



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

In the matter of the application of:
Whiting – RZ2025-0005

The Board of Canyon County Commissioners considers the following:

- 1) Rezone of Parcel R27949 from the Rural Residential (“R-R”) zone to the Single-Family Residential (“R-1”) zone
- 2) Location: The subject property is located at 74 N Pit Ln, Nampa, ID 83687, also referenced as Parcel R27949, a portion of the Southeast quarter in Section 19, T3N, R1W, BM, Canyon County, Idaho

Parcel Size: 3.17 acres

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 RZ2025-0005.
	1. All exhibits can be found in the case staff report dated July 30, 2026.
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), CCCO §09-11-25 (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. <i>See</i> I.C. §67-6504, §67-6513.
3.	The Board has the authority to hear this case and make its own independent determination. <i>See</i> I.C. §67-6519, §67-6509, and §67-6511
4.	The Board can sustain, modify or reject the Commission’s recommendations. <i>See</i> CCCO §07-05-03.
5.	The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §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. CCCO 07-05-03(1)(I).

The application, RZ2025-0005, was presented at a public hearing before the Canyon County Board of County Commissioners on July 30, 2026. 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:

Table 1. Zoning Map Amendment Standards of Evaluation Analysis

Standards of Evaluation – CCCO §07-06-05(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:		
County Ordinance and Review		
Criteria Met?	Code Section	Criteria
Yes	A	Is the proposed zone change generally consistent with the comprehensive plan?
Analysis		The proposed zone change is generally consistent with the 2030 Comprehensive Plan. The Future Land Use Map in the 2030 Canyon County Comprehensive Plan designates the parcel as “residential” (Staff Report Exhibit 3.B2.9). “The residential designation is for residential development. Residential development should promote compatibility with the existing agricultural activity.” (Page 25, 2030 Comprehensive Plan). The parcel is within City of Nampa’s Area of Impact. The City of Nampa’s comment letter states, “The proposed rezone to R-1 is appropriate for the location. The proposed subdivision is slightly out of compliance with Nampa’s density limitations for the Low-Density Residential designation... [as the] minimum density for Low Density Residential designation is [one] dwelling unit per acre” (Staff Report Exhibit 3.D3). Although the comment letter states the property is slightly out of compliance with the City of Nampa’s density requirements, if the subject property is divided into up to three (3) parcels, the proposed parcels would be at least 1-acre in size, which would match City of Nampa’s Comprehensive Plan. 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.”

Criteria Met?	B	When considering the surrounding land uses, is the proposed zone change more appropriate than the current zoning designation?																				
Yes																						
Analysis		In consideration of the surrounding land uses, the proposed zone change to Single Family Residential (R-1) is as appropriate as the current zoning designation of Rural Residential (R-R). The surrounding area primarily contains residential uses. To the north, south, east and west of the subject property, there are residential subdivisions and parcels with varying acreage sizes (Staff Report Exhibits 3.B2.1, 3.B2.3, 3.B2.6, and 3.B2.11). There are 52 subdivisions within 1-mile of the subject property and the average and median lot sizes for parcels within 600 feet of the subject property are 1.42 and 1.03 acres, respectively. The Single-Family Residential (R-1) zone has a minimum lot size of one (1) acre, which would allow the subject property to be divided into two-to-three (2-3) parcels. If divided into three (3) parcels, the average parcel acreage size would be 1.06 acres, which is within approximately 0.36 acres of the average lot size and 0.03 of the median lot size of this area (Staff Report Exhibit 3.B.6). The subject property is contained within TAZ (Traffic Analysis Zone) “2431.” As shown in Staff Report Exhibit 3.B2.8, the data for the TAZ zone that contains the subject property forecasts an increase in 17 households by the year 2050, demonstrating that this is an area expected to receive residential growth. There are some agricultural uses in the area, but these are found further east, northeast, and south and not found in the immediate vicinity of the subject property, so impacts to agricultural uses in the area are anticipated. The City of Nampa’s limits are found west, northwest, and southwest of the subject property, with the closest city limit being 0.3 miles to the west. The development within city limits nearby is a mix of commercial (such as the Gateway Center), industrial (mainly found around the Nampa Municipal Airport), and residential mixed throughout. No incompatibilities are anticipated with the city industrial and commercial development nearby due to the distance between the subject property and those developments (0.3 miles or more away). 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.																				
		Adjacent Existing Conditions Within 1-Mile of the Subject Property: <table><tr><th>Direction</th><th>Existing Use</th><th>Primary Zone</th><th>Other Zone</th></tr><tr><td>N</td><td>Residential Uses</td><td>R-R</td><td>R-1, City Limits</td></tr><tr><td>S</td><td>Residential Uses with some Agricultural Uses</td><td>R-R</td><td>A</td></tr><tr><td>E</td><td>Residential Uses with some Agricultural Uses</td><td>R-R</td><td>CR-R-1, A</td></tr><tr><td>W</td><td>Residential Uses and some Commercial and Industrial Uses in City Limits</td><td>R-R</td><td>City Limits</td></tr></table> “A” (Agricultural), “R-R” (Rural Residential), “R-1” (Single-Family Residential), “C-1” (Neighborhood Commercial), “C-2” (Service Commercial), “M-1” (Light Industrial), “CR” (Conditional Rezone)	Direction	Existing Use	Primary Zone	Other Zone	N	Residential Uses	R-R	R-1, City Limits	S	Residential Uses with some Agricultural Uses	R-R	A	E	Residential Uses with some Agricultural Uses	R-R	CR-R-1, A	W	Residential Uses and some Commercial and Industrial Uses in City Limits	R-R	City Limits
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W	Residential Uses and some Commercial and Industrial Uses in City Limits	R-R	City Limits																			
	Land Use Cases Within 1-Mile of the Subject Property in the last 5-Years: - SD2020-0012 – Short Plat with 1 lot (Barnes) – Approved - CU2025-0002 – Staging Area and Contractor Shop (Bighorn Traffic Services) – Denied - CR2023-0005 – Rezone from R-R to C-1 (Bowery) – Denied - RZ2020-0018 – Rezone from A to R-R (Brujin) - Approved - RZ2022-0008 – Rezone from A to CR-R-1 (Carlton) – Approved - SD2018-0013 –Preliminary Plat with 7 lots (DTH)– Approved - CR2022-0013 – Rezone from R-R to CR-R-1 (Guzman) – Approved - SD2019-0030 – Short Plat with 3 lots (Ryslanshik Subdivision) Approved - PH2016-51-APL – Temporary Quasi-Public Religious Related Events – Approved - SD2019-0053 – Preliminary Plat with 15 lots (Weatherby Estates) – Approved																					

