

Hoagland

CR2025-0002

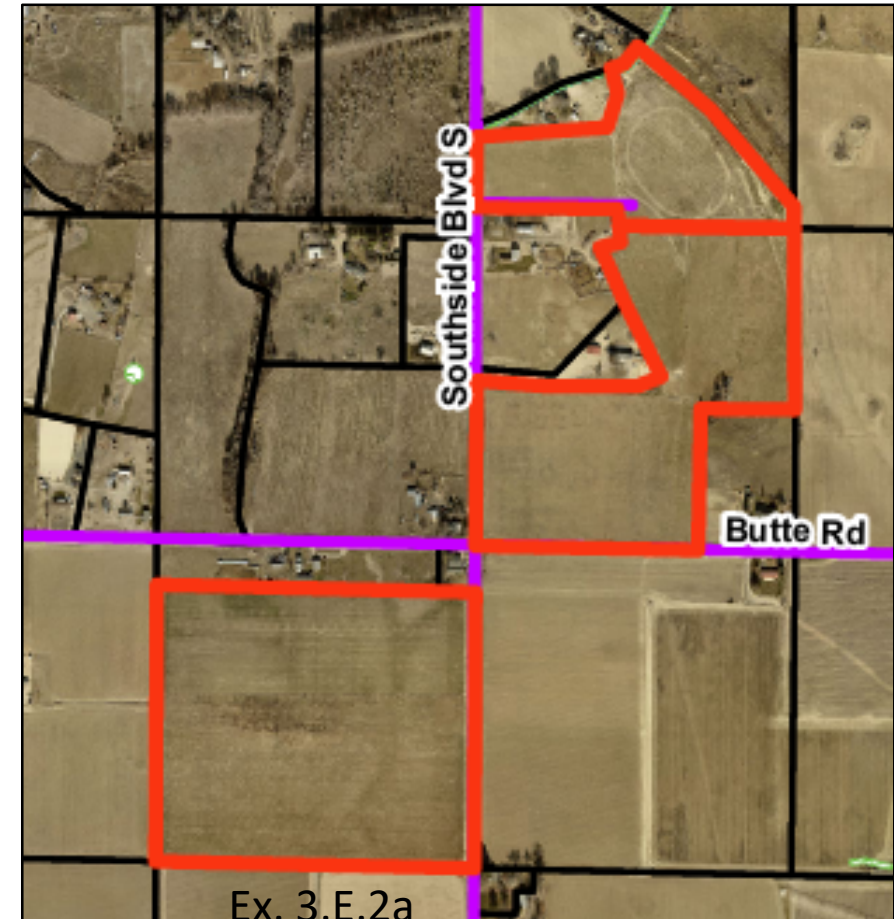
Owner: Cleon Hoagland

Hearing Body: Board of County Commissioners



REQUEST

The applicant, Cleon and Patti Hoagland, requests a conditional rezone of Parcels R28146010, R28146010D, and R28279010, approximately 70.7 acres, from an “A” (Agricultural) zone to a “CR-R-R” (Conditional Rezone - Rural Residential) zone. The request includes a development agreement limiting development to an average lot size of five acres.



