

Ludan Rezone RZ2025-0008

Rural Residential to “R1” (Single Family Residential)

APPLICANT: SERGEY LUDAN

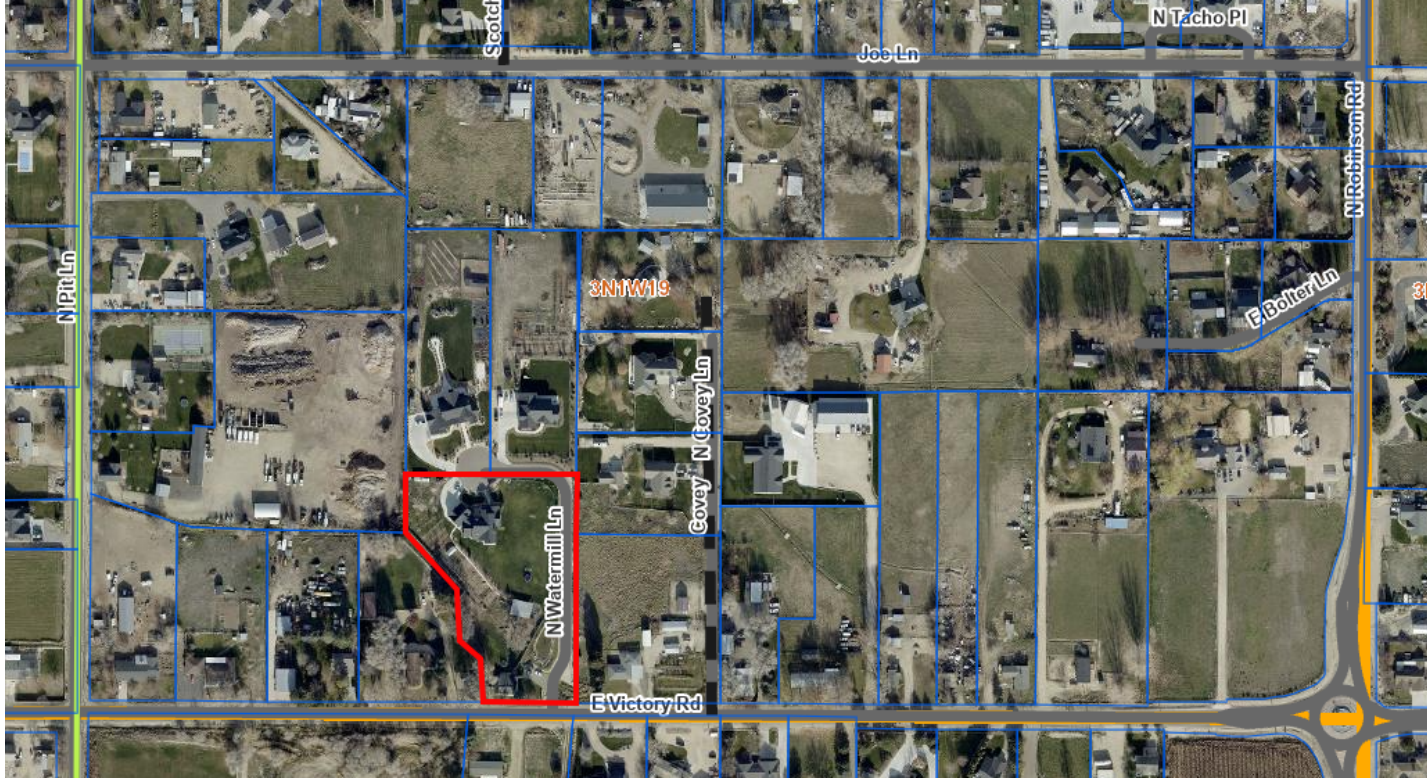


