



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

In the matter of the application of:
BreAnn Salinas – RZ2024-0002

The Canyon County Board of Commissioners considers the following:

1. A zoning map amendment (rezone) of approximately 4.50 acres from the “R-R” (Rural Residential) zone to the “R-1” (Single-Family Residential) zone.
2. The subject property is located at 15821 Gods Way Lane, Caldwell, ID 83607, also referenced as Parcel R32703010B, a portion of the Southwest quarter of the Northwest quarter in Section 9, T3N, 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 RZ2024-0002.
 1. All stated exhibits are located in the Planning and Zoning Commission staff report, dated December 5, 2025.

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-05 (Zoning Amendment Criteria), CCCO §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6511 (Zoning Map Amendments and Procedures), Canyon County Code §09-01-25 (Area of City Impact Agreement), and §67-6519 (Application Granting Process).
 - a. Notice of the public hearing was provided per CCCO §07-05-01 and Idaho Code §67-6509.
2. The Board has the authority to exercise powers granted to it by the Idaho Local Land Use and Planning Act (“LLUPA”) and can establish its own ordinances regarding land use. *See* I.C. §67-6504, §67-6513.
3. The Board has the authority to hear this case and make its own independent determination. *See* I.C. §67-6519, §67-6509, and §67-6511
4. The Board can sustain, modify or reject the Commission’s recommendations. *See* CCZO §07-05-03.
5. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. *See* CCZO §07-05-03.
6. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record. The County’s hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCZO 07-05-03(1)(I).

The application, RZ2024-0002, was presented at a public hearing before the Canyon County Board of Commissioners on December 5, 2025. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Board of County Commissioners decides as follows:

ZONING AMENDMENT CRITERIA – CCCO §07-06-05(1)

A. Is the proposed zone change generally consistent with the comprehensive plan?

Conclusion: The proposed zoning map amendment is generally consistent with the 2030 Comprehensive Plan.

- Findings:**
- (1) The Future Land Use Map in the 2030 (and 2020) Canyon County Comprehensive Plan designates the parcel as “residential” (**Staff Report Exhibit 3.B1**). “The residential designation is for residential development. Residential development should promote compatibility with the existing agricultural activity” (Page 25, 2030 Comprehensive Plan).
 - (2) This parcel is within the City of Caldwell’s Area of City Impact. Per a comment letter from the City of Caldwell, the rezone does not match the City of Caldwell’s future land use for this area (Neighborhood 2, which has a density of 2 units per acre). However, the City does not object to this rezone request due to the existing development in this area and the minimal impact the proposed rezone depicts (**Staff Report Exhibit 3.D2**).
 - (3) The request aligns with the following goals and policies of the 2030 Comprehensive Plan:
 - **Property Rights G1.01.00:** “Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.”
 - **Property Rights P1.01.01:** “No person shall be deprived of private property without due process of law.”
 - **Property Rights P1.1.03:** “Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals.”
 - **Population P2.01.01:** “Plan for anticipated population and households that the community can support with adequate services and amenities.”
 - **Population G2.02.00:** “Promote housing, business, and service types needed to meet the demand of the future existing population.”
 - **Land Use and Community Design P4.04.04:** “Maintain a balance between residential growth and agriculture that protects the rural character.”
 - **Land Use and Community Design P4.01.02:** “Planning, zoning, and land-use decisions should balance the community’s interests and protect private property rights.”
 - **Land Use and Community Design G4.03.00:** “Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning.”
 - **Land Use and Community Design P4.03.02:** “Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns.”
 - **Land Use and Community Design G4.04.00:** “Concentrate future higher density residential growth in appropriate areas in and around existing communities while preserving and enhancing the County’s agricultural and rural character.”
 - **Land Use and Community Design P4.07.01:** “Plan land uses that are compatible with the surrounding community.”
 - **Housing G11.1.00:** “Encourage opportunities for a diversity of housing choices in the County.”
 - **Housing G11.02.00:** “Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural and natural resources.”

B. When considering the surrounding land uses, is the proposed zone change more appropriate than the current zoning designation?

Conclusion: In consideration of the surrounding land uses, the proposed zoning map amendment to “Single Family Residential (R-1)” is more appropriate than the current zoning designation of “Rural Residential (R-R).”