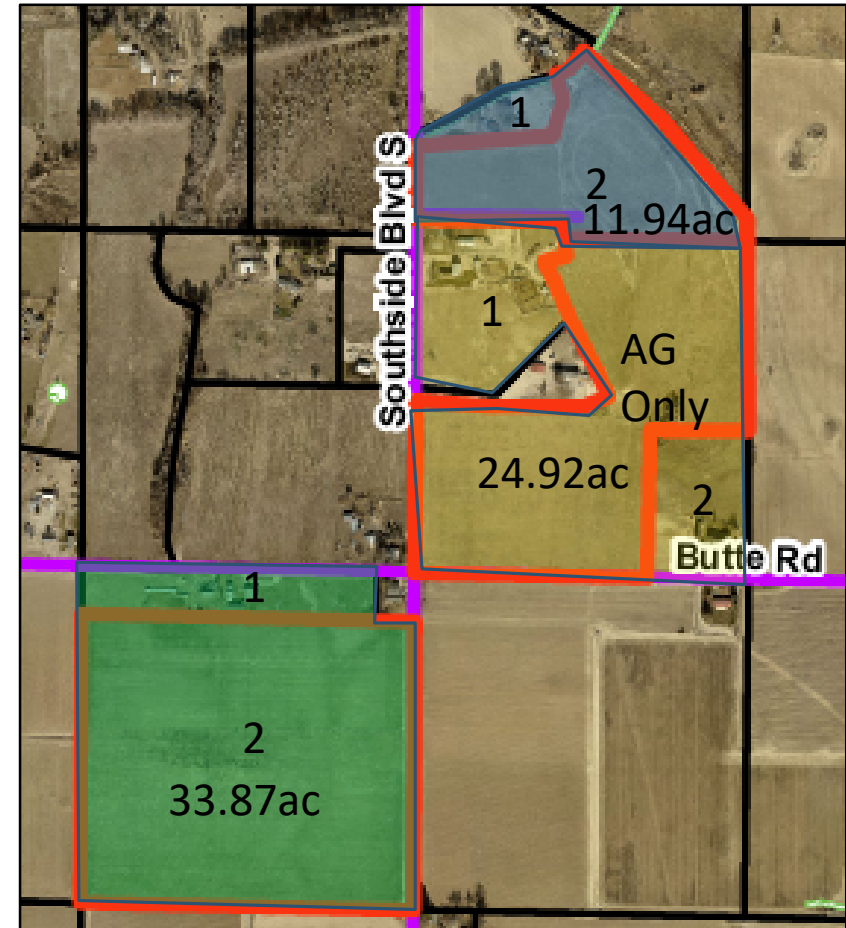
BACKGROUND

The subject parcels were created via an administrative land division (AD2021-0016 & AD2021-0185, Exhibits 3.E.3 – 3.E.5)

An application for a conditional rezone was submitted on February 13, 2025.



Request for a nonviable land division was denied (AD2023-0110, Exhibit 3.E.6). The appeal was also denied (Exhibit 3.E.7).



EVALUATION CRITERIA (§07-06-07(6)A)

1. Is the proposed conditional rezone generally consistent with the comprehensive plan;
2. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;
3. Is the proposed conditional rezone compatible with surrounding land uses;
4. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?
5. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;
6. Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?
7. Does legal access to the subject property for the conditional rezone exist or will it exist at time of development; and
8. Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?