OVERVIEW

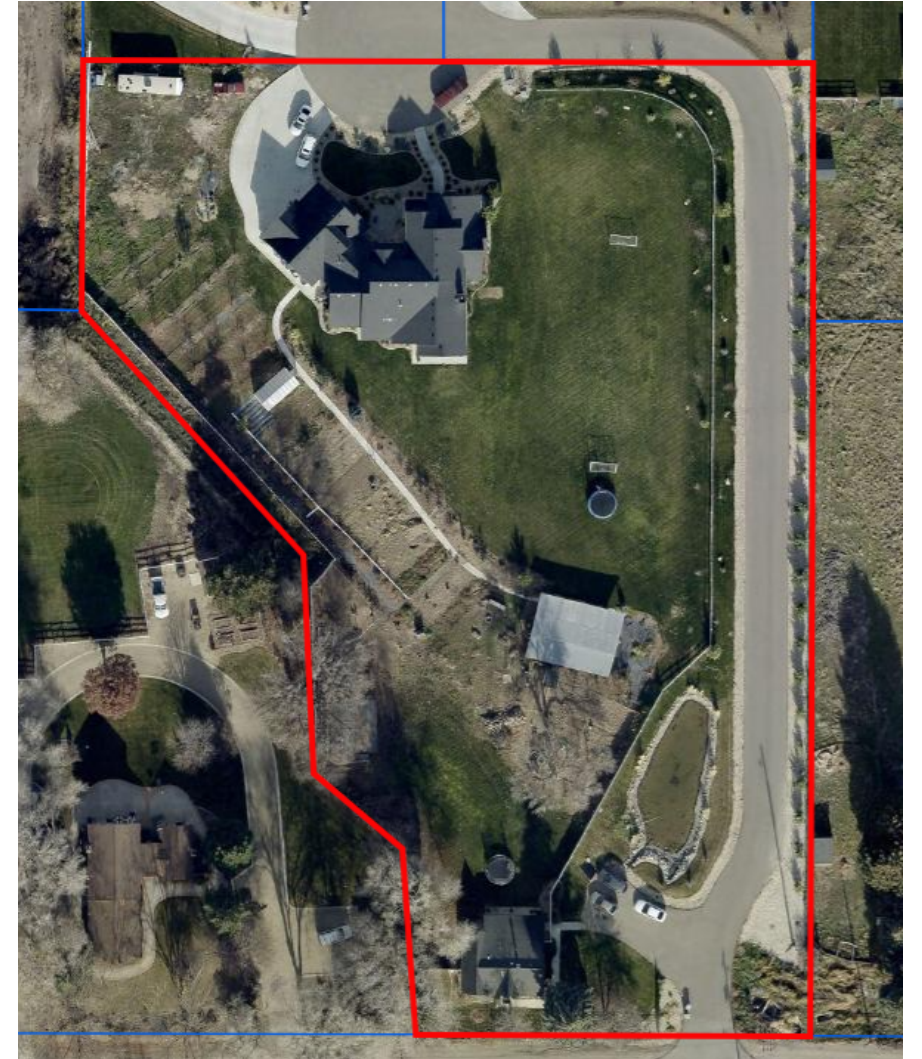
- Request/ Location/ Background & Context
- Criteria for Evaluation
- Recommendation