- Findings:**
- (1) The surrounding area primarily contains residential and agricultural uses (**Staff Report Exhibits 3.B2.1, 3.B2.3, and 3.B2.6**). To the west, south, east, and north, there are productive agricultural fields and homesites. There are also residential subdivisions found immediately northwest and south of the subject property, along with some residential subdivisions further east and northeast.
 - (2) The City of Caldwell’s limits are found north, east, and west of this property, with the closest annexed property being 660 feet away to the west. These annexed properties all have subdivisions that are currently in the platting process with the City of Caldwell. The number of lots in each subdivision in platting is between 128-505 lots, which will further trend the character of the area towards being residential (**Staff Report Exhibits 3.B2.6 and 3.D2.1**).
 - (3) The Single-Family Residential (R-1) zone would be more appropriate than the Rural Residential (R-R) zone due to the fact that this area appears to be a transition area between higher density residential into large agricultural parcels (**Staff Report Exhibits 3.B2.1, 3.B2.3, and 3.B2.6**). There are 23 platted subdivisions in the area, with an average lot size of .85 acres. (**Staff Report Exhibit 3.B2.6**) There are two higher density subdivisions to the West and South (Maverick Subdivision and Yoder 1st Subdivision) that are in the County and are zoned Agricultural, and which have an average lot size of 0.49 acres and 0.64 acres, respectively. Four (4) of the subdivisions in platting within the City of Caldwell in this area have an average lot size of 0.31 acres or less (**Staff Report Exhibits 3.B2.3 and 3.B2.6**).
 - (4) Pursuant to Canyon County ordinance CCCO §07-10-25(2), the purpose of the “R-1” zoning district is to promote and enhance predominantly single-family living areas at a low-density standard.
 - (5) See Analysis for 07-06-05(1)C & D, of this document for additional review.

C. Is the proposed zoning map amendment compatible with surrounding land uses?

Conclusion: The proposed zoning map amendment from Rural Residential (R-R) to Single-Family Residential (R-1) is compatible with the surrounding land uses in this area.

- Findings:**
- (1) Per the applicant’s letter of intent, the proposed rezone is intended to facilitate the development of three (3) residential parcels- two (2) parcels each with approximately one (1) acre and one (1) parcel with approximately 2.5 acres (**Staff Report Exhibit 3.A2**).
 - (2) This parcel is in the Area of City Impact of the City of Caldwell and they have the designation as Neighborhood 2 in their Future Land Use Map. This is a transitional area between higher-density subdivisions and larger production agricultural parcels. Adding two (2) additional residential lots is consistent with the current and future subdivisions in the area, and is larger than many of the parcel sizes in the area and those that will be created by subdivisions within the City of Caldwell’s limits east and west of the subject property. The proposed development is not anticipated to interfere with adjacent agricultural production, nor detract from established residential uses (**Staff Report Exhibits 3.B2.1, 3.B2.3, 3.B2.6, and 3.B2.10**).
 - (3) Pursuant to CCCO §07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere with or conflict with or negatively impact one another, and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses.
 - (4) See Analysis for 07-06-05(1)B & D, of this document for additional review.

D. Will the proposed zoning map amendment negatively affect the character of the area? What measures will be implemented to mitigate impacts?

Conclusion: The proposed zoning map amendment will not negatively affect the character of the area.

- Findings:**
- (1) The surrounding area primarily contains residential and agricultural uses. To the west, south, east, and north, there are productive agricultural fields and homesites. There are also residential subdivisions found immediately northwest and south of the subject property, along with some residential subdivisions further east and northeast. City of Caldwell's city limits are also found north, west, and east, with the closest annexed property being 660 feet to the west. These annexed properties all have subdivisions in platting or subdivision plats that have been approved by the City, which will further trend this area towards being residential (**Staff Report Exhibits 3.B2.1, 3.B2.3, 3.B2.6, and 3.D2.1**).
 - (2) Although the project does not match the City of Caldwell's Future Zoning Designation of Neighborhood 2 (which has a density of 2 units per acre), the City does not object to this rezone request due to the existing development in this area and the minimal impact the proposed rezone depicts (**Staff Report Exhibit 3.D2**).
 - (3) Although there are no conditions being placed on the rezone, the applicants state they will be limited to the creation of the three (3) lots due to the configuration of the property. One reason for the limit in lots is due to the septic tank and drain field placement of the single-family residence on the east side of the property (**Staff Report Exhibits 3.A8, 5c.1, and 5d**). It is also important to note that during the subdivision platting process, the private road will need to become a private road lot per Canyon County's subdivision platting process. This will likely further limit how many lots can be created from the subject property, as the private road lot does not count towards the average lot size per CCZO §07-10-21.
 - (4) See Analysis for 07-06-05(1)B & C, of this document for additional review.
 - (5) Notice of the public hearing was provided per CCCO §07-05-01. No comments were received from property owners within 600 feet. Affected agency comments do not oppose the requested zoning map amendment or find the request to negatively impact the area (**Staff Report Exhibit 3.D**).