	The land use cases approved in the last 5 years demonstrate the area is trending towards having more residential uses.	
Criteria Met?	C	Is the proposed zoning map amendment compatible with surrounding land uses?
Yes		
Analysis	The proposed rezone from R-R to R-1 is compatible with surrounding land uses. Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere 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. The Single-Family Residential (R-1) zone has a minimum lot size of one (1) acre, which would allow the subject property to be divided into two-to-three (2-3) parcels. If divided into three (3) parcels, the average parcel acreage size would be 1.06 acres, which is within approximately 0.36 acres of the average lot size and 0.03 of the median lot size of this area (Staff Report Exhibit 3.B2.6). Adding one-to-two (1-2) residential parcels is consistent with the size of the parcels in the area and many of the lots within subdivisions in this area (1.09-acre average lot size). The proposed development is anticipated to match the residential uses and characteristics of this area (Staff Report Exhibits 3.B2.1, 3.B2.3, 3.B2.6, and 3.B2.11). The parcel is in the Area of City Impact of the City of Nampa, and their Future Land Use Map designation for the subject property is "Low Density Residential" (minimum density is 1 dwelling per acre) (Staff Report Exhibit 3.D3). Although the comment letter states the property is slightly out of compliance with the City of Nampa's density requirements, it appears that the proposed parcels would be at least one acre in size, which would match the City of Nampa's Comprehensive Plan.	
Criteria Met?	D	Will the proposed zoning map amendment negatively affect the character of the area? What measures will be implemented to mitigate impacts?
Yes		
Analysis	The proposed rezone will not negatively affect the character of the area. Any necessary measures to mitigate impacts are detailed below. Character of the Area: The surrounding area primarily contains residential uses. To the north, south, east and west of the subject property, there are residential subdivisions and parcels with varying acreage sizes. The acreage sizes in this area vary between less than 0.5 acres to 1-3 acres to 5-acres in size and over. There are some agricultural uses in the area, but these are found further east, northeast, and south and not found in the immediate vicinity of the subject property. The City of Nampa's limits are found west, northwest, and southwest of the subject property, with the closest city limit being 0.3 miles to the west. The nearby annexed properties are a mix of commercial (such as the Gateway Center), industrial (mainly found around the Nampa Airport), and residential mixed throughout (Staff Report Exhibits 3.B2.1, 3.B2.3, 3.B2.6, and 3.B2.11). With the area primarily being residential in nature, it is anticipated that the proposed development will not negatively affect the area. The parcel is in the City of Nampa's Area of City Impact, and the City's Comprehensive Plan for 2040 designates the parcel as "Low Density Residential" (Staff Report Exhibit 3.D3). The following measures will be implemented to mitigate the impact The applicant will be limited to creating three (3) parcels maximum with the R-1 zoning, but the applicant stated during their testimony to the Board of Canyon County Commissioners on July 30th 2026 that they are currently only planning on dividing the parcel one time to create an approximately 1.15-acre parcel and 2.02-acre parcel. Additionally, the applicant will be likely limited on the parcels they can create due to the required separation distances between septic tanks, wells, and drain fields (Staff Report Exhibits 3.D2, 3.D2.1, and 3.D2.2).	