25 N. Watermill Lane / 6715 E. Victory Road

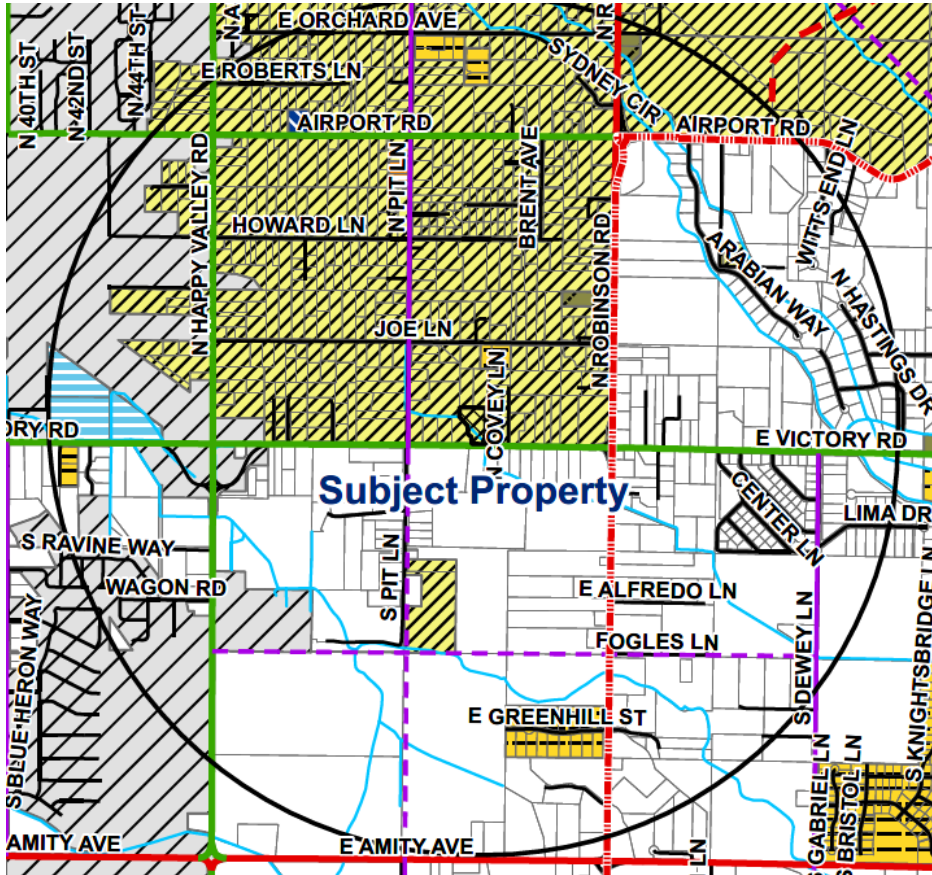


SUBJECT PROPERTY

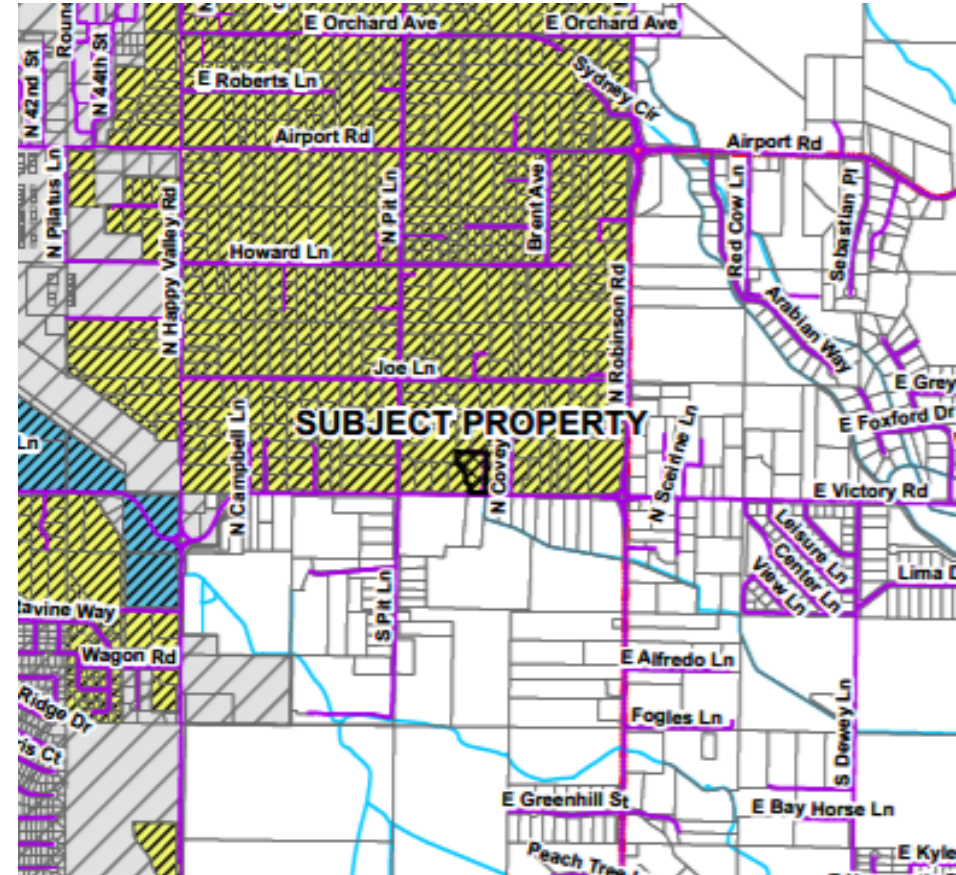


REQUEST: Rezone from “RR” to “R1”

