

Commissioner Minutes

January 21, 2026 – 1:31 p.m. to 3:50 p.m.

**PUBLIC HEARING TO CONSIDER A REQUEST BY CLEON AND PATTI HOAGLAND FOR A
CONDITIONAL REZONE OF APPROXIMATELY 70.7 ACRES FROM "A" (AGRICULTURAL) TO "R-
R" (RURAL RESIDENTIAL), CASE NO. CR2025-0002**

Commissioners Leslie Van Beek, Brad Holton and Zach Brooks

Planning Supervisor Dan Lister

Kathy Alder

Joshua Alder

Debbie Davis

Jill Talbot

Russell Talbot

Kenny Hoagland

Terry Littledike

Tanner Hoagland

Christina Chrisman

Cleon Hoagland

Norm Alder

Kari Cussins

Deputy Clerk Jenen Ross



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The Board met today at 1:31 p.m. for a public hearing to consider a request by Cleon and Patti Hoagland for a conditional rezone of approximately 70.7 acres from "A" (agricultural) to "R-R" (rural residential), Case no. CR2025-0002. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Planning Supervisor Dan Lister, Kathy Alder, Joshua Alder, Debbie Davis, Jill Talbot, Russell Talbot, Kenny Hoagland, Terry Littledike, Tanner Hoagland, Christina Chrisman, Cleon Hoagland, Norm Alder, Kari Cussins, and Deputy Clerk Jenen Ross.

Mr. Hoagland reviewed a PowerPoint presentation explaining for the Board what he'd like to do with the property. He reviewed challenges with irrigation and rocky terrain on the parcels

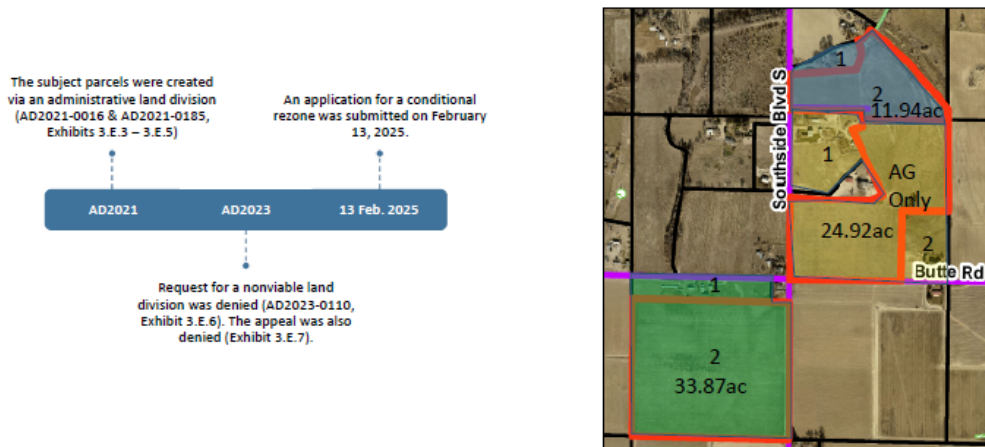
which limits productivity. He said they were asked to obtain additional information and stated "*...City of Melba commissioned an engineer and soil expert to analyze some local properties as part of the reconstructing its area of impact and focusing on the region's significant lava rock presence. The study found extensive lava rock extending south of the rim. These findings resulted in parcels south of Melba being removed from the Melba's newly created impact zone due to the challenges for development and agriculture. The analysis supports our condition for rezone request by highlighting the needs for land use that considers these physical constraints and aligns with the community goals.*" In regard to community impact, no concerns were raised by the school district or the Melba Fire Department; and Melba's city planning advisor, Kate Dahl, offered favorable comments. Pictures depicting examples of rural and farming lifestyles and businesses reliant upon community support and growth were shown. He made an argument that with the potential of new people moving to the community it could strengthen the Melba Rural Fire Protection and Melba Quick Response as they are both operated by volunteers. Mr. Hoagland said they have collaborated closely with staff to ensure their conditional rezone application meets and exceeds the necessary burden of proof and complies with all required conditions. The evidence presented demonstrates their commitment to responsible land use and thoughtful planning. He hopes he has helped identify areas that would be more suitable for building and small scale farming. In his opinion, this proposal represents a sustainable long-term solution that supports ongoing agricultural operations while acknowledging and respecting the inherent limitations of the land. He feels the proposal meets and exceeds the legal criteria under Canyon County Code 07-06-07(6) and it is confirmed by the staff in their report. The plan is designed to be consistent with the established character of the Melba community. This rezoning is as appropriate as ag and in practice more appropriate given the physical constraints of the land.