E. Will adequate facilities and services, including sewer, water, drainage, irrigation, and utilities, be provided to accommodate the proposed zoning map amendment?

Conclusion: The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed rezone based on the analysis contained herein.

- Findings:**
- (1) Individual wells are requested to be used by each lot per the letter of intent and land use worksheet (**Staff Report Exhibits 3.A2 and 3.A3**). 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 potential one (1) residential dwelling (or four (4) residential dwellings if secondary residences are added to each future proposed lot). Future development shall comply with IDWR standards at that time. Per the Nitrate Priority Well Map, there are three (3) wells with high nitrates north of the property (**Staff Report Exhibit 3.B2.7**).
 - (2) Drainage appears not to be affected by this application, as stormwater drainage is currently retained by burrow ditches (**Staff Report Exhibit 3.A3**). Boise Project Board of Control states that storm drainage and/or street runoff must be retained on site (**Staff Report Exhibit 3.D4**).
 - (3) The parcel is served by the Boise Project Board of Control/Wilder Irrigation District. There are no Boise Project Board of Control/Wilder Irrigation District facilities on the property, but it does possess a valid water right. Boise Project Board of Control also reminds the applicant of the irrigation district's easement and drainage requirements and that, per Idaho Statutes, Title 42, local irrigation/drainage ditches that cross this property to serve neighboring properties

must remain unobstructed and protected by an appropriate easement by the landowner, developer, and contractors (**Staff Report Exhibit 3.D4**).

- (4) The applicant is proposing to irrigate the proposed lots with the current irrigation water available to them. The property owner reached out to Wilder Irrigation District, and the district stated that the water shares/rights for the property would be divided between the lots once the subdivision plat is complete. On a phone call with staff, Wilder Irrigation District confirmed this is how they would divide the water rights between the parcels (**Staff Report Exhibit 3.A9**). Staff asked for the applicant's proposed irrigation system for the subdivision, as an irrigation plan with these details would be required during the subdivision platting process. The applicant stated, "the lawn will be pressurized irrigation and the remaining pasture will use gravity irrigation to be watered" (**Staff Report Exhibit 3.A10**).
- (5) Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on April 18, 2025, July 17, 2025, and October 31, 2025. No agency comments were provided by those services at the time the staff report was written. It is anticipated that the applicant will be able to work with utility providers to gain any utilities needed.
- (6) Notice of the public hearing was provided per CCCO §07-05-01. No comments were received from property owners within 600 feet. Affected agency comments do not oppose the requested zoning map amendment or find the request to negatively impact the area (**Staff Report Exhibit 3.D**).

F. Does legal access to the subject property for the zoning map amendment exist, or will it exist at the time of development?

Conclusion: The subject property does have legal access for the rezone and it will exist at the time of the development.

- Findings:**
- (1) In 2020, the property owner created the private road, God's Way Lane, to serve three (3) parcels created by the administrative land division process (AD2020-0011/RD2020-0004). This private road provides access from Bronc Lane and Buckaroo Circle (both public roads). See **Staff Report Exhibit 3.A6** for access easement and **Staff Report Exhibit 3.A10.1** for the recorded Road User's Maintenance Agreement for the private road.
 - (2) Notice of the public hearing was provided per CCCO §07-05-01. No comments were received from property owners within 600 feet. Affected agency comments do not oppose the requested zoning map amendment or find the request to negatively impact the area (**Staff Report Exhibit 3.D**).

