the door.

Commissioner Nevill inquired about any changes to the 14 proposed conditions of approval. Mr. Ferral commented that the only one that they would request a change on is the condition regarding fencing. He asks that the timeframe be extended to 12 months to get that completed. Commissioner Nevill asked if the client would be amendable to a condition limiting the amount of time tires are to be kept on the property. Mr. Ferral believes they would be open to that suggestion as they already work closely with the tire reclaim service to get old tires offsite. He also noted that the 30 by 60-foot shop will be available to protect tires and prevent piles of tires being visible and a nuisance to the neighbors.

Commissioner Sheets asked if there would be any issues with old tires being stored within the proposed metal shop. Mr. Ferral does not believe so. He stated that he would take the opportunity before rebuttal to ask his clients about a timeframe for how long tires should be onsite and if all old tires could be stored in the shop. Commissioner Sheets asked how this particular use of the property melds with the agricultural zone. Mr. Ferral stated that although the property was previously zoned agricultural, the 2030 Comprehensive Plan designates it as rural residential, and according to the website, applications after October 27, 2022 should follow that plan. Commissioner Sheets clarified by asking how this use would meld into a residential zone. Mr. Ferral explained that the area maintains a rural character with widely spaced homes, where residents still see horses and service vehicles, though some small businesses also operate nearby. At a July 21, 2025 neighborhood meeting, nearby neighbors mainly requested that vehicles stay off the road and business operations remain within standard 8 a.m.–5 p.m. hours.

Commissioner Mathews asked if any impact guns will be used on the property. Mr. Ferrel stated he will have an answer when he comes back for rebuttal.

Chairman Sturgill suggested coming up with a specific number of tires that are kept on site on a regular basis as that could be considered when modifying the conditions.

Commissioner Mathews also suggested finding out how frequently tire reclaim can pick up tires.

Mr. Ferral asked who enforces the conditions. Chairman Sturgill explained the Code Enforcement department would address any complaint calls from neighbors and continued violations could result in revocation of the conditional use permit.

**Associate Planner Amber Lewter** reviewed the Staff Report for the record.

Commissioner Sheets asked about the adjacent conditional use permit for a landscaping business and the metal fabrication business in the area. Planner Lewter stated staff recognized the conditional use permit for the staging area and contractor shop across the street, but there was not a conditional use permit for a metal fabrication business, although it could qualify under a home occupation. Commissioner Sheets is concerned about tire storage on the property and asked for suggestions on enforceable conditions relating to the storage of tires. Planner Lewter suggested adding a condition to store all tires within the aforementioned building. It is more easily recognized and enforceable if a tire is outside the building rather than how many tires are within the building.

Commissioner Nevill asked about the applicant's request of changing the time requirement for installing a fence from 6 months to 12 months. Planner Lewter stated she would be amendable to that change, and had suggested 6 months to begin with as that would be nice season by then.

Chairman Sturgill asked about limits on the number of employees, expressing concerns that this business could majorly expand in the future and become a commercial operation. Planner Lewter explained that adding more employees than what is detailed in the letter of intent and site plan would put the business out of conformance. Chairman Sturgill confirmed that staff is amendable to a condition that had a number of employees that could be serviced from the property.

Planning Supervisor Lister added that fire requirements should be considered if storing all tires inside the building.

**Chairman Sturgill** affirmed the witnesses to testify.

**Testimony:**

**Victor Ferral – (Representative) REBUTTAL – 1010 S Allante Pl, #100, Boise, ID 83709**

Mr. Ferral described the business as a small mom-and-pop tire operation that started a few years ago and plans only modest growth, possibly adding a few employees in the future. If the business ever expands to a larger staff size, they will likely relocate to a commercial or industrial location. They do use impact guns, but understand their limits concerning noise, and they also have quieter electric impact guns that are used later in the evening to help reduce noise. Mr. Ferral further explained that used tires are currently stored in a covered trailer provided by Tire Reclaim, which keeps them protected from weather until they are picked up, usually within 1-4 weeks. There is a small inventory of about 16–20 new tires, many of which go directly to vehicles and never return to the site. Mr. Ferral stated that final tire disposal is handled offsite by third-party companies.

Commissioner Nevill pointed out the pictures in staff's presentation that showed tires laying on the ground and not in a trailer, and confirmed that that will not continue to happen. He asked about the condition proposing keeping tires in the shop. Mr. Ferral believes that is fair and reasonable, and assured that tires removed from vehicles would be stored in an enclosed space and new tires would be stored to keep them out of the elements. Commissioner Nevill asked that if the condition stated that tires must be stored in the building or recycling trailer, would that cover all conditions and prevent tires being left out? Mr. Ferral agreed that tires are an environmental threat and does not believe it is unreasonable to place that condition. Commissioner Nevill asked about changing the language on the fencing requirement. Mr. Ferral stated costs add up, and the owner is already adding a fence around his house so adding another fence around the property is costly. Commissioner Nevill confirmed that 12 months is sufficient.

**MOTION:** Commissioner Sheets moved to close public testimony on Case No. CU2025-0018, seconded by Commissioner Mathews. Voice vote, motion carried.

**Deliberation:**
Planner Lewter presented verbiage for the tire storage condition, stating the applicant shall store all tires related to the use within the contractor shop. Tire storage shall be subject to the applicable fire district, DEQ, and building department regulations.

Commissioner Mathews asked if the wording could be modified to include storage in the shop or in a covered trailer. Planner Lewter approved the addition.

Commissioner Sheets stated this would need to be heavily conditioned to fit within an ag zone that is rural residential in nature, but is having a hard time figuring out how this use would not negatively change the essential character of the area or how it would fit in the current or future zoning. He believes that for criteria number 4, it will be injurious to the immediate vicinity and negatively change the essential character of the area.

Chairman Sturgill asked if there could be any conditions to mitigate Commissioner Sheets' concern; however, Commissioner Sheets believes any modifications would make this use a better fit for an industrial or commercial zone.

Commissioner Nevill appreciates Commissioner Sheets' thoughts, but does believe enough conditions, such as the previously discussed tire storage and extending the time limit on the building of the fence, could be placed for this use to fit within the ag zone. If it is found that the use becomes more than what is proposed, then it is relied upon the neighbors to call code enforcement.

Commissioner Johnston agrees with Commissioner Nevill.

Commissioner Mathews stated that with contractor shops and staging areas he always considers the size of the property as well as the proximity to neighbors, and this is a smaller lot with a commercial business, but because the majority of the work is being done elsewhere, he also agrees with Commissioner Nevill.

Commissioner Werhanowicz also agrees, and believes that if the owner takes pride in his property and keeps it clean with proper tire storage, this isn't a problem.

**MOTION:** Commissioner Nevill moved to **approve** Case No. CU2025-0018, amending condition 10 regarding a sight-obscuring fence and adding condition 15 regarding tire storage. Seconded by Commissioner Mathews.

**Discussion on the Motion:**
Chairman Sturgill noted that he will be voting in opposition because he does not believe the operations have not been constrained enough to not become a nuisance. He would only support this if there were further restrictions, such as number of trucks or number of employees.

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

**Item 3E:**
**Case No. CR2023-0014 – Willoughby**: The applicant, Eleanor Willoughby, requests a conditional rezone of an 18.03-acre parcel from an "A" (Agricultural) zone to a "CR-R-R" (Conditional Rezone - Rural Residential) zone. The request includes a development agreement limiting the project to an approximately 3-acre building envelope area to build a single-family residence. The subject property is located at 0 Hove Road, Melba, also referenced as Parcel R28173012.

**Chairman Sturgill** affirmed the applicant to testify.

**Eleanor Willoughby – (Applicant) IN FAVOR – 1100 N 63rd St, Nampa, ID 83687**

Ms. Willoughby described the request for a conditional rezone from agricultural to rural residential for an 18-acre parcel in Melba, which is part of a combined 24 acres they own. The property was purchased in July 2023 with the goal of creating a family ranch focused on raising and training working ranch horses, maintaining cattle, and producing alfalfa. Since purchasing the property, their family has made extensive agricultural improvements, including building a large barn, installing a well and septic system, constructing sheds and fencing, improving irrigation systems, planting alfalfa, and developing arenas and cattle pens. Ms. Willoughby also described road improvements for access in coordination with the Nampa Highway District to minimize disruption to surrounding farmland and neighboring properties. Ms. Willoughby emphasized that the project is a family effort and part of a long-term lifestyle and retirement plan centered on livestock, horsemanship, and agricultural stewardship. They believe the conditional rezone aligns with the County's 2030 comprehensive plan and all 8 criteria as it supports agricultural use while allowing a single-family residence, similar to neighboring properties. This application is not intended to subdivide the property, and any future division by future owners would require a new rezone request, ensuring the land remains primarily agriculture. Ms. Willoughby requests approval so her family can live on the property they have already invested in and continue to contribute to the local agricultural community.

Commissioner Sheets asked who Sidewinder Ranch, LLC is. Ms. Willoughby stated it is the name of the business in her name. Commissioner Sheets confirmed Ms. Willoughby is the manager, with no members. Commissioner Sheets asked about E & K Enterprises LLC. Ms. Willoughby explained that was the previous owners. Commissioner Sheets asked if Ms. Willoughby was aware that this property did not have a building permit, to which Ms. Willoughby said yes. She explained that prior to purchasing the property, she came into the planning department and spoke with a planner regarding this type of application and to get a permit for the residence on the property. She was informed she was very likely to accomplish that because the goal was to continue the agricultural use of the property and not ask for a property split.

Commissioner Nevill asked if all 4 conditions had been reviewed and agreed on. Ms. Willoughby answered 100% yes. Commissioner Nevill asked Ms. Willoughby to point out where the house will go. Ms. Willoughby pointed out the building envelope of 3 acres where the agricultural barn and arena is currently located. Commissioner Nevill asked for clarification on the flag lot. Ms. Willoughby explained the 6 acres that is the most productive part of the land in relation to the placement of the ag building on the nonproductive land, and the access down the flag lot to get to the back part of the parcel, where there is an easement and already had farm access. They did have to develop it and add a culvert, but it was the least disruptive to the property.

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

Commissioner Nevill asked if there is any way to do this without a rezone. Planner Bunn stated there was a comment letter sent in about considering a conditional use permit instead. The code allows a caretaker's residence under a conditional use permit; however, it does not give an entitlement, and the conditional rezone was the best option to be able to divide it for a residential parcel to limit the effects to the agricultural uses. Commissioner Nevill asked how many houses would be allowed. Planner Bunn stated it is just one single family residence and it would be on the 3 acre building envelope they proposed. Commissioner Nevill questioned if the applicant could return requesting an auxiliary dwelling, and Planner Bunn explained the development agreement only applies to a necessity, so another hearing for an additional rezone process to change that condition would be required.

Commissioner Mathews expressed that he does not understand why this process is necessary when the county encourages agriculture and farmers need to live on their land. Planner Bunn explained the land division process and that this property did not have a permit, so it is part of the code allowances at this time.

Chairman Sturgill asked if it was fair to ay the residential permits have already been utilized; it isn't that this is restricting a residence, but for the original plots of land, those were already allocated and used. Planner Bunn confirmed, and stated it was a 40-acre parcel and both permits were already used.

**Chairman Sturgill** affirmed the witnesses to testify.

**Testimony:**

**Debbie Davis – IN OPPOSITION – 7240 Butte Rd, Melba, ID 83641**

Ms. Davis opposes this conditional rezone application as this property is located in a consistently agricultural area. Rezoning would disrupt the established land-use pattern and set a precedent for spot zoning. Recent AOI boundary changes removed the property from the area of city impact, reinforcing its rural character. Ms. Davis is supportive of the applicant and her work, but believes rezoning is unnecessary because a caretaker residence is already allowed under agricultural zoning through a conditional use permit. She emphasized that keeping the property zoned agricultural aligns with Canyon County's comprehensive plan and Melba's 2025 comprehensive plan update, preserving the rural and agricultural character of the area and protecting the neighboring landowners who rely on zoning stability for their agricultural operations. Ms. Davis also referenced a similar rezone request that was previously denied and urges the commission to remain consistent to protect long-term agricultural stability.

Commissioner Nevill asked staff to explain why a conditional use permit with a caretaker residence is not feasible. Planner Bunn explained the history of the land division code and explained the prior owner already utilized both permits on 2 parcels, leaving the rest as agricultural only with no permits available. The request for a conditional use permit seems like a better option; however, it does not grant entitlements and it would not match the land division code. Planner Bunn reiterated that the conditions are very clear for one single family residence in a 3-acre building envelope.

**Shanna Nelson – IN OPPOSITION – 7240 Butte Rd, Melba, ID 83641**

Ms. Nelson stated the applicant has been a good neighbor and there have not been any complaints, and expressed concerns with the area turning into subdivision.

**Eleanor Willoughby – (Applicant) REBUTTAL – 1100 N 63rd St, Nampa, ID 83687**

Ms. Willoughby explained that they applied in 2023 for a rezone to allow construction of a single-family home on their property. A caretaker residence does not provide entitlement, could be revoked, and creates uncertainty for financing and long-term planning for family. Ms. Willoughby stated the goal is to have the same opportunity as neighboring landowners to build one home on their land, not to subdivide or develop multiple lots. She emphasized that they are willing to accept restrictions limiting the property to a single residence and protecting the agricultural character of the land. Ms. Willoughby indicated that the real threat to agriculture is investors turning properties into subdivisions, while their plan is intended as a long-term, agriculturally designed use of the property.

Commissioner Werhanowicz expressed concerns about this setting a precedent for future rezoning and development. Ms. Willoughby reiterated her intent and believes the conditions would prevent that.

Commissioner Nevill asked what the intention of a 3-acre envelope was. Ms. Willoughby explained that in working with the planners, narrowing it down to an envelope was a better idea than proposing building a house anywhere on the 18 acres, and she is amendable to a smaller parcel if necessary.

Commissioner Mathews confirmed that the applicant is amendable to limiting the conditional rezone to a 1, 2, or 3 acre envelope with one residence only.

Planner Bunn stated that the Commission could consider rezoning just a portion of the property instead of the whole thing. She also summarized the code that explains designation of a parcel as CR shall not constitute spot zoning and shall not be presumptive proof that the zoning of other property adjacent to or in the vicinity of the conditionally rezoned property should be rezoned the same.

Commissioner Nevill asked for clarification on limiting the area of the rezone. Planning Supervisor Lister stated it can be restricted as much as the Commission wants. The original 3-acre envelope was suggested to ensure all structures, such as a shop or garage, are within that area. The applicant would need to amend their application to describe that specific area. Planning Supervisor Lister explained the stipulations of a land division and the restrictions with the conditions.

**MOTION:** Commissioner Nevill moved to close public testimony on Case No. CR2023-0014, seconded by Commissioner Sheets. Voice vote, motion carried.

**Deliberation:**
Commissioner Sheets summarized the history of this parcel and the administrative land division in 2021 that divided the original parcel into 4 parcels, 2 with a residential building permit and 2 designated as agricultural only. He stated he does not like changing ag use in an ag zone into a conditional rezone for residential, essentially bending the rules to do something that previously was not allowed.

Commissioner Nevill agrees, and believes the answers to criteria 1-3 should be changed. He is not in favor, and states this rezone is a foot in the door, whether the code says it or not.

Commissioner Mathews asked Commissioner Sheets to explain his position again. Commissioner Sheets stated the property was created in 2021 and the parcel did not have a building permit. Conditions have not changed that much since then, and he believes having an agricultural use in an agricultural zone that is conditionally rezoned to rural residential is bending the rules to find an exception.

Commissioner Mathews stated that this is a different owner and is being used almost entirely for ag except for a small piece, while also prohibiting secondary dwellings. This application is much different than the previous aforementioned request where they were wanting to turn it into multiple residences.

Chairman Sturgill weighed in with his concerns about water rights, stating that the person that purchased it understood that entitlement was not included with the property.

**MOTION:** Commissioner Nevill moved to **recommend denial** for Case No. CR2023-0014 to the Board of County Commissioners, finding that the application does not meet criteria, specifically regarding criterion 1-4. Seconded by Commissioner Johnston.

**Discussion on the Motion:**
Commissioner Sheets suggested adding in that to gain approval, the applicant must get a building permit transfer from a third party. Commissioner Nevill consented.

Planner Bunn added that the neighbor to the west potentially has permits. Commissioner Nevill asked if it has to be contiguous. Planner Bunn states yes, and also requested that the caretaker's residence was not added as a way to gain approval as she can't recommend approval for that.

Planning Supervisor Lister added that another option is to exercise the land division process.

Commissioner Sheets added that this is not about the applicant, but about the property.

Planner Bunn asked if the soil map should be used as evidence in that it is good soil for agriculture, and if considering the surrounding area being heavily agriculture should also be used as evidence. Commissioner Nevill consented.

Commissioner Nevill added that this has nothing to do with the applicant, but the potential long range impact.

Commissioner Mathews agrees with Chairman Sturgill's comments on water rights, and believes that if this could be narrowed down to a small piece or a building permit could be obtained, that would be a better way.

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

**4. DIRECTOR, PLANNER, COMMISSION COMMENTS:**

Planning Supervisor Lister confirmed that Commissioner Dorsey will be resigning from his position. There was discussion on the process and outcome of the AOI hearings with the BOCC.

**5. ADJOURNMENT:**

**MOTION:** Commissioner Nevill moved to adjourn, seconded by Commissioner Mathews. Voice vote, motion carried. Hearing adjourned at 10:10 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

Caitlin Ross

Caitlin Ross, Hearing Specialist

**EXHIBIT 3**

**Staff Report Packet Dated: January 15, 2026**

**-**

Board of County Commissioners

Case# RZ2025-0003

Hearing date: May 7, 2026

# Planning and Zoning Commission
# Hearing Date: January 15, 2026
## *Canyon County Development Services Department*

## PLANNING DIVISION STAFF REPORT

| | |
|---|---|
| **CASE NUMBER:** | **RZ2025-0003** |
| **APPLICANT/PROPERTY OWNER:** | **Colby and Amy Brown** |
| **APPLICATION:** | **Rezone from "A" (Agricultural) to "R-R" (Rural Residential)** |
| **LOCATION:** | **24403 Falcon Lane, Caldwell, ID 83607**<br>**Also referenced as a portion of the SE1/4 of Section 34, T5N, R3W, BM, Canyon County, Idaho**<br>**Parcel R38160011 (+/-6.19 acres)** |
| **ANALYST:** | **Karla Nelson, Principal Planner** |
| **REVIEWED BY:** | **Emily Bunn, Principal Planner** |

**REQUEST:**
The applicants, Colby and Amy Brown, request an amendment to the official zoning map to rezone the property from Agricultural "A" to Rural Residential "R-R". An administrative land division will be required to divide the property into two (2) parcels if the rezone is approved**.**

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**PUBLIC NOTIFICATION:**

| | |
|---|---|
| **Neighborhood meeting conducted on:** | **February 19, 2025** |
| **JEPA notice sent on:** | **June 6, 2025** |
| **Agency and Full Political notice:** | **December 11, 2025** |
| **Neighbor notification within 600 feet mailed on:** | **December 16, 2025** |
| **Newspaper notice published on:** | **December 16, 2025** |
| **Notice posted on site on:** | **December 16, 2025** |

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**1. BACKGROUND:**
The subject parcel is zoned "A" Agriculture with a 2030 Comprehensive Plan Future Land Use Map designation for residential uses and is located approximately one mile west of the City of Middleton (**Exhibits B2.3 and B2.10**).

In 1990, the property was part of an approved Conditional Use Permit for a Planned Unit Development consisting of 34 residential lots within approximately 71 acres (CU2004-193). Conditions of approval included construction of a fence along the canal, construction of an adequate road base, and provisions for covenants. The subject parcel was subsequently created in its current configuration in 1997 via a land division (LS2004-217)**.** The record of survey was re-recorded in 2000 to dedicate Right-Of-Way along the western 40-feet of Harvey Road and Crossview Lane to Canyon County Highway District (**Exhibit A6**).

The property contains one single-family dwelling with an attached garage and a shed built in 2001, along with a barn that was built in 2016. The assessor's office notes that dry grazing occurs on 4.3 acres of the property. The applicant requests to rezone the property to Rural Residential "R-R" to allow for a future administrative land division to create two parcels. The original parcel in September 1979 contained the entirety of Parcels R38160011, R38160011A, and Crossview Lane. The original parcel has been split once and would be eligible for up to two additional administrative land divisions within the "R-R" zone. However, the applicant indicates that they only desire one division. Limited divisions are also supported by the protective restrictions and covenants of Crossview Meadows Property Owner's Association which state that Parcels 7, 8 (the subject property), 9 and 10 may be subdivided only once and that resulting parcels shall not be smaller than two (2) acres (**Exhibit B.3**).

**2. HEARING BODY ACTION:**

Pursuant to Canyon County Ordinance Article 07-06-01 (4)B, if an amendment to a zone or zone boundary is approved, then the approved amendment shall be effective immediately upon written approval and shall be established and clearly indicated, as soon as practicable, on the zoning map or maps adopted as part of this chapter. The board shall, when considering an application for an amendment to the zoning ordinance, consider the comprehensive plan and other evidence gathered through the public hearing process.

The commission should consider the procedures outlined above within Canyon County Ordinance 07-06-01(3).

**OPTIONAL MOTIONS:**

**Approval of the Application**: "I move to approve RZ2025-0003, Brown Rezone, finding the application **does** meet the criteria for approval under Article 07.06.05 of Canyon County zoning Regulations, **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 RZ2025-0003, Brown Rezone, finding the application **does not** meet the criteria for approval under Article 07.06.05 of Canyon County zoning Regulations, **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 RZ2025-0003, Brown Rezone to a [*date certain or uncertain*]

### 3. HEARING CRITERIA

**Table 1. Zoning Amendment Criteria Analysis**

| **HEARING CRITERIA (07-06-05(1)):** The commission shall review the particular facts and circumstances of each proposed zoning amendment and make a recommendation regarding the same to the board. The presiding party shall make its review in terms of the following standards and shall find adequate evidence regarding the following criteria when evaluating the proposed zoning district boundary amendment: | | | | |
|---|---|---|---|---|
| **Compliant** | | | **County Ordinance and Staff Review** | |
| **Yes** | **No** | **N/A** | **Code Section** | **Analysis** |
| | | | **07-06-05(1) A.** | **Is the proposed zone change generally consistent with the comprehensive plan?** |
| ☒ | ☐ | ☐ | ***Staff Analysis*** | The proposed zone change is generally consistent with the Comprehensive Plan. The 2030 Canyon County Comprehensive Plan designates the future land use of the parcel as "residential" (**Exhibit B2.10**). The parcel is located within the City of Middleton's Area of Impact, and Middleton's comprehensive plan designates the area for future residential growth (**Exhibit B2.11**). COMPASS forecasts modest residential growth of 27 households by the year 2050 for the associated Traffic Analysis Zone (TAZ 2090).<br><br>The 2030 Canyon County Comprehensive Plan states that 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. The property is in a transitional area near the City of Middleton, in an area where rural residential zoning and uses are common.<br><br>The request aligns with the following goals and policies of the 2030 Comprehensive Plan:<br>• <u>Property Rights Goals and Policies</u>:<br>o Goal No. 1: "Protect the integrity of individual property rights while safeguarding public health, safety, and welfare."<br>o Policy No. 1: "No person shall be deprived of private property without due process of law."<br>o Policy No. 3: "Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals."<br>• <u>Population Component Policy and Goal:</u><br>o Goal No. 2: "Promote housing, business, and service types needed to meet the demand of the future and existing population."<br>• <u>Economic Development Goal</u><br>o Goal No. 5: "Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability."<br>• <u>Land Use Policies and Goals</u>:<br>o Policy No 1.1: "Maintain a balance between residential growth and agriculture that protects the rural character." |

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| | | | | o Policy No 1.2: "Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights. "<br>o Goal 2: "Ensure that growth maintains and enhances the unique character throughout the County."<br>o Goal 3: "Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning. "<br>o Policy No. 5.2: "Consider development on poor soils (Class 4 or higher) that will not interfere with viable agricultural operations in the area.<br>o Goal 7: "Protect rural qualities that make the County distinct and conserve and enhance the elements contributing to the good quality of life. "<br>o Policy 7.1: "Plan land uses that are compatible with the surrounding community."<br>o Policy 8.1: "Protect and enhance the rural landscape as an essential feature of the County."<br>• <u>Housing Goals</u><br>o Goal 1: "Encourage opportunities for a diversity of housing choices in the County."<br>o Goal 2: "Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural and natural resources." |
| ☒ | ☐ | ☐ | **07-06-05(1) B.** | **When considering the surrounding land uses, is the proposed zone change more appropriate than the current zoning designation?** |
| | | | ***Staff Analysis*** | In consideration of the surrounding land uses, the proposed zone change to "R-R" Rural Residential is more appropriate than the current zoning designation of "A" Agricultural. The parcel is located within Middleton's Area of Impact, where residential growth is anticipated. Residential development is further supported through the Canyon County and Middleton Future Land Use Maps, which both designate the area for residential land use (**Exhibits B2.10 and B2.11**). COMPASS forecasts modest residential growth of 27 new households by the year 2050 for the surrounding Traffic Analysis Zone (**Exhibit B2.9**).<br><br>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. Long-established rural residential uses in the area indicate that the "R-R" zone is appropriate for the subject property.<br><br>The surrounding area is comprised of "A" Agricultural, "R-R" Rural Residential, and "R-1" Single-Family Residential zoning and uses that have been approved with both conditional and unconditional rezones (**Exhibits B2.3 and B2.1**). The Rural Residential zoning directly to the west of the subject property has been in place since 2007. However, the use of the 40-acre property has remained agricultural. In contrast, residential uses that have maintained agricultural zoning |

are found directly to the north, east, and south on properties that are between three (3) and seven (7) acres (**Exhibits B2.3 and B2.2**). Some of these surrounding residential properties with agricultural zoning also contain hobby farms, large gardens, and raise animals.

There are 47 platted subdivisions within a one-mile radius of the subject property with an average lot size of 1.7 acres (**Exhibit B2.6 and B2.7**). Drake subdivision, the closest subdivision to the property, approximately 630 feet to the northeast, was created in 1973 with average lots 0.98 acres in size (**Exhibit B2.7**). The applicant's proposed parcels of four (4) and two (2) acres in size are commensurate with nearby residential properties and will maintain the rural residential character.

The subject parcel consists of moderately suited soils (Class III and IV) and least-suited soils (Class VIII) and is considered to be a mix of farmland of statewide importance if irrigated, prime farmland if irrigated, and not prime farmland (**Exhibit B2.5**). The property could continue to support small-scale agricultural uses such as maintaining a chicken coop, garden, and sheep barn if the rezone is approved.