CURRENT ZONING MAP: Exhibit C2e

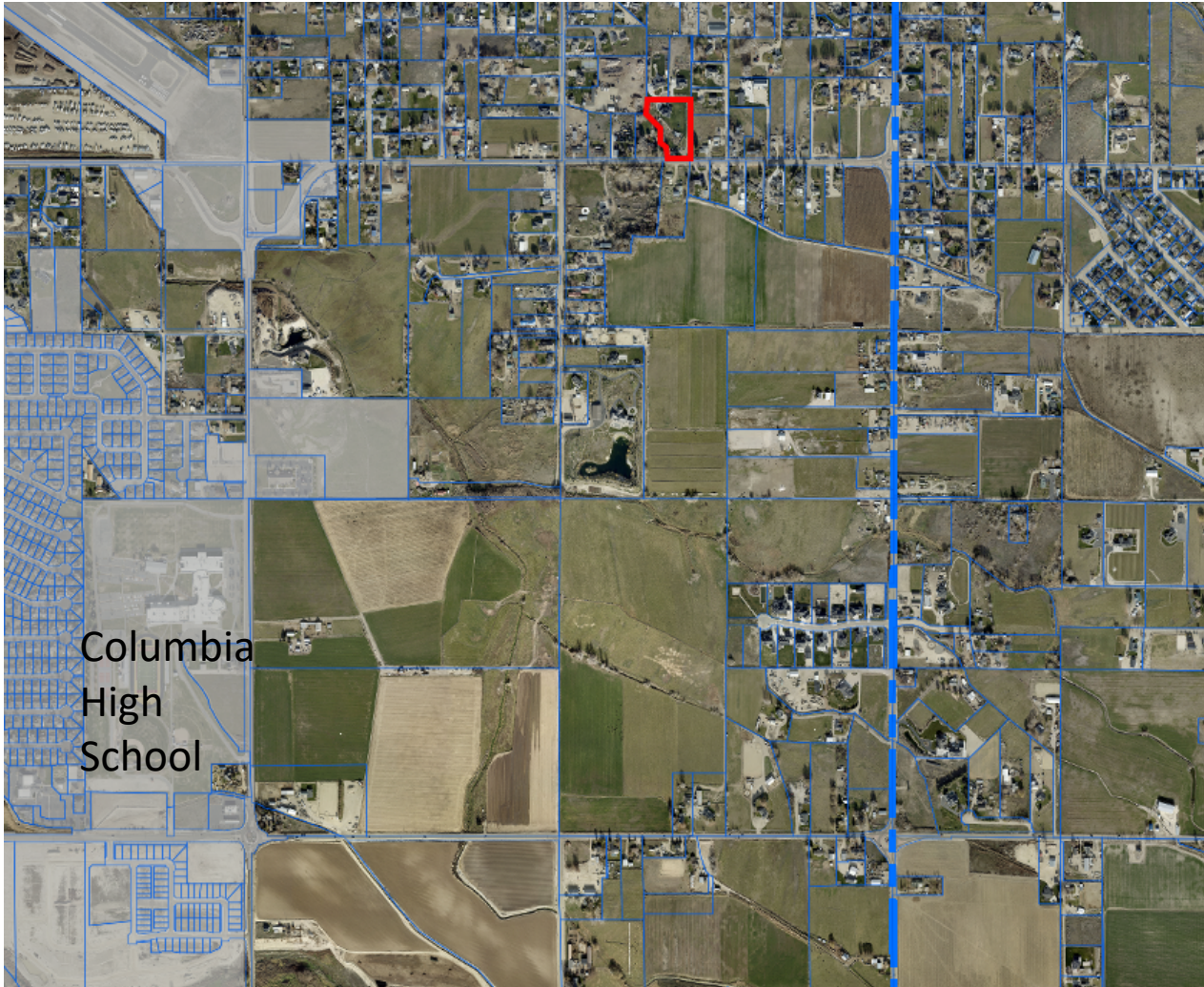


2030 COMPREHENSIVE PLAN FLU: Exhibit C2c