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?

Conclusion: The proposed rezone will not require public street improvements to provide adequate access to and from the subject property to minimize undue interference with existing and/or future traffic patterns created by the proposed development (**Staff Report Exhibit 3.D6**).

- Findings:**
- (1) Highway District No. 4 has no objection to the rezone as the applicants are to use the existing God's Way Lane (a private road) approach from Bronc Lane (a public road), which was previously improved in 2020 (see **Staff Report Exhibit 3.C1** for this improved approach). Due to only three (3) parcels being created, there does not appear to be a need to implement mitigation of traffic impacts. The applicant has provided the Road User's Maintenance Agreement for this private road (**Staff Report Exhibit 3.A10.1**). See Analysis for 07-06-07(6)A6, of this document for additional review.

- (2) Notice of the public hearing was provided per CCCO §07-05-01. No comments were received from property owners within 600 feet. Affected agency comments do not oppose the requested zoning map amendment or find the request to negatively impact the area (**Staff Report Exhibit 3.D**).

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?

Conclusion: The proposed use is not anticipated to impact essential public services and facilities, including, but not limited to, schools, police, fire, and emergency medical services.

- Findings:**
- (1) Vallivue School District #139 sent a comment letter on May 8, 2025, which stated that if the parcels are rezoned and divided as proposed, students would attend West Canyon Elementary, Vallivue Middle School, and Vallivue High School. The district can accommodate the development due to its small size (**Staff Report Exhibit 3.D5**).
 - (2) Canyon County Sheriff's Office is required to provide services to Parcel R32703010B. 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 April 18, 2025, July 17, 2025, and October 31, 2025, and no comments were received by the Sheriff's Office.
 - (3) Caldwell Rural Fire Protection District sent a comment letter on July 10, 2025, and outlined fire code requirements and conditions of approval that must be met unless in writing from the Fire Department (**Staff Report Exhibit 3.D7**). The response time for the closest fire station (724 E. Ustick Rd. Caldwell, ID) is approximately 9 minutes pending total call volume (**Staff Report Exhibit 4a**).
 - (4) Canyon County's Paramedics/EMT are required to provide services to Parcel R32703010B. Estimated response times from the three (3) closest EMS stations are 6.5 minutes from Station M51, 12.58 minutes from Station M52, and 13.3 minutes from Station M43 (**Staff Report Exhibit 4b**). Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding.
 - (5) Notice of the public hearing was provided per CCCO §07-05-01. No comments were received from property owners within 600 feet. Affected agency comments do not oppose the requested zoning map amendment or find the request to negatively impact the area (**Staff Report Exhibit 3.D**).

Canyon County Code §09-01-25 AREA OF CITY IMPACT AGREEMENT ORDINANCE

Conclusion: The property is located within the Caldwell Area of City Impact. A notice was sent to the City of Caldwell per Canyon County Code Section 09-01-25. The City of Caldwell does not oppose the request.

- Findings:**
- (1) This parcel is within the City of Caldwell's Area of City Impact. Per a comment letter from the City of Caldwell, the rezone does not match the City of Caldwell's future land use for this area (Neighborhood 2, which has a density of 2 units per acre). However, the City does not object to this rezone request due to the existing development in this area and the minimal impact the proposed rezone depicts (**Staff Report Exhibit 3.D2**).

Order


Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Board of County Commissioners **approves** Case #RZ2024-0002, a zoning map amendment of Parcel R32703010B from the Rural Residential (R-R) zone to the Single-Family Residential (R-1) zone.


Pursuant to Section 67-6535 of the Idaho Code, the applicant has 14 days from the date of the final decision to seek reconsideration before seeking judicial review..


DATED this 16th day of December, 2025.

CANYON COUNTY BOARD OF COMMISSIONERS




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



Commissioner Leslie Van Beek


Commissioner Brad Holton


Commissioner Zach Brooks

| Yes | No | Did Not Vote |
|-----------------------------------------------------------------------------------|-------|-----------------|
|  | _____ | _____ |
|  | _____ | _____ |
|  | _____ | _____ |

Attest: Rick Hogaboam, Clerk

By: 
Deputy

Date: 12/16/25