Criteria Met?	E	Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed zoning map amendment?
Yes		
Analysis		The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed rezone based on the analysis contained herein. Sewer: Per the applicant's land use worksheet, sewer will be provided with individual septic systems for the proposed lots (Staff Report Exhibit 3.A4). Per Southwest District Health, the subject property is located within a Nitrate Priority area, but a Nutrient-Pathogen study is not required since the subdivision would result in fewer than five (5) lots and the County is not requiring a subdivision process at this time. Southwest District Health stated that a site evaluation was done in March of 2024 for one of the proposed 1-acre parcels, but the proposed area for the septic system did not appear to meet IDAPA 58.01.03 due to the proximity to a neighboring well (it was measured about 75-feet from the well, when it should be 100-feet) (Staff Report Exhibits 3.D2 and 3.D2.1). Although the initial site evaluation showed the proposed system too close to a well, it has appeared that the applicant has found a different area to place a septic tank and drain field for the proposed residence (Staff Report Exhibit 3.D2.2). For any potential future residences, preliminary approval from Southwest District Health is required to be submitted with a building permit application, so any future separation distance concerns will be addressed prior to building permit submittal. Water: Per the applicant's land use worksheet, individual domestic wells are planned for the additional lots (Staff Report Exhibit 3.A4). 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 two (2) residential dwellings (or five (5) residential dwellings if secondary residences are added to each future proposed lot). Future development shall comply with IDWR standards. Drainage: Drainage appears to not be affected by this application, as stormwater is retained on site (Staff Report Exhibit 3.A4). Irrigation: Per the applicant's land use worksheet, surface water is currently provided via gravity irrigation (Staff Report Exhibit 3.A4). The applicant's site plan and presentation shows the existing irrigation facilities that are in operation and the Board of Canyon County Commissioners is relying upon the applicant to verify that those irrigation facilities will be functional when the division of the subject property occurs (Staff Report Exhibits 3.A3 and 3.A9). The parcel is served by Boise Project Board of Control/Nampa-Meridian Irrigation District (NMID). NMID sent a comment letter on March 16, 2026, which stated NMID "...has no comment on the above-referenced application as no facilities are impacted. All private laterals and waste ways must be protected. All municipal surface drainage must be retained on site. If any surface drainage leaves the site, NMID will need to review the drainage plans. The developer must comply with Idaho Code 31-3805 (Staff Report Exhibit 3.D10). Utility: Idaho Power Company sent a comment letter on March 13, 2026 which states, "There is an old Idaho Power easement that crosses the subject property...I would recommend the applicant pursue a relinquishment of this easement... as we no longer have any facilities within the easement nor any plans to install any in the future" (Staff Report Exhibits 3.D9 and 3.D9.1). Idaho Power did not have any other concerns. Utility agencies, including Intermountain Gas, CenturyLink, and Ziply, were notified of the application on October 20, 2025 and March 12, 2026. No agency comments were provided by those services at the time prior to the materials deadline. It is anticipated that the applicant will be able to work with utility providers to gain any utilities needed.

Criteria Met?	F	Does legal access to the subject property for the zoning map amendment exist or will it exist at the time of development?
Yes		
Analysis	The subject property does have legal access off of Pit Lane for the zoning map amendment and it will exist at the time of development. The subject property currently accesses off of Pit Lane (a public road). Nampa Highway District No. 1 (NHD#1) states Pit Lane is classified as a Rural Local Road. At the time of division of the property, NHD#1 requires the applicant to turn in a Lot Split Application with the associated fees for administrative land divisions or a subdivision plat with associated fees to review the proposed accesses (Staff Report Exhibits 3.D1 and 3.D1.1).	
Criteria Met?	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?
Yes		
Analysis	The proposed zoning amendment will not require public street improvements in order to provide adequate access to and from the subject property and to minimize undue interference with existing or future traffic patterns created by the proposed development. Nampa Highway District No. 1 does not require any public street improvements at this time and does not have any concerns over traffic patterns (Staff Report Exhibits 3.D1 and 3.D1.1). An access permit is required to be submitted with any future residential building permits and will outline whether public street improvements (such as a paved apron will be required or not). Idaho Transportation Department found the application does not meet thresholds for a Traffic Impact Study, nor does it pose any safety concern (Staff Report Exhibit 3.D5).	
Criteria Met?	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?
Yes		
Analysis	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. Schools: Parcel R27949 is serviced by the Nampa School District. It is not anticipated that any impacts or accommodations will be needed, as two additional parcels are requested. Agency comments were sent out on October 20, 2025 and March 12, 2026, and no comments were received by the school district. Police: Parcel R27949 is under the jurisdiction of the Canyon County Sheriff’s Office. The Canyon County Sheriff’s Office is required to provide services to the parcel. 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 October 20, 2025 and March 12, 2026, and no comments were received by the Sheriff’s Office. Fire Protection: Parcel R27949 is under the jurisdiction of the Nampa Fire Protection District (NFPD). A comment letter was received from NFPD on November 16, 2025, which outlined fire code requirements and conditions of approval that must be met for the development. NFPD also stated in their comment letter that the project is located approximately .8 miles from Nampa Fire Station 5 with an approximate response time of 3 minutes (Staff Report Exhibit 3.D7). Emergency Medical Services: Canyon County Paramedics sent estimate response times for the three (3) closest stations – Station M44 has a 6.18 minute estimated response time, Station M42 has a 8.83-minute estimated response time, and Station M41 has a 10.54 minute estimated response time (Staff Report Exhibit 3.D11).	