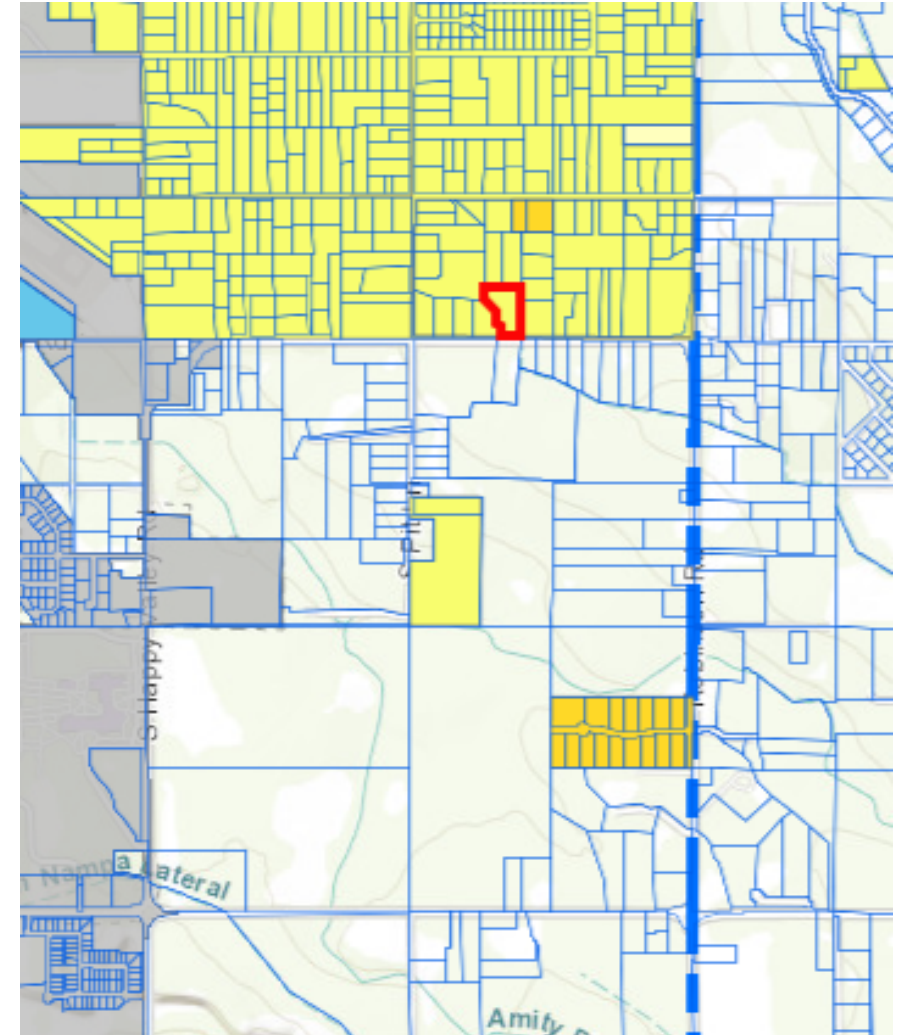


GENERAL BACKGROUND

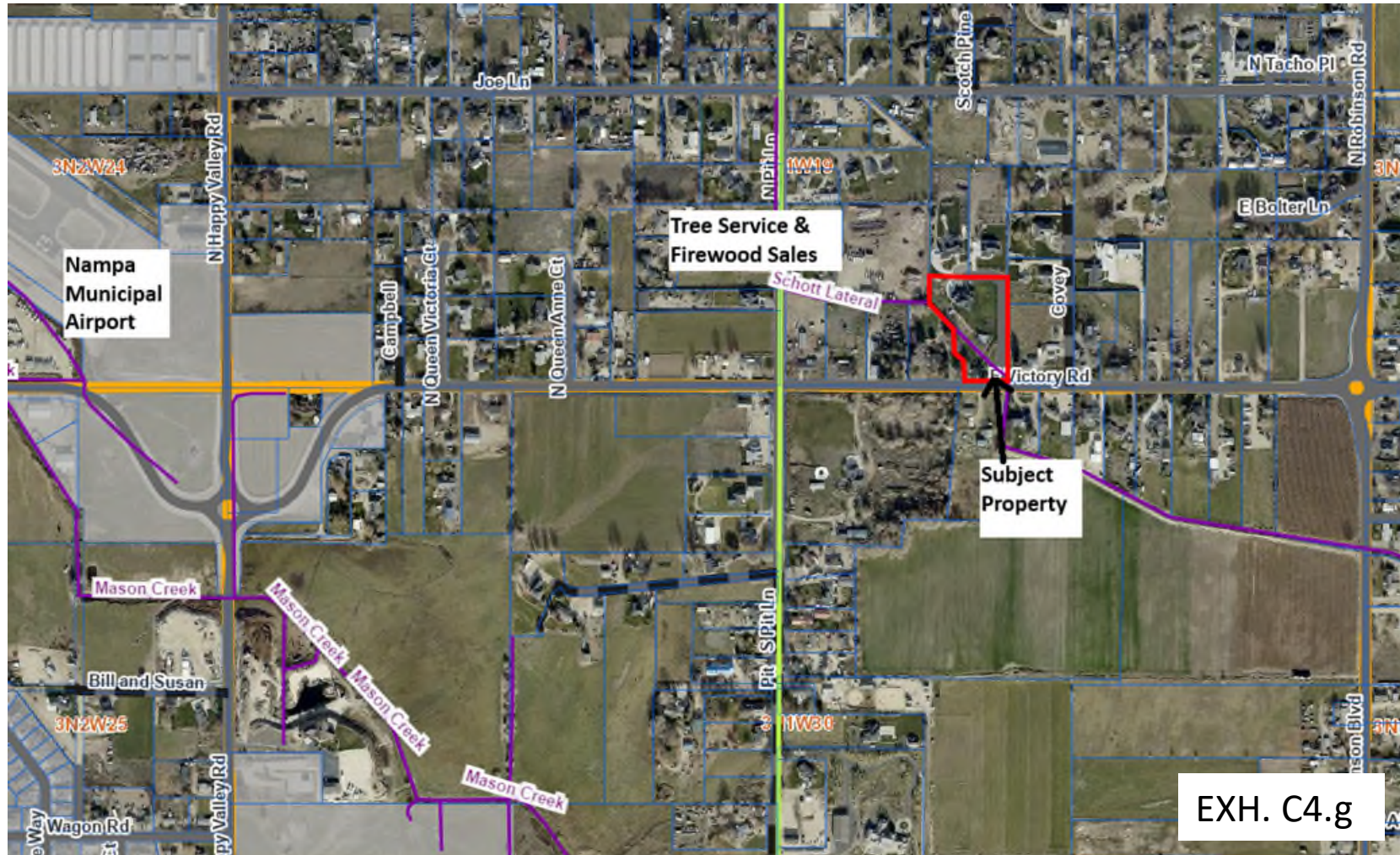
DSD GIS Aerial (subject property in red)



