

DA Modification DA17-001 PH2016-61-MOD

APPLICANT: JAY GIBBONS

OWNER: TRADITION CAPITAL PARTNERS, LLC & AUSTIN ACRES, LLC



REQUEST: THE APPLICANT IS REQUESTING A MODIFICATION TO DA17-001

Condition 5.b (Property 1)

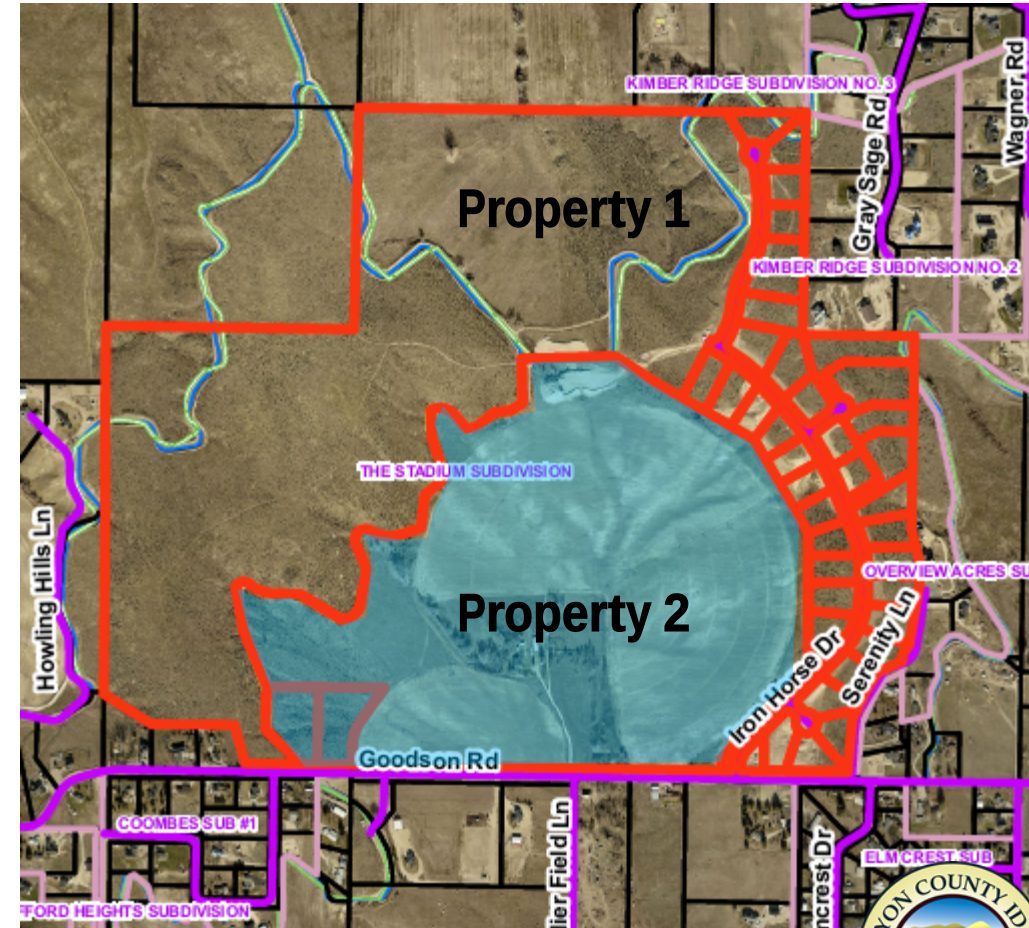
Reduce the **maximum number of residential parcels from 178 to 138.**

Current (DA 17-001): *Property 1 shall be permitted a maximum of 178 residential parcels with a minimum average lot size of 1.25 acres. Other than the maximum residential lot count and minimum average lot size as noted above, the Subject Property shall be developed in accordance with the terms of this Development Agreement and the applicable Canyon County Code provisions for Rural Residential zoned land.*