Mr. Lister gave the staff report and PowerPoint presentation as follows:

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:



P&Z Commission Recommendation:

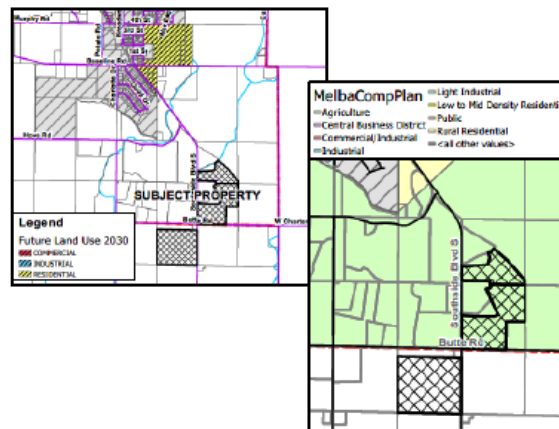
The Planning & Zoning Commission heard the case at a public hearing held on September 18, 2025. After deliberation, the Planning & Zoning Commission recommended denying the request, finding it to be not more appropriate than the current zoning designation and incompatible with the surrounding area and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

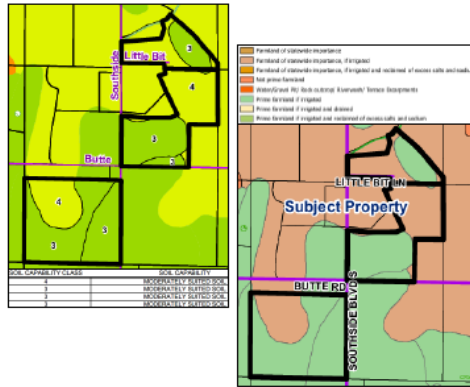
The request aligns with the definition of the "R-R district" in the 2030 Comprehensive Plan: "The R-R district provides rural transitional areas to create a boundary between agricultural and urban areas. These areas are generally conducive to small-scale farming operations and compatible with non-agricultural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



Surrounding area/Character: Existing

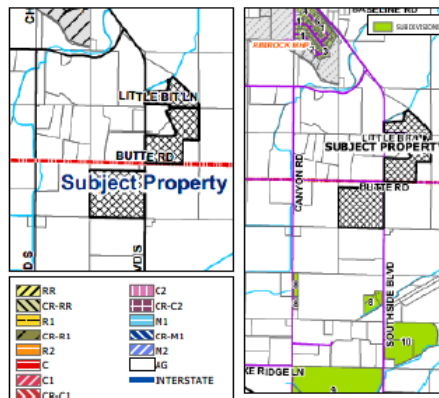
The surrounding area contains agricultural zoning and uses. Aerial and site visit photos show that the area consists of large agricultural property and appears to be in irrigated row crop that receives an agricultural tax exemption (Exhibits 3.E.1, 3.E.2a & 3.F). 21.71-acre average lot size (Exhibit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

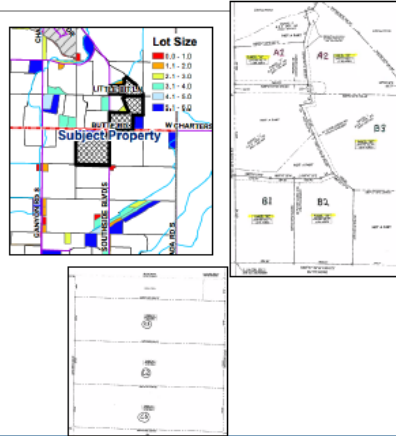
- There are no similar zones in the area except the Melba city jurisdiction.
- Within a one-mile radius are 10 plats consisting of 261 lots (0.88-acre lot size). Seven of the subdivisions are located within the City of Melba. The three subdivisions located in the county's jurisdiction were completed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



Subject property photos

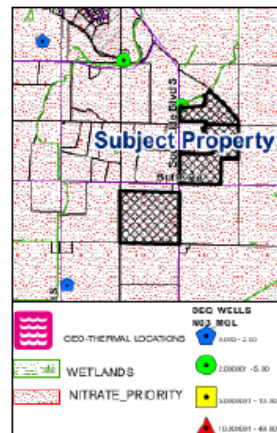
Surrounding Area/Character: Proposed

- 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 Kearnl (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.

Mr. Lister addressed several of Commissioner Van Beek's questions about Mr. Hoagland's previous application and possible other scenarios as it made its way through the process.

Commissioner Holton addressed how DSD is describing this land as ag only in the sense of taxes or possible financing avenues. He expressed his frustration that just because a parcel is left in ag doesn't necessarily mean it will remain that way, it's only ag while it's being used that way. If a landowner wanted to go through the land division process, there are several avenues to create several lots from that ag only parcel.