Portion of Zoning Map (EXH. C2e)

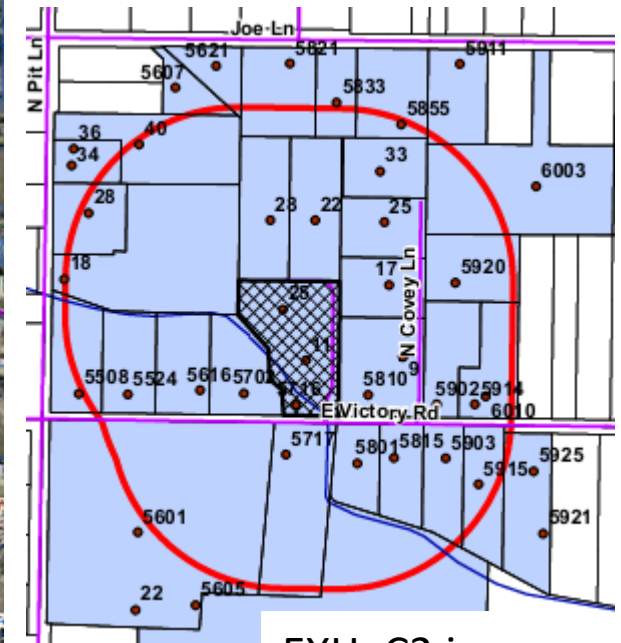


GENERAL BACKGROUND



The current parcel size of the subject property: **2.92 acres**

Notification Area 600 foot Radius— 34 parcels
Average Parcel Size: **2.68 ac**



EVALUATION CRITERIA (07-06-05):

07-06-05: ZONING AMENDMENT CRITERIA:

- (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:**
 - A. Is the proposed zone change generally consistent with the comprehensive plan;
 - B. When considering the surrounding land uses, is the proposed zone change more appropriate than the current zoning designation;
 - C. Is the proposed zoning map amendment compatible with surrounding land uses;
 - D. Will the proposed zoning map amendment negatively affect the character of the area? What measures will be implemented to mitigate impacts?
 - E. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed zoning map amendment;
 - F. Does legal access to the subject property for the zoning map amendment exist or will it exist at the time of development;
 - 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; and
 - 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? (Ord. 16-007, 6-20-2016)



REZONE “RR” (RURAL RESIDENTIAL) to “R1” (SINGLE FAMILY RESIDENTIAL)

07-06-05(1) A.: The proposed zoning request is **Generally Consistent** with the Comprehensive Plan designation of **RESIDENTIAL**.

- ☐ The overarching goal of the 2030 Plan is to protect the agricultural resources of Canyon County. Development in an area that is designated and zoned residential is consistent with the general plan for the County. The request is consistent with goals and policies in the Population, Land Use and Community Design, and Housing components of the plan.

07-06-05(1) B.: The proposed zone change to “R1” (Single Family Residential) is **not more appropriate** than the current zoning designation.

- ☐ The surrounding land uses are rural residential (2 acre minimum average) and agricultural.
- ☐ The subject property is 2.92 acres and the average parcel size of the surrounding properties is 2.68 acres. A rezone to “R1” provides for opportunity to divide the property into one acre parcels and provides for smaller parcels if connected to municipal services CCZO §07-10-21(2) Footnote 1.
- ☐ If divided, the properties are eligible for secondary residences further increasing the density on the properties inconsistent with the surrounding land uses. Only six of the properties within the S1/2 of the SE quarter in this section (Exhibit C4.f), inclusive of the subject property, have secondary units.
- ☐ This area of the county is in a nitrate priority area. The city is growing eastward and there is a potential opportunity for an annexation path as the larger agricultural properties to the south seek development approvals. It may be more appropriate to wait until annexation is available to further development the property.
- ☐ There is an approved tree service and firewood sales business (CU2012-8) adjacent to the subject property to the west. Potential additional density provided for by “R1” zoning provisions on the subject property may not be compatible.



REZONE “RR” (RURAL RESIDENTIAL) to “R1” (SINGLE FAMILY RESIDENTIAL)

07-06-05(1) C.: The proposed zoning map amendment is **generally compatible** with the surrounding land uses as proposed.

