



**FINDINGS OF FACT, CONCLUSIONS OF LAW, & ORDER**

**Findings**

1. The applicant, Jeremy Eells, requests approval of a short plat for The Landing Spot (Attachment A). The result is dividing parcel R32703 (8.973 acres) into three lots (2.99-acre average lot size). The request includes a waiver of subdivision improvements. The subject property is 16995 Marshall Ln., Caldwell (Parcel R32703), also referenced as a portion of the SW¼ of Section 9, T3N, R3W, BM, Canyon County, Idaho.
2. The subject property is zoned “CR-R-R” (Conditional Rezone – Rural Residential). *See CR2022-0020.*
3. The subject property is located in the Caldwell Area of City Impact. The City of Caldwell was notified of the application per Section §09-01-23(1) of the Canyon County Code of Ordinances (CCCO). The City of Caldwell – Planning Division supports the proposal because the density proposed aligns with their comprehensive plan. The city also does not require any improvements since the plat aligns with the character of the area. (Exhibit 3.D7 of the staff report). The City of Caldwell – Engineering Division also had no concerns with the request. (Exhibit 3.D8 of the staff report) Per CCCO §09-01-19(5), the county will not sign a final plat or authorize the plat to be recorded before the city engineer’s signature is on the plat. *See Condition #6.*
4. The property has irrigation water rights. The property has a pressurized irrigation system via water rights from Boise Project Board of Control/Wilder Irrigation District (Exhibit 3.D9 of the staff report and Attachment A, plat note 4).
5. The development will be served by individual wells and septic systems (Attachment A, plat notes 2 & 3).
6. Subdivision runoff will be maintained within the subdivision (Attachment A, plat notes 8 & 9).
7. The subject parcel has an ingress/egress easement via a private road, Marshall Lane, located off of Homedale Road (public road). The road lot has been extended and is Lot 4, Block 1 of The Landing Spot. At the time of approval of Marshall Lane, an easement reduction to 30 feet was approved. The applicant is requesting that the easement reduction continue for the portion of Marshall Lane that was extended past the access to Lot 2 to comply with CCZO §07-10-03. The applicant is requesting a reduced 28’ ingress/egress easement along the north boundary of Lot 1 to serve Lot 2 due to existing irrigation and landscaping. (Exhibit 3.A2.2 of the staff report) An amendment to the road user’s maintenance agreement for Marshall Lane per CCZO §07-10-03(1)B3 shall be recorded before the approval of the final plat.
8. Highway District #4 provided an Order of Final Plat Acceptance that states in the findings, “The subject Plat contains neither dedication of right-of-way or public roads or streets nor any required publicly dedicated improvements.” (Exhibit 3.D6.1 of the staff report)
9. The Caldwell Rural Fire District does not oppose the subdivision. They will require a fire permit at the time of building permit submittal (Exhibit 4a of the staff report). The private road access is over 150’ from a public road. Therefore, the Caldwell Rural Fire District requires access and turnaround review before final plat approval. *See Condition #7.*
10. The development is not in a mapped floodplain (Flood Zone X).
11. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2022-0030.
12. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on November 12, 2025, and a full political on August 20, 2024. The newspaper notice was published on November 18, 2025. Property owners were sent a notice on November 12, 2025. The property was posted on November 18, 2025.

**Conclusions of Law**

Section 07-17-09(5) of the Canyon County Zoning Ordinance (CCZO) states,

(5) *Board Action:*

- A. *The board shall consider the commission's recommendation at a noticed public hearing.*
- B. *The board shall base its findings upon the evidence presented at the board's public hearing, and within thirty (30) calendar days declare its findings. It may sustain, modify, or reject the recommendations of the commission and make such findings as are consistent with the provisions of this chapter and the Idaho Code. The findings shall specify:*
  1. *The ordinance and standards used in evaluating the application;*
  2. *The reasons for approval or denial; and*
  3. *If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.*

Upon review of the preliminary plat, the Board of County Commissioners finds that the plat is consistent with the following subject to conditions of approval:

- A. Idaho Code §67-6513 (Subdivisions);
- B. Idaho Code §50-1301 through 50-1329 (Platting);
- C. Idaho Code §22-4503 (Right-to-Farm Act, Plat note #2);
- D. Idaho Code, §31-3805 & 42-111 (Irrigation);
- E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations); and
- F. City of Caldwell– Area of City Impact Agreement, CCCO §09-01-25.

The preliminary plat and final plat were found to be consistent with the standards of review, subject to conditions of approval. (Exhibits 3.D1, 3.D3, 3.D3.1, 3D4 and 3.D4.1 of the staff report)

**Conditions of Approval**

1. All subdivision improvements (public roads, shared access, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioners' signature on the final plat.
2. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained and protected unless approved by the irrigation district.
3. Finish grades at subdivision boundaries shall match existing finish grades. Stormwater runoff shall be maintained on the subject property.
4. The development shall comply with Southwest District Health (SWHD) requirements. Evidence shall be SWDH's signature on the final plat.
5. The development shall comply with the requirements of Highway District No. 4 (Exhibit 3.D6.1 of the staff report). Evidence shall be Highway District No. 4's signature on the final plat.
6. Per CCCO §09-01-19(5), the county will not sign a final plat or authorize the plat to be recorded before the city engineer's signature is on the plat.
7. Compliance with the international fire code administered through the fire district review of the access and turnaround is required. Evidence of compliance shall be submitted to DSD prior to the Board's signature on the final plat.
8. The road user's maintenance agreement for Marshall Lane shall be amended to add lots 1, 2, and 3, Block 1 of The Landing Spot, in accordance with CCZO §07-10-03(1)B3. The agreement instrument number shall be added as a plat note on the final plat.
9. A building permit for a residence on Lot 3 must be applied for within 6 months from the date of the signature on the Final Plat to bring the accessory building into compliance with CCCO 07-02-03: Definitions Enumerated, Accessory Structure.
10. Any building code violation shall be remedied prior to Final Plat signature by the Board of County Commissioners.
11. A Water Users Association shall be created for Lots 1, 2, and 3, Block 1 of The Landing Spot subdivision prior to Final Plat signature. The instrument number of this document shall be added to a plat note on the final plat.

12. Pressurized irrigation shall be provided to each lot prior to Final Plat signature.

13. Add a plat note to the Final Plat that states: "No secondary dwellings are allowed on lots 2 and 3 of Block 1."


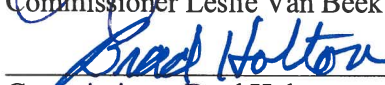

**Order**

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2022-0030, the Board of County Commissioners **approves** the Preliminary Plat for The Landing Spot Subdivision, subject to the Conditions of Approval as enumerated herein.


DATED this 8<sup>th</sup> day of April, 2026.

**CANYON COUNTY BOARD OF COMMISSIONERS**

- Motion Carried Unanimously
- Motion Carried/Split Vote Below
- Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
 _____ Commissioner Leslie Van Beek	_____	_____	_____ <input checked="" type="checkbox"/>
 _____ Commissioner Brad Holton	_____ <input checked="" type="checkbox"/>	_____	_____
 _____ Commissioner Zach Brooks	_____ <input checked="" type="checkbox"/>	_____	_____

Attest: Jess Urresti, Clerk

By:   
\_\_\_\_\_  
Deputy

Date: 4/8/26