In response to a question from Commissioner Van Beek, Mr. Lister said the new AOI boundary for the City of Melba was decided on the 30th of December and became effective on the 31st. Commissioner Holton said he's spoken with legal, and the application needs to be considered under the law at the time it was submitted.

Mr. Lister addressed Commissioner Holton's question regarding the opposition stated by Canyon Soil Conservation, he explained that it appears they made their analysis by looking at the soil's maps, and aerial photos to evaluate how long the property has been in row crop. Mr. Lister feels their comments may have been more about a large swath of land being reduced.

Kathy Alder is in opposition speaking about the viability of the ground and how other area landowners have made their land into productive ground. She feels that this property is very farmable and should never be split up. She is concerned that this rezone will create a precedence. Additionally, she expressed her concern about how this rezone will impede agriculture. She doesn't feel that transitional is good, noting that this is good farmland it was purchased as farmland and can be sold as farmland.

Joshua Alder is in opposition stating that he farms along the east boarder of the subject property. He needs support for his ag as he's invested a lot in it. He can't compete with houses or large scale ag.

Debbie Davis is opposed, speaking about the county and Melba's comprehensive plans, both plans have this land in ag along with the future land use maps. In regard to the AOI realignment, she recognizes the newly adopted AOI cannot be applied to this case but noted that although a large portion of the Hoagland property was removed there was a remainder

of his property that never was in the impact area. She feels that a rezone would be considered spot zoning and set a precedent. Additionally, she spoke about how Melba does not have the services or infrastructure necessary to support development in outlying areas. She believes that both Melba and Canyon County have sent a strong message through their comprehensive plan, future land use map, and the area of city impact realignment that this land is to remain in agriculture; Planning and Zoning also reiterated this and recommended denial.

Jill Talbot is opposed to the rezone stating that her great grandparents homesteaded in 1919, she grew up coming out to Melba and has watched the community change and grow. She moved there in 1997; it's a way of life. Her biggest concern with the rezone is that it will change agricultural way of life, they don't want growth coming that direction. She doesn't want to see Melba turn into a community of just houses everywhere and she feels this will open the door to change their way of life. She noted the complaints about ag from those who've newly relocated to the area. She doesn't want to see it change.

Russell Talbot is opposed and agrees with the points made by Jill Talbot.

Kenny Hoagland has lived in Melba his entire life recognizing that Melba has changed a lot over the years and noting the ag related business that have left; farming has disappeared. South of Melba there are less than 10 families that rely on farming as their source of income. He works with emergency services and addressed claims about potential lack of service; he provided statistics which indicate they are receiving less calls with more people moving in. He is in support of the application.

Terry Littledike bought land from the Hoagland's 20 years ago. His only concern is the water as everyone shares a lateral. He is neutral, he's not trying to make a living off the land but supports both sides of the argument.

Tanner Hoagland supports the application and read the following statement into the record:
"I'm here in support of Cleon and Patti Hoagland, my parents. I want to begin by grounding the discussion exactly where the staff and comprehensive plan have placed it. This is a policy based land use decision, not a referendum on farming values. The 2030 Canyon County Comprehensive Plan recognizes that agriculture land is not uniform and that the zoning should reflect actual land capacity, surrounding land and use patterns, and long-term rural character. Staff correctly notes that in their report, that the plan anticipates rural residential agriculture

transition areas, including concepts such as the AC-5 framework, which envisions large rural living, large rural living that supports small acreage agriculture, open spaces. The proposal is consistent with that vision. Staff also acknowledges that while portions of the property may be mapped as agricultural, soils, site specific conditions matter. And in contrary to the Canyon County Soil expert, my parents hired Jerry Neufeld to come and look at this ground. An agriculture professional expert who personally inspected the property and his analysis is based on firsthand observation and not generalized mapping. And his analysis is [should be in your guys' report] where you can see that he cites that the ground does not meet the soil classifications and has sloping constraints also. He also identified extensive above ground and surface subsurface rock shelves, shallow soils and fragmented productive areas that materially limit the land's ability to function as economically viable commercial agriculture. It is important to note that the property has already been improved. Older gravity irrigated fields were consolidated and converted into large sprinkler systems. While that improved water efficiency, it did not change the underlying geology. As staff recognized, irrigation improvements do not overcome physical soil and rock constraints. Those limitations are permanent. What this proposal does is align zoning with reality in a way that still preserves agriculture character. Staff specifically notes that the type of zoning supports hobby farms, subsistence agriculture and rural residential uses, all of which are compatible with the surrounding area and consistent with the comprehensive plan and are not suburban lots. These are large parcels that allow livestock, gardens, open spaces, and stewardship of the land. Staff also found that the request does not create infrastructure to traffic or other services – Fire, EMS, schools, and water access, and irrigation can all be adequately served. The City of Melba supports the application. Importantly, this conditional rezone, which the staff notes does not set a precedent and allows the county to impose meaningful limitations to ensure compatibility. This proposal represents thoughtful transition, not growth. It reflects the extent pattern rural development in an area, implements the comprehensive plan in a practical, defensible way that balances property rights with agricultural preservation, and long-term planning. For those reasons I ask you to consider siding with my parents on this.