- ☐ The applicant indicates that the rezone is for the purpose of dividing the primary residence from the secondary residence.
- ☐ Potential compatibility concerns would be if secondary dwellings are constructed or connection to city services providing for much denser development that is not consistent with the surrounding properties and could further conflict with the approved tree service and firewood sales business to the west as well as the Nampa Municipal Airport activities.

07-06-05(1) D.: The proposed zoning map amendment to “R1” (Single Family Residential) as proposed **may not** negatively affect the character of the area.

- ☐ The surrounding land uses are rural residential (2 acre minimum average) and transitioning to larger agricultural parcels south of E. Victory Road.
- ☐ The subject property is 2.92 acres and the average parcel size of the surrounding properties is 2.68 acres. A rezone to “R1” provides for opportunity to divide the property into one acre parcels and provides for smaller parcels if connected to municipal services CCZO §07-10-21(2) Footnote 1.
- ☐ Rezoning of the property to allow for the applicant to separate the two residences does not affect the residential character of the area.

REZONE “RR” (RURAL RESIDENTIAL) to “R1” (SINGLE FAMILY RESIDENTIAL)

07-06-05(1) E.: The project **will have adequate facilities and services** to accommodate the proposed use.

- ☐ The property currently has two residences. Each residence has adequate facilities and services. Should additional lots or residences be proposed the applicant shall be required to provide adequate facilities and services at the time of application for building or development permits.
- ☐ Agencies were notified of the proposed zoning amendment and responses may be found in Exhibit E. The City of Nampa requests that a pre-annexation agreement be completed prior to further connection to city services (Exh. E4).

07-06-05(1) F.: **Legal access exists** to the subject property per Nampa Highway District #1 in Exhibit E1.

- ☐ Access is taken from E. Victory Road (public road) onto N. Watermill Lane (private road). The private road is paved and meets the requirements of the highway district.

REZONE “RR” (RURAL RESIDENTIAL) to “R1” (SINGLE FAMILY RESIDENTIAL)

07-06-05(1) G.: The proposed zoning map amendment and ensuing development of the subject property **will not require public street improvements nor interfere with existing or future traffic patterns** as proposed.

- ☐ The applicant indicates that the rezone is for the purpose of dividing the primary residence from the secondary residence. Should the applicant development secondary residences the density would increase but not to a level requiring a traffic impact study or street improvements.

07-06-05(1) H.: The proposed zoning map amendment to “R1” (Single Family Residential) as proposed is **not anticipated to negatively impact essential public services and facilities.**

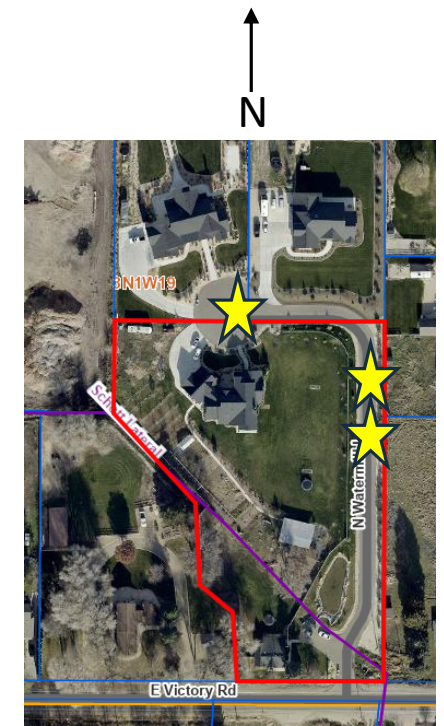
- ☐ Rezoning of the property to allow for the applicant to separate the two existing residences is not anticipated to negatively impact essential public services and facilities.
- ☐ Agencies were notified (Exhibit C3 for list) and staff did not receive comment from the school district, police, or EMS. Nampa Fire District responded (Exh. E2) indicating that the property was within 1.5 miles of Station 5 with an approximate 3 minute response time.



East side of primary residence and property from Watermill Lane.



East side of the primary residence from Watermill Lane.



Below: Looking from Watermill Lane towards the accessory barn and towards E. Victory Road to the south.

Below: North side of primary residence. Tree service business is west of the privacy fence.