**Existing Conditions within One Mile (Exhibit B2.3):**

| Direction | Existing Use | Primary Zone | Other Zone |
|---|---|---|---|
| **N** | **Agricultural and Residential** | **A** | **CR-R1, R1, RR** |
| **S** | **Agricultural and Residential** | **A, RR** | **R1** |
| **E** | **Agricultural Residential** | **A, RR** | |
| **W** | **Irrigated Agricultural Land** | **RR, A** | **R1** |

"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 (Exhibit B2.13):**
SD2018-0019 – Green Hills Landing Subdivision – Approved
RZ2019-0034 – Rezone from "A" to "R-1" - Approved
RZ2019-0037 – Rezone from "RR" to "R2" – Approved
RZ2019-0040 – Rezone from "A" to R-1" - Approved
SD2019-0043 – Purple Sage Estates No. 4 – Approved
SD2020-0010 – Spring Hills Ranch Subdivision Preliminary Plat – Approved
SD2020-0026 – Purple Sage Estates No. 5 - Approved
RZ2020-0012 – Rezone "A" to "R-R" – Approved
SD2020-0039 – Steady Acres Subdivision - Approved
RZ2021-0016 – Rezone from "A" to "R-1" – Approved
CR2022-0026 – Rezone from "A" to "CR-R"1 – Approved
SD2024-0001 – Ridgeland Estates Subdivision – Approved

These recent cases demonstrate that the area is trending toward residential zoning and use.

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| | | | | **Other Cases**<br>RZ2006-13 – Rezone of six parcels totaling 181.10 acres from "A" (Agricultural) Zone to "R-R" (Rural Residential) Zone. Including the property directly to the west of the subject property. - Approved |
| ☒ | ☐ | ☐ | **07-06-05(1) C.** | **Is the proposed zoning map amendment compatible with surrounding land uses?** |
| | | | ***Staff Analysis*** | The proposed zone change to "RR" is compatible with surrounding land uses.<br><br>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.<br><br>The proposed rezone is intended to facilitate the development of one new residential parcel. The existing home will be retained on an approximately 4-acre parcel, and the new home will be built on a 2-acre parcel (**Exhibit A2**). The proposed parcel sizes are consistent with the development pattern of land uses to the north and northeast of the subject property. Within the 600-foot notification radius, the median lot size is 3.73 acres (**Exhibit B2.7**). The subject property is designated for future residential use in the 2030 Canyon County Comprehensive Plan, and recent land use cases demonstrate that the area is trending toward residential (**Exhibit B2.10 and B2.13**).<br><br>The limited scale of development that will add only one residence is not anticipated to interfere with nearby agricultural production to the west and south, as residential uses and residential zoning have long been established in the area (**Exhibits B2.1 and B2.3**). There are four (4) feedlots and one (1) dairy within a two (2) mile radius (**Exhibit B2.4**); however, there is also significant rural residential development. There are 47 platted subdivisions with 710 lots within a one-mile radius, with an average lot size of 1.7 acres, and five additional subdivisions are in the platting process with an average lot size of 1.48 acres (**Exhibit B2.7**). The addition of one new parcel is not anticipated to create any greater impact than the existing residential development in the area. Furthermore, per the letter of intent, the applicant intends to continue living on the property and plans to sell the newly created parcel to a family member who presumably understands the rural residential and agricultural aspects of the area (**Exhibit A.2**).<br><br>See further analysis located in section 07-06-05(1)A, B & D. |
| ☒ | ☐ | ☐ | **07-06-05(1) D.** | **Will the proposed zoning map amendment negatively affect the character of the area? What measures will be implemented to mitigate impacts?** |
| | | | ***Staff Analysis*** | The proposed use will not negatively affect the character of the area. Any necessary measures to mitigate impacts are detailed below.<br><br>**Character of the Area:** |

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| | | | | The property is just over 1 mile west of the City of Middleton. The surrounding area is characterized by residential and agricultural uses (**Exhibits B2.1 and B2.3**). Residential properties between three (3) and seven (7) acres in size are found directly to the north, east, and south. Many of these residential properties include small-scale agricultural uses that contribute to a rural character, such as raising animals, pastures, or large gardens. Directly to the west is a 40-acre parcel with rural residential "R-R" zoning that is in active crop production.<br>The proposed "R-R" zoning designation allows for an average minimum lot size of two (2) acres, which is greater than the overall average lot size of 1.70 acres found among the 47 platted subdivisions within a one-mile radius (**Exhibit B2.7**).<br><br>**The following measures will be implemented to mitigate impacts:**<br>The applicant has requested a rezone without conditions, and given the small scale of the proposal, the need for mitigation measures is not anticipated. While not enforced by Canyon County, the scale of the development is mitigated privately through existing covenants that limit the property to a single split (**Exhibit B.3**). Due to these privately enforced covenants, as well as the applicant's expressed desire for only one split, the eventual average lot size with this change is anticipated to be three (3) acres, similar in size to lots directly to the north and east. The proposed parcels, two (2) and four (4) acres in size within the requested rural residential zone, will result in properties large enough to maintain the surrounding rural character and to serve as a transition towards the smaller lots found in Drake subdivision to the northeast. The property is located within an area designated for residential use and growth within the 2030 Comprehensive Plan. |
| ☒ | ☐ | ☐ | **07-06-05(1) E.** | **Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed zoning map amendment?** |
| | | | ***Staff Analysis*** | The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed zone map amendment based on the analysis contained herein.<br><br>**Sewer:**<br>Per the applicant's letter of intent and land use worksheet, sewer will be provided with individual septic systems (**Exhibits A.2 and A.3**). There is one (1) individual septic system on the property serving the existing residential dwelling. A new individual septic system is requested for the proposed two (2) acre parcel. Per Southwest District Health, subsurface sewage disposal systems have not yet been determined, but there are no concerns with the use or request for rezoning if the applicant meets all SWDH requirements (**Exhibit D.1**).<br><br>Comments from Southwest District Health state that a Nutrient Pathogen Study is not required.<br><br>**Water:**<br>The existing home is served with an individual well, and a second individual well will be requested for the new parcel if the rezone is approved (**Exhibit A.3**). Notice was given to the Idaho Department of Water Resources, but no comments |

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| | | | | were received. Individual wells are anticipated to adequately provide services to the two (2) residential dwellings (four (4) if secondary residences are added). The property is located within a nitrate priority area. Per the Nitrate Priority Well Map, the closest known well with a nitrate level elevated above the 10 milligram per liter standard is approximately 0.88 miles to the northwest. (**Exhibit B.2.8**).<br><br>**Drainage:**<br>Historic drainage patterns will be maintained. The subject property is on a gradual slope, with the highest portion of the property along Falcon Lane. The property flattens out toward the western half. Given the natural slope of the property, the applicant anticipates that drainage will be retained on site (**Exhibit A.8.1, B.2.14**).<br><br>**Irrigation:**<br>The parcel is within Black Canyon Irrigation District (BCID) but does not receive water from the District. Per BCID, all prior matters are resolved, and the district has no comments on the proposed land use change (**Exhibit D.4.1**). The Idaho Department of Water Resources website shows that the property does have an active water right (63-34947) from March 15 through November 15 for 0.14 CFS of groundwater for irrigation purposes (**Exhibit A.8.2**). The new parcel will be eligible for the half-acre domestic exemption, or the property owners could seek to divide the existing groundwater irrigation right.<br><br>**Utility:**<br>Utility agencies were notified on June 6, 2025, and December 16, 2025, but no comments were received. There are residences and utility poles in the general vicinity that are indicative of utility services being available (**Exhibit C**). |
| ☒ | ☐ | ☐ | **07-06-05(1) F.** | **Does legal access to the subject property for the zoning map amendment exist or will it exist at the time of development?** |
| | | | ***Staff Analysis*** | The subject property does have legal access for the zoning map amendment and will have adequate access at the time of the development. See review and analysis detailed below.<br><br>Access to the subject property exists via Falcon Lane, a local road with a 60-foot right-of-way easement (**Exhibit A.6**). Pre-development meeting minutes from Highway District 4 detail that right-of-way dedication of 30 feet from each side of the Falcon Lane centerline may be required with the administrative land division (**Exhibit A.5.1**). Rural driveway spacing at 140 feet applies, and the existing driveway approach may need to be improved per ACCHD-105 standards (**Exhibit A.5.1**). The applicant proposes a new approach for the new parcel (**Exhibit A.2**); approval from Highway District 4 will be required with the administrative land division. |
| ☒ | ☐ | ☐ | **07-06-05(1) G.** | **Does the proposed zoning map amendment 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 created by the proposed development? What measures have been taken to mitigate road improvements or traffic impacts?** |
| | | | ***Staff Analysis*** | The proposed rezone will not require public street improvements to provide adequate access to and from the subject property or to minimize undue |

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|---|---|---|---|---|
| | | | | interference with existing and/or future traffic patterns created by the proposed development.<br>Pre-Development Meeting Minutes from Highway District 4 indicate that they have no objection to the rezone (**Exhibit A.5.1**). Property access comes from Falcon Lane, a local road. Right-of-way dedication may be required (**Exhibit A.5.1).** Highway District 4 will be notified and provided with the opportunity to comment and include conditions of approval at the time of the administrative land division. Due to only two (2) parcels being created, there does not appear to be a need to mitigate traffic impacts. Comments from the Idaho Transportation Department state that this application does not meet thresholds for a Traffic Impact Study, nor does it pose any safety concerns (**Exhibit D.2**). |
| ☒ | ☐ | ☐ | **07-06-05(1) H.** | **Will the proposed zoning map 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.<br><br>**Schools:**<br>The subject property is served by Middleton School District #134. It is not anticipated that the proposed rezone will impact the school district and accommodation is not expected, as only one (1) additional parcel is planned. Agency comments were sent on June 6, 2025, and December 16, 2025, and no comments were received by the school district.<br><br>**Police:**<br>Parcel R38160011 is under the jurisdiction of the Canyon County Sheriff's Office. The Canyon County Sheriff's Office is required to provide services to the parcel. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency comments were sent out on June 6, 2025, and December 16, 2025, and no comments were received by the Sheriff's Office.<br><br>**Fire protection:**<br>Middleton Rural Fire District sent a comment letter on November 11, 2025, and outlined fire code requirements and conditions of approval that will be required with the new residential building permit. The project is outside of the Fire District's 5-minute response time service goal. Station 52 is approximately 5.5 miles from the property, with an estimated travel time of 11 minutes under optimal driving conditions (**Exhibit D.6**). The comment letter notes that the area does not have an established water supply for firefighter operations. The owners will have to provide a water supply as outlined in the International Fire Code with the new residential building permit. Applicant correspondence details that fire suppression sprinklers are planned to be installed in the new residence (Exhibit A.8.1).<br><br>**Emergency Medical Services:** |

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| | | | | Canyon County Paramedics and EMT provided response time maps showing a response time of 11.8 minutes from station M52, 13.8 minutes from station M51, and 9.8 minutes from station M53. Canyon County's Emergency Management was provided notice of the application, but no comment was received. |

**Table 3. Area of City Impact**

| **CCCO 09-09-13 and CCCO 09-09-17: Middleton Area of City Impact Applicable Ordinances and Application Procedures:** The following procedures shall be adhered to in processing applications within the Middleton area of city impact: | | | | |
|---|---|---|---|---|
| **Compliant** | | | **County Ordinance and Staff Review** | |
| **Yes** | **No** | **N/A** | **Code Section** | **Analysis** |
| ☒ | ☐ | ☐ | **09-09-13**<br><br>**09-09-17** | **Applicable Ordinances**<br>The Canyon County zoning ordinance and the Canyon County subdivision ordinance shall apply in the Middleton area of city impact.<br>**Application Procedures**<br>(1) Processing Applications: The following procedures shall be adhered to in processing applications within the area of city impact:<br>A. Land Use Applications: All land use applications submitted to the county including, but not limited to, conditional use permits, variances and land divisions requiring notification of a public hearing, shall be referred to the city in the same manner as provided for in subsection 09-09-11(3) of this article. |
| | | | ***Staff Analysis*** | **Area of City Impact:**<br>The City of Middleton was provided notice of RZ2025-0003 on June 6, 2025, and December 16, 2025, but no comments were received. The property is located approximately one (1) mile west of the City of Middleton and is designated for residential use within the 2030 Canyon County Comprehensive Plan as well as in Middleton's 2025 Comprehensive Plan and associated Future Land Use Map. Given the small scale of the proposed development and similar surrounding land uses, the proposal is not anticipated to negatively impact the County or the City of Middleton. |

**4. AGENCY COMMENTS:**

Agencies including the Canyon County Sheriff's Office, Canyon County Paramedics/EMT, Middleton Fire Protection District, State Fire Marshall, Black Canyon Irrigation District, Highway District No. 4, Middleton School District, Idaho Transportation Department, Idaho Department of Environmental Quality, Idaho Agricultural Aviation Association, Idaho State Department of Agriculture, Idaho Fish and Game, Canyon County Soil Conservation District, Idaho Power, Intermountain Gas, CenturyLink, Ziply, Canyon County Building Department, Canyon County Code Enforcement Department, Idaho Department of Water Resources (Water Rights), Southwest District Health, and the City of Middleton were notified of the subject application.

Staff received agency comments from Southwest District Health, Idaho, Idaho Transportation Department, Canyon County Soil Conservation District, Black Canyon Irrigation District, Idaho Department of Environmental Quality, Middleton Rural Fire District, and Canyon County Paramedics. All agency comments received by the aforementioned materials deadline are located in Exhibit D.

Pursuant to Canyon County Ordinance 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.

**5. PUBLIC COMMENTS:**
Staff received "zero" (0) total written public comments by the materials deadline of January 5, 2026.

Pursuant to Canyon County Ordinance 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.

**6. SUMMARY & RECOMMENDED CONDITIONS:**
In consideration of the application and supporting materials, staff concludes that the proposed rezone is **compliant** with Canyon County Ordinance 07-06-05. A full analysis is detailed within the staff report.

**7. EXHIBITS:**

A. **Application Packet & Supporting Materials**
   1. Master Application
   2. Letter of Intent
   3. Land Use Worksheet
   4. Neighborhood Meeting
   5. Agency Acknowledgement
      5.1. HD4 Pre-Development Meeting Minutes
   6. Crossview Meadows Record of Survey
   7. Warranty Deed
   8. Email communication
      8.1. Email Correspondence June-July 2025
      8.2. Email Correspondence November 2025

**B. Supplemental Documents**
   1. Parcel Tool
   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
      2.7. Subdivision & Lot Report
      2.8. Nitrate Priority Wells
      2.9. TAZ Households
      2.10. Canyon County 2030 Future Land Use Map
      2.11. City Future Land Use Map
      2.12. Lot Classification Map
      2.13. Case Map (1-Mile) and Summary Report



Exhibit 3

2.14. Slope Percent Map

3. Crossview Meadows Protective Restrictions and Covenants

**C. Site Visit Photos**

1. Site Visit Photos, July 15, 2025

**D. Agency Comments Received by: January 5, 2026**

1. Southwest District Health, Received June 6, 2025
2. Idaho Transportation Department, Received June 16, 2025
3. Canyon County Soil Conservation District, Received June 10, 2025
4. Black Canyon Irrigation District, Received June 18, 2025

4.1. Black Canyon Irrigation District, November 21, 2025

5. Idaho Department of Environmental Quality, Received June 17, 2025
6. Middleton Rural Fire District, Received November 18, 2025
7. Canyon County Paramedics, Received November 18, 2025



Exhibit 3

**EXHIBIT A**

**Application Packet & Supporting Materials**

Planning & Zoning Commission

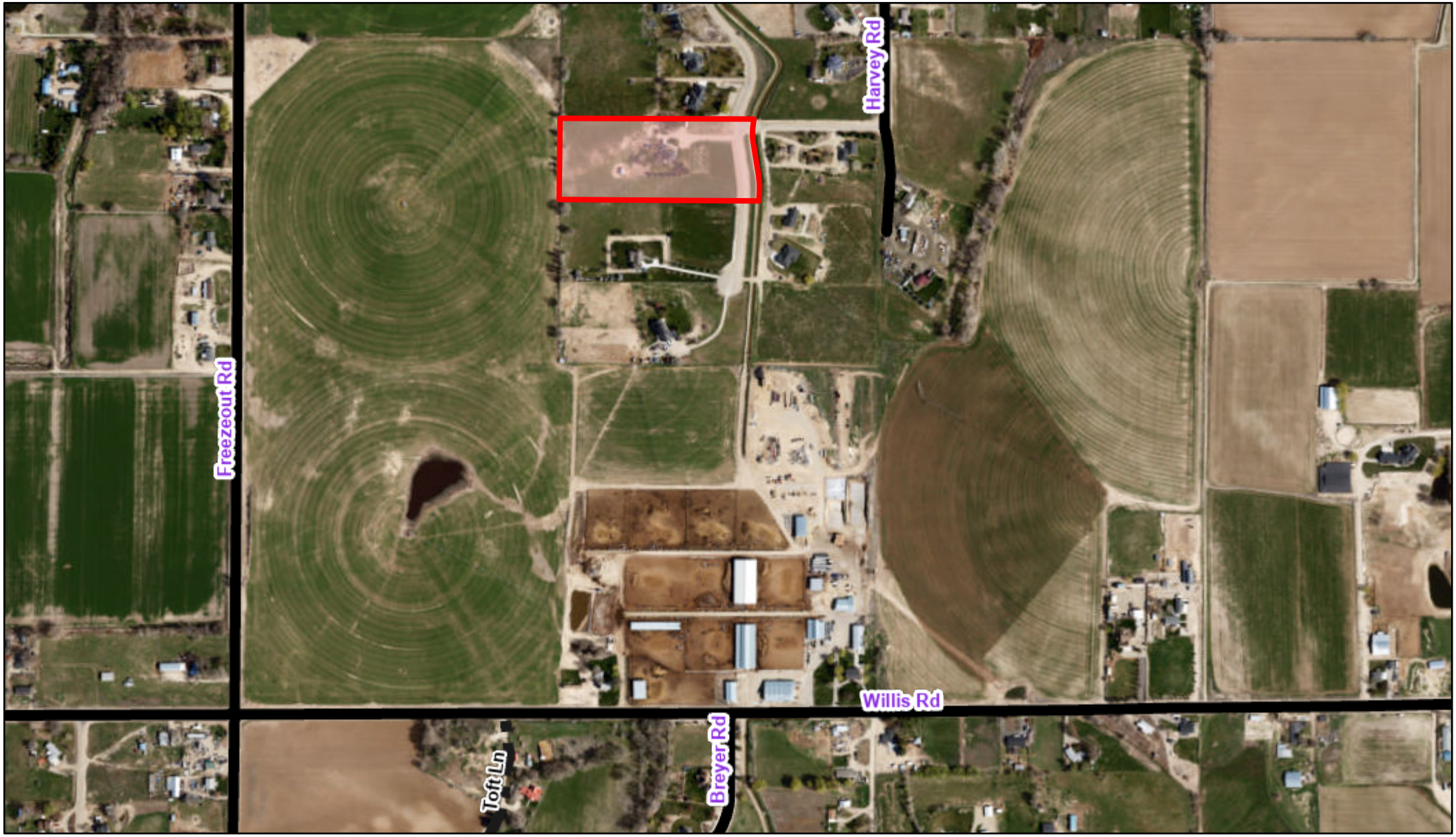
Case# RZ2025-0003

Hearing date: January 15, 2026

Exhibit 3

# Canyon County, ID Web Map

Exhibit A




5/1/2025, 12:21:36 PM

Multiple Parcel Search _Query result

CanyonCountyRoads

Roads

CC_PrivateRoads

Urban_2023

Red: Red

Green: Green

Blue: Blue

Imagery_2022

Red: Band_1

Green: Band_2

Blue: Band_3

1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA

Exhibit 3

Exhibit A

Canyon County, ID

Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA | City of Nampa |

Exhibit 3 Exhibit A.1

# MASTER APPLICATION

**CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**

111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633

| | |
|---|---|
| **PROPERTY OWNER** | OWNER NAME: Colby + Amy Brown |
| | MAILING ADDRESS: 24403 Falcon Ln, Caldwell, ID 83607 |
| | PHONE: [redacted] EMAIL: [redacted] |

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: Colby Brown Date: 4/17/2025

| | |
|---|---|
| **(AGENT) ARCHITECT ENGINEER BUILDER** | CONTACT NAME: |
| | COMPANY NAME: |
| | MAILING ADDRESS: |
| | PHONE: EMAIL: |

| | |
|---|---|
| **SITE INFO** | STREET ADDRESS: 24403 Falcon Lane, Caldwell, ID 83607 |
| | PARCEL #: R3816001 LOT SIZE/AREA: 6.19 |
| | LOT: BLOCK: SUBDIVISION: |
| | QUARTER: SE SECTION: 34 TOWNSHIP: 5N RANGE: 3W |
| | ZONING DISTRICT: FLOODZONE (YES/NO): NO |

| | | | |
|---|---|---|---|
| **HEARING LEVEL APPS** | ____CONDITIONAL USE | ____COMP PLAN AMENDMENT | ____CONDITIONAL REZONE |
| | _X_ ZONING AMENDMENT (REZONE) | ____DEV. AGREEMENT MODIFICATION | ____VARIANCE > 33% |
| | ____MINOR REPLAT | ____VACATION | ____APPEAL |
| | ____SHORT PLAT SUBDIVISION | ____ PRELIMINARY PLAT SUBDIVISION | ____FINAL PLAT SUBDIVISION |

| | | | |
|---|---|---|---|
| **DIRECTORS DECISION APPS** | ____ ADMINISTRATIVE LAND DIVISION | ____EASEMENT REDUCTION | ____SIGN PERMIT |
| | ____PROPERTY BOUNDARY ADJUSTMENT | ____HOME BUSINESS | ____VARIANCE 33% > |
| | ____PRIVATE ROAD NAME | ____TEMPORARY USE | ____DAY CARE |
| | ____OTHER____ | | |

CASE NUMBER: RZ2025-0003 DATE RECEIVED: 4-28-25

RECEIVED BY: Emily Bunn APPLICATION FEE: 1900 CK MO CC CASH

Notification (2 hearing) - $600

case mapper set - $50

Rezone fee - $1250

Revised 1/3/21

Exhibit 3 Exhibit A.1

Colby and Amy Brown
24403 Falcon Lane
Caldwell, ID 83607
[redacted]

1/29/2005

Canyon County Development Services Department
111 North 11th Ave, #140
Caldwell, ID 83605

**Subject:** Letter of Intent – Request for Rezoning from Agricultural to Rural Residential

Planning and Zoning Department,

I am writing to formally request a rezoning of my property located at 24403 Falcon Lane, Caldwell, ID from Agricultural (AG) to Rural Residential (RR) to allow for the subdivision of the existing 6-acre parcel into two separate parcels.

The current parcel consists of approximately 6 acres and includes a single-family dwelling, a chicken coop, a sheep barn, a well, and a septic system with a drain field. I am proposing to divide this land into two parcels, one approximately 4 acres and the other approximately 2 acres. The newly created 2-acre parcel will accommodate a new single-family dwelling, which will be supported by its own well and septic system. A new approach from Falcon Lane will be added to allow for access to the 2-acre parcel. The new parcel will also have an easement on it to allow for access to the 4-acre parcel's septic drain field, in case the drain field ever needs to be accessed. All fencing that is currently in place will remain as it is now: a perimeter fence around the entirety of the 6 acres and an inner fence that currently exists around the single-family dwelling on the 4-acre parcel. No new fencing is planned at this point.

The proposed division and new residence will add one more residence to the large-acre subdivision, but won't significantly change the feel of the neighborhood. The traffic increase that the one new family will bring will not significantly increase the traffic, adding 2-3 additional vehicles to the neighborhood.

Before beginning development of the new residence, after the land is divided, we expect that permits will be required for the building of the new residence, the well, and the septic system.

Our goal in this request is to allow for our property to be divided and developed for our son and his family to build a home while maintaining the rural character of the area. The proposed divide aligns with the surrounding land uses and is consistent with the county's comprehensive plan for managed rural growth. The new parcel will continue to be used for

residential purposes while preserving the existing rural, large-acre nature of the subdivision.

I have reviewed the applicable zoning regulations and believe this request meets the intent of the Canyon County zoning ordinance. I am happy to provide any additional documentation or attend meetings as necessary to discuss this proposal further.

Thank you for your time and consideration. I appreciate your assistance in processing this request and look forward to working with your department.

Sincerely,

Colby Brown
[redacted]

# 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: _____ Height: _____

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 Canal

## RESIDENTIAL USES

**1. NUMBER OF LOTS REQUESTED:**

☒ Residential 2 ☐ Commercial _____ ☐ Industrial _____

☐ Common _____ ☐ Non-Buildable _____

**2. FIRE SUPPRESSION:**

☐ Water supply source: _____

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

☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☒ None

## NON-RESIDENTIAL USES

**1. SPECIFIC USE:** _____

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

☐ Monday _____ to _____

☐ Tuesday _____ to _____

☐ Wednesday _____ to _____

☐ Thursday _____ to _____

☐ Friday _____ to _____

☐ Saturday _____ to _____

☐ Sunday _____ to _____

**3. WILL YOU HAVE EMPLOYEES?** ☐ Yes If so, how many? _____ ☐ 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

**5. PARKING AND LOADING:**

How many parking spaces? _____

Is there is a loading or unloading area? _____

## ANIMAL CARE-RELATED USES

1. **MAXIMUM NUMBER OF ANIMALS:** 12 (only sheep - max 2 per acre)

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

☒ Building ☐ Kennel ☐ Individual Housing ☒ Other Fenced areas

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

☐ Building ☐ Enclosure ☐ Barrier/Berm ☐ Bark Collars

4. **ANIMAL WASTE DISPOSAL**

☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System

☐ Other: _____

# Notice of Neighborhood Meeting
# Pre-application requirement for a Public Hearing

2/3/2025

Dear Neighbor,

We are in the process of presenting an application to Canyon County Development Services for a rezone from agricultural to rural residential. One of the requirements necessary, prior to submission, is to hold a "Neighborhood Meeting" and provide information to our surrounding neighbors about our application; Canyon County Zoning Ordinance § 07-01-15. This meeting for our surrounding neighbors is only for informational purposes. We would like to receive feedback from you, our neighbors, as we move through the land use application process with the county.

This neighborhood meeting is **not** a public hearing before a governing body of Canyon County. Once our application has been submitted to the county's Development Services Department, only then will a public hearing date be scheduled. Also, only after our application is accepted and a public hearing is scheduled with a confirmed date by the county, will the surrounding neighbors receive an official notification from the county via postal mail. The notice will also appear in a newspaper publication and a sign will be displayed on the parcel notifying the public of a county Planning and Zoning land use hearing for our application.