P&Z COMMISSION RECOMMENDATION

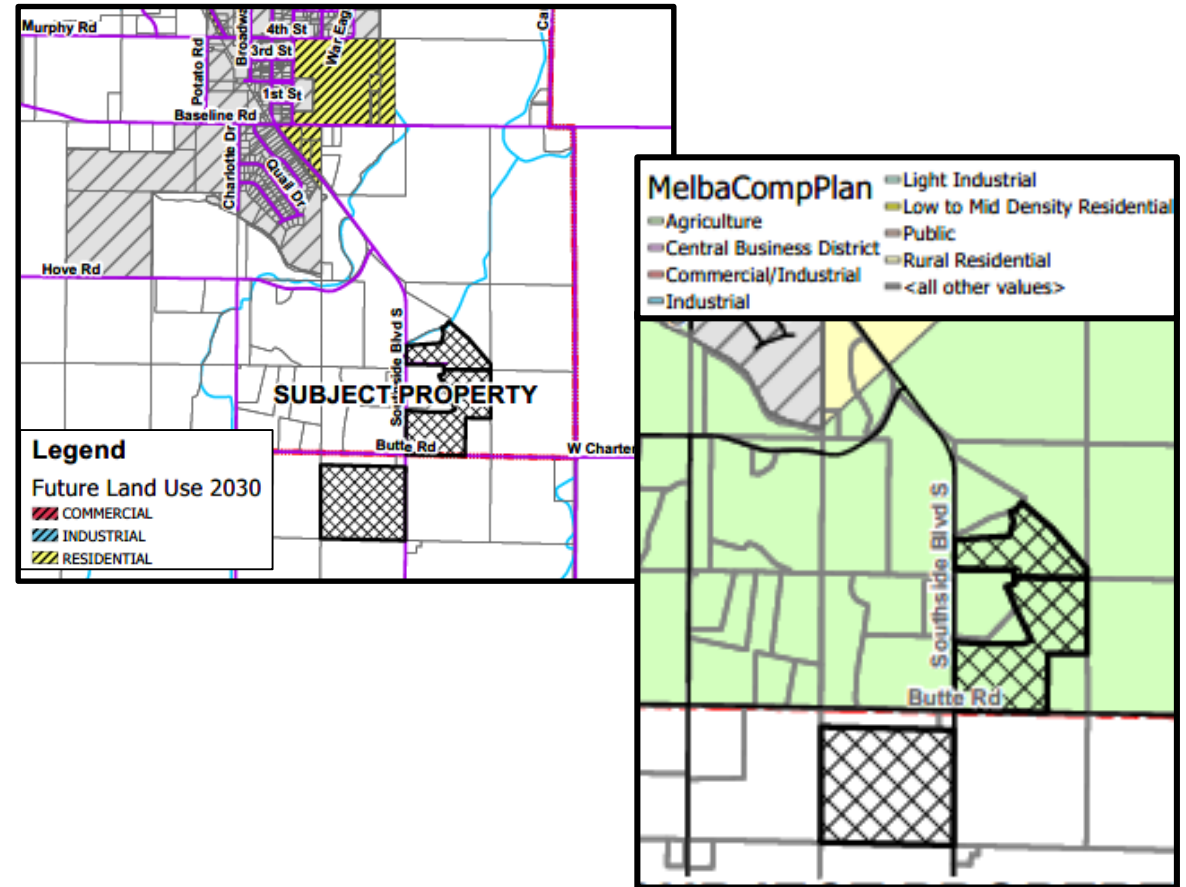
The Planning & Zoning Commission heard the case at a public hearing held on September 18, 2025. After deliberation, the Planning & Zoning Commission recommended denying the request, finding it to be not more appropriate than the current zoning designation and incompatible with the surrounding area and agricultural character (**Exhibit 1 & 2**).

COMPREHENSIVE PLAN

The parcels, located approximately 0.33 miles southeast of the City of Melba, are designated as “agriculture” in the 2030 Canyon County Comprehensive Plan (**Exhibit 3.E.2d**).

The Plan further describes applicable districts for the agriculture designation, including Commercial Agriculture (R-R, AC-5, AC-20, and AC-40). The Commercial Agriculture (AC-5) district “*provides a variety of rural and farming lifestyles, including hobby farms, while protecting the commercial agricultural activities in the vicinity.*”