Christina Chrisman stated that the subject property is right next to her property. Melba has no ambulance for transport; they still have to wait for Canyon County to respond. Her primary concerns are related to private wells, septic systems and access impacts. This area relies on individual wells and septic systems, and increased density raises serious concerns about soils, suitability, groundwater, protection, and long-term well safety. There is an irrigation basin located directly in the middle of her driveway, and she is concerned that this will increase traffic

and use associated with that basin resulting in people entering or crossing onto their property. This creates issues of trespassing, liability, safety and loss of privacy, and places an unfair burden on her and her husband. She would like to know if this approval will create any implied or future access rights across her property for irrigation or utilities. She would like Canyon County to deny this request or at a minimum, require enforceable conditions that ensure all septic, well irrigation access issues are fully resolved without any access, use or maintenance occurring on her private property, and that the proposal remains consistent with the rural character and the intent of the Melba area.

Norm Alder indicated that all properties south of Melba have rock on their property and that if that's the criteria for rezoning all the properties should be rezoned. He spoke about dogs running everywhere and not being properly contained within their own property.

Kari Cussins said there has been remediation to make the parcel near her home farmable. She would like to know why the Hoagland's bought the property as farmland if they were aware it wasn't viable farmland? In regard to irrigation, there was power in the area to increase pressure for irrigation on the Hoagland property, but it has since been removed. She has lived on her property for 10 years and has seen crops grown. She doesn't think dividing up this land is the best use.

Cleon Hoagland offered rebuttal testimony speaking to the following:

- The pump was added the second year the church got rid of the farm, it was put on by another neighbor who used it for one year but discovered it did not increase the efficiency.
- He addressed the canal/irrigation easement discussed by Ms. Chrisman, which is located on her property. He said that anyone with a headgate on that canal has access to use of that easement. He also noted that there is a carry ditch that runs through his property to irrigate Mr. Littledike's five acres.
- In regard to the Alder's property, he indicated that the closest point is over 330' away; they do not boarder his property at all.
- He spoke about how he regularly engages with other farmers in the area who've never expressed any opposition to what he's trying to do.

The Board recessed from 3:10 p.m. to 3:20 p.m.

In response to a question from Commissioner Van Beek, Mr. Lister clarified that Canyon County Code does not consider 'economic viability' when determining whether land is non-viable for farming. Additionally, Mr. Hoagland has indicated that they are willing to adjust lot sizes.

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to close public testimony.

Commissioner Brooks suggested finding in the affirmative for the two (2) northern parcels and denying the southern parcel. Commissioner Holton said he may be amenable to this suggestion.

Commissioner Van Beek expressed her concerns about impacting surrounding agriculture and not impacting their ability to farm. She feels there are alternatives to rezoning this area and there are parts of this ground that would still qualify as productive ag.

Discussion and deliberation ensued regarding possible options for the northern portion of Mr. Hoagland's property. Commissioners Brooks and Holton are in favor of keeping lots A1, A2, B3 and combining lots B1 & B2. Commissioner Van Beek expressed her concerns about this being spot zoning/rezoning.



Commissioner Holton asked Mr. Lister to amend condition no. 2, specifying the two northern lots with the a minimum average lot size of five (5) acres and four (4) lots, no accessory dwelling units, and all other lawful criteria such as ingress/egress, driveways, etc. must be met.

The Board in not in favor of any divisions to the southern parcel, Mr. Lister will address this in the FCOs.

Commissioner Brooks made a motion that based upon the findings of fact, conclusions of law and order contained herein, the Board of County Commissioners, approve case no. CR2025-0002, conditional rezone of parcel R28146010 and R28146010D changing the application to a maximum of four (4) parcels with conditions as enumerated on the record. And a denial of R28279010 as the Board cannot find in the affirmative that it meets the eight (8) criteria. Additionally, secondary residences are denied on the four (4) approved parcels. The motion was seconded by Commissioner Holton with the addition that the final findings of fact, and conclusions of law and order will be completed and brought back at a later time. A vote was taken on the motion with Commissioners Holton and Brooks voting in favor and Commissioner Van Beek voting in opposition. The motion carried in a 2-to-1 split vote.

Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to adjourn the meeting. The meeting concluded at 3:50 p.m. and an audio recording is on file in the Commissioners' Office.