The Neighborhood Meeting details are as follows:

| | |
|---|---|
| Date: | 2/19/2025 |
| Time: | 6:00 pm |
| Location: | 302 E Main Street Middleton, ID 83644 |
| Property description: | Middleton Fire Department |

The project is summarized below:

| | |
|---|---|
| Site Location: | 24403 Falcon Lane Caldwell, ID 83607 |
| Proposed access: | Falcon Lane |
| Total acreage: | 6.19 |
| Proposed lots: | 2 |

We look forward to our neighborhood meeting and encourage you, as our neighbor, to attend. During our meeting, we will answer any questions you may have. Please note, the county does not currently have any information on our project. Also, please do not call the county regarding this meeting or our application as this meeting is a PRE-APPLICATION requirement; we have not submitted the application to the county for consideration at this time.

Feel free to contact me via email at [redacted] or phone at [redacted]

Sincerely,

Colby Brown

Exhibit 3

Exhibit A.4

| PARCEL_NO | OwnerName | Address | City | State | ZipCode |
|---|---|---|---|---|---|
| R38160 | MIRAZ PATRICE | 24333 FALCON LN | CALDWELL | ID | 83607 |
| R38160011A | ANDRON MICHAEL | 14049 CROSSVIEW LN | CALDWELL | ID | 83607 |
| R38160012 | BRASELTON GLENN P | 24487 FALCON LN | CALDWELL | ID | 83607 |
| R38160012A | DAVIS FAMILY TRUST | 24477 HARVEY RD | CALDWELL | ID | 83607 |
| R38160012B | LANE JOHN H | 24465 FALCON LN | CALDWELL | ID | 83607 |
| R38164011 | STERLING BONNIE M | 24545 FALCON LN | CALDWELL | ID | 83607 |
| R38165 | DOORNENBAL FARMS | 26956 CEMETERY RD | MIDDLETON | ID | 83644 |
| R38192 | SEXTON JERRY P | 24418 HARVEY RD | CALDWELL | ID | 83607 |
| R38160013 | LAFRENIERE DOUGLAS | 2707 N WOODROW AVE | SIMI VALLEY | CA | 93065 |
| R38163010 | ONEILL BARBARA | 24585 HARVEY RD | CALDWELL | ID | 83607 |
| R38164010 | FEELY PATRICK | 24501 HARVEY RD | CALDWELL | ID | 83607 |
| R38160010 | NELSON GARY L LIVING TRUST | 24351 FALCON LN | CALDWELL | ID | 83607 |
| R38160010A | OVALLE ERIBALDO | 14041 CROSSVIEW LN | CALDWELL | ID | 83607 |
| R38160011 | CALL FAMILY REVOCABLE TRUST | 24403 FALCON LN | CALDWELL | ID | 83607 |
| R38164 | VAN DER VEEN BRETT | 24515 FALCON LN | CALDWELL | ID | 83607 |
| R38165010 | RADFORD JAMES W | 24770 FREEZEOUT RD | CALDWELL | ID | 83607 |

Exhibit 3

Exhibit A.4

# 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: 24403 Falcon Ln | Parcel Number: R38160011 | |
| City: Caldwell | State: Idaho | ZIP Code: 83607 |
| Notices Mailed Date: 2/4/25 | Number of Acres: 6.19 | Current Zoning: Ag |
| Description of the Request: Rezone to RR & split into 2 lots. 1 approx 2 acres, 1 approx 4 acres | | |

### APPLICANT / REPRESENTATIVE INFORMATION

| | | |
|---|---|---|
| Contact Name: Colby Brown | | |
| Company Name: | | |
| Current address: 24403 Falcon Ln | | |
| City: Caldwell | State: Idaho | ZIP Code: 83607 |
| Phone: [redacted] | Cell: [redacted] | Fax: |
| Email: [redacted] | | |

### MEETING INFORMATION

| | |
|---|---|
| DATE OF MEETING: 2/19/25 | MEETING LOCATION: Middleton Fire Dept. |
| MEETING START TIME: 6p. | MEETING END TIME: 8p |

ATTENDEES:

| NAME (PLEASE PRINT) | SIGNATURE: | ADDRESS: |
|---|---|---|
| 1. Danny Nelson | | |
| 2. Timothy & Bonnie Sterling | | 24545 Falcon Ln. |
| 3. Glenn Braselton | | 24487 Falcon |
| 4. Rodger S. Jochim | | 24575 Falcon Ln |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |
| 9. | | |



Revised 6/9/22

| |
|---|
| 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): Colby Brown

APPLICANT/REPRESENTATIVE (Signature): [signature]

DATE: 2 / 19 / 25

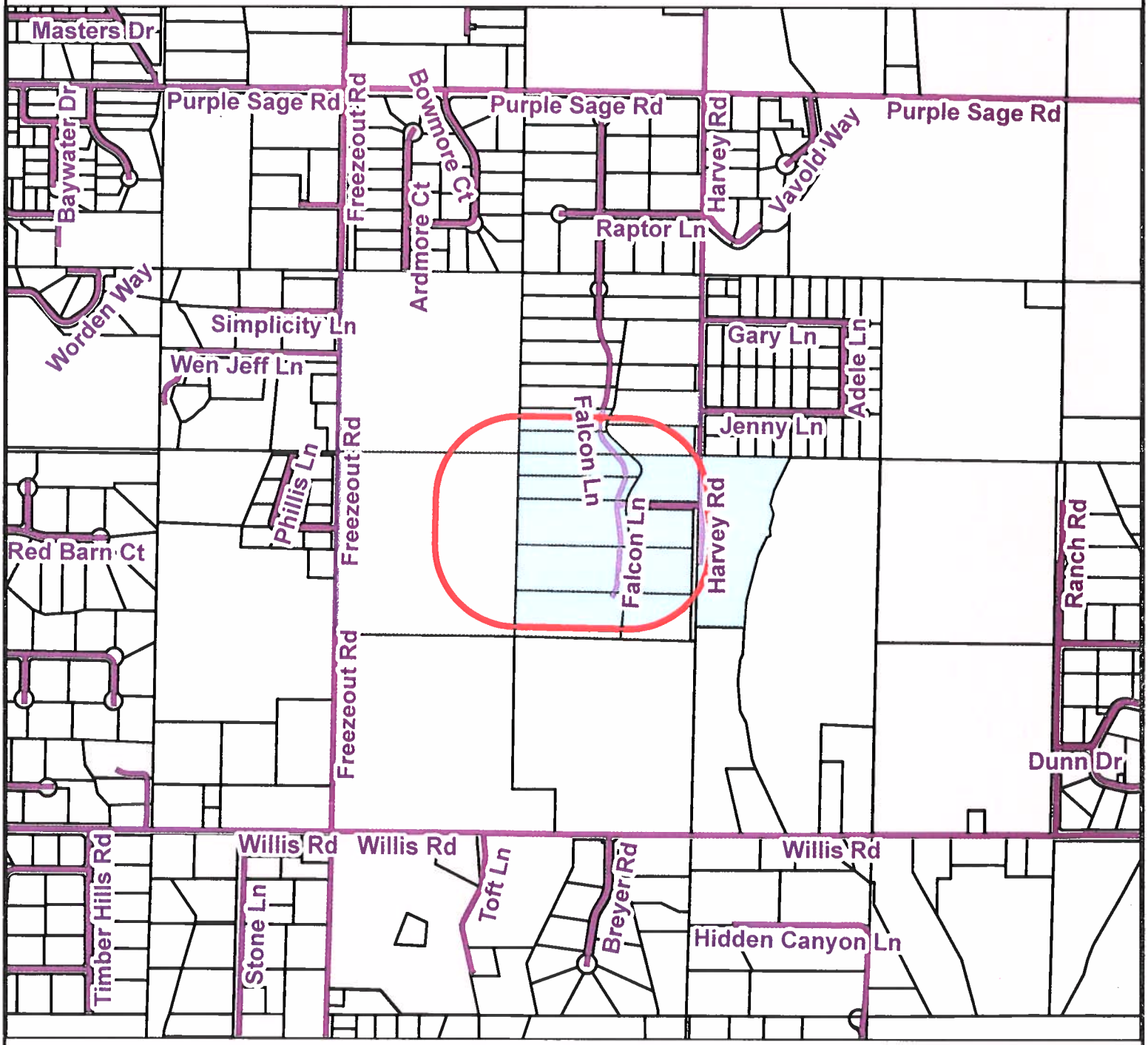
Exhibit 3 Exhibit A.4

# Neighborhood Notification Map
## Parcel No. R38160011
## Buffer Distance 600 Feet

**Canyon County**
**Development Services**
**111 North 11th Ave, #140**
**Caldwell, ID 83605**

**This map is for informational purposes only and does not suggest approval of the project.**

Date: 1/17/2025
By: SHuggins




## SCALE
1:12,442
1:12,442

**Legend**

- NOTIFICATION BUFFER
- SUBJECT_PROPERTY
- NOTIFIED PARCELS
- TAX PARCELS
- Highway
- Interstate
- Local Road

Exhibit 3 Exhibit A.4

The maps are provided "as-is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the user accessing this information. Canyon County, ID makes no warranties, express or implied, as to the use of the maps. There are no implied warranties of merchantability or fitness for a particular purpose. The user acknowledges and accepts all inherent limitations of the maps, including the act that the maps are dynamic and in a constant state of maintenance, correction and deletion. The maps do not represent a survey. Neither Canyon County, ID nor its officers and employees assume any liability for the accuracy of the data delineated on any map. In no event shall the Canyon County, ID or its officers or employees be liable for any damages arising in any way out of the use of this information.

**Subject:** Room Use Confirmation
**Date:** Monday, January 27, 2025 at 11:55:14 AM Mountain Standard Time
**From:** Nicola Sinclair
**To:** Amy Brown
**Attachments:** image001.png, Station 53 Room Use Agreement - 2025.pdf

Hi Amy,

Per our conversation, your meeting is reserved for:

- Group: Neighborhood Meeting
- Location: Station 53 - 302 E. Main St., Middleton
  Room: Community Room(Capacity 30)
- Date: Wednesday, February 19, 2025
- Time: 5:45 – 8:00 pm
- Door Pin: 742792 #

The door pin will allow you to access the building during the time requested, remember to use the # after the number is entered. . You may pass along the pin to any members attending, the door will remain locked and only accessed with a pin.

I have attached the 2025 Room Use Agreement for Star Fire. Please return the signature page. If your meeting needs to be changed or cancelled, please contact me either by email or call the office at (208) 286-7772 opt. 1. Thank you.

**Sincerely,**

**Nicola Sinclair, Administrative Assistant**
**Middleton/Star Fire Districts**
**11665 West State St., Ste. B**
**Star, Idaho 83669**
**208-286-7772 opt. 1**

**Hours: Monday – Thursday 8:00 am – 5:00 pm**
**Friday 8:00 am – 12:00 pm**

# AGENCY ACKNOWLEDGMENT

Date: 1/29/25
Applicant: Colby Brown
Parcel Number: R3516001A
Site Address: 24403 Falcon Ln, Caldwell 83607

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: 02/07/2025 Signed: Anthony Lee
Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

**Fire District:**
☒ Applicant submitted/met for informal review.
District: Middleton RFD
Date: 1/29/25 Signed:
Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

**Highway District:**
☑ Applicant submitted/met for informal review.
District: HD 4
Date: 2/20/25 Signed:
Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

**Irrigation District:**
☑ Applicant submitted/met for informal review.
District:
Date: 2-27-25 Signed:
Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

**Area of City Impact**
☐ Applicant submitted/met for informal review.
City: Middleton
Date: 2/24/2025 Signed:
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: 1/29/25
Applicant: Colby Brown
Parcel Number: R38160011
Site Address: 24403 Falcon Ln, Caldwell 83607

**SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.**

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☐ 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: 1/29/25 Signed: _____
Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

**Highway District:** District: _____
☐ Applicant submitted/met for informal review.

Date: _____ 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 Irrigation Representative
(This signature does not guarantee project or permit approval)

**Area of City Impact** City: _____
☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____
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: 1/29/25
Applicant: Colby Brown
Parcel Number: R38160011
Site Address: 24403 Falcon Ln, Caldwell 83607

**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.

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Date: 02/07/2025 Signed: Anthony Lee
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(This signature does not guarantee project or permit approval)

**Fire District:** District: Middleton RFD
☒ Applicant submitted/met for informal review.
Date: 1/29/25 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: 2/20/25 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 Irrigation Representative
(This signature does not guarantee project or permit approval)

**Area of City Impact** City: Middleton
☒ Applicant submitted/met for informal review.
Date: 2/7/2025 Signed:
Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

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

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

TELEPHONE 208.454.8135
FAX 208.454.2008

# Pre- Development Meeting Minutes

**February 20, 2025**

**Project Name:** Falcon Lane—1 lot admin split
**Project Owner/Representative:** Colby and Amy Brown
**Phone:** [redacted]
**Email:** [redacted]
**Project Location:** R38160011
**Project Description:** One Lot Admin Split
**Public Roads**

| Name | Classification | Exist. R/W | Ultimate R/W | Notes |
|---|---|---|---|---|
| Falcon Lane | Local Road | 60' Easement | 60' | |
| | | | | |
| | | | | |

**Access:**
Property is more than 1 mile from city limits. Rural driveway spacing at 140' spacing centerline to centerline applies.

Improve approach per ACCHD-105.

**Improvement Requirements:**

- ROW dedication of 60' (30' each side of centerline) of Falcon Lane may be required

**Other Comments:**

- Impact fee required. See HD4 capital improvement plan for further information: https://hwydistrict4.org/about-us/what-we-do/impact-fees/
  - Subject to change and applies at time of approach permit
- Owner has interest to provide irrigation water to the property. Irrigation crossing will be privately maintained by owners. Utility permit required prior to work. License agreement required to allow private irrigation piping within road easement. No pumps or other irrigation appurtenances allowed within road easement.

The above represents the District's current policies to which the parcels may be subject to at time of development. These standards are subject to change and the standards/policies in effect at the time of approach permit application or improvement drawings shall apply. This is not an exhaustive list please see further details within the ACCHD: HSDP 2022.

Exhibit 3

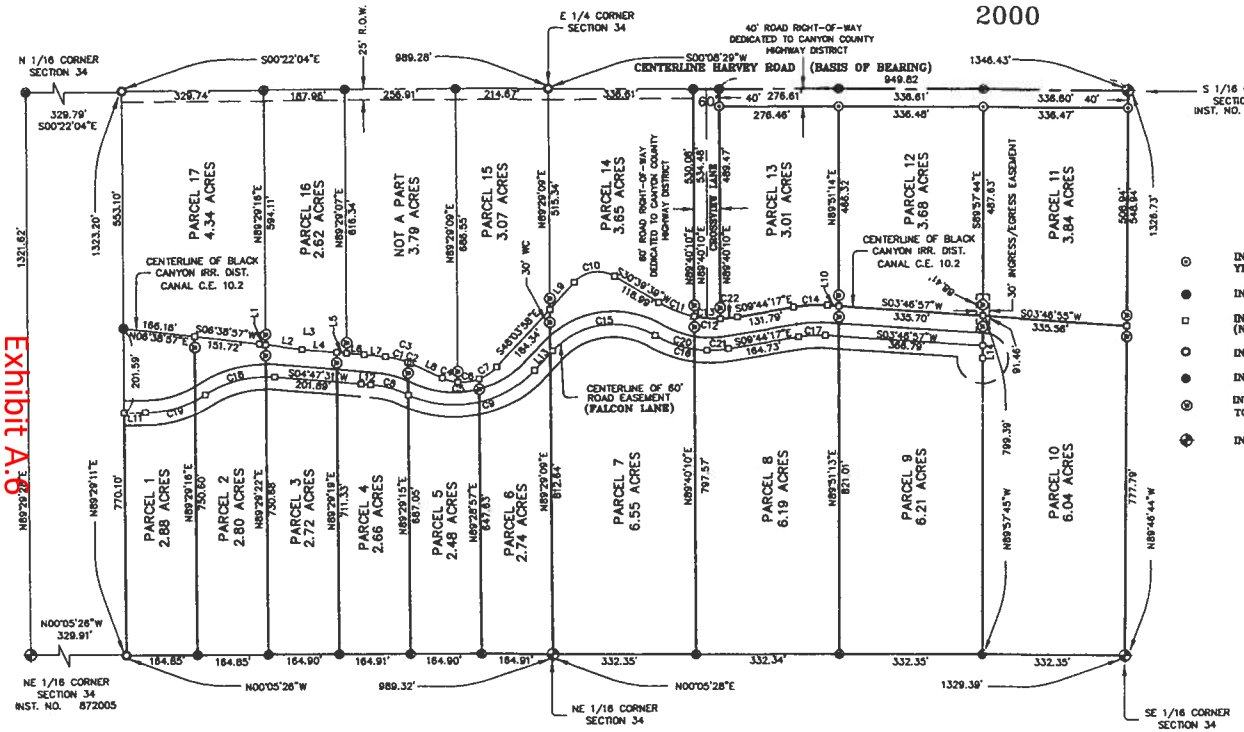
Exhibit A.6

200014336

# THIS SUPERCEDES RECORDS OF SURVEY INSTRUMENT NO.'S 9728081 & 200010144

## RECORD OF SURVEY
FOR
## WESTERN LAND CO., LLC.
# CROSSVIEW MEADOWS

LOCATED IN THE SE 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE SE 1/4
OF SECTION 34, T. 5 N., R. 3 W.B.M.
CANYON COUNTY, IDAHO
2000




GRAPHIC SCALE

200 0 100 200 400 800

( IN FEET )
1 inch = 200 ft.

## LEGEND

- INDICATES A 1/2" x 24" IRON ROD PLACED WITH A YELLOW PLASTIC CAP MARKED P.L.S. 7323
- INDICATES A FOUND 1/2" IRON ROD
- INDICATES A CALCULATED POSITION (NO MONUMENT SET)
- INDICATES A FOUND 5/8" IRON ROD
- INDICATES A FOUND PK NAIL
- INDICATES A 1/2" IRON ROD WITNESS CORNER FOUND TO BE 25' FROM ACTUAL CORNER (UNLESS OTHERWISE NOTED)
- INDICATES A FOUND BRASS CAP MONUMENT

| LINE NO. | BEARING | DISTANCE |
|---|---|---|
| L1 | S08°17'37"W | 14.50' |
| L2 | S08°17'37"W | 85.85' |
| L3 | S04°47'31"W | 103.79' |
| L4 | S04°47'31"W | 80.59' |
| L5 | S04°47'31"W | 83.80' |
| L6 | S04°47'31"W | 40.60' |
| L7 | S06°05'31"W | 48.94' |
| L8 | S24°56'01"W | 80.92' |
| L9 | S48°04'07"E | 84.58' |
| L10 | S03°46'57"W | 26.50' |
| L11 | S00°22'04"E | 49.43' |
| L12 | S06°05'31"W | 21.44' |
| L13 | S48°04'07"E | 63.79' |
| L14 | N89°57'44"W | 30.06' |

| CURVE NO. | RADIUS | CENTRAL ANGLE | TANGENT | ARC LENGTH | CHORD LENGTH | CHORD BEARING |
|---|---|---|---|---|---|---|
| C1 | 183.82' | 16°45'41" | 27.08' | 53.78' | 53.58' | S14°28'22"W |
| C2 | 183.82' | 16°50'30" | 30.50' | 60.45' | 60.18' | S15°30'46"W |
| C3 | 183.82' | 02°04'49" | 3.34' | 6.67' | 6.67 | S23°53'34"W |
| C4 | 108.11' | 19°52'51" | 18.95' | 37.51' | 37.33' | S14°59'37"W |
| C5 | 108.11' | 46°43'58" | 46.71' | 88.16' | 85.76' | S01°34'02"W |
| C6 | 108.11' | 53°07'16" | 54.04' | 100.23' | 96.66' | S21°30'29"E |
| C7 | 108.11' | 26°16'09" | 25.23' | 49.57' | 49.13' | S34°56'02"E |
| C8 | 280.85' | 18°50'30" | 46.60' | 92.36' | 91.94' | S15°30'47"W |
| C9 | 250.00' | 73°00'08" | 185.00' | 318.53' | 297.42' | S11°34'03"E |
| C10 | 74.36' | 78°43'26" | 61.00' | 102.17' | 94.32' | S08°42'14"E |
| C11 | 289.54' | 18°39'22" | 45.06' | 89.33' | 88.93' | S21°09'56"W |
| C12 | 289.54' | 40°23'56" | 99.17' | 190.05' | 186.14' | S10°27'41"W |
| C13 | 289.54' | 12°50'51" | 30.35' | 60.44' | 60.31' | S00°15'27"W |
| C14 | 333.39' | 13°31'14" | 39.52' | 78.67' | 78.49' | S02°56'40"E |
| C15 | 189.56' | 78°43'46" | 135.51' | 260.47' | 240.48' | S08°42'13"E |
| C16 | 250.00' | 40°23'56" | 91.98' | 176.27' | 172.64' | S10°27'41"W |
| C17 | 283.39' | 13°31'14" | 31.22' | 62.15' | 62.01' | S02°56'40"E |
| C18 | 250.00' | 38°53'56" | 88.28' | 169.73' | 166.49' | S14°39'29"E |
| C19 | 250.00' | 33°44'23" | 75.61' | 147.22' | 145.10' | S17°14'17"E |
| C20 | 250.00' | 29°08'18" | 64.97' | 127.14' | 125.77' | S16°05'29"E |
| C21 | 250.00' | 11°15'38" | 24.84' | 49.13' | 49.05' | S04°06'27"W |
| C22 | 289.54' | 08°33'44" | 20.18' | 40.28' | 40.24' | S05°27'26"E |

## RECORDER'S CERTIFICATE

STATE OF IDAHO
S.S.
COUNTY OF CANYON

INSTRUMENT NO._____

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF_____, AT_____ MINUTES PAST___O'CLOCK___M. ON THE_____DAY OF_____, 2000.

_____
COUNTY RECORDER

## SURVEYOR'S CERTIFICATE

I, DARREN R. LEAVITT, 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 SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

PROFESSIONAL LAND SURVEYOR 7323 4-24-00 STATE OF IDAHO DARREN R. LEAVITT

_____
DARREN R. LEAVITT, P.L.S. IDAHO LICENSE NO. 7323

## NOTE

THIS MAP WAS RE-RECORDED TO SHOW THE RIGHT-OF-WAY ALONG THE WEST 40' OF HARVEY ROAD AND CROSSVIEW LANE BEING DEDICATED TO CANYON COUNTY HIGHWAY DISTRICT PER THEIR AGREEMENT WITH WESTERN LAND CO., LLC.


ARROW Engineering & Surveying
GPS, BOUNDARY, TOPOGRAPHIC AND A.L.T.A. SURVEYS, CONSTRUCTION STAKING
222 E. State Street Suite B Eagle, Idaho 83616
office 1-208-939-7373 fax 1-208-939-7321


INDEX #'S 534-34-1-2-0-00-00

2000 18392

PC34057

# WARRANTY DEED

FOR VALUE RECEIVED Western Land Co., LLC

the Grantors, do hereby grant, bargain, sell and convey unto Colby Scott Brown and Amy Leanne Brown, husband and wife and Roger J. Donnay, an unmarried person

the Grantees, whose address is 3890 W. Stacy, Boise, ID, 83703

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2000 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: May 24, 2000

Western Land Co., LLC

STATE OF IDAHO

COUNTY OF CANYON

On this 24th day of May in the year 2000, before me, a Notary Public, personally appeared Dean A. Satrape known or identified to me to be the Manager(s), Member(s) of the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.

Notary Public
Residing at Caldwell
My Commission Expires 2/3/04

No. 1343 (1982)
A Plain Language Commitment

PC 34057

Exhibit "A"

A part of the Northeast Quarter of the Southeast Quarter, Section 34, Township 5 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

COMMENCING at the Northwest corner of said Northeast Quarter of the Southeast Quarter (CE 1/16 corner) said corner monumented with a 2 1/2 diameter brass cap; thence

South 0° 05' 28" West a distance of 332.35 feet along the Westerly boundary of said Northeast Quarter of the Southeast Quarter to the POINT OF BEGINNING, said point monumented with a 1/2 inch diameter iron pin; thence

North 89° 40' 10" East a distance of 797.57 feet to the centerline of Black Canyon Irrigation District Canal C.E. 10.2, said point witnessed with a 1/2 inch diameter iron pin 25 feet Westerly; thence along the centerline of said Canal the following courses and distances:

100.72 feet along the arc of a 269.54 foot radius tangent curve left with a central angle of 21° 24' 36" and tangents of 50.95 feet the long chord of which bears South 0° 58' 01" West 100.14 ft.

South 9° 44' 17" East a distance of 131.79 feet;

78.67 feet along the arc of 333.39 foot radius tangent curve right with a central angle of 13° 31' 14" and tangents of 39.52 feet the long chord of which bears South 2° 58' 40" West 78.49 ft.

South 3° 46' 57" West a distance of 26.50 feet, said point witnessed with a 1/2 inch diameter iron pin 25 feet Westerly;

South 89° 51' 14" West a distance of 821.02 feet to a point on the Westerly boundary of said Northeast Quarter of the Southeast Quarter, said point monumented with a 1/2 inch diameter iron pin; thence

North 0° 05' 28" East a distance of 332.34 feet along the Westerly boundary of said Northeast Quarter of the Southeast Quarter to the POINT OF BEGINNING.

SUBJECT TO all easements and rights-of-way of record or implied.

2000018392
RECORDED
00 MAY 25 PM 4 22
JOEL HALES
CANYON CNTY RECORDER
BY
REQUEST PIONEER - CALDWELL
TYPE
FEE 6.00

**Karla Nelson**

**From:** Colby Brown <colby@graftedbranch.com>
**Sent:** Monday, July 7, 2025 5:00 PM
**To:** Karla Nelson
**Cc:** Amy Brown
**Subject:** Re: [External] Re: RZ2025-0003

**Follow Up Flag:** Follow up
**Flag Status:** Flagged

Hi Karla,

I also left an email in reply to this as well, but I'll answer the questions you have here. But first, I want to apologize for taking so long to get back to you.

The property to be split off is on a slight slope, so drainage on the new parcel will likely not be an issue. I'm not sure if there is more to consider than what I am thinking, but in all the discussions with the various county agencies, nothing came up as a concern.

We have talked with Southwest District Health about a septic plan. Since the drain field for our existing septic is located on the new parcel, our hope was to detach our current home from that drain field and build a new drain field for our current house to behind our house to the west. Then the new house on the new parcel could hopefully connect to the existing drain field. We have presented this idea to SW District Health and they said that it was an interesting idea, but it could work out well if the drain field were inspected and found to be in a good state for the foreseeable future. This idea would also keep us from having to draft complicated easements for septic maintenance.