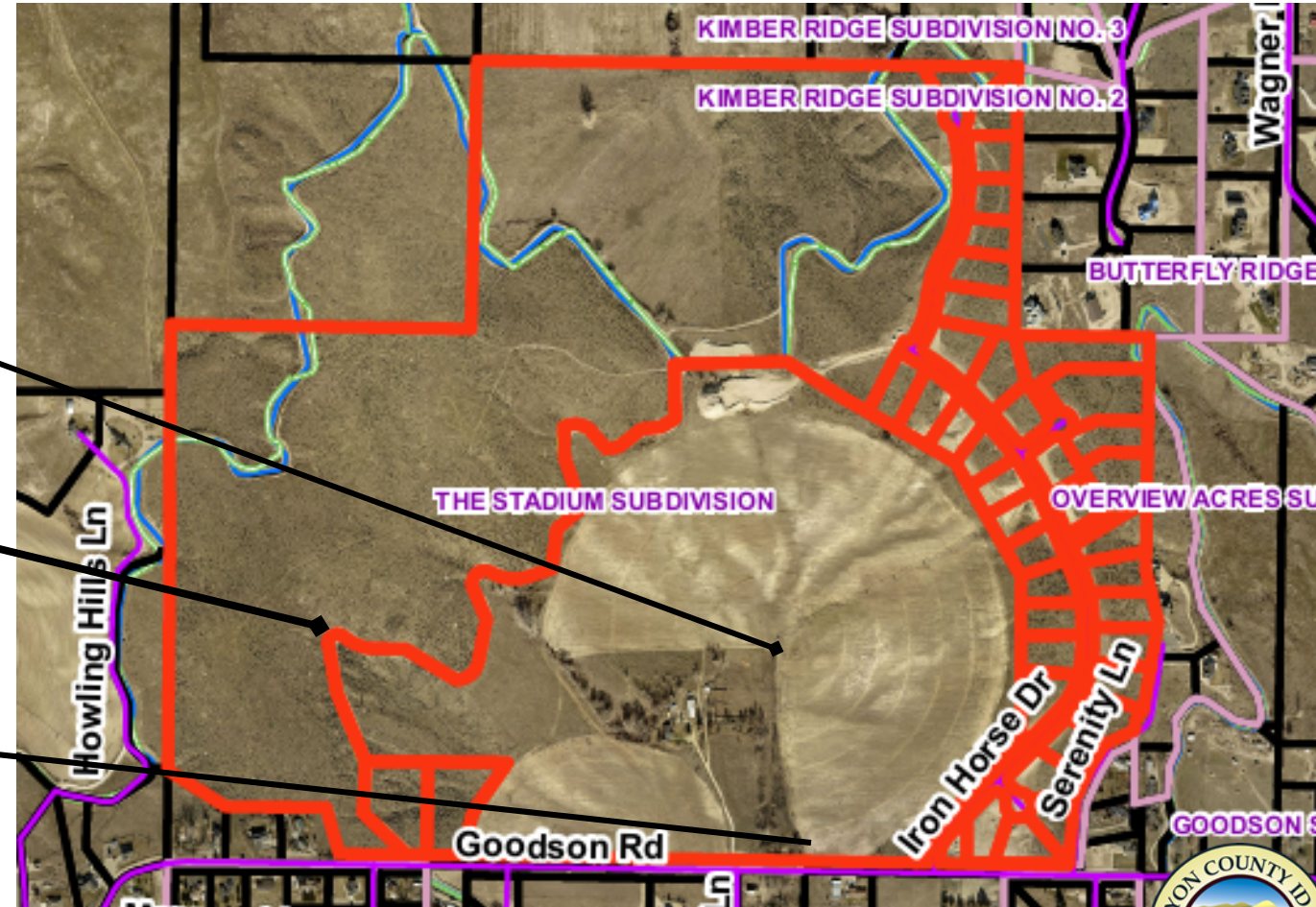