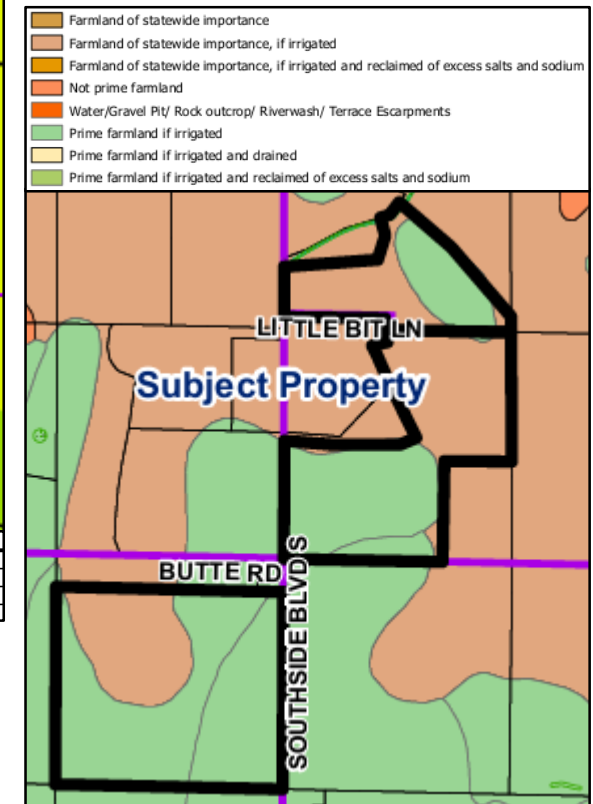
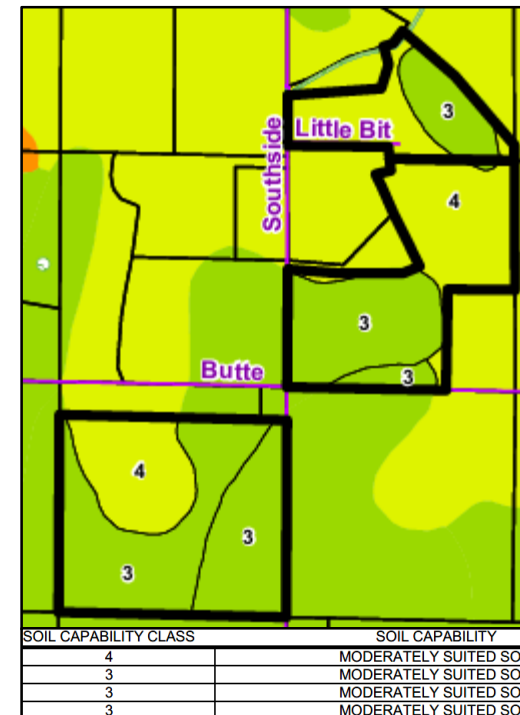
The request aligns with the definition of the “R-R district” in the 2030 Comprehensive Plan: “*The R-R district provides rural transitional areas to create a boundary between agricultural and urban areas. These areas are generally conducive to small-scale farming operations and compatible with non-agricultural uses.*”



SURROUNDING AREA/CHARACTER: EXISTING

The surrounding area contains agricultural zoning and uses. Aerial and site visit photos show that the area consists of large agricultural property and appears to be in irrigated row crop that receives an agricultural tax exemption (**Exhibits 3.E.1, 3.E.2a & 3.F**). 21.71-acre average lot size (**Exhibit 3.E.2e**).