For water suppression, we have a plan to have fire suppression sprinklers installed in the house. This will likely be a requirement due to the size of the new home planned, according to the fire department.

Hopefully that answers your questions, but let me know if you have any others.

Colby
208-249-4195

On Jun 18, 2025, at 4:01 PM, Karla Nelson <Karla.Nelson@canyoncounty.id.gov> wrote:

Hi Colby and Amy,
One of the required findings that I have to make is if adequate facilities and services including sewer, water, drainage, irrigation and utilities will be provided to accommodate the amendment.

Do you have more details on how drainage will be handled and how utilities are provided? I see that you plan to have individual septic and domestic wells, have you talked with Southwest District Health to

ensure they can be placed where you intend with a future lot split and where the drain fields/etc. will be located? Also do you have details on the water supply source for fire suppression?

Thank you for any additional insights that you have!

<image001.png>

**Karla Nelson, AICP**
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-6036
Email: Karla.Nelson@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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---

**From:** Colby Brown <colby@graftedbranch.com>
**Sent:** Thursday, June 12, 2025 11:25 PM
**To:** Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
**Cc:** Amy Brown <amy@graftedbranch.com>
**Subject:** [External] Re: RZ2025-0003

Hi Karla,

I'm glad to hear that you've been assigned to the rezone.

Most of the questions were just around what we were intending to do after we split the property. After we explained that our son and daughter-in-law plan to build a house there, there were questions about placement, whether there was enough room, and how the property would be accessed. All of the people who showed up were neighbors that we know well, so we ended up having an enjoyable time chatting with everyone.

We are looking forward to getting the process done. Please let us know if you need anything from us.

Thank you,

Colby

> On Jun 9, 2025, at 1:32 PM, Karla Nelson <Karla.Nelson@canyoncounty.id.gov> wrote:
>
> Hello Colby and Amy,
> I just wanted to reach out to let you know that I have been assigned to your rezone at 24403 Falcon Lane. The initial agency notice was sent out on Friday, I'll let you know if questions come up during the review.
>
> I noticed that four people showed up for your neighborhood meeting. Did the neighbors have any specific concerns or questions?

**Karla Nelson**

**From:** Colby Brown <colby@graftedbranch.com>
**Sent:** Tuesday, November 18, 2025 9:24 PM
**To:** Karla Nelson
**Subject:** Re: [External] Re: RZ2025-0003

Hi Karla, that time will work for us.

I probably have more questions than answers.

We don't have any irrigation apart from the groundwater rights. All irrigation water on the existing lot is pulled from our current well. The new parcel will have its own well, and the plan is for them to pull irrigation water from their well.

I'm not sure what IDWR says that we have for water rights, so I'm not sure how to answer that. Maybe I can call and discuss that to get more clarification. I'm thinking we have a pending request for irrigating the larger pasture areas, but I don't think that's been fully approved yet. If that's what we are talking about, we would want to split that proportionate to the new parcel size.

The other question I have is about the rezone vs. the land division. Which one are we working on right now? I was thinking the rezone had to happen before we could do the division. But are these things needed to accomplish the rezone as well?

My wife had worked with Mike Meyers from Black Canyon when we were getting agency signatures. Here is their conversation at that time with his reply:

**From:** Mike Meyers <mikem@blackcanyonirrigation.com>
**Date:** Thursday, February 27, 2025 at 2:49 PM
**To:** Amy Brown <amy@graftedbranch.com>
**Subject:** RE: Agency Acknowledge Signature

Here you go.

**From:** Amy Brown <amy@graftedbranch.com>
**Sent:** Thursday, February 27, 2025 2:24 PM
**To:** Mike Meyers <mikem@blackcanyonirrigation.com>
**Subject:** Re: Agency Acknowledge Signature

Hi Mike,
Attached is the Acknowledgment form that needs your signature.

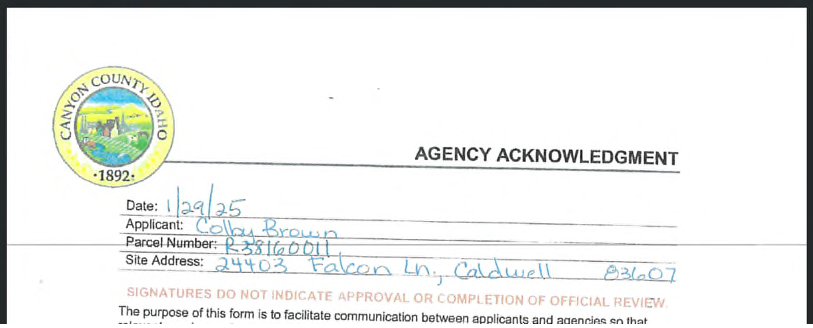
Also, we currently DO NOT have water rights on our property.
Is there anyway we can get some? We signed our name on the list 20 years ago.
What are the chances now?

**From:** Mike Meyers <mikem@blackcanyonirrigation.com>
**Date:** Wednesday, February 26, 2025 at 8:46 AM
**To:** Amy Brown <amy@graftedbranch.com>
**Subject:** RE: Agency Acknowledge Signature

Amy,

I have reviewed the plans you sent me on your property and BCID has no issues with the development. We will need you to split the water on the property in our office but other then that we have no issues. If you will send me your form I will sign off on it. Thanks.

See More from Amy Brown Homes of Idaho



CANYON COUNTY IDAHO ·1892·

AGENCY ACKNOWLEDGMENT

Date: 1/29/25
Applicant: Colby Brown
Parcel Number: R33160011
Site Address: 24403 Falcon Ln, Caldwell 83607

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

We will start the process of filling out the BCID New Project Application and get that submitted to them. For item #2 on the comments, regarding the need for a legal description, is BCID needing a current legal description before the division, or what it will be after the division?

Thanks for your help,

Colby

On Nov 18, 2025, at 1:28 PM, Karla Nelson <Karla.Nelson@canyoncounty.id.gov> wrote:

Colby,

A few of my other cases need additional information before they can proceed, so I'm hoping to be able to bring your case to a hearing with the Planning and Zoning Commission on January 15 at 6:30 p.m. Would that date and time work for you?

What is your plan for irrigation with the new property? I see in the letter from Black Canyon Irrigation District that you don't receive irrigation water from the District. I see on IDWR that you do have an irrigation groundwater right. Is your intent to split the irrigation groundwater rights? Is it pumped from a well, and how will both properties access the water? I've attached the Black Canyon letter. While they say you don't take water from the District, you are in the District, and they have some requirements that will need to be met with the land division.

Thanks,

<image001.png>

**Karla Nelson, AICP**
Principal Planner
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---

**From:** Colby Brown <colby@graftedbranch.com>
**Sent:** Monday, October 20, 2025 2:45 PM
**To:** Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
**Subject:** Re: [External] Re: RZ2025-0003

Hi Karla,

I want to check on the status of our rezone application. It's been almost a year now that we have been waiting. How much longer do you think it will be before we get some movement on this?

Thanks for your help,

Colby Brown

> On Jul 14, 2025, at 11:54 AM, Karla Nelson <Karla.Nelson@canyoncounty.id.gov> wrote:
>
> Hello Colby and Amy,
>
> Part of process in reviewing applications is to conduct a site visit where we take pictures of the property for the public hearing and gain a better appreciation for the character of

the area. I plan to conduct my site visit of your property tomorrow. Just wanted to let you know so you won't be alarmed if you see me out there taking photos.

Thank you,

<image001.png>

**Karla Nelson, AICP**
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-6036
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---

**From:** Karla Nelson
**Sent:** Thursday, July 10, 2025 8:03 AM
**To:** 'Colby Brown' <colby@graftedbranch.com>
**Cc:** Amy Brown <amy@graftedbranch.com>
**Subject:** RE: [External] Re: RZ2025-0003

Thank you for these details!

All the best,

<image001.png>

**Karla Nelson, AICP**
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-6036
Email: Karla.Nelson@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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---

**From:** Colby Brown <colby@graftedbranch.com>
**Sent:** Monday, July 7, 2025 5:00 PM
**To:** Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
**Cc:** Amy Brown <amy@graftedbranch.com>
**Subject:** Re: [External] Re: RZ2025-0003

Hi Karla,

I also left an email in reply to this as well, but I'll answer the questions you have here. But first, I want to apologize for taking so long to get back to you.

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Colby
208-249-4195

On Jun 18, 2025, at 4:01 PM, Karla Nelson <Karla.Nelson@canyoncounty.id.gov> wrote:

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Thank you for any additional insights that you have!

<image001.png>
**Karla Nelson, AICP**
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-6036

# Rezoning Request Overview

Colby and Amy Brown

24403 Falcon Lane, Caldwell, Idaho 83607

Agricultural to Rural Residential

Exhibit 3

# Current and Future Map

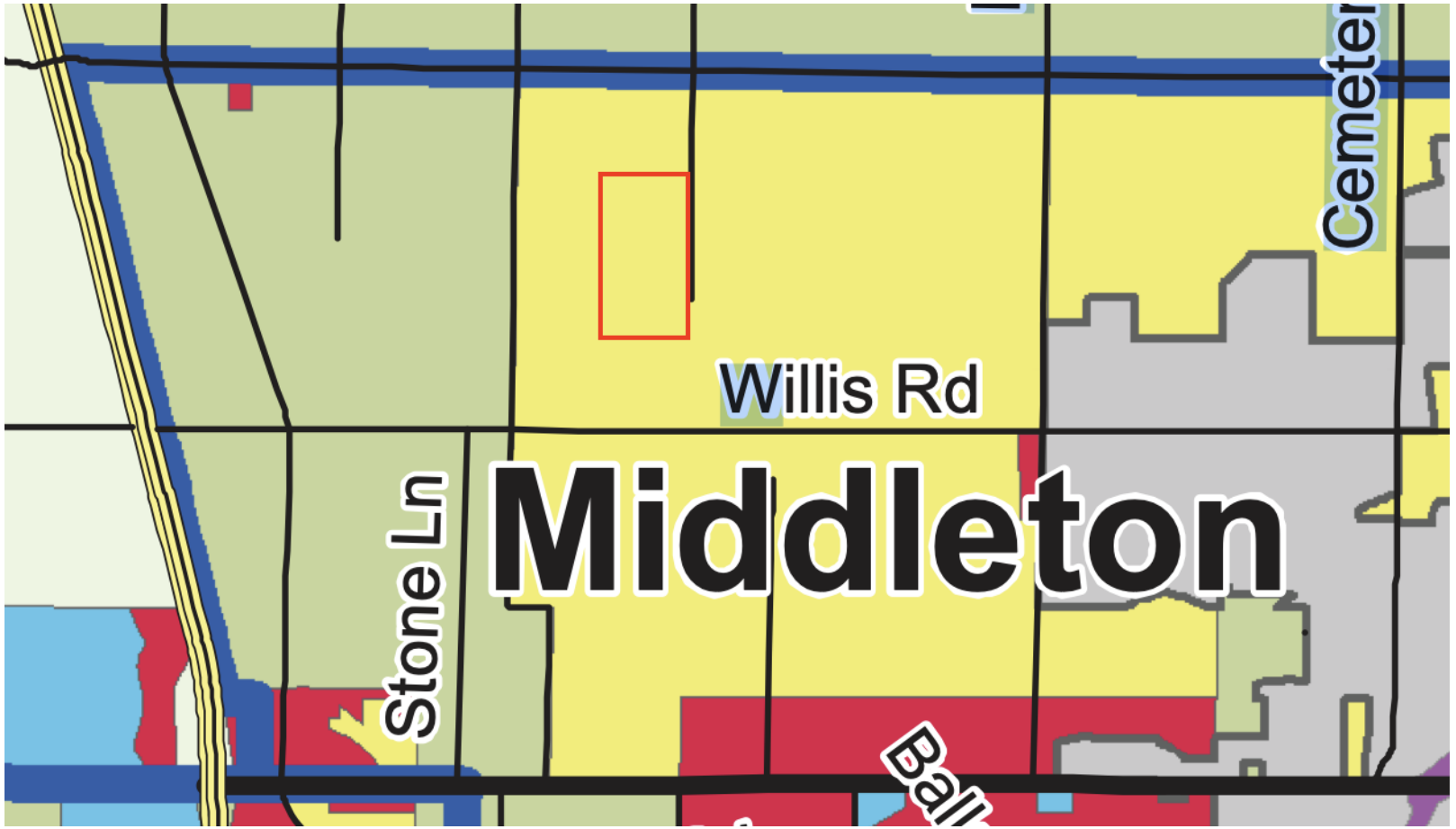


Exhibit 3




Exhibit 3

# Aligns with Comprehensive Plan



# Infrastructure Needs

- Water will be provided by a new well
- A septic system will need to be added
- Emergency services access will be included in the lot/home design.

# Public Input

- Neighborhood Meeting
- Discussions with neighbors directly
- Open to feedback from neighbors

# Summary

- Consistent with Comprehensive Plan
- Compatible with surrounding development
- Little impact to the current neighborhood

**EXHIBIT B**

**Supplemental Documents**

Planning & Zoning Commission

Case# RZ2025-0003

Hearing date: January 15, 2026

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


# R38160011 PARCEL INFORMATION REPORT

12/31/2025 1:15:57 PM

| | |
|---|---|
| **PARCEL NUMBER:** | R38160011 |
| **OWNER NAME:** | CALL FAMILY REVOCABLE TRUST |
| **CO-OWNER:** | BROWN COLBY SCOTT TRUSTEE |
| **MAILING ADDRESS:** | 24403 FALCON LN CALDWELL ID 83607 |
| **SITE ADDRESS:** | 24403 FALCON LN |
| **TAX CODE:** | 0320000 |
| **TWP:** | 5N **RNG:** 3W **SEC:** 34 **QUARTER:** SE |
| **ACRES:** | 6.19 |
| **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:** | MIDDLETON |
| **FUTURE LAND USE 2011-2022 :** | RES |
| **FLU Overlay Zone Desc 2030:** | |
| **FLU RR Zone Desc 2030:** | |
| **FUTURE LAND USE 2030:** | RESIDENTIAL |
| **IRRIGATION DISTRICT:** | BLACK CANYON IRRIGATION DIST |
| **FEMA FLOOD ZONE:** | X **FLOODWAY:** NOT In FLOODWAY **FIRM PANEL:** 16027C0235F |
| **WETLAND:** | NOT In WETLAND |
| **NITRATE PRIORITY:** | NE CANYON CO. |
| **FUNCTIONAL Classification:** | NOT In COLLECTOR |
| **INSTRUMENT NO. :** | 2023003904 |
| **SCENIC BYWAY:** | NOT In Scenic Byway |
| **LEGAL DESCRIPTION:** | 34-5N-3W SE TX 23084 IN NESE |
| **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.

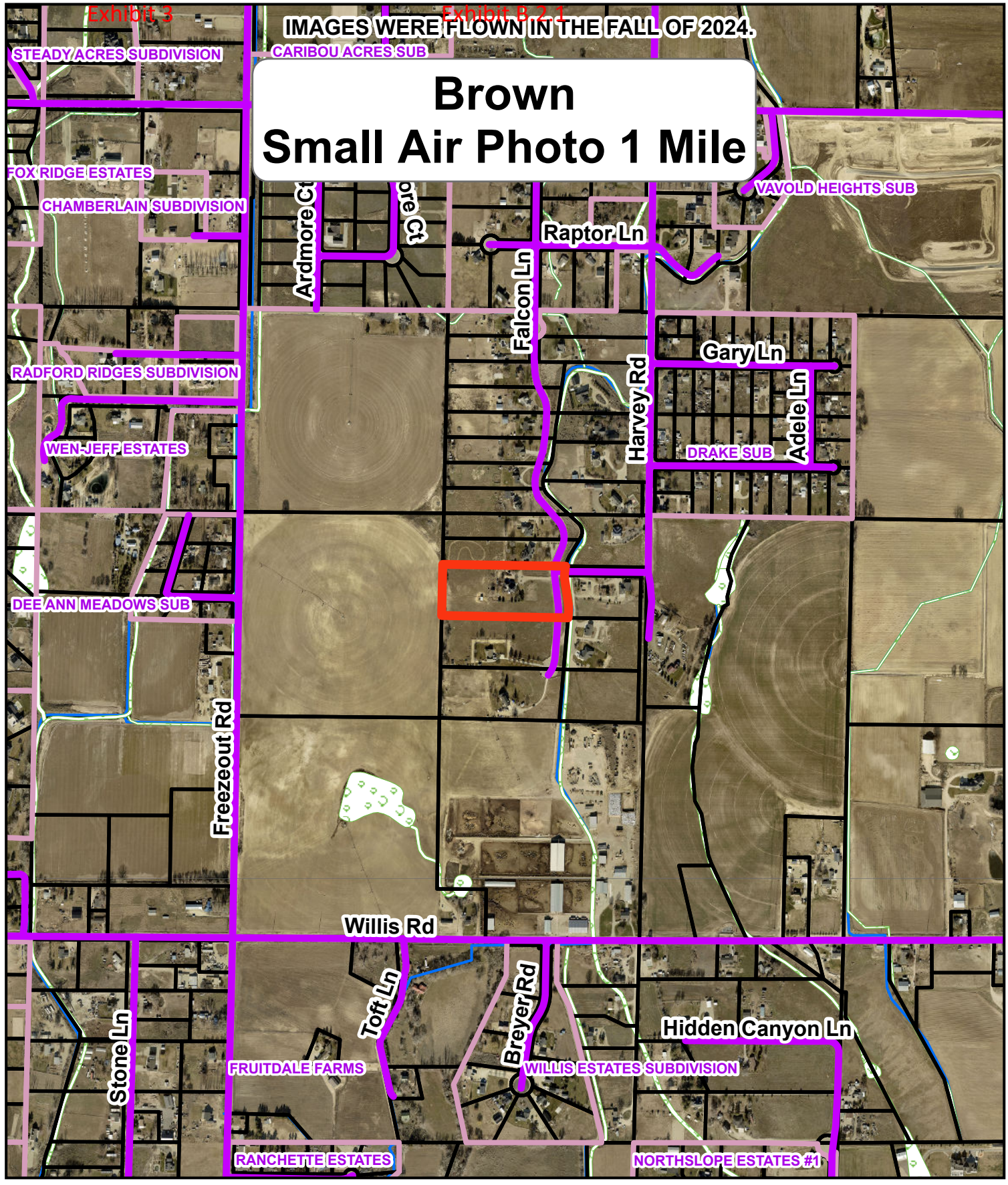

Exhibit 3
Exhibit B.2.1
IMAGES WERE FLOWN IN THE FALL OF 2024.
Brown
Small Air Photo 1 Mile
STEADY ACRES SUBDIVISION
CARIBOU ACRES SUB
FOX RIDGE ESTATES
CHAMBERLAIN SUBDIVISION
VAVOLD HEIGHTS SUB
Ardmore Ct
Raptor Ln
Falcon Ln
Harvey Rd
Gary Ln
Adele Ln
DRAKE SUB
RADFORD RIDGES SUBDIVISION
WEN-JEFF ESTATES
DEE ANN MEADOWS SUB
Freezeout Rd
Willis Rd
Toft Ln
Breyer Rd
Hidden Canyon Ln
Stone Ln
FRUITDALE FARMS
WILLIS ESTATES SUBDIVISION
RANCHETTE ESTATES
NORTHSLOPE ESTATES #1
City_Limits
Wetlands
0
0.25
0.5
Miles
Exhibit 3
Exhibit B.2.1