Table 2. Area of City Impact

CCCO 09-11-03(2): Purpose: The purpose of these provisions is to promote the public health, safety, general welfare, peace, good order, comfort, and convenience of Canyon County and the inhabitants thereof by establishing regulations for the Nampa area of city impact, and further, to:

- A. Facilitate Legal Duties or Parties:** To facilitate the legal duties, responsibilities, and authority of Canyon County, Idaho, and the city of Nampa, Idaho, as is prescribed and provided by the Idaho legislature regarding impact areas; and
- B. Processing of Land Use and Land Division Applications:** To provide steps and procedures required for processing zoning applications, comprehensive plan and zoning amendments, and subdivision plats and land division within the Nampa area of city impact in accordance with Idaho Code section 67-6526; and
- C. Economical and Compatible Infrastructure:** To identify an urban fringe in the unincorporated area surrounding the city, within which there is potential for development or changes in land use that must be planned, designed and constructed in an orderly manner compatible with the city of Nampa for the city of Nampa to assure timely and/or economical provision of public services, such as: water supply, sewage and storm water collection and treatment, public safety services, airport, parks, and other community service facilities.
- D. Compatible Land Use and Roads:** To promote land use compatibility, maintain consistent and continuous street alignment, and support traffic flow objectives

County Ordinance and Review

Criteria Met?	Code Section	Criteria
Yes	09-11-25	APPLICATION PROCEDURES: The following procedures shall be adhered to in processing applications within the Nampa area of city impact: (1) Land Use Applications: All land use applications submitted to Canyon County, including, but not limited to, rezones, conditional rezones, conditional use permits, variances, and land divisions requiring notification of a public hearing, shall be referred to the city of Nampa in the manner as provided for in subsection 09-11-17(3) of this article. • <i>09-11-17(3): All proposals...shall be referred to the city of Nampa's planning and community development director at least thirty (30) calendar days prior to the first county public hearing on the matter, and the city of Nampa may make a recommendation before or at said public hearing. After the city receives its initial thirty (30) days' notice, any further notice of proposed changes to the proposal will be provided to the city of Nampa at least seven (7) days prior to the public hearing. If a recommendation is received by the county from the city of Nampa, it shall be given consideration by the county, provided it is factually supported, but such recommendation shall not be binding on the county. If no recommendation is received, Canyon County may proceed without the recommendation of the City of Nampa.</i>
Analysis		Area of City Impact: The parcel is within City of Nampa's Area of Impact. The City of Nampa's comment letter states, "The proposed rezone to R-1 is appropriate for the location. The proposed subdivision is slightly out of compliance with Nampa's density limitations for the Low-Density Residential designation... [as the] minimum density for Low Density Residential designation is [one] dwelling unit per acre" (Staff Report Exhibit 3.D3). Although the comment letter states the property is slightly out of compliance with the City of Nampa's density requirements, if the subject property is divided into up to three (3) parcels, the proposed parcels would be at least 1-acre in size, which would match City of Nampa's Comprehensive Plan.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Board of Canyon County Commissioners approves Case # RZ2025-0005, a zoning map amendment for Parcel R27949 (3.17 acres) from the Rural Residential (R-R) zone to the Single-Family Residential (R-1) zone for the purpose of creating two (2) residential parcels.

DATED this 13th day of August, 2026.

CANYON COUNTY BOARD OF COMMISSIONERS

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

	Yes	No	Did Not Vote
 _____ Commissioner Leslie Van Beek	<u>✓</u>	_____	_____
 _____ Commissioner Brad Holton	<u>X</u>	_____	_____
 _____ Commissioner Zach Brooks	<u>t</u>	_____	_____

Attest: Jess Urresti, Clerk

By: 

Deputy

Date: 8/13/26