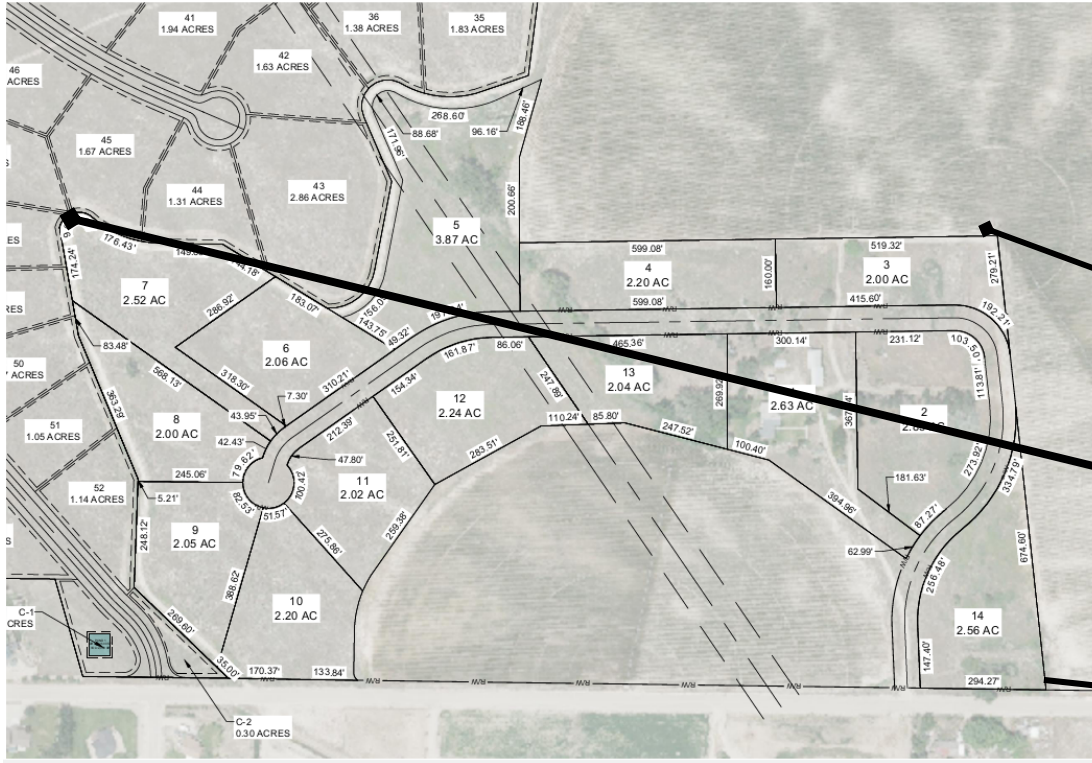
Condition 3.b (Property 2)

Amend, repeal, and replace to **allow for a total of 14 residential lots instead of 3**, with a minimum average lot size of two (2) acres in substantial conformance with the site plan.

Current (DA 17-001): *The Property 2 shall [be] limited to up to two additional residential parcels or lots for a total of three residential parcels or lots, including the existing home.*



REQUEST: THE APPLICANT IS REQUESTING A MODIFICATION TO DA17-001



GENERAL BACKGROUND

October 18, 2007 – Conditional Use Permit (CUP2007-46) was approved to divide 364 acres into **103 residential lots** with a minimum lot size of 3 acres.

September 29, 2010 – BOCC approved comprehensive plan map amendment and conditional rezone of 373 acres from “A” Agricultural Zone to the “CR-R-R” Rural Residential Zone (CPR2009-1).

October 13, 2010 – DA No. 10-104 recorded – limiting development north of Goodson Rd. to a **maximum of 103** residential lots, with a minimum average lot size of 3.48 acres based on gross acreage.

November 21, 2012 – Conditions 3a, 5b, and 5c of DA No. 10-104 were modified (CR-PH2012-1002) – DA No. 12-147 clustered development, allowed for more lots, and preserved farmland. Three **(3) residential lots** permitted on 133 acres (Property 2), the remainder (Property 1) allowed to develop to the “R-R” standards (entire property north of Goodson was included in the calculation – **approx. 178 lots**).

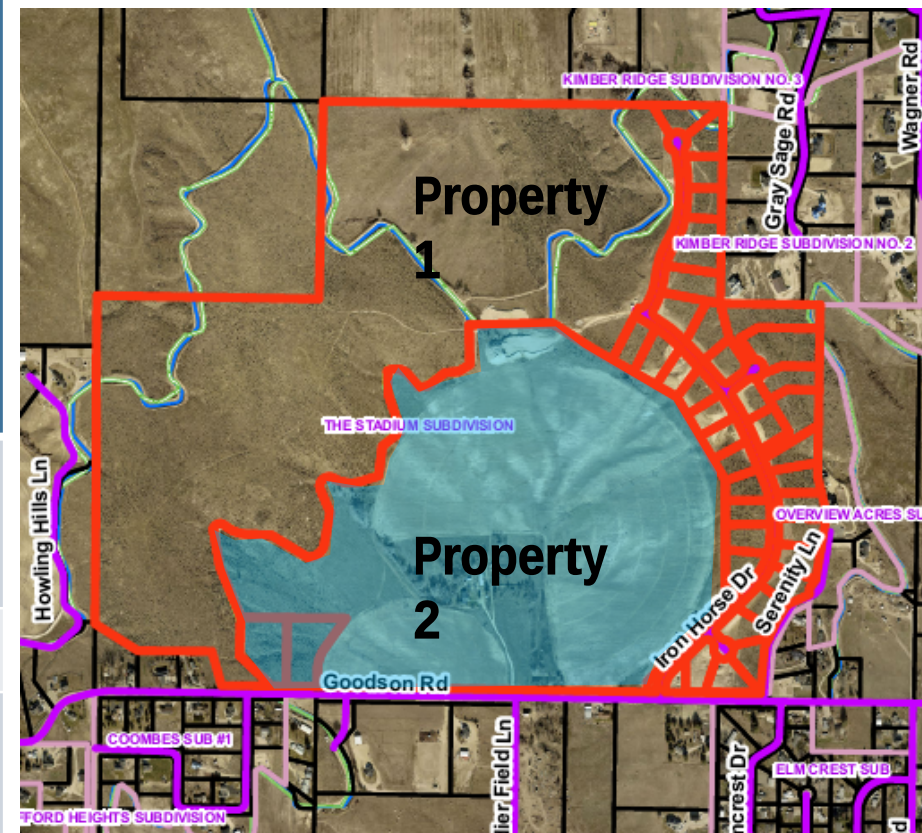
January 5, 2017 – DA No. 17-001, contains 18 conditions and sub-conditions divided among three properties. Including conditions 5.b permitting a maximum of **178 residential lots** with a minimum average lot size 1.25 acres on **Property 1**, and condition 3.b limiting **Property 2 to a total of three (3) residential lots**.

April 17, 2022 – Stadium Subdivision No. 2 Preliminary Plat approved by BOCC with **136 residential lots** on Property 1.

July 15, 2025 – Applicant applied for a development agreement modification.



	2007- 2010 DA 10- 104	2012 DA 12- 147	2017 DA 17- 001	Approved Prelim Plat	Request DA Mod
Property 1		178 max	178 max	136	138
Property 2		3	3	3	14
Total Res Lots	103	181 max	181 max	139	152



EVALUATION CRITERIA (07-06-07(7)F):

A development agreement by a developer concerning the use or development of the subject parcel may be modified only by permission of the board after **complying with the notice and hearing provisions of Idaho Code section 67-6509**. The modification proposal must be in the form of a **revised development agreement** and must be accompanied by a **statement demonstrating the necessity for the requested modification**.