Exhibit B.2.2

Exhibit 3

# Brown
# Small Vicinity Map

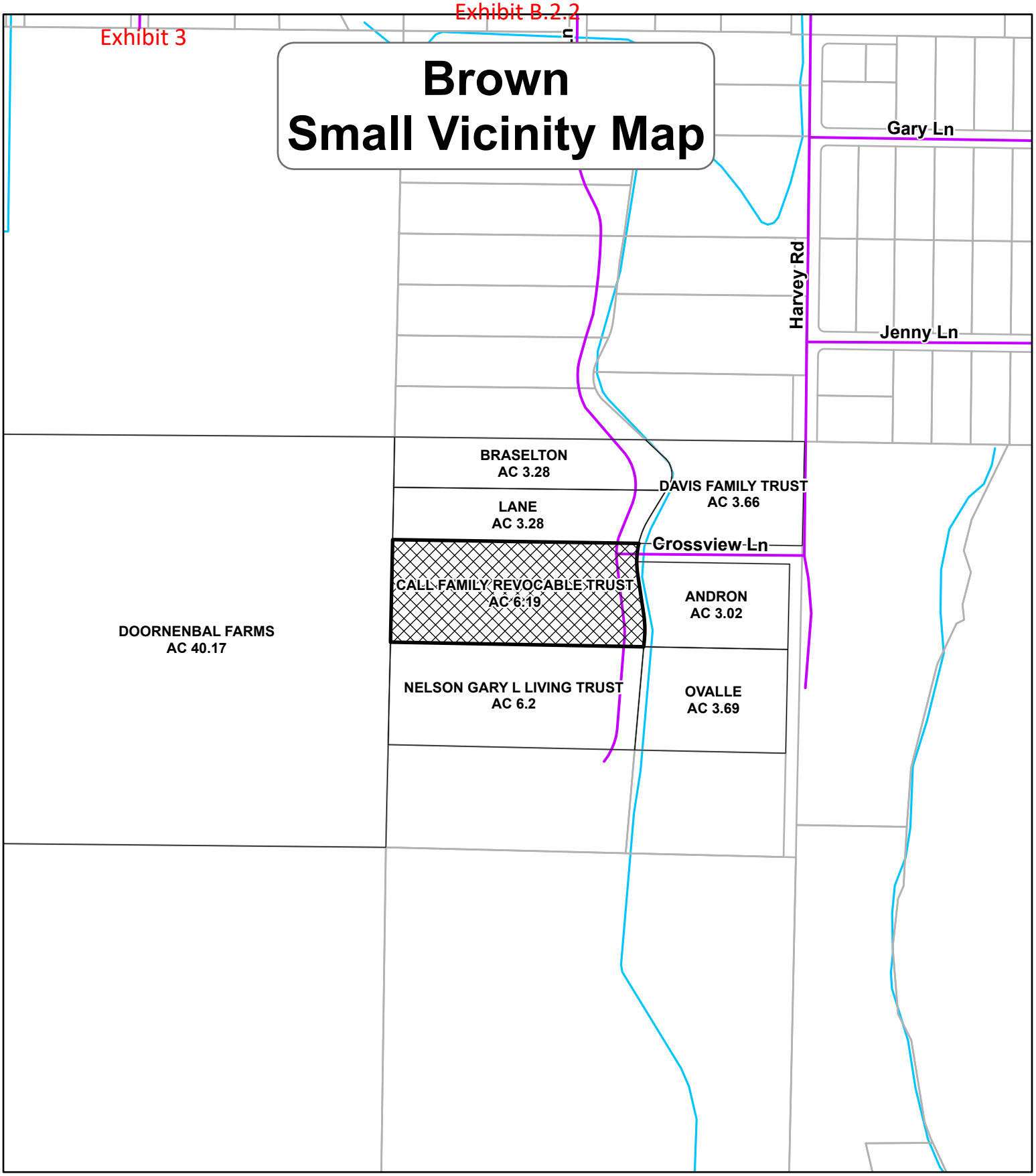






Exhibit 3

0 0.13 0.25
Miles

Exhibit B.2.2

Exhibit B.2.3

Exhibit 3

# Brown
# Zoning & Classification Map

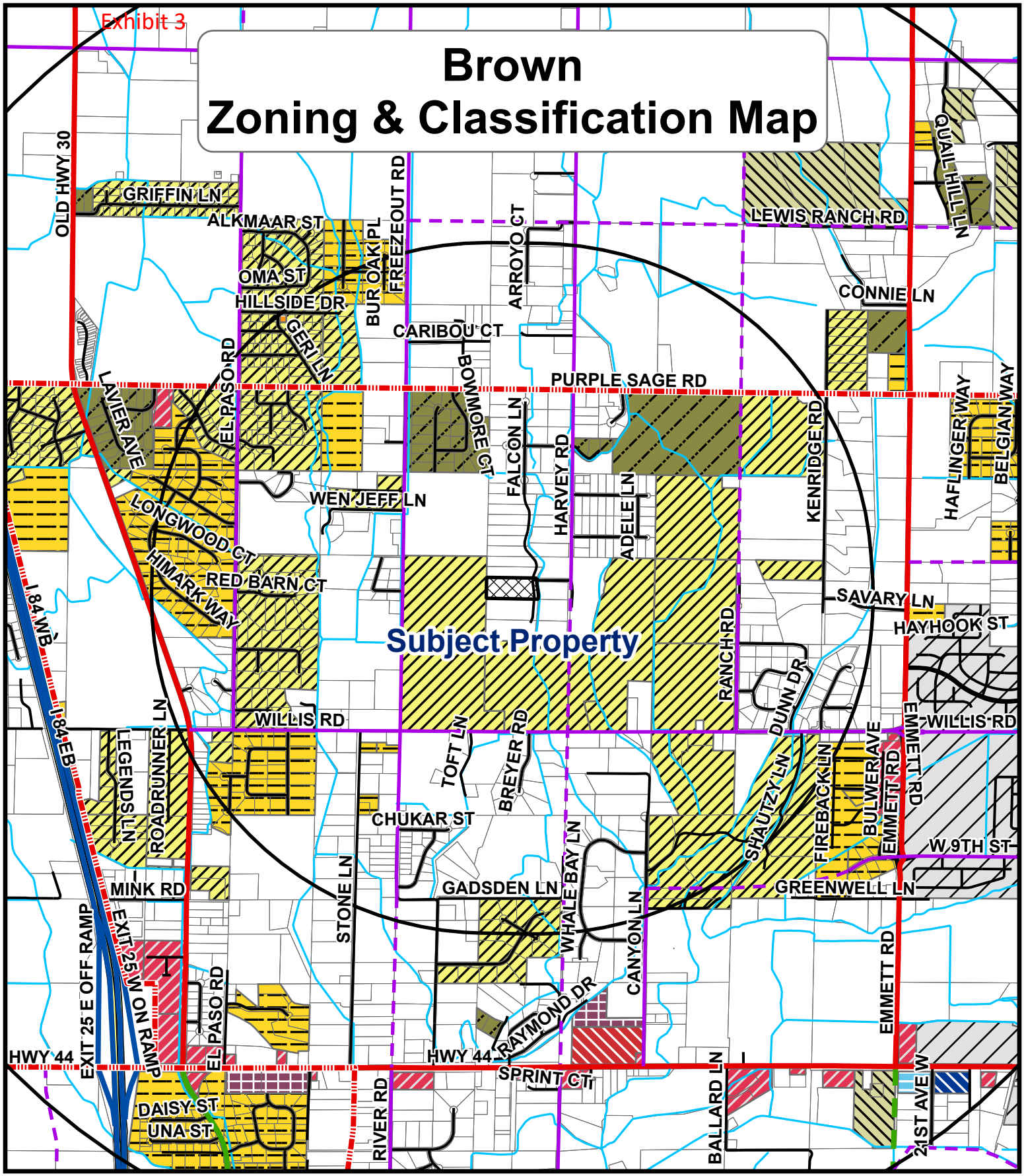






Exhibit 3

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

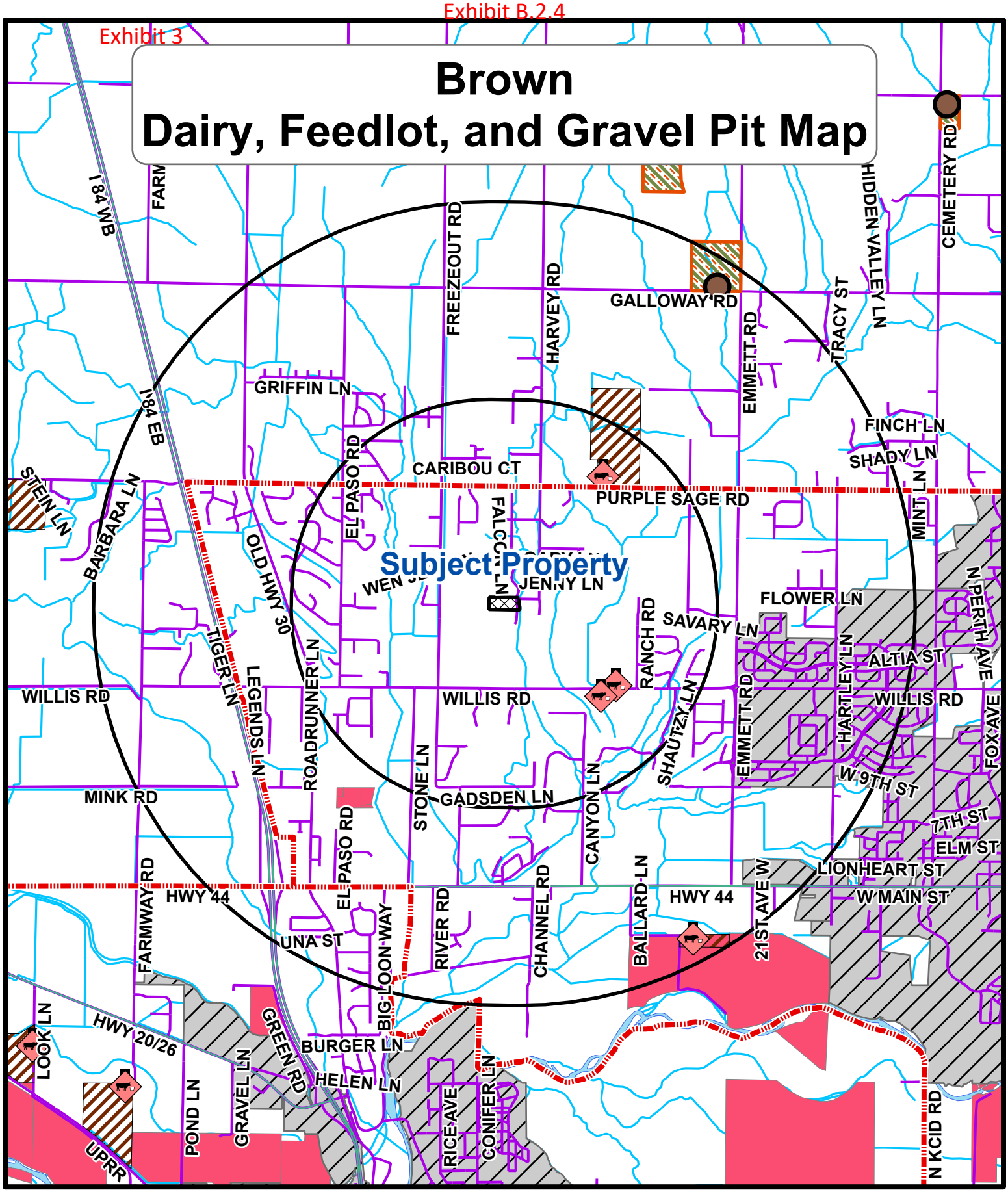
0 0.25 0.5 Miles

Exhibit B.2.3

Exhibit B.2.4

Exhibit 3

# Brown
# Dairy, Feedlot, and Gravel Pit Map




FEEDLOTS

DAIRIES

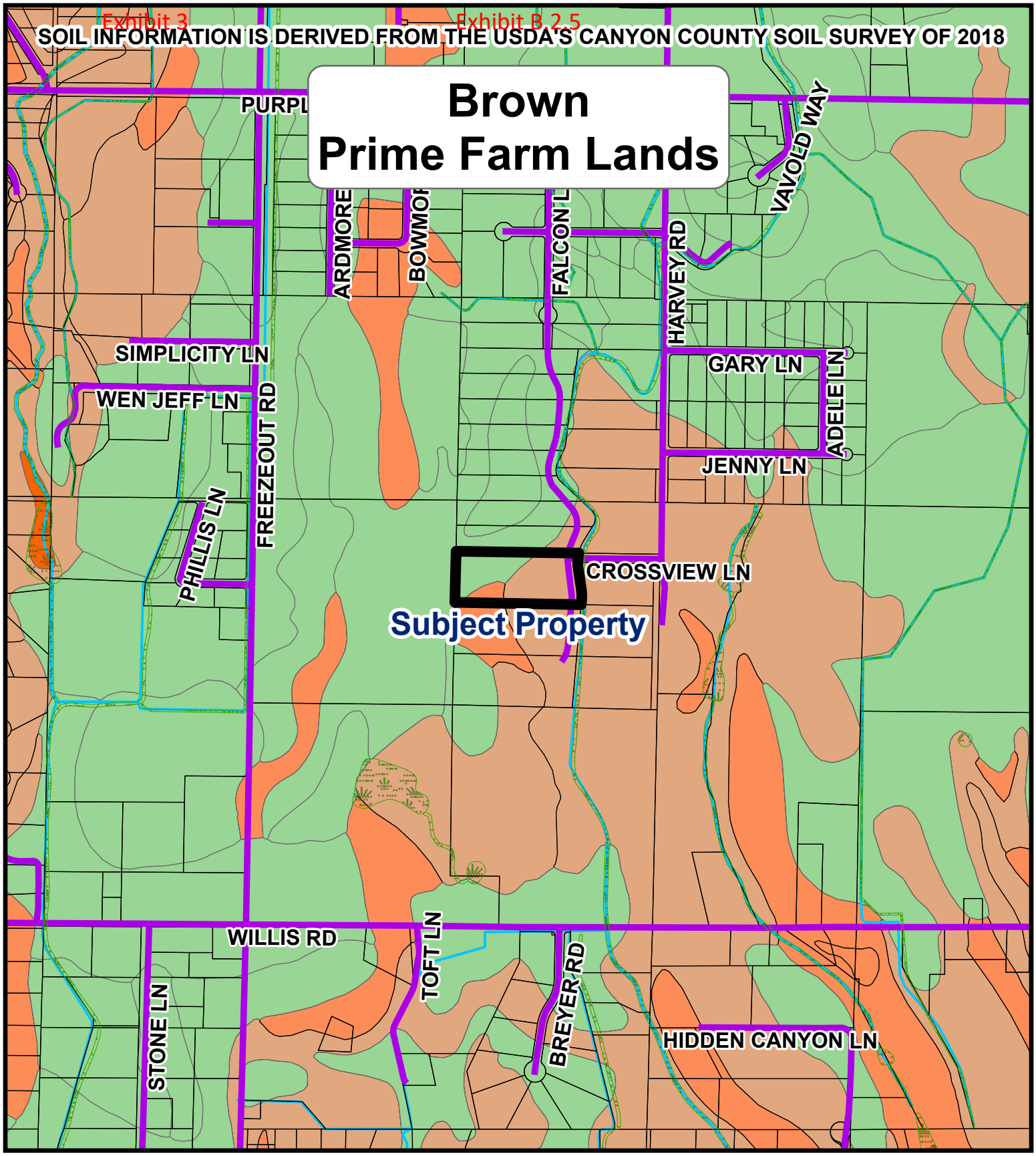
GRAVELPITS

0 1 2 Miles

Exhibit 3

Exhibit B.2.4


Exhibit 3
Exhibit B.2.5
SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018
Brown Soil Map
Geri
Chamberlain
Ardmore
Bowmore
Falcon
Raptor
Harvey
Arnold
Simplicity
Wen Jeff
Freezeout
Gary
Adele
Jenny
Phillis
Crossview
3
4
8
Bow Creek
Willis
Stone
Toft
Breyer
Hidden Canyon
Canyon
Chukar
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
Exhibit 3
Exhibit B.2.5


Exhibit 3
Exhibit B.2.5
SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018
Brown
Prime Farm Lands
PURPL
ARDMORE
BOWMOR
FALCON L
HARVEY RD
VAVOLD WAY
SIMPLICITY LN
WEN JEFF LN
FREEZEOUT RD
GARY LN
ADELE LN
JENNY LN
PHILLIS LN
CROSSVIEW LN
Subject Property
WILLIS RD
TOFT LN
BREYER RD
STONE LN
HIDDEN CANYON LN
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
TAXLOTS
City_Limits
WETLANDS
2C_Hydro
0
0.125
0.25
Miles
Exhibit 3
Exhibit B.2.5

# SOIL REPORT

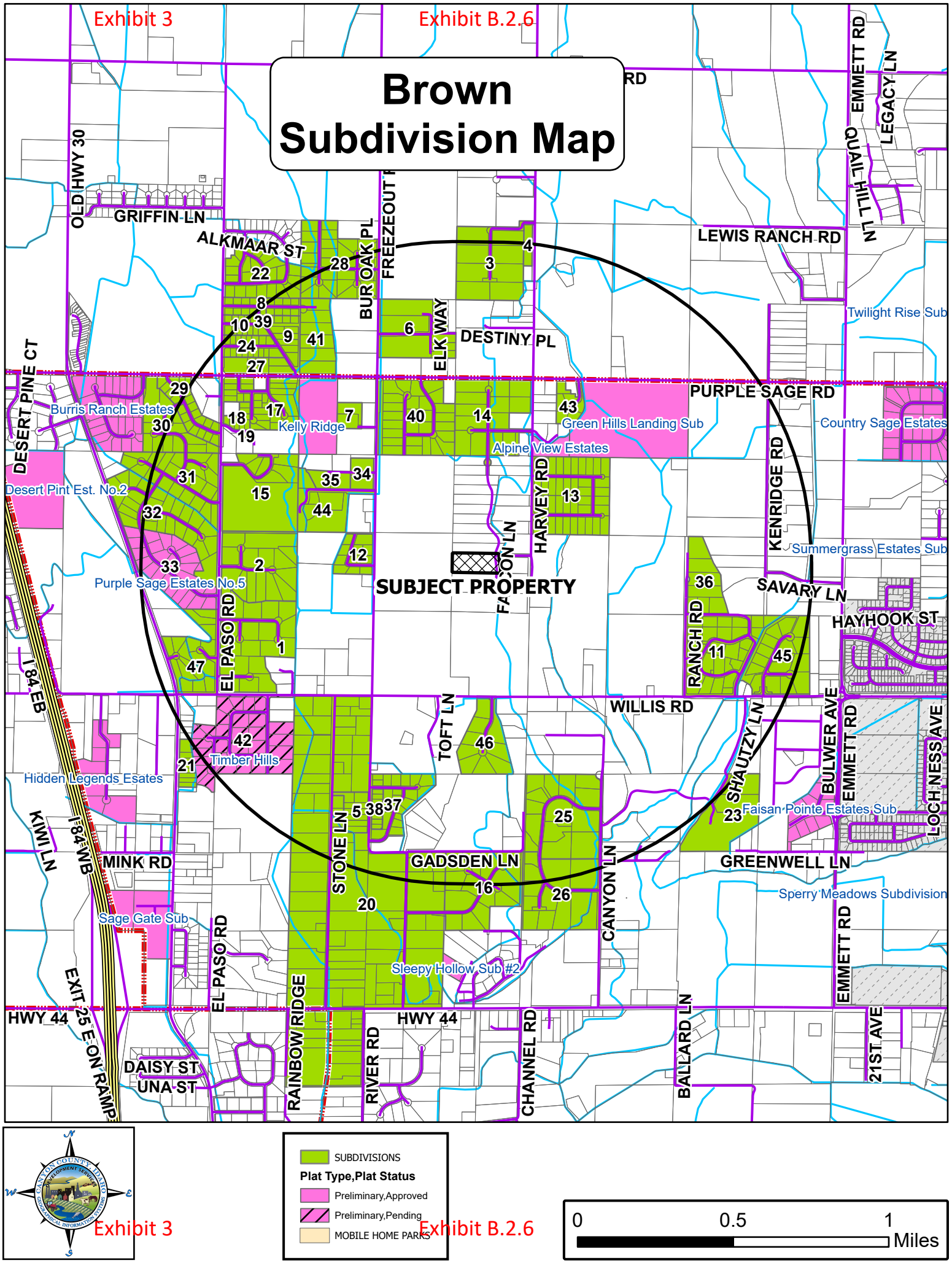
| SOIL CAPABILITY CLASS | SOIL CAPABILITY | SQUARE FOOTAGE | ACREAGE | PERCENTAGE |
|---|---|---|---|---|
| 4 | MODERATELY SUITED SOIL | 142080.35 | 3.26 | 52.72% |
| 3 | MODERATELY SUITED SOIL | 100713.75 | 2.31 | 37.37% |
| 8 | LEAST SUITED SOIL | 26729.08 | 0.61 | 9.92% |
| | | 269523.19 | 6.19 | 100% |

# FARMLAND REPORT

| SOIL NAME | FARMLAND TYPE | SQUARE FOOTAGE | ACREAGE | PERCENTAGE |
|---|---|---|---|---|
| EvC | Farmland of statewide importance, if irrigated | 142080.35 | 3.26 | 52.72% |
| LvC | Prime farmland if irrigated | 100713.75 | 2.31 | 37.37% |
| LvE | Not prime farmland | 26729.08 | 0.61 | 9.92% |
| | | 269523.19 | 6.19 | 100% |

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

| 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 3
Exhibit B.2.6
Brown Subdivision Map
SUBJECT PROPERTY
OLD HWY 30
GRIFFIN LN
ALKMAAR ST
BUR OAK PL
FREEZEOUT R
ELK WAY
DESTINY PL
LEWIS RANCH RD
EMMETT RD
QUAIL HILL LN
LEGACY LN
Twilight Rise Sub
DESERT PINE CT
Burris Ranch Estates
Kelly Ridge
Desert Pint Est. No.2
Purple Sage Estates No.5
PURPLE SAGE RD
Green Hills Landing Sub
Country Sage Estates
Alpine View Estates
HARVEY RD
KENRIDGE RD
Summergrass Estates Sub
SAVARY LN
HAYHOOK ST
EL PASO RD
RANCH RD
I 84 EB
WILLIS RD
TOFT LN
SHAUTZY LN
BULWER AVE
EMMETT RD
LOCH NESS AVE
Timber Hills
Hidden Legends Estates
Faisan Pointe Estates Sub
KIWI LN
I 84 WB
MINK RD
GADSDEN LN
GREENWELL LN
STONE LN
CANYON LN
Sperry Meadows Subdivision
Sage Gate Sub
Sleepy Hollow Sub #2
EXIT 25 E ON RAMP
HWY 44
DAISY ST
UNA ST
RAINBOW RIDGE
RIVER RD
CHANNEL RD
BALLARD LN
21ST AVE
SUBDIVISIONS
Plat Type,Plat Status
Preliminary,Approved
Preliminary,Pending
MOBILE HOME PARKS
0
0.5
1
Miles
Exhibit 3
Exhibit B.2.6

# SUBDIVISION & LOT REPORT

| NUMBER OF SUBS | ACRES IN SUB | NUMBER OF LOTS | AVERAGE LOT SIZE |
|---|---|---|---|
| 47 | 1210.28 | 710 | 1.70 |

| NUMBER OF SUBS IN PLATTING | ACRES IN SUB | NUMBER OF LOTS | AVERAGE LOT SIZE |
|---|---|---|---|
| 5 | 154.36 | 104 | 1.48 |

| NUMBER OF LOTS NOTIFIED | AVERAGE | MEDIAN | MINIMUM | MAXIMUM |
|---|---|---|---|---|
| 16 | 9.07 | 3.73 | 2.48 | 40.17 |

| NUMBER OF MOBILE HOME PARKS | ACRES IN MHP | NUMBER OF SITES | AVG HOMES PER ACRE | MAXIMUM |
|---|---|---|---|---|
| 0 | | | | |

# PLATTED SUBDIVISIONS

| SUBDIVISION NAME | Label | LOCATION | ACRES | NO. OF LOTS | AVERAGE LOT SIZE | CITY OF... | Year |
|---|---|---|---|---|---|---|---|
| ALBION ACRES SUBDIVISION NO. 1 | 1 | 5N3W34 | 41.10 | 19 | 2.16 | COUNTY (Canyon) | 2018 |
| ALBION ACRES SUBDIVISION NO. 2 | 2 | 5N3W34 | 33.13 | 14 | 2.37 | COUNTY (Canyon) | 2018 |
| ARROYO VIEW ESTATES | 3 | 5N3W27 | 32.90 | 9 | 3.66 | COUNTY (Canyon) | 2004 |
| ARROYO VIEW ESTATES #2 | 4 | 5N3W27 | 2.36 | 2 | 1.18 | COUNTY (Canyon) | 2005 |
| BALE SUB | 5 | 4N3W03 | 7.08 | 7 | 1.01 | COUNTY (Canyon) | 1990 |
| CARIBOU ACRES SUB | 6 | 5N3W27 | 27.35 | 9 | 3.04 | COUNTY (Canyon) | 2002 |
| CHAMBERLAIN SUBDIVISION | 7 | 5N3W34 | 4.25 | 2 | 2.12 | COUNTY (Canyon) | 2014 |
| COUNTRY CLUB SUB #1 | 8 | 5N3W27 | 8.64 | 18 | 0.48 | COUNTY (Canyon) | 1964 |
| COUNTRY CLUB SUB #2 | 9 | 5N3W27 | 9.48 | 11 | 0.86 | COUNTY (Canyon) | 1975 |
| COUNTRY CLUB SUB #3 | 10 | 5N3W27 | 5.36 | 12 | 0.45 | COUNTY (Canyon) | 1978 |
| D&S PURPLE SAGE RANCHETTES | 11 | 5N3W35 | 36.47 | 31 | 1.18 | COUNTY (Canyon) | 1972 |
| DEE ANN MEADOWS SUB | 12 | 5N3W34 | 9.71 | 12 | 0.81 | COUNTY (Canyon) | 1974 |
| DRAKE SUB | 13 | 5N3W35 | 40.05 | 41 | 0.98 | COUNTY (Canyon) | 1973 |
| EAGLES NEST ESTATES | 14 | 5N3W34 | 35.62 | 11 | 3.24 | COUNTY (Canyon) | 1998 |
| EL PASO HEIGHTS | 15 | 5N3W34 | 37.90 | 7 | 5.41 | COUNTY (Canyon) | 1998 |
| FINAL PLAT OF SADDLEBACK RIDGE | 16 | 4N3W03 | 35.81 | 16 | 2.24 | COUNTY (Canyon) | 2020 |
| FOX RIDGE ESTATES | 17 | 5N3W34 | 21.64 | 26 | 0.83 | COUNTY (Canyon) | 1992 |
| FOX RIDGE ESTATES #2 | 18 | 5N3W34 | 3.16 | 9 | 0.35 | COUNTY (Canyon) | 1996 |
| FOX RIDGE ESTATES #3 | 19 | 5N3W34 | 0.42 | 1 | 0.42 | COUNTY (Canyon) | 1996 |
| FRUITDALE FARMS | 20 | 4N3W03 | 273.92 | 83 | 3.30 | COUNTY (Canyon) | 1911 |
| HECK SUB #1 | 21 | 4N3W04 | 4.69 | 9 | 0.52 | COUNTY (Canyon) | 1985 |
| HOLLANDIA EST #2 | 22 | 5N3W27 | 22.96 | 23 | 1.00 | COUNTY (Canyon) | 2005 |
| KINDER PLATZ SUBDIVISION | 23 | 4N3W02 | 25.33 | 4 | 6.33 | COUNTY (Canyon) | 2017 |
| MASTERS SUB | 24 | 5N3W27 | 8.03 | 17 | 0.47 | COUNTY (Canyon) | 1994 |
| NORTHSLOPE ESTATES #1 | 25 | 4N3W02 | 42.71 | 15 | 2.85 | COUNTY (Canyon) | 2004 |
| NORTHSLOPE ESTATES #2 | 26 | 4N3W02 | 37.37 | 12 | 3.11 | COUNTY (Canyon) | 2005 |
| NOVAK ACRES | 27 | 5N3W27 | 8.38 | 6 | 1.40 | COUNTY (Canyon) | 2001 |
| OAKRIDGE ESTATES SUBDIVISION | 28 | 5N3W27 | 35.18 | 30 | 1.17 | COUNTY (Canyon) | 2021 |
| PURPLE SAGE ESTATES | 29 | 5N3W33 | 13.35 | 6 | 2.23 | COUNTY (Canyon) | 1967 |
| PURPLE SAGE ESTATES SUBDIVISIO | 30 | 5N3W33 | 19.17 | 14 | 1.37 | COUNTY (Canyon) | 2018 |
| PURPLE SAGE ESTATES SUBDIVISIO | 31 | 5N3W33 | 27.00 | 22 | 1.23 | COUNTY (Canyon) | 2019 |
| PURPLE SAGE ESTATES SUBDIVISIO | 32 | 5N3W33 | 33.44 | 25 | 1.34 | COUNTY (Canyon) | 2021 |
| PURPLE SAGE ESTATES SUBDIVISIO | 33 | 5N3W33 | 28.45 | 25 | 1.14 | COUNTY (Canyon) | 2022 |
| RADFORD RIDGES NO 2 SUBDIVISIO | 34 | 5N3W34 | 4.75 | 3 | 1.58 | COUNTY (Canyon) | 2019 |
| RADFORD RIDGES SUBDIVISION | 35 | 5N3W34 | 4.59 | 2 | 2.29 | COUNTY (Canyon) | 2017 |
| RANCH ROAD ESTATES | 36 | 5N3W35 | 15.21 | 7 | 2.17 | COUNTY (Canyon) | 2003 |
| RANCHETTE ESTATES | 37 | 4N3W03 | 17.05 | 20 | 0.85 | COUNTY (Canyon) | 1972 |
| RANCHETTE ESTATES #2 | 38 | 4N3W03 | 2.89 | 9 | 0.32 | COUNTY (Canyon) | 1974 |
| REPLAT OF LOT 5, BLOCK 2 OF COU | 39 | 5N3W27 | 0.28 | 1 | 0.28 | COUNTY (Canyon) | 2021 |
| SPRING HILL RANCH SUBDIVISION | 40 | 5N3W34 | 38.15 | 28 | 1.36 | COUNTY (Canyon) | 2022 |
| STEADY ACRES SUBDIVISION | 41 | 5N3W27 | 17.05 | 6 | 2.84 | COUNTY (Canyon) | 2022 |
| TIMBER HILLS SUBDIVISION | 42 | 4N3W03&04 | 45.62 | 28 | 1.63 | COUNTY (Canyon) | 2021 |
| VAVOLD HEIGHTS SUB | 43 | 5N3W35 | 6.53 | 6 | 1.09 | COUNTY (Canyon) | 2006 |
| WEN-JEFF ESTATES | 44 | 5N3W34 | 16.78 | 7 | 2.40 | COUNTY (Canyon) | 1997 |
| WILLIS CREEK SUBDIVISION | 45 | 5N3W35 | 28.54 | 19 | 1.50 | COUNTY (Canyon) | 2005 |
| WILLIS ESTATES SUBDIVISION | 46 | 4N3W03 | 19.35 | 10 | 1.93 | COUNTY (Canyon) | 2008 |
| WILLIS RANCH | 47 | 5N3W33 | 21.11 | 16 | 1.32 | COUNTY (Canyon) | 1998 |

## SUBDIVISIONS IN PLATTING

| SUBDIVISION NAME | ACRES | NO. OF LOTS | AVERAGE LOT SIZE |
|---|---|---|---|
| Purple Sage Estates No.5 | 28.32 | 23 | 1.23 |
| Timber Hills | 45.49 | 28 | 1.62 |
| Kelly Ridge | 19.03 | 9 | 2.11 |
| Alpine View Estates | 4.12 | 4 | 1.03 |
| Green Hills Landing Sub | 57.40 | 40 | 1.44 |