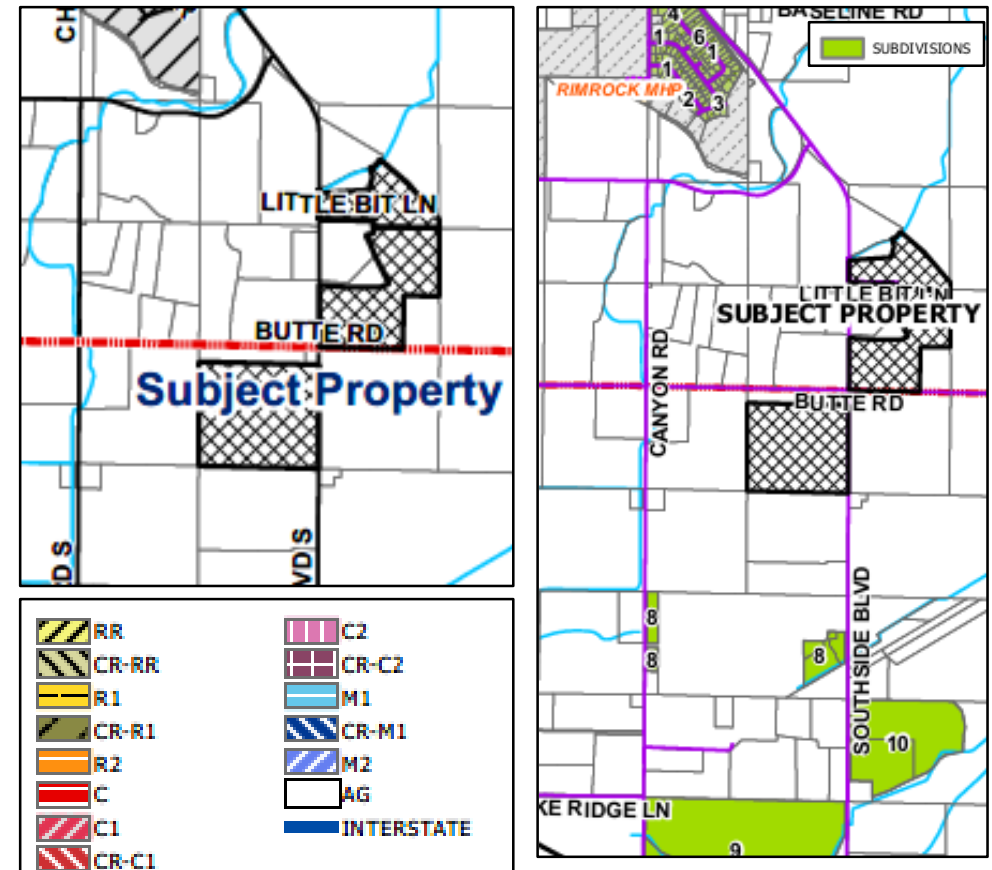
The property and surrounding area consist of class 3 & 4 soils – moderately suited soils, and considered farmland of statewide importance or prime farmland (**Exhibit 3.E.2h**). The property is currently irrigated and produces crops and contains livestock (**Exhibits 3.F & 3.E.2a**). Canyon Soils Conservation District recommends denial (**Exhibit 3.G.3**).

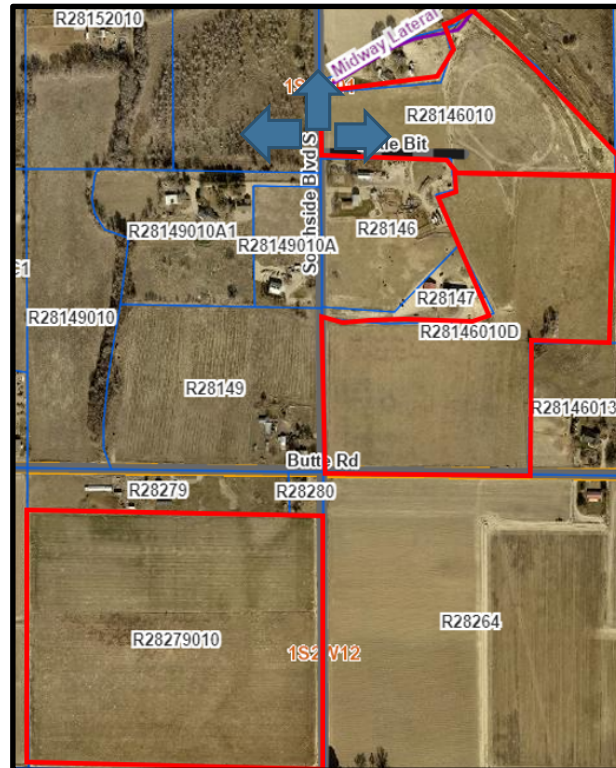


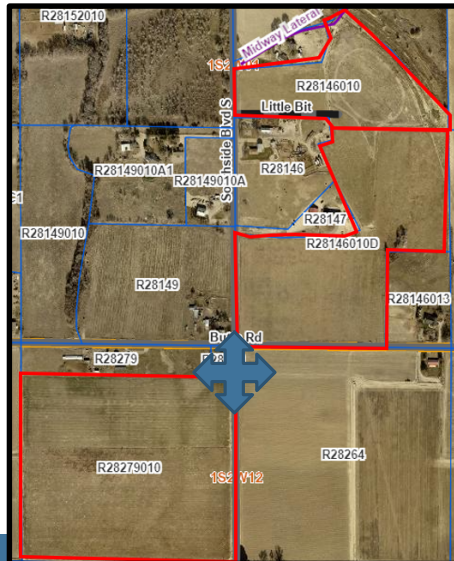
SURROUNDING AREA/CHARACTER: EXISTING

Surrounding Land Use Cases (Exhibits 3.E.2f & 3.E.2e):