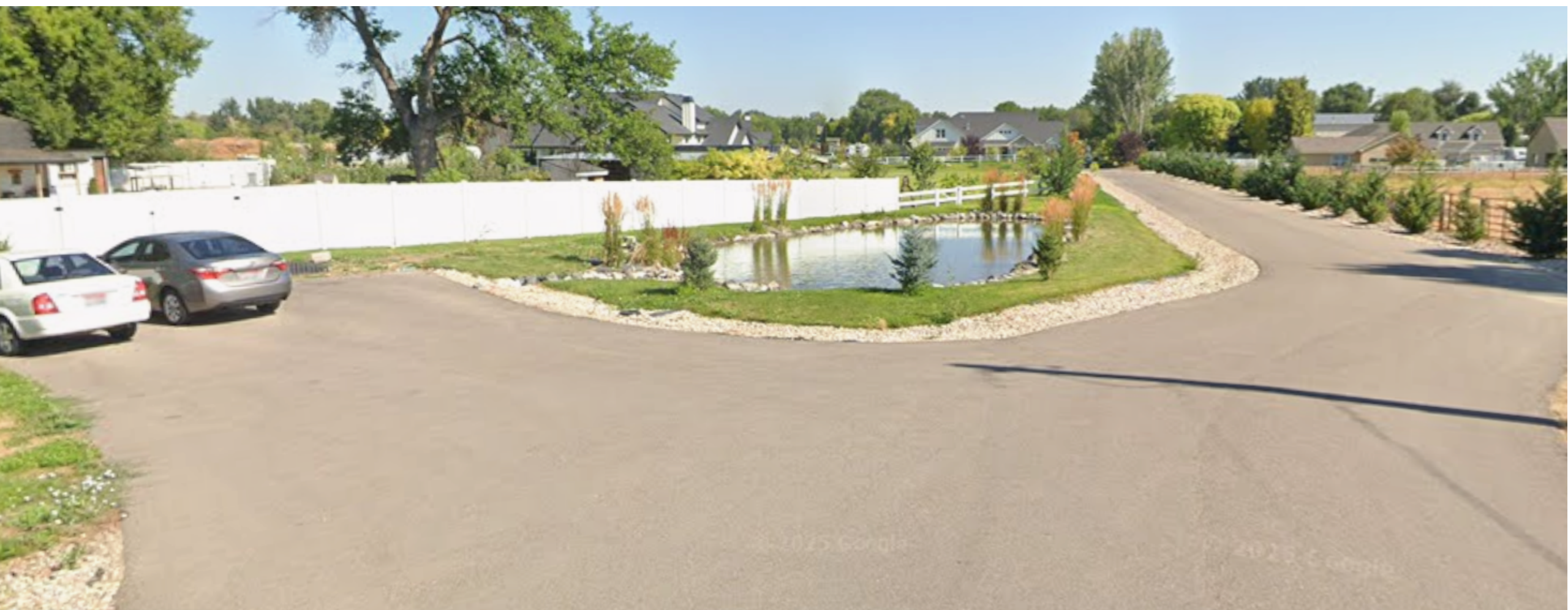




Renovated Barn

Primary Residence

Accessory
Structures



NOTIFICATION (07-05-01) & COMMENTS:

On April 16, 2026 and June 17, 2026, agencies, political subdivisions, and all property owners within a 600-foot radius of the existing property boundaries of the property have been provided notice of the public hearing in order that they may provide comment on the application. Notice was also published in the newspaper of general circulation on April 21, 2026 and June 22, 2026, and a sign was posted on the subject property also April 20, 2026 and June 22, 2026. All notices herein described have been provided at least fifteen (15) days prior to the public hearing. One letter of opposition was received prior to the Planning and Zoning hearing and at the time of the expiration of the materials deadline, July 13, 2026, no additional written comments from the public were received regarding the application (Exhibit F1).

Commenting agencies include: Nampa Highway District #1 (Exh. E1), Nampa Fire District (Exh. E2) and (BOCC Exhibit 4.1, Southwest District Health Department (Exh. E3), Nampa City P&Z (Exh. E4), Nampa Meridian Irrigation District (Exh. E5) and Nampa City Engineering (Exh. C4.a)



RECOMMENDATION:

The Planning and Zoning Commission forwarded this case with a RECOMMENDATION OF DENIAL citing that the zone change is not more appropriate than the current zoning.

In consideration of the application, staff concludes that the proposed zoning map amendment is not compliant with Canyon County Ordinance Section 07-06-05. A full analysis is detailed within the staff report.

- Staff did not conclude that the proposed zoning amendment to “R1” (Single Family Residential) is more appropriate than the current zoning designation of “RR” (Rural Residential) finding that the area is comprised of larger residential lots consistent with the rural residential zoning designation and is in an area transitioning to larger agricultural zoned parcels. It may be more appropriate for the applicant to wait to separate the properties and increase the density of the area when annexation is available.



Decision Options:

The Board of County Commissioners **approve** the rezone from Rural Residential to Single Family Residential and direct staff to make findings of fact to support this decision;

The Board of County Commissioners **deny** the rezone; or

The Board of County Commissioners may **table or continue** the hearing to a later date and request additional information on specific items.

Questions?