## MOBILE HOME & RV PARKS

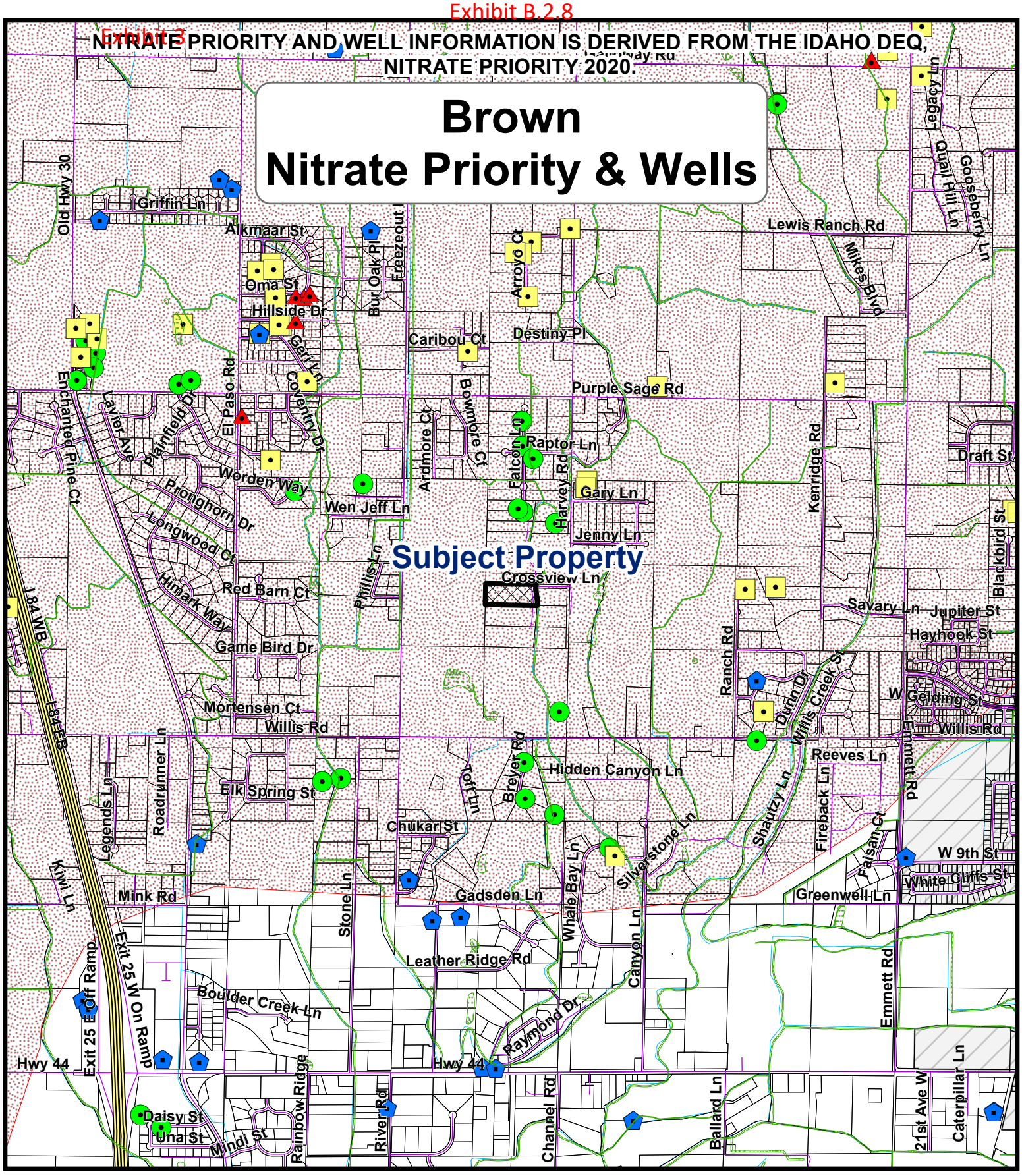
| SUBDIVISION NAME | SITE ADDRESS | ACRES | NO. OF SPACES | UNITS PER ACRE | CITY OF... |
|---|---|---|---|---|---|
| | | | | | |

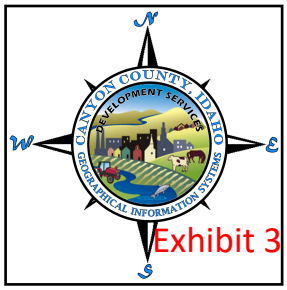
Exhibit B.2.8

Exhibit 3

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

# Brown 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 B.2.8

Exhibit B.2.9

Exhibit 3

# Brown TAZ Household

TAZ NO. 2087
HOUSEHOLD. 1

TAZ NO. 2118
HOUSEHOLD. 0

TAZ NO. 2121

TAZ NO. 2103
HOUSEHOLD. 1

TAZ NO. 2116
HOUSEHOLD. 0

TAZ NO. 2107
HOUSEHOLD. 0

TAZ NO. 2106
HOUSEHOLD. 23

TAZ NO. 2105
HOUSEHOLD. 3

TAZ NO. 2104
HOUSEHOLD. 3

TAZ NO. 2109
HOUSEHOLD. 4

TAZ NO. 2093
HOUSEHOLD. 8

TAZ NO. 2088
HOUSEHOLD. 11

TAZ NO. 2092
HOUSEHOLD. 0

TAZ NO. 2090
HOUSEHOLD. 27

Subject Property

TAZ NO. 2091
HOUSEHOLD. 4

TAZ NO. 2145
HOUSEHOLD. 260

TAZ NO. 2029
HOUSEHOLD. 3

TAZ NO. 2095
HOUSEHOLD. 8

TAZ NO. 2081
HOUSEHOLD. 0

TAZ NO. 2082
HOUSEHOLD. 0

TAZ NO. 2089
HOUSEHOLD. 2

TAZ NO. 2030
HOUSEHOLD. 0

TAZ NO. 2096
HOUSEHOLD. 0

TAZ NO. 2094
HOUSEHOLD. 335

TAZ NO. 2148
HOUSEHOLD. 469

TAZ NO. 2097
HOUSEHOLD. 0

TAZ NO. 2083
HOUSEHOLD. 2

TAZ NO. 2256
HOUSEHOLD. 21

TAZ NO. 2014
HOUSEHOLD. 45

TAZ NO. 2254
HOUSEHOLD. 0

TAZ NO. 2132
HOUSEHOLD. 11

TAZ NO. 2077
HOUSEHOLD. 0

TAZ NO. 2078
HOUSEHOLD. 140

N W E S

CANYON COUNTY, IDAHO
DEVELOPMENT SERVICES
GEOGRAPHICAL INFORMATION SYSTEMS

Exhibit 3

**House Hold 2025-2050**

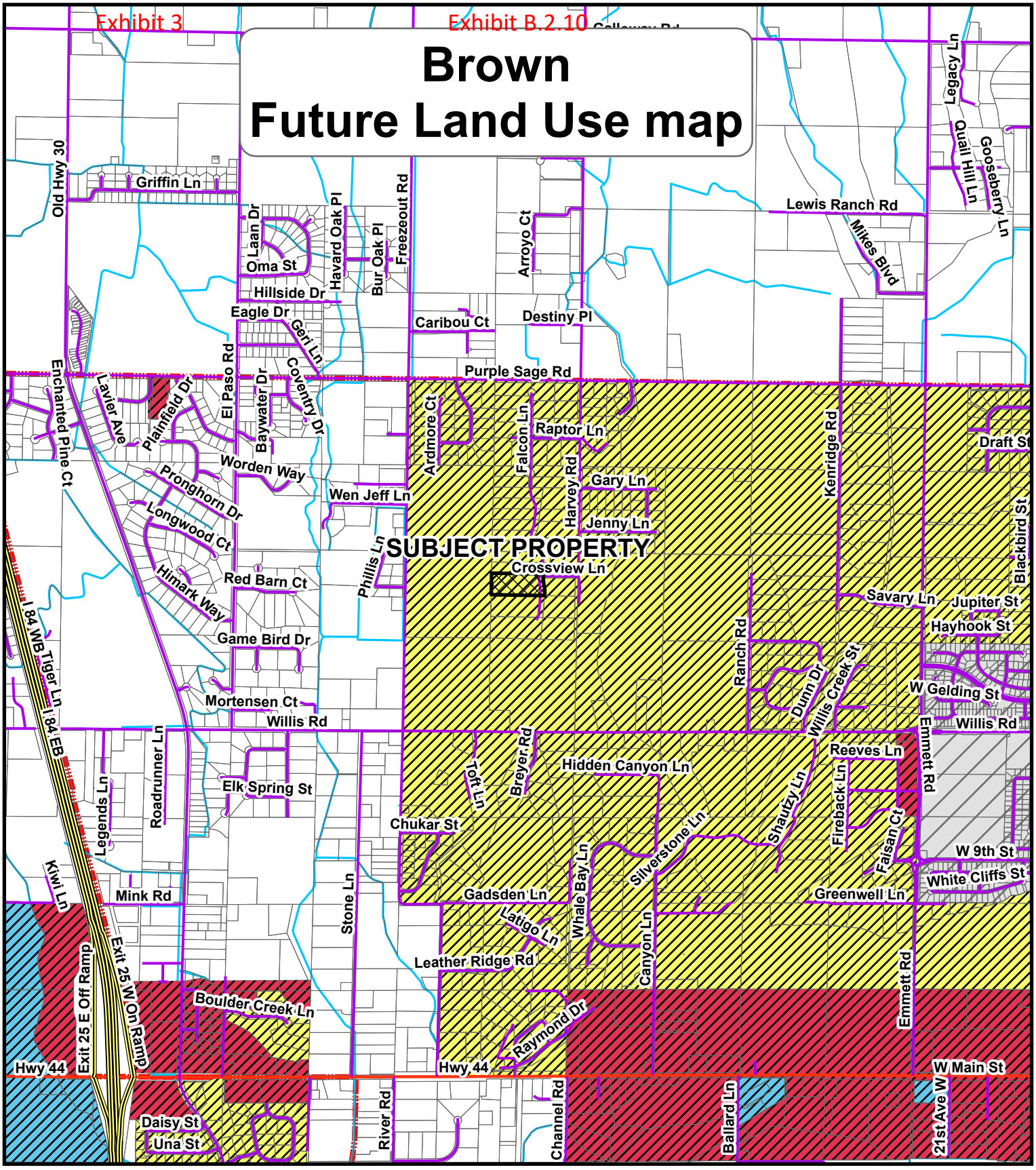
| | |
|---|---|
| -4 - 50 | 251 - 500 |
| 51 - 150 | 501 - 750 |
| 151 - 250 | 751 - 1263 |

Exhibit B.2.9

0 0.5 1 Miles

Exhibit 3 Exhibit B.2.10

# Brown
# Future Land Use map




## Legend

Future Land Use 2030

- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL

0 0.5 1 Miles

Exhibit 3 Exhibit B.2.10

Exhibit 3 Exhibit B.2.11

# Brown
# City of Middleton Future Land Use

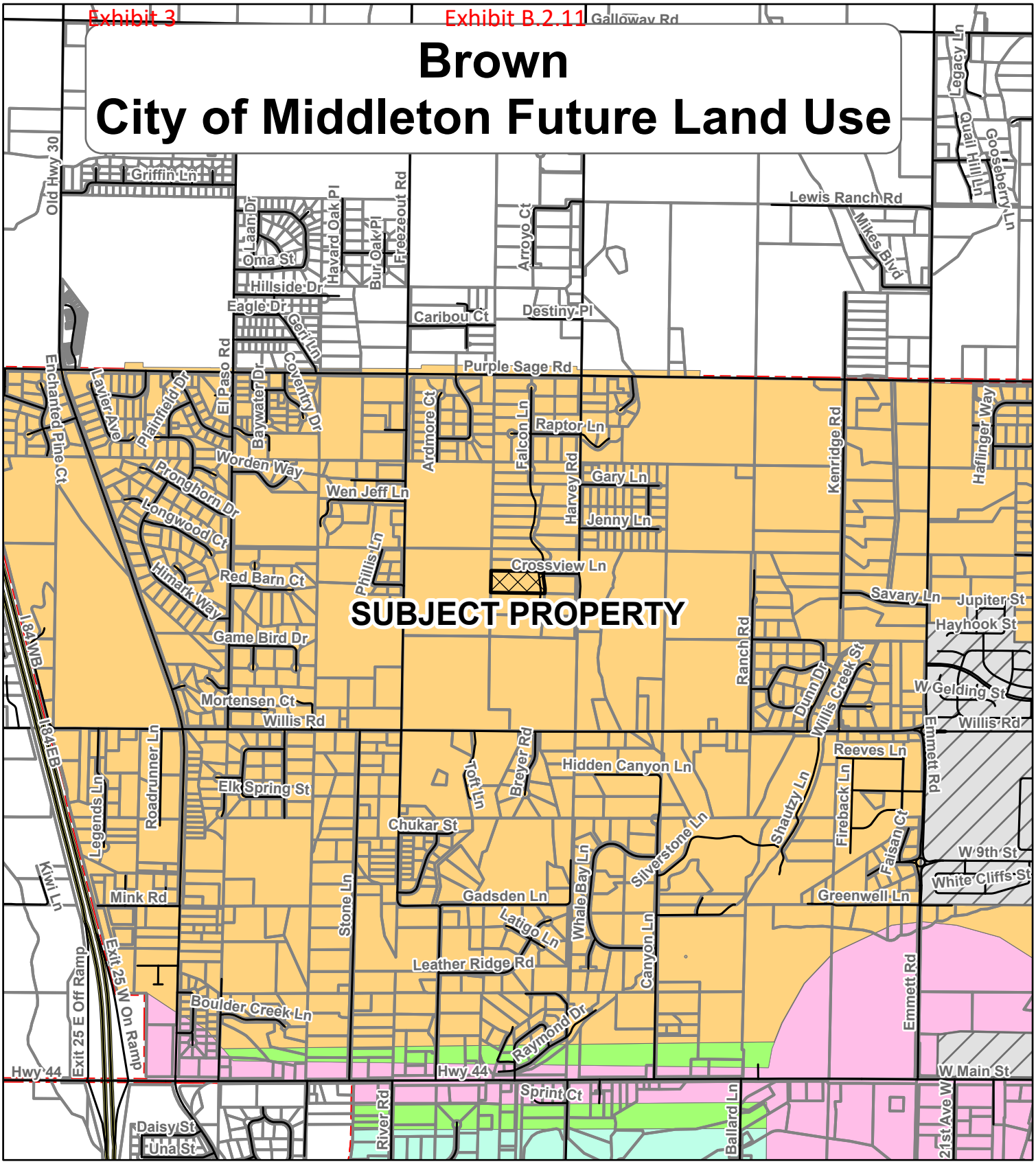






Exhibit 3

**MiddletonCompPlan**

- Commercial
- Industrial
- Mixed Use
- Public
- Residential
- Residential Special Areas
- Transit Oriented

Exhibit B.2.11

0 0.5 1 Miles

Exhibit 3

Exhibit B.2.12

# Brown
# Lot Classification Map

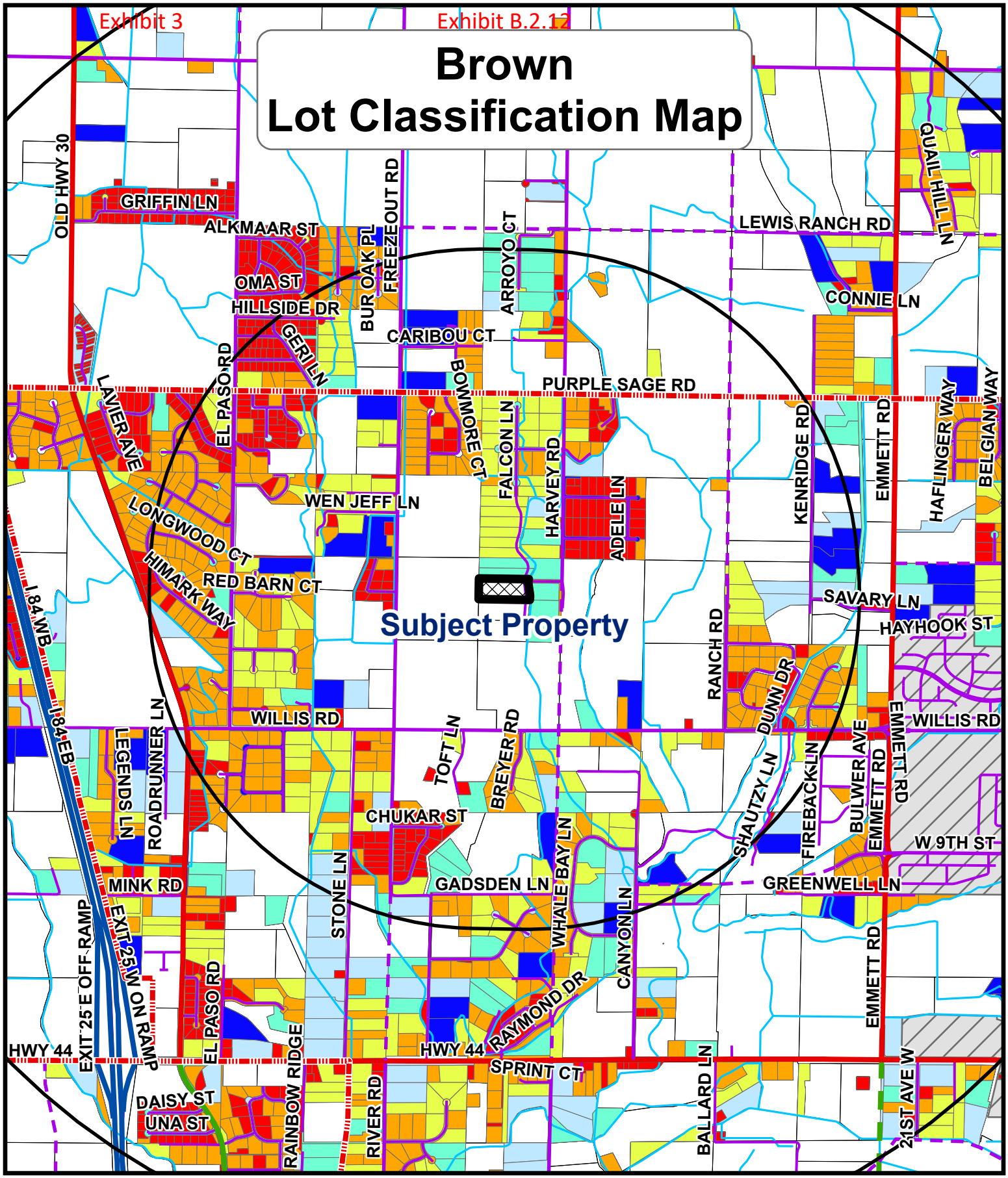



Exhibit 3

**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

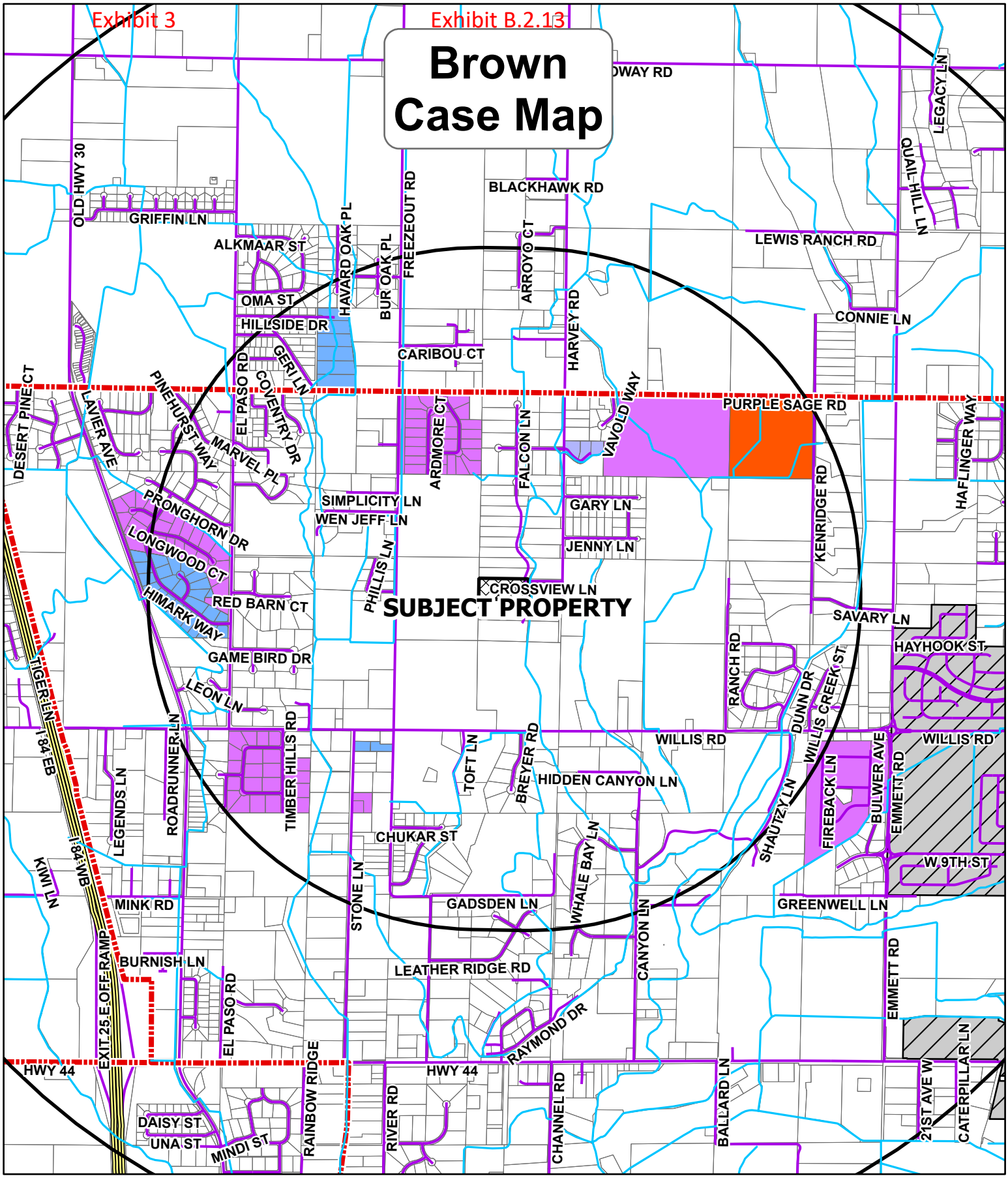
Exhibit B.2.12

0 0.25 0.5 Miles

Exhibit 3

Exhibit B.2.13

# Brown Case Map




Year
2020
2021
2022
2023
2024
2025

0 0.5 1 Miles

Exhibit 3

Exhibit B.2.13

# CASE SUMMARY

| ID | CASENUM | REQUEST | CASENAME | FINALDECIS |
|---|---|---|---|---|
| 1 | RZ2019-0037 | Rezone RR to R2 | County Clube Wate Association, Inc. | APPROVED |
| 2 | SD2018-0019 | Plat - Green Hills Landing Sub | Green Hills Landing Sub | APPROVED |
| 3 | RZ2021-0016 | Rezpme AG to R 1 | Guijaro | APPROVED |
| 4 | RZ2021-0016 | Rezpme AG to R 1 | Guijaro | APPROVED |
| 5 | RZ2019-0034 | Rezone AG to R1 | Mortensen | APPROVED |
| 6 | SD2020-0026 | Plat - Purple Sage Esates No.5 | Plat - Purple Sage Esates No.5 | APPROVED |
| 7 | SD2019-0043 | Purple Sage Estaates No.4 | Purples Sage Estates No.4 | APPROVED |
| 8 | SD2024-0001 | Ridgeland Estates Sub | Ridgeland Estates Sub | APPROVED |
| 9 | SD2020-0010 | Preliminary Plat - Spring Hills Ranch Sub | Spring Hills Ranch Sub | APPROVED |
| 10 | RZ2020-0012 | Rezone AG to RR | Steadman Land, LLC | APPROVED |
| 11 | SD2020-0039 | Plat 6 lots | Steady Acres | APPROVED |
| 12 | Trison Estates Sub | 0 | Trison Estates Sub | Approved |
| 13 | RZ2019-0040 | Rezone AG to R1 | Wangsgard, Kathi | APPROVED |
| 14 | CR2022-0026 | AG to CR-R1 | Woodruff | APPROVED |

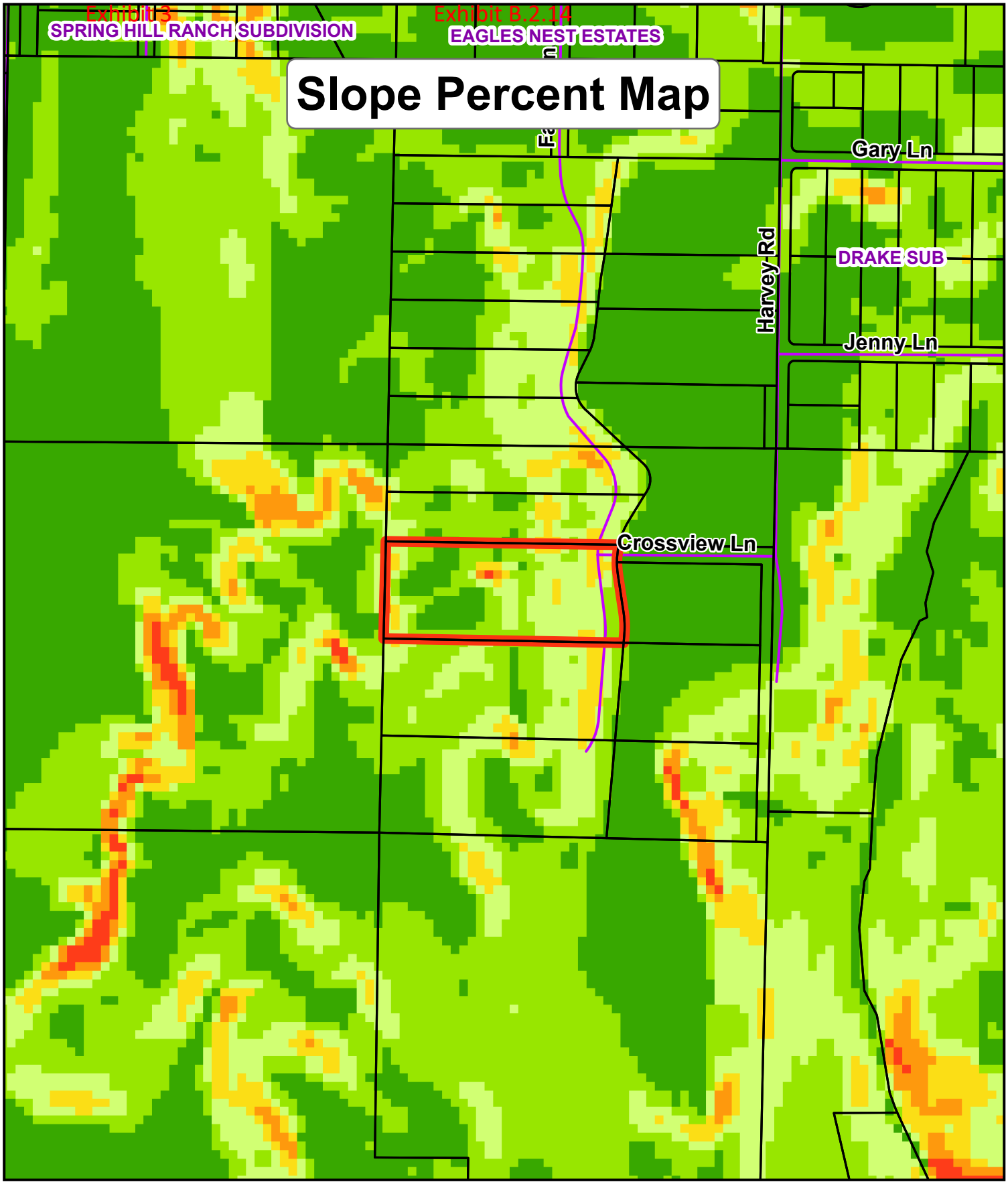



Exhibit 3

Exhibit B.2.14

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2000 14335



# AMENDED DECLARATION OF PROTECTIVE RESTRICTIONS AND COVENANTS OF CROSSVIEW MEADOWS PROPTERY OWNERS' ASSOCIATION, INC.

This Declaration of Protective Restrictions and Covenants applies to certain lands (referred to herein as the "Parcels") described as Parcels 1 – 13 of the reduced record of survey as the same appears on Exhibit "A", attached hereto and incorporated herein by this reference (and as occasionally referred to herein as the "Property), and which was recorded in the Office of the Recorder of Canyon County, Idaho, as Instrument No. 2000/4336 on 4-25-00, 2000. The term "property," as used herein, shall also include any additional property annexed into the property. The undersigned Western Land Co., LLC (hereinafter the "Declarant") is the fee simple owner of the Parcels. The Declarant deems it is advisable that the Parcels be reserved and used for residential homes. The Declarant further deems it necessary to amend that Declaration of Protective Restrictions and Covenants recorded for the Property by one of the Property's prior owners, James Mitchell and Kathleen Mitchell, on August 6, 1999. For the protection of the Parcels, the Declarant does hereby accept and adopt the following protective covenants to apply to the Parcels, to wit:

1. General Provisions. The restrictions herein applied shall attach to and run with the Property comprising the Parcels and shall bind all persons who may at any time hereafter and from time to time own or claim any right, title or interest in and to said Property and the successors thereof under any circumstances who shall be referred to as owners, and shall inure to the benefit of each such owner.