- There are no similar zones in the area except the Melba city jurisdiction.
- Within a one-mile radius are 10 plats consisting of 261 lots (0.88-acre lot size). Seven of the subdivisions are located within the City of Melba. The three subdivisions located in the county's jurisdiction were completed between 2003 and 2009, creating 9 lots (12.21-acre average lot size).





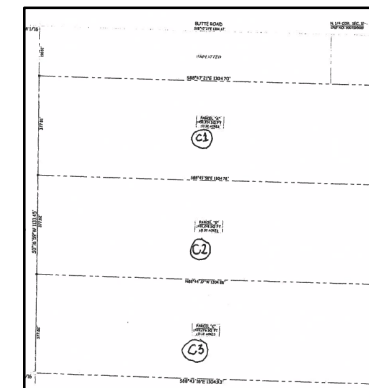
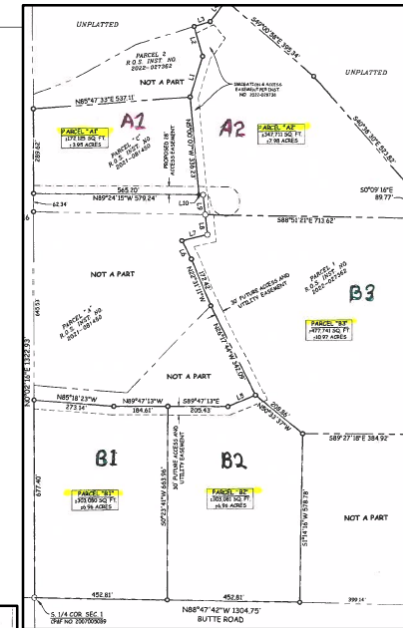
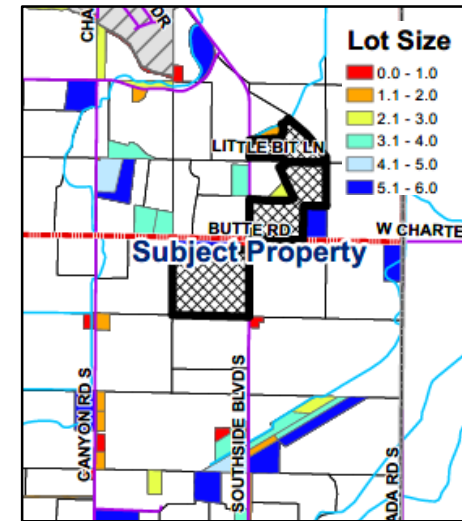


SURROUNDING AREA/CHARACTER: PROPOSED

- A conceptual site plan (**Exhibit 3.A.6**) proposes eight buildable parcels. Parcels R28146010 and 10D will be five parcels, with a 7.36-acre average lot size. Parcel R28279010 will be three parcels, a 11.3-acre average lot size.

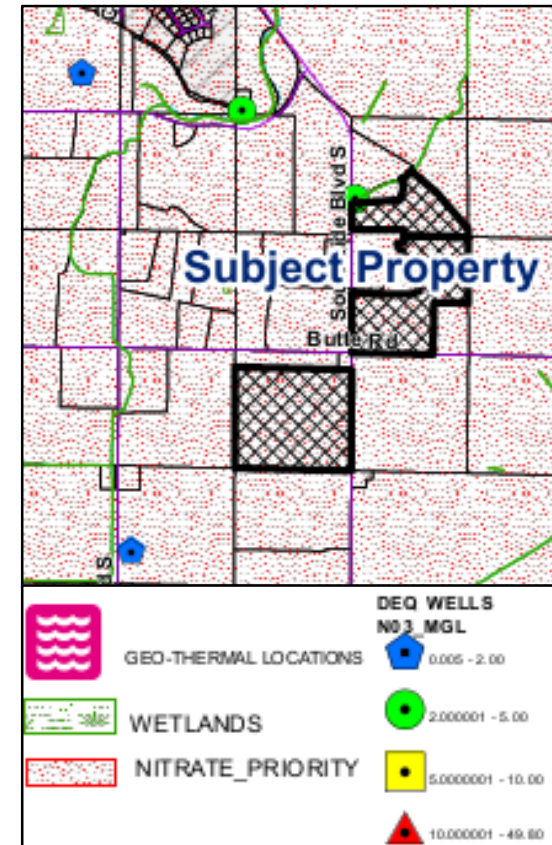
 - Consistent with land divisions taken in the area; average lot size: 4.58 acres (**Exhibit 3.E.2I**)
- The applicant provided evidence that demonstrates (1) the class 4 soils are severely limited for potential productive agriculture, (2) parcels have large rock outcroppings and subsurface rocks, (3) sprinkler irrigation has not improved productivity except for reducing erosion issues, and (4) the ground is not economically feasible for productive agriculture.

 - Due to the soil/rock issues, the applicant finds the parcels not to be productive agricultural, and better suited to be hobby/started farms for supplying farmers' markets, gardening for self-reliance, livestock, horse boarding, and dog kennels (**Exhibits 3.A.2 & 3.B.1**).
- The comment letter from the City of Melba *finds that the proposed lot sizes are appreciated by Melba residents, as the sizes allow agriculture to be maintained. The proximity to Melba promotes a natural extension of the community* (**Exhibit 3.G.5**).



SERVICES

- **Sewer:** Per the applicant's letter of intent and land use worksheet, sewer would be provided with individual septic systems (**Exhibits 3.A.2, 3.A.3 & 3.A.5**).
- **Water:** Per the applicant's letter of intent and land use worksheet, domestic water would be provided with individual wells (**Exhibits 3.A.3 & 3.A.8**).
- **Drainage:** Per the land use worksheet, stormwater is proposed to be retained on-site (**Exhibit 3.A.3**).
- **Irrigation:** Per the land use worksheet, irrigation plan, and letter of intent, irrigation will be provided to each parcel from existing irrigation wells and surface water rights (**Exhibits 3.A.2 & 3.A.3**).
- **Utility:** Utility poles exist along the frontage of the parcel (**Exhibit 3.F**). There are residences in the general vicinity that are indicative of utility services being available. It is anticipated that the applicant will be able to work with utility providers to gain any needed utilities.



ACCESS/TRAFFIC

ACCESS

- The rezone is conditioned to create eight parcels. Three of the eight parcels will have shared access via a private road, Little Bit Lane (**Exhibit 3.A.8**). The other parcels have frontage on Southside Boulevard and Butte Road. The proposed parcels on Butte Road will require shared access.
- Nampa Highway District #1 will require shared access as part of the subsequent land division process (**Exhibit 3.G.4**). Also, an access/approach permit will be required at the time of building permits.

TRAFFIC

- The request is anticipated to create 76.16 average daily trips (152.32 average daily trips if secondary dwellings are allowed).
- Idaho Transportation Department and Nampa Highway District comments do not indicate the request would require a traffic impact study (**Exhibits 3.G.4 & 3.G.7**).

ESSENTIAL SERVICES

- **School:** The subject property is within the Melba Joint School District #136. The school district commented that there is adequate capacity within the school district to accommodate eight residences (**Exhibit 3.B.2**).
- **Police:** The subject parcels are under the jurisdiction of the Canyon County Sheriff's Office. The use is not anticipated to be significant enough to cause a negative impact or require additional public funding.
- **Fire/Emergency Medical Services:**
 - The Melba Fire Department does not oppose the request (**Exhibit 3.B.2**). The letter states Melba Fire has no issue with the request as it will not affect the department. The letter supports the growth in the area and the potential benefits to the department.
 - Canyon County Paramedics, Melba Quick Response, and Canyon County's Emergency Management Coordinator were notified of the request and did not provide comment.
- **Irrigation District:** The Boise Project Board of Control finds Midway, Lyons, and Sanford laterals within the boundaries of the parcel. The laterals have a federal easement of 25 feet from the centerline. Any encroachment/crossing is prohibited unless approved by the Bureau of Reclamation.

NOTIFICATION & COMMENTS

- Affected agencies and property owners within 1,000 feet were notified per CCCO §07-05-01.
- The City of Melba was noticed per CCCO §09-07-07.
- **Affected Agencies - Exhibit 3.G**
 - Boise Project Board of Control; received April 29, 2025
 - Southwest District Health; received: April 25, 2025
 - Canyon County Soil Conservation District; received January 14, 2025
 - Nampa Highway District #1; received April 28, 2025
 - City of Melba; received: June 7, 2025
 - Idaho Dept. of Environmental Quality; received: April 28, 2025
 - Idaho Transportation Department; received: August 18, 2025
 - City of Nampa; received: August 14, 2025
- **Public Comments - Exhibit 3.H (P&Z)**
 - Jim & Tina Schwager – Support; received August 28, 2025
 - Alders – Opposed; received January 28, 2025
 - C.R. Swarthout - Opposed; received January 29, 2025
 - C.R. Swarthout – Opposed; received August 25, 2025
 - Delores Hoagland – Support; received August 28, 2025
 - Zach & Debbie Davis – Opposed; received September 8, 2025
 - Randy & Kari Cussins – Opposed; received September 8, 2025
 - Justin & Amy Fishell – Opposed; received September 8, 2025
- **Public Comments - Exhibit 4 (BOCC)**
 - Zack & Debbie Davis (Opposed), received January 10, 2026
 - Justin and Amy Fishell (Opposed), received January 11, 2026
 - Kathryn Aldwe (Opposed), received January 11, 2026
 - Daniel & Laurie Temple/Dean Kearl (Support), received January 8, 2026
 - Mark Hoagland (Support), received January 8, 2026
 - Rochelle Jeske (Support), received January 8, 2026
 - Claude Swarthout (Opposed), received December 29, 2025
 - Dolores Hoagland (Support), received January 2, 2026
 - Robert Tucker (Support), received January 9, 2026



RECOMMENDED CONDITIONS

If approved, the following conditions should be considered:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use. Compliance with the following, but not limited to, affected agencies shall be met before the commencement of any use:
 - a. Boise Project Board of Control (**Exhibit 3.G.1**)
 - b. Nampa Fire Highway District (**Exhibit 3.G.4**)
 - c. Southwest District Health (**Exhibit 3.G.2**)
2. The subject parcels shall be subject to the Canyon County Code of Ordinance (CCCO) Chapter 7, Article 18 for an administrative land division with a maximum of eight (8) parcels with an average minimum lot size of five (5) acres. The division is subject to the following restrictions:
 - a. Division shall be in substantial compliance with the conceptual plan provided by the applicant, **Exhibits 3.A.6 or 3.D.8**.
3. The developer shall comply with CCCO §07-06-07 (4): Time Requirements: “All conditional rezones for a land use shall commence within two (2) years of the approval of the board.”

Other potential conditions:

- a. Secondary residences per CCCO §07-02-03, 07-10-27, and 07-14-25 are prohibited.
- b. Each lot shall have a one-acre building envelope located near access and where productive agriculture would be the most difficult. All areas outside of the building envelope shall remain open agricultural ground where structures are prohibited.



Questions?