2. Building Criteria. The Parcels, or any part thereof, or any structures placed thereon, shall not be used for commercial purposes; but the use of each lot shall be limited and restricted to a single family dwelling, not to exceed two stories in height, and an attached, semi-detached or detached private garage for not less than two (2) vehicles. Other outbuildings incidental to rural residential use as contemplated and provided by the Canyon County, Idaho, subdivision ordinances shall be permitted.

3. Land Use. The Property may be used for non-commercial recreational, private resident, or non-commercial agricultural. One single-family dwelling and outbuildings are allowed per lot. Parcels 1 through 13 shall have a set back requirement of twenty (20) feet from any side and rear lot line, and a twenty-five ((25) feet set back requirement from the road. No barn or other building for the housing or care of animals shall be placed within one hundred (100) feet to any established residence dwelling without the express written consent of the owner of the neighboring Parcel being affected. No such barn or other building for the housing or care of animals shall be placed within one hundred (100) feet of an individual well on an adjacent lot. Any such structure shall not be built closer than one hundred fifty (150) feet from the front property line and shall not exceed two (2) stories in height. For the purpose of this paragraph, eaves, steps, open porches and bays shall be considered a part of the building or structures. No further subdividing of any Parcel except Parcels 7, 8, 9, and 10 which may each be subdivided only once; said subdivision shall not create a Parcel smaller in size than two (2) acres and which must be approved by the Canyon County Commissioners.





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4. Architectural Control. No building shall be erected, placed or altered on any Parcel until the following has been submitted to, reviewed and approved by the Board of Directors of the Crossview Meadows Property Owners' Association, Inc.: 1) the construction plans and specifications or floor plans; 2) a site plan showing the location of all improvements, along with septic and well location; (3) the color scheme of all improvements; and 4) the construction schedule for all improvements. Once approved by the Board, a letter will be issued by the Board authorizing the commencement of construction. All development and activities on the Parcels and access roads shall comply with all relevant state and County ordinances, regulations and laws.

5. Building Specifications. No dwelling shall be erected or placed on any building site unless the ground floor living area of the structures, exclusive of one-story open porches, terraces and garages, shall meet the following minimum criteria:

One-store dwellings: Parcels 1 – 10: 1,500 minimum square feet of living area;
One story dwellings: Parcels 11 – 13: 1,600 minimum square feet of living area;
Two-story dwellings: Parcels 1 – 10: 1,800 minimum square feet of living area.
Two-story dwellings: Parcels 11 – 13: 1,800 minimum square feet of living area;
Split entry dwellings are not permitted;
Manufactured homes, mobile homes, trailer houses or motor homes are not permitted.

Dwellings shall be site built and constructed of good quality material and workmanship.

6. Building Materials. All buildings erected upon any building site in this subdivision shall be of stone, brick, frame or stucco constructions and, if other than brick or stone is used, such building shall be finished, painted and maintained in good repair so as to be inoffensive to other property owners in the subdivision. No building or structure shall be constructed of or faced with pumice block, concrete block, lava cinder stone or other building material not ordinarily used and approved by architects for high quality construction. No gravel or metal roofs are permitted on primary resident structures.

7. Work Prosecution. The construction of all dwellings shall be diligently and continuously carried on from the time of commencement thereof and shall be completed within twelve (12) months of the date of commencement of construction unless such completion is prevented by causes beyond the control of the owner thereof.

No building material or equipment shall be stored upon a parcel until the owner is ready and able to commence the construction of the building, at which time such building material shall be placed within the property line of such parcel upon which the structure is to be erected.

8. Board of Directors: The Board of Directors of the Crossview Meadows Property Owners' Association, Inc. ("Association"), is initially composed of Brad Stone, Sherrie Stone and Dean Satrape and will later consist of those individuals elected by the members of the Association following the transfer of control date as set forth in the Bylaws. The organization, powers and duties of the Board of Directors is also set forth in said Bylaws. The Board may designate a representative to act for it. In the event of death or resignation of any member of the Board, the remaining members shall have full authority to designate a successor to serve out the



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remainder of the term. Neither the members of the Board nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant.

9. Architectural Control Committee. The Board of Directors shall designate an Architectural Control Committee consisting, initially, of all members of the Board of Directors. Such Committee shall have the powers and authority set forth herein.

10. Temporary Structures. No structures of a temporary character, i.e., mobile homes, trailer houses, motor homes, shacks, tents, basements only, garages, barns or other outbuildings shall be used on any Parcel at any time as a residence, either temporarily or permanently. The Occasional use of a trailer house or motor home by individuals temporarily visiting an owner is permitted so long as such use does not exceed thirty (30) days.

11. Animals. No Parcel or portion thereof shall be used for the keeping or pasturing of goats or swine without the written permission of all contiguous Parcel owners. All livestock kept on any Parcel shall not exceed the following limitations:

Two (2) cows per acre with a maximum of twelve (12) per Parcel;
Two (2) horses per acre with a maximum of six (6) per Parcel;
Any other animal or species equal to a maximum of two (2) times the number of acres contained within the Parcel; provided that the number and types of animals per acre shall not exceed the provisions of Canyon County, Idaho, ordinances pertaining to the Parcel at the time of the owner's purchase of the Parcel.

Any livestock or other animal permitted on any of said premises shall be so fenced and cared for as not to create a nuisance or annoy, offend or trespass on the property of the other Parcel owners. Vicious, dangerous and unmanageable animals shall not be permitted. Dogs, cats, or other household animals shall be cared for as not to annoy or offend other Parcel owners. Any animal not on their owner's Parcel must be accompanied by their owner or some other responsible person and must be on a leash or other appropriate tether, and said owner or custodian shall immediately clean up any droppings of the animal.

12. Outbuildings. All outbuildings shall be constructed of good quality building materials, using only new materials, completely finished and painted on the outside, and shall be of good quality that will be compatible with other buildings in the Subdivision. A good quality frame building with factory colored steel siding and roofing may be approved by the Architectural Control Committee.

13. Fences. Front lot line fences shall not exceed four (4) feet in height. The Board shall approve all fencing materials used and shall consist of materials generally sold for and considered as good and substantial fence products. No other fence shall exceed six (6) feet in height. No fence, hedge or boundary wall situated on a Parcel shall have a height exceeding six (6) feet above the graded surface of the ground. Fencing shall be erected in a proper workmanship manner and maintained to provide stability and to appear inoffensive to other Parcel Owners and to serve the fence purpose.


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14. Excavation. No excavation for stone, gravel, earth or minerals shall be made upon a building site. Excavation that is necessary and contemplated in the plans in connection with the erection of a building is acceptable.

15. Domestic Water. Declarant is under no obligation to deliver domestic water or to furnish rights of way in connection with the delivery of domestic water to any lot or building site on any Parcel. Each owner is responsible to drill for individual domestic water at his/her expense. Such drilling will comply in all respects with regulations and health standards of the Southwest District Health Department and the State of Idaho Department of Health.

16. Utilities. Declarant is responsible to initially provide power and telephone along the Falcon Road right of way for Parcels 1 – 10. Each Parcel owner is responsible to extend these services to their dwellings at their own expense. Maintenance of power and telephone, once installed, shall not be the responsibility of Declarant or any of its members, agents, representatives, affiliates, heirs or assigns.

17. Drainage. Each Parcel owner shall control the drainage and storm run-off from their lot so as to prevent damage or burden to adjoining property.

18. Sewage Disposal. Approval of all sewage disposal systems installed shall first be secured from the Southwest District Health Department and the Declarant shall have no obligation to construct any sewage disposal systems or provide any connection thereto. All bathroom, sink, and toilet facilities shall be located inside the dwelling house or suitable appurtenant building and shall be connected by underground pipe with a private septic tank placed at a depth and type of construction approved by Canyon County and State of Idaho health authorities. Drainage from said septic tank shall be kept within the building limits of each building site.

19. Refuse and Dumping. No lot or building site included within this association shall be used or maintained as a dumping ground for rubbish, abandoned automobiles, trash, garbage or other waste material. Incinerators used for disposal, if permitted, and other receptacles for storage of trash, garbage, etc., shall be maintained in a sanitary and clean condition. All trash shall be kept in such a manner so as to prevent it from being strewn or blown over any of the Parcels.

20. Parking. Parking of trailers, motor homes, recreational vehicles and like equipment, shall be parked or stored within the confines of an enclosed garage, or other approved enclosure, and no portion of same may project beyond the enclosed area. Motorhomes, camp trailers or large utility trailers that are in excess of the size of garages or other improved out buildings must be stored in the rear portion of the dwelling in a contained area that must be previously approved.(The Architectural Committee shall be the sole and exclusive judges for such approval).

21. Signs. No signs or billboards of any kind shall be erected, posted or displayed upon any Parcel except one (1) professional sign of not more than one (1) square foot, or one sign of not more than four (4) square feet which advertises the property for sale or rent, or usual



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and customary signs used by a business to advertise the property during the construction and sales period. The name of a resident of a dwelling house upon a building site may be displayed upon a name or address plaque. The developer reserves the right to display signs upon unimproved/improved sites remaining in the ownership of the developer during the construction and sale period.

22. In-Home Business. No portion of the real property or of a building site or any structure thereon shall be used for the conduct of any trade or business or professional activity that cannot be conducted entirely within the residence of the owner. No signs shall be installed to advertise said business. In-home cottage businesses are permitted and shall be approved by the Board of Directors.

23. Nuisance: No noxious or offensive activity shall be carried on upon any parcel or anything done thereon tending to cause embarrassment, discomfort, annoyance or nuisance to the neighborhood. No offensive or hazardous activities may be carried on within any parcel or in any dwelling unit.

24. Oil and Mining Operations. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind, shall be permitted upon or in any Parcel, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any Parcel. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any Parcel.

25. Driveways. At or prior to completion of a dwelling, the owner thereof shall construct a drive from the street to the garage or other out-building adequate to provide off street parking for the vehicles of the occupants and their guests; and all driveways shall be properly surfaced and maintained with gravel, asphalt or concrete. If necessary, any driveway constructed on any of said lots shall have a pipe thereunder of at least twelve (12) inches in diameter, or larger if necessary to provide adequate flow of irrigation or drainage water at any point where said driveway crosses any ditch or pipe used for the conveyance of irrigation water, said pipes being for the purpose of drainage. The pipes herein referred to may consist of tile, concrete, iron or steel, or any other substance of a permanent nature. All pipe installation made within a dedicated right-of-way shall be made only after plans therefore shall have been submitted to and a permit granting approval thereof shall have been issued by the Canyon Highway District with respect to the adequacy of such installation for drainage purposes.

26. Easements. Easements for installation and maintenance of utilities and drainage facilities on the Parcels may be retained by the transferor of the Parcels. Said easements shall be permanent and perpetual. Within these easements no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow of water through drainage or channels in the easements. Upon conveyance of the roadways located within the Property to the appropriate public authorities, Declarant shall have no further responsibility with respect to those roadways.



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27. Radio Towers/Antennas: Installation outside any building of radio or television antenna is prohibited. Installation outside any building of satellite dish is prohibited without written consent from the Architectural Committee, which may require them to be screened from street view.

28. Interpretation, Variance, Waiver and Amendment. The Architectural Committee is empowered to interpret these restrictions and covenants and determine whether or not other dwellings or other structures, proposed, completed or in the course of construction meet the requirements hereof, are architecturally sound and harmonious, as to quality of materials and workmanship. No variance from or waiver of the requirements of these restrictions and covenants may be granted or claimed unless the same be in writing and subscribed by the Architectural Committee and Parcel owners owning a majority of the Parcels.

29. These restrictions and covenants may be amended only by a written instrument subscribed and acknowledged by the Declarant, and shall be defective only when said instrument of amendment is filed of record in the office of the Canyon County Recorder; provided that after the transfer of control date as defined in the Bylaws, these restrictions and covenants may be amended only by a written instrument subscribed and acknowledged by Parcel owners who own a majority of the Parcels as filed of record with the Canyon County Recorder.

In the event of a dispute between Parcel owners, or the Architectural Committee and a Parcel owner, the Architectural Committee's interpretation as certified by instrument in writing by the Board signed by the members of the Architectural Committee shall be final.

30. Term. These covenants shall run with the land described herein, and shall be binding upon the parties hereto and all successors in title or interest to said real property or any part thereof for a period of twenty five (25) years from the date of the recording hereof, after which time such covenants shall be automatically extended for successive, automatically renewing, ten (10) year terms unless an instrument of agreement or termination and/or changes of these covenants is signed by Parcel owners owing a majority of the Parcels and properly recorded.

31. Assessments. Declarant covenants for each lot within the subdivision, and each owner of a lot is deemed to covenant by acceptance of the owner's deed for the lot, whether or not it shall be so expressed in the deed, to pay to the Association (1) annual assessments and (2) special assessments for Improvements. These assessments shall be established and collected from time to time as deemed appropriate by the Board of Directors. The annual and special assessments, together with interest, costs and reasonable attorney fees, shall be a charge on the land and a continuing lien on each lot against which such an assessment is made, and action may be brought to foreclose any such lien. Assessments may be made enforceable by civil action and/or by the forfeiture of membership in the Association upon notice given in writing twenty (20) days before commencement of such action or forfeiture. Each such assessment, together with interest, costs, and reasonable attorney fees, shall also be the personal obligation of the person or persons who owns the lot at the time the assessment fell due, but such personal obligation shall not pass to the successors in title of that person or persons unless expressly assumed.





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The annual assessments levied shall be used exclusively to promote the health, safety, welfare and recreation of the residents in Crossview Meadows, and for the improvement and maintenance of the homes situated within Crossview Meadows. Annual assessments shall include, and the Board of Directors shall acquire and pay for out of the funds derived from annual assessments, the following:

(a) Operation costs for the Association.

(b) Liability insurance insuring the Association against any and all liability to the public, to any owner or owners, or to the invitees or tenants of any owner or owners arising out of their occupation and/or use of the common area. The policy limits shall be set by the Association and shall be reviewed at least annually, and increased or decreased at the discretion of the Association;

(c) A standard fidelity bond covering all members of the Board of Directors of the Association and all other employees of the Association in an amount to be determined by the Board of Directors; and,

(d) Any and all materials, supplies, furniture, labor, services, maintenance, repairs, structural alterations, insurance, taxes or assessments that the Association is required to secure or pay pursuant to the terms of this Declaration or by law or which shall be necessary or proper in the opinion of the Board of Directors of the Association, for the benefit of lot owners or for the enforcement of these restrictions.

32. Exemption of Declarant: Nothing contained herein shall limit the right of Declarant to complete excavation, grading and construction of improvements to and on any portion of the Property owned by Declarant or to construct such additional improvements as Declarant deems advisable in the course of development of the Property, so long as any Parcel in the property remains unsold. Such right shall include, but shall not be limited to, erecting, constructing, and maintaining on the Property, such structures and displays as may be reasonably necessary for the conduct of Declarant's business of completing the work and disposing of the same by sale, lease or otherwise. Declarant shall have the right at any time prior to acquisition of title to a Parcel by a purchaser from Declarant to grant, establish and/or reserve on that Parcel as may from time to time be reasonably necessary to the proper development and disposal of the Property. Declarant may use any structures owned by Declarant on the Property as model home complexes or real estate sales or leasing offices. Declarant need not seek or obtain Board of Director approval of any improvement constructed or placed by Declarant or an affiliate of Declarant on any portion of the Property owned by Declarant or an affiliate of Declarant. The rights of Declarant hereunder may be assigned by Declarant to any successor in interest in connection with Declarant's interest in any portion of the Property by an express written assignment recorded in the Office of the Recorder of Canyon County.

33. Violation. If the parties hereto or any of them or their heirs or assigns shall violate or attempt to violate any of the covenants or restrictions herein set forth, before the termination thereof, it shall be lawful for any person or persons owning any other Parcels in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant or restriction, and either to prevent him or them from committing or to recover damages or other relief from such violation.





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Failure by any Parcel owner to enforce any covenants or restrictions herein contained, shall in no event be deemed a waiver of the right to do so thereafter.

It is further provided that a breach of any of the conditions or restrictions contained herein or any re-entry by reason of such breach shall not defeat or render invalid the lien or any mortgage or deed of trust made in good faith and for value as to said premises or any part thereof; but said conditions shall be binding upon and effective against any owner of said premises whose title thereto is acquired by foreclosure, trustee's sale or otherwise.

The invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

34. Heirs and Assigns. These protective restrictions shall be binding upon the Declarant, the Parcel owners, and each of them, and upon their heirs, successors and assignees.

IN WITNESS WHEREOF, we have subscribed our names this 25 day of April, 2000.

DECLARANT

Western Land Company, LLC.
By Dean Satrape, member

200014335

RECORDED
00 APR 25 PM 4 42
CHOEL HALES
CANYON COUNTY RECORDER
BY Leslie Allen DEPUTY

REQUEST PIONEER - CALDWELL
TYPE Misc FEE 24.00

STATE OF IDAHO

COUNTY OF CANYON

On this 25th day of April in the year 2000, before me, a Notary Public, personally appeared Dean Satrape known or identified to me to be the Manager(s), Member(s) of the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.

Notary Public
Residing at Caldwell
My Commission Expires 2/3/04

TAMMY KRATZBERG NOTARY PUBLIC STATE OF IDAHO





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**EXHIBIT C**

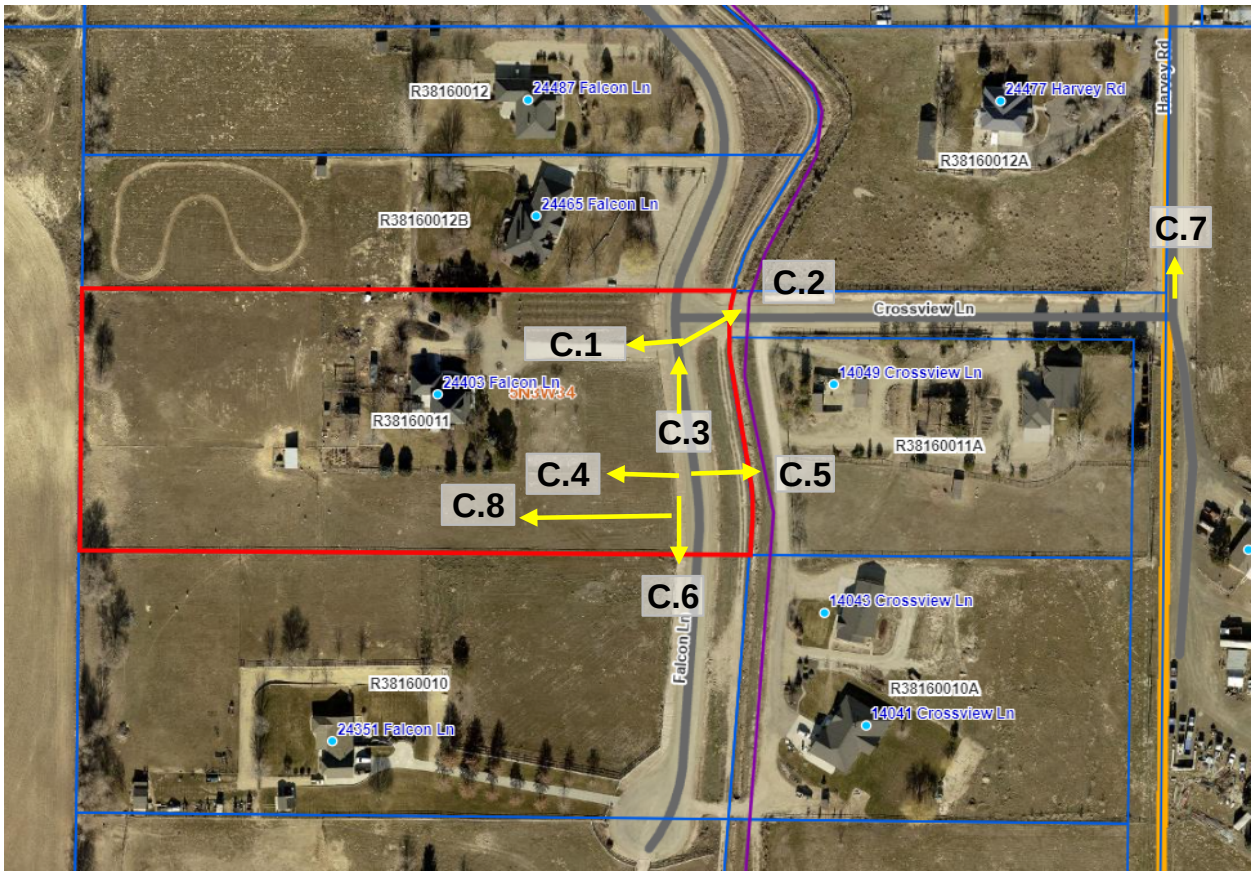
**Site Visit Photos: July 15, 2025**

Planning & Zoning Commission

Case# RZ2025-0003

Hearing date: January 15, 2026

| KEY | NAME: Brown | CASE #: RZ2025-0003 |
|---|---|---|




N

**Exhibit: C**
**RZ2025-0003**
**Site Visit Photos:**
**July 15, 2025**

**EXHIBIT: C.1**




**EXHIBIT: C.2**



**EXHIBIT: C.3**




**EXHIBIT: C.4**



**EXHIBIT: C.5**




Facing East

**EXHIBIT: C.6**




Facing South

**EXHIBIT: C.7**




**EXHIBIT: C.8**



**EXHIBIT D**

**Agency Comments Received by: January 5, 2026**

Planning & Zoning Commission

Case# RZ2025-0003

Hearing date: January 15, 2026

**Karla Nelson**

**From:** Anthony Lee <Anthony.Lee@swdh.id.gov>
**Sent:** Wednesday, June 18, 2025 2:22 PM
**To:** Karla Nelson
**Subject:** RE: [External] RE: Agency Notice RZ2025-0003 / Brown

Hi Karla,

Thank you for the update.

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:** Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
**Sent:** Wednesday, June 18, 2025 1:41 PM
**To:** Anthony Lee <Anthony.Lee@swdh.id.gov>
**Subject:** FW: [External] RE: Agency Notice RZ2025-0003 / Brown

**CAUTION:** This email originated outside Southwest District Health's network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact IT with any concerns.

Hi Anthony,
I wanted to follow-up, in looking at the history of the project from what I can gather it was split through administrative land divisions not a full subdivision, our case number for the split was LS2004-217. There was a Conditional Use Permit for a Planned Unit Development which covered the property (CU2024-193) but the actual division of land was done administratively. The Record of Survey did come with the name Crossview Meadows, I've attached the ROS and the re-recorded ROS.

Thank you,

**Karla Nelson, AICP**
Principal Planner

Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-6036
Email: Karla.Nelson@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

**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.**

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**From:** Anthony Lee <Anthony.Lee@swdh.id.gov>
**Sent:** Friday, June 6, 2025 2:04 PM
**To:** Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
**Subject:** [External] RE: Agency Notice RZ2025-0003 / Brown

Hi Karla,

1.) Will a Nutrient Pathogen Study be required? **This project does not require a Nutrient Pathogen Study.**
2.) Will adequate sanitary systems be provided to accommodate the use? **Subsurface sewage disposal systems have not been determined at this time.**
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 pre-development notes. Not knowing previously that this proposal was part of a subdivision, it may need to be re-engineered.

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

## Karla Nelson

**From:** Caitlin Ross
**Sent:** Monday, June 16, 2025 11:47 AM
**To:** Karla Nelson
**Subject:** FW: [External] RE: Agency Notice RZ2025-0003 / Brown

FYI – thanks!
-Caitlin

---

**From:** D3 Development Services <D3Development.Services@itd.idaho.gov>
**Sent:** Monday, June 16, 2025 11:34 AM
**To:** Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
**Subject:** [External] RE: Agency Notice RZ2025-0003 / Brown

Hello,

After careful review of the transmittal submitted to ITD on June 6, 2025 regarding, RZ2025-0003/Brown, the Department has no comments or concerns to make at this time. This application does not meet thresholds for a Traffic Impact Study nor does it pose any safety concern. 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
Administrative Assistant




---

**From:** Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
**Sent:** Friday, June 6, 2025 8:58 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>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; 'lriccio@hwydistrict4.org' <lriccio@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>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@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>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawforth

## Karla Nelson

**From:** Richard Sims <middletown.rich@gmail.com>
**Sent:** Tuesday, June 10, 2025 9:24 PM
**To:** Karla Nelson
**Subject:** [External] response to zoning requests

The Canyon County Soil Conservation District does not have any comments for:
CR2024-0011 and RZ2025-0003.

Richard Sims
Associate Supervisor
Canyon County Soil Conservation District
for:
Chairman Clay Erskine




June 18, 2025

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

RE: Rezone / Administrative Lot Split. Parcel R38160011
Case No. RZ2025-0003
Applicant: Colby & Amy Brown
Property Owner: Call Family Revocable Trust
Planner: Karla Nelson

The property is located at 24403 Falcon Lane, Caldwell, Idaho (Parcel R38160011). According to existing records, the parcel is within the Black Canyon Irrigation District (District) service area boundary but does not receive water from the District. However, the C.E. 10.2 lateral located along the eastern property boundary is owned and operated by the District.

The District has the following initial comments.

*****Prior to District concurrence of the Rezone / Administrative Lot Split:**

1. Based on our records, the District has not received a New Project Application Form for the Rezone / Administrative Lot Split for the development of creating an additional residential parcel (lot split of Parcel R38160011). The District requests the Applicant to complete the form found on the District's website (https://blackcanyonirrigation.com/development).
2. District mapping indicates that the C.E. 10.2 lateral is located along the eastern property boundary and has a historical 25-foot easement. The Applicant will need to prepare and provide the District with a legal description and exhibit for the easement along the C.E. 10.2 lateral per District Resolution 2023-04. All documents must be stamped and signed by a licensed land surveyor in the State of Idaho.
3. All outstanding account balances and development fees need to be paid prior to the District providing concurrence for the rezone/administrative lot split.




**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.

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

474 ELGIN AVE. – P.O. BOX 226 – NOTUS, ID 83656 – 208-459-4141 – FAX 208-459-3428




November 21, 2025

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

RE: Rezone / Administrative Lot Split. Parcel R38160011
Case No. RZ2025-0003
Applicant: Colby & Amy Brown
Property Owner: Call Family Revocable Trust
Planner: Karla Nelson

The property is located at 24403 Falcon Lane, Caldwell, Idaho (Parcel R38160011). According to existing records, the parcel is within the Black Canyon Irrigation District (District) service area boundary but does not receive water from the District. However, the C.E. 10.2 lateral located along the eastern property boundary is owned and operated by the District.

All prior matters are acknowledged as resolved, and the District has no additional comments on the proposed land use change.

Thank You,

Mike Meyers
District Manager
Black Canyon Irrigation District

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

Brad Little, Governor
Jess Byrne, Director

June 17, 2025

Karla Nelson, Planner
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
karla.nelson@canyoncounty.id.gov

Subject: Agency Notice RZ2025-0003 / Brown

Dear Ms. Nelson:

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

## Karla Nelson

**From:** Victor Islas <vislas@midstarfire.org>
**Sent:** Tuesday, November 18, 2025 3:45 PM
**To:** Karla Nelson
**Subject:** [External] RE: RZ2025-0003 - R3816011
**Attachments:** FD Service Map RZ2025-0003.pdf

Middleton Rural Fire District Office of the Fire Marshal has reviewed the documents for RZ2025-0003 (24403 Falcon Ln., Caldwell, ID) our comments are below.

1. Will essential services be provided to accommodate requested use.
    a. This property will be serviced by the Middleton Rural Fire District
2. Will services be negatively impacted by such use or require additional public funding to meet the needs created by the requested use?
    a. No
3. 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. Please not that this area does not have an established water supply for firefighter operations as outline in the International Fire Code (IFC).
    b. If approved the owners will have to provide water supply as outlined in IFC.
4. What is the estimated response time to the subject property? Is this response time adequate for life safety concerns?
    a. The property is serviced by the Middleton Rural Fire District Station 53, located at 302 E. Main St. Middleton, ID
    b. Station 52 is approximately 5.5 miles from the property, with an estimated travel time of 11 minutes under optimal driving conditions.
    c. This project is outside of the Fire District 5-minute response time service goal area.
    d. Service Maps attached for reference.
5. Additional
    a. The property must maintain proper fire department access as required by the International Fire Code (IFC). This includes ensuring that all access roads, fire lanes, and other necessary access points are compliant with the code to facilitate prompt emergency response.
    b. Any future building remodels or new building construction shall comply with the IFC and IBC.
    c. Construction or modifications of any structures on this site will require Fire District review, permitting and inspection at the discretion of the Fire Marshal.
        i. Permit portal: www.midstarfirepermits.org
    d. Any overlooked hazardous condition and/or violation of the International Building and/or Fire Code does not imply approval of such condition or violation.

Victor Islas
Deputy Chief | **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

This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. This message contains confidential information and is intended only for the individual

Exhibit D.6

# MIDDLETON RURAL FIRE DISTRICT

## STATION 53 SERVICE MAP - 5 MINUTE RESPONSE TIME

PROJECT LOCATION: 24403 FALCON LN., CALDWELL ID 83644 BY: VICTOR ISLAS, DEPUTY CHIEF 11/18/2025

Canyon County Case: RZ2025-0003 - R3816011

**CURRENT RESPONSE**

N

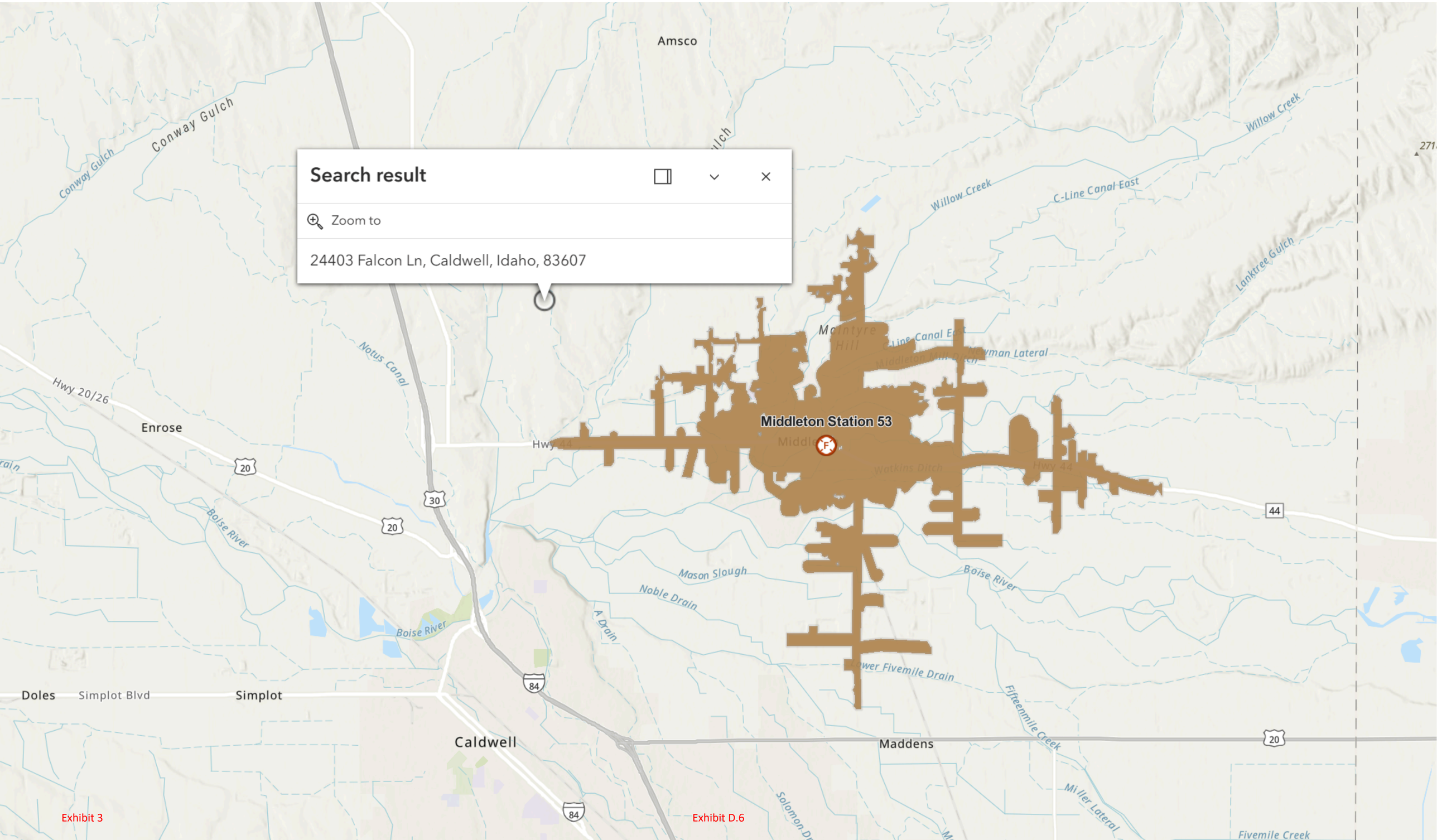





Exhibit D.6

Exhibit D.6

# MIDDLETON RURAL FIRE DISTRICT

## FUTURE STATION 54 SERVICE MAP - 5 MINUTE RESPONSE TIME

**FUTURE RESPONSE**

PROJECT LOCATION: 24403 FALCON LN., CALDWELL ID 83644 BY: VICTOR ISLAS, DEPUTY CHIEF 11/18/2025

Canyon County Case: RZ2025-0003 - R3816011

Due to current funding limitations, Station 54 is not scheduled to be operational until a permanent and sustainable funding source is secured. Once funded and placed into service, Station 54 will significantly improve emergency response times to this area and enhance overall service reliability for the surrounding community.

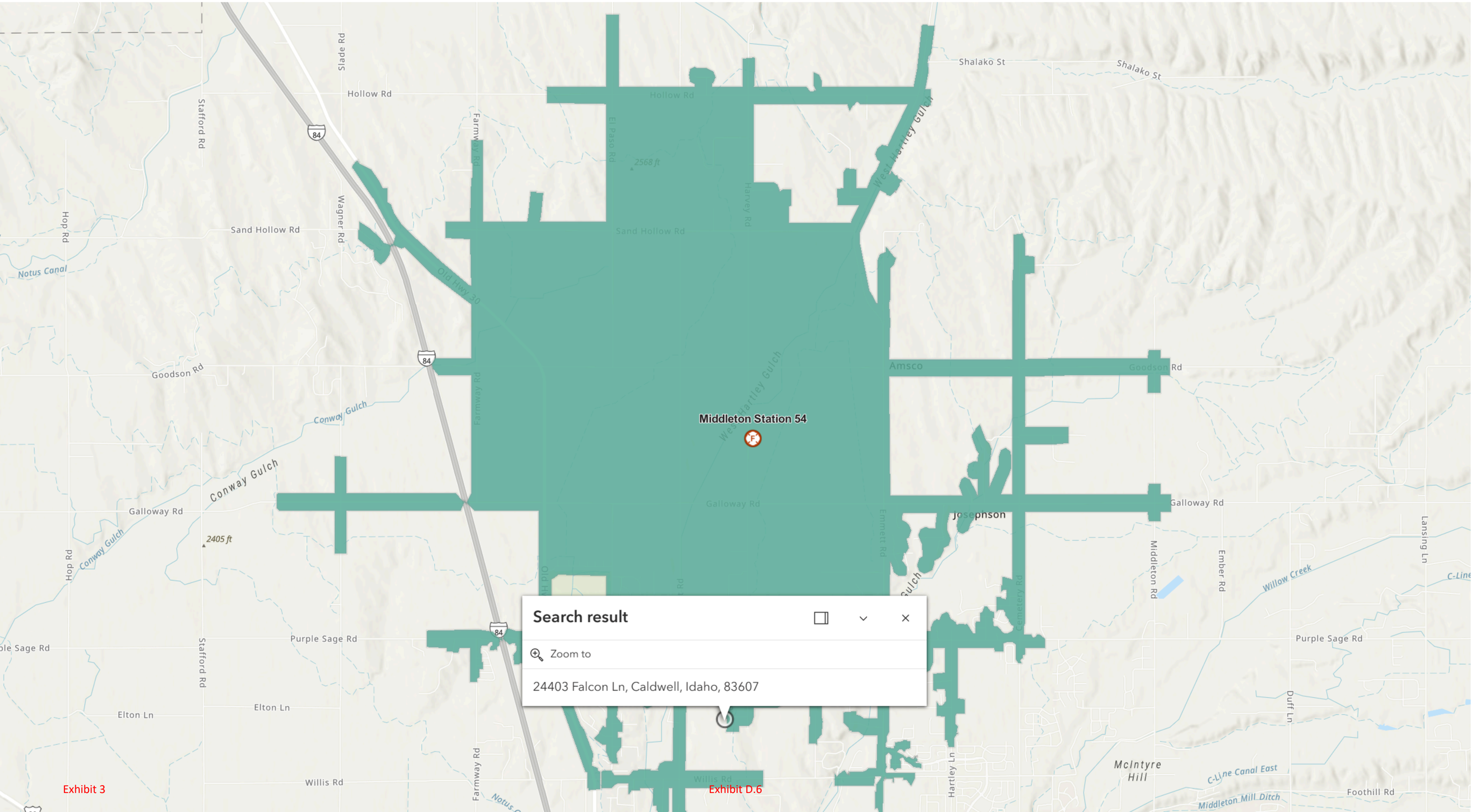





Exhibit D.6

## Karla Nelson

**From:** Keaton Massie <KMassie@ccparamedics.com>
**Sent:** Tuesday, November 18, 2025 7:59 PM
**To:** Karla Nelson
**Cc:** Michael Stowell
**Subject:** [External] RE: RZ2025-0003 - R38160011
**Attachments:** image001.png; R38160011 Response Times.pdf; R38160011 Response Times 2.pdf

Hello Karla!

Thank you for reaching out! Here is the response times for that parcel.
https://linklock.titanhq.com/analyse?url=https%3A%2F%2Farcg.is%2F1fq4qL&data=eJxtjLEKwjAUAL8mGYNNQ9HhDS5OKoiUzs-XtIY2SZuXCv176y7ccMNxBE2jq_poXN1rc5IWCOOWIqU1lk15q4b0kQEeT--7W_eybXuXDGNAZu-EORDNmDE464kVpSAzjJgnVNFNnOKv-DNc4V3KzKI-C33ZwUyD8rxb1S9muX4BNDEziQ%%

Please let me know if you have any questions!
Thank you,
Capt. Massie

_____
From: Karla Nelson [Karla.Nelson@canyoncounty.id.gov]
Sent: Tuesday, November 18, 2025 3:00 PM
To: Keaton Massie
Subject: RZ2025-0003 - R38160011

Hello Captain Massie,

I'm hoping to schedule the attached rezone with the Planning and Zoning Commission for a January hearing. If possible, I would love paramedic/EMT response times to include in my report, or any other concerns that you may have about development in this area. The property is located at 24403 Falcon Lane.

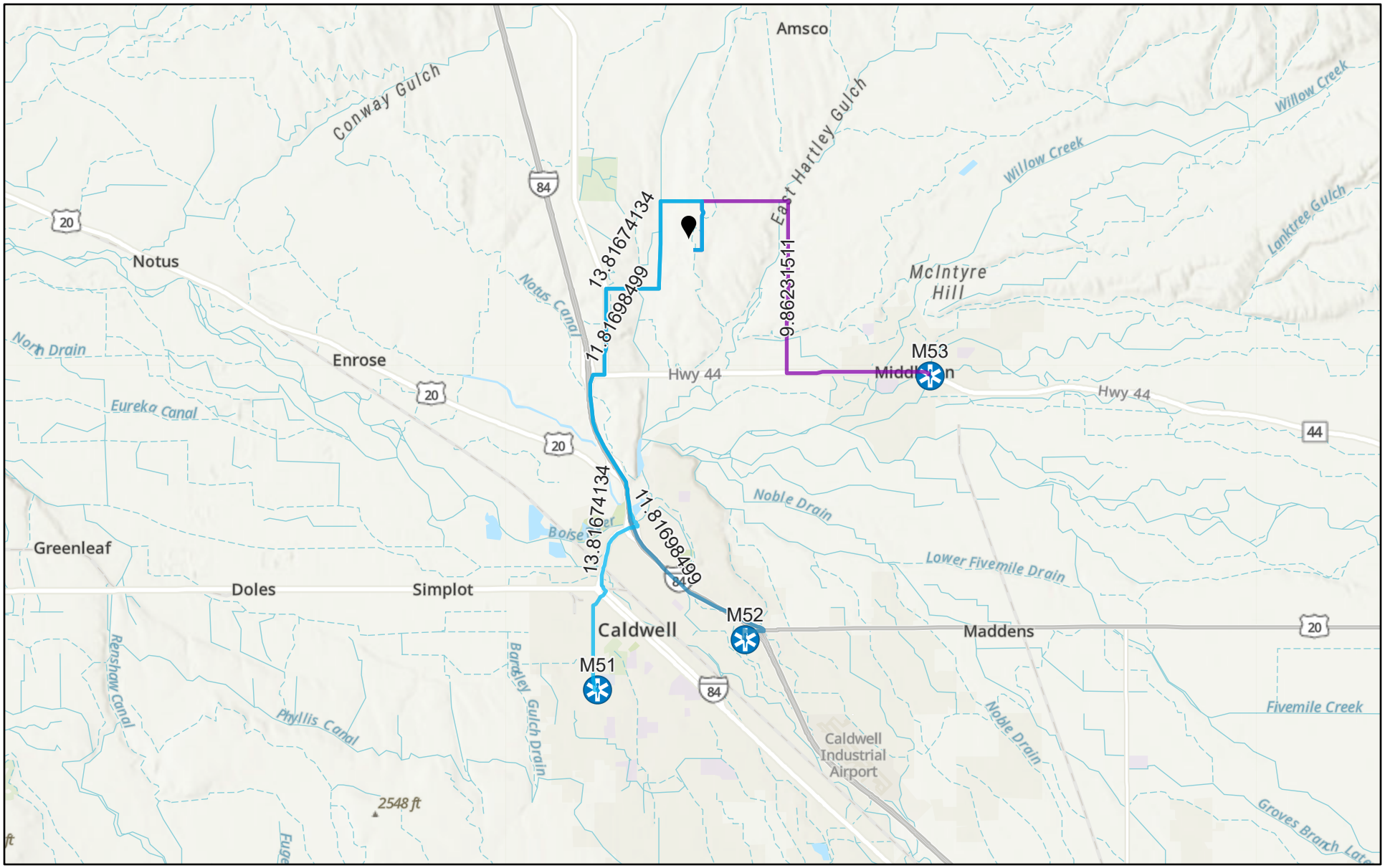
Thank you!

[LOGO Transparent Seal - BEST]
Karla Nelson, AICP
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605 Direct Line: 208-455-6036
Email: Karla.Nelson@canyoncounty.id.gov<mailto:Karla.Nelson@canyoncounty.id.gov>
Website:
https://linklock.titanhq.com/analyse?url=http%3A%2F%2Fwww.canyoncounty.id.gov&data=eJxtzLEOwiAQgOGngfGiQBodbnBx08SYpvN5oJIWaIBK-vbq3uQfv_yMXaf2-mCcfipzlBaZ4poipyXWFbyFV_rIgLe798NleNi-v8qCY6BSvBNmxzxTpuCs5wKcgsw4Up4IoptKin-xMVzwXess9Emo86_WGmywL3-hNws%<https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fwww.canyoncounty.id.gov%2f&c=E,1,iif_ZTsGvkACFn8snQKdPOBsTEqva5EJWZLLW_5a50dIOS_4ZeHGV2Qe-QeWmivZLnlwSofCsUjdO8cAfrgzziUIyh7tDm1C5KU8SDPTxQ,,&typo=1>

Exhibit 3

Exhibit D.7

# R38160011 Response Times




11/18/2025

Route 1 - 1 - 1

Route 1 - 1 - 1

Route 1 - 1 - 1

M51 station

M52 station

M53 station

R38160011 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 3

Exhibit D.7

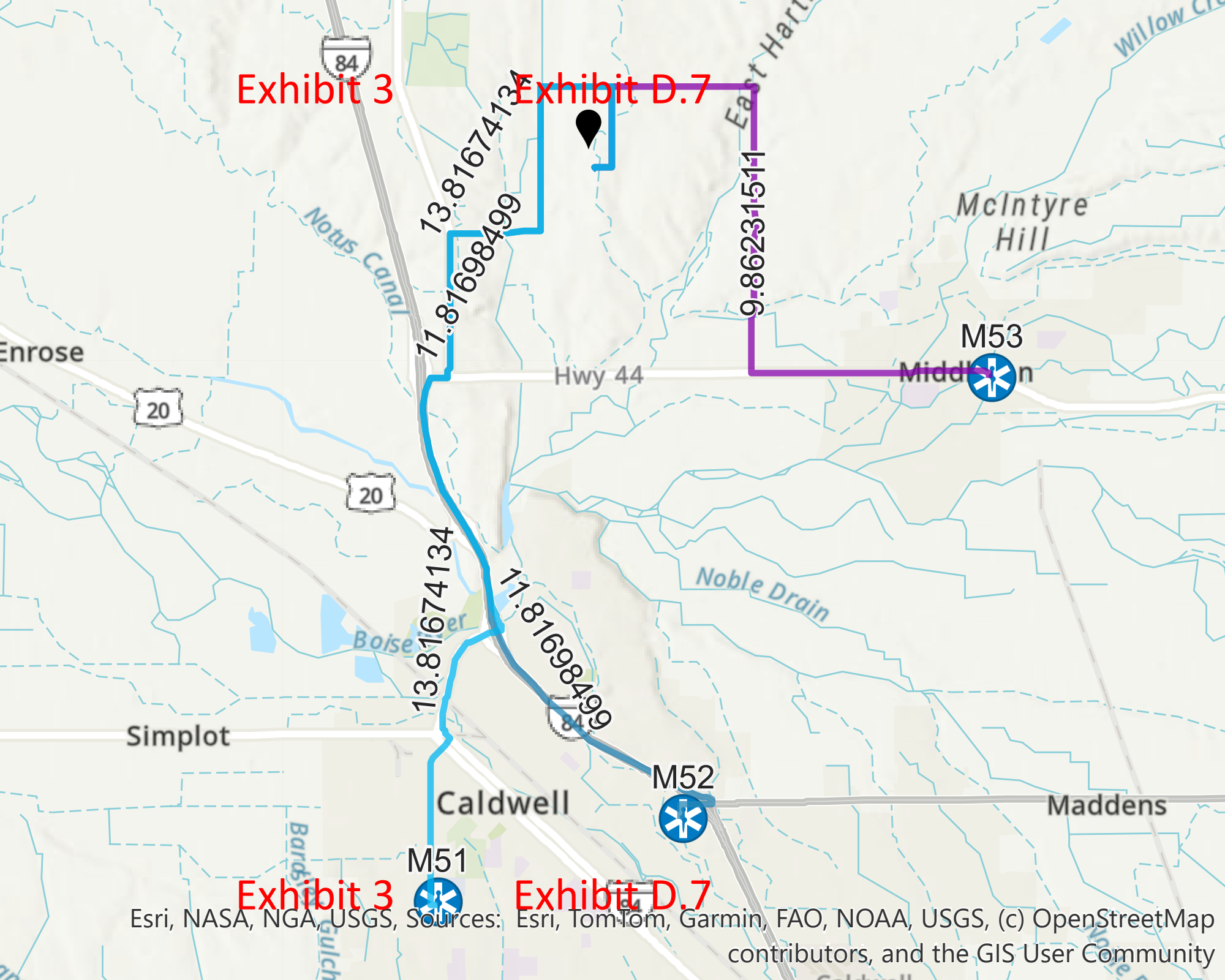

Exhibit 3
Exhibit D.7
13.81674134
11.81698499
9.862315111
M53
M52
M51
Caldwell
Simplot
Hwy 44
Notus Canal
McIntyre Hill
Noble Drain
Maddens
Exhibit 3
Exhibit D.7
Esri, NASA, NGA, USGS, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

**EXHIBIT 4.**

**Additional Supporting Documents Received by: April 27, 2026**

**-**

Board of County Commissioners

Case# RZ2025-0003

Hearing date: May 7, 2026

Dear members of the Canyon County Board of Commissioners,

My name is Colby Brown. My wife, Amy, and I serve as trustees of the CALL Family Revocable Trust, which holds title to the property located at 24403 Falcon Lane, Caldwell, Idaho, 83607. I am writing to you concerning case number RZ2025-0003, a request for rezone of this property from "A" (Agricultural) to "R-R" (Rural Residential) with the goal of dividing the property into two lots. The property is also referenced as Parcel R38160011. This request was initiated as an unconditional rezone at the recommendation Planning and Zoning staff. However, I am writing to request the Board's consideration for approval as a ***conditional*** rezone of the property and to clarify the conditions I propose for the conditional rezone.

Before I describe my proposed conditions for the rezone, let me describe what I understand to be the Planning & Zoning Commission's concerns about an unconditional rezone for this property. They stated that they don't like unconditional rezones because it leaves the door open for the property to be divided again in the future. It also leaves the door open for additional dwellings (ADUs) to be added to each resulting lot. In our case, that could potentially mean a total of 6 dwellings on the property where there is now only one dwelling. However, we have no intentions or desire to split the property further than the proposed division from the 6.19-acre parcel into 2 parcels of approximately 2 acres and approximately 4.19 acres.

What I propose as the single condition is that the property be allowed to be divided as requested AND that no further divisions be allowed in the future. This condition would potentially satisfy the concerns of the Planning & Zoning Commission by removing the option for a future division of the property into a third lot and the possibility of 2 additional dwellings on that third lot.

However, I would propose that no restriction against the future addition of an ADU be included in the conditional rezone. Adding a no-ADU restriction to the new lots would be unfair, as I see it, as none of the properties of similar size (2.5-acre to 6-acre parcels) around us have any restrictions against an ADU. In fact, there are two properties near to ours that each already have an ADU added to their property. We would like to retain this option for the future, even though we have no plans to add an ADU at this time. If the Board determines that a condition prohibiting the addition of an ADU is required for the conditional rezone, I respectfully ask that the Board deny our rezone request.

For your reference I have attached a map showing our property and the surrounding properties. I have marked the sizes of each existing lot, as well as the two lots that currently have ADUs added.

Thank you for your time and your consideration,

Colby Brown


Harvey Road
Harvey Road
ADU
ADU
4.349 acres
2.445 acres
3.767 acres
2.909 acres
3.656 acres
3.019 acres
3.690 acres
3.857 acres
Private Road
Private Road
Grossview Lane
ROWLAND RANDALL AND ROSA ROWLAND FAMILY TRUST
BURROUGHS ANITA
GUILES CURTIS
ONEILL MARLENE
ONEILL BARBARA
FEELY PATRICK
DAVIS FAMILY TRUST
ANDRON MICHAEL
OVALLE ERIBALDO
COOK N KEITH
Exhibit 4
Falcon Lane
Falcon Lane
Falcon Lane
Exhibit 4
Planned Lot
3.283 acres
3.28 acres
6.19 acres
6.208 acres
6.040 acres
Private Road
Private Road
2.865 acres
2.799 acres
2.716 acres
2.653 acres
2.478 acres
2.738 acres
HATCH KILEY
FERRERA GREG R
POST PAUL D
JACHIM RODGER S
STERLING BONNIE M
VAN DER VEEN BRETT
BRASELTON GLENN P
LANE JOHN H
CA FAMILY REVOCABLE TRUST
NELSON GARY L LIVING TRUST
MIRAZ PATRICE
HARRISON JOSHUA
ROLLAG LEIGH A
Our Lot
24403 Falcon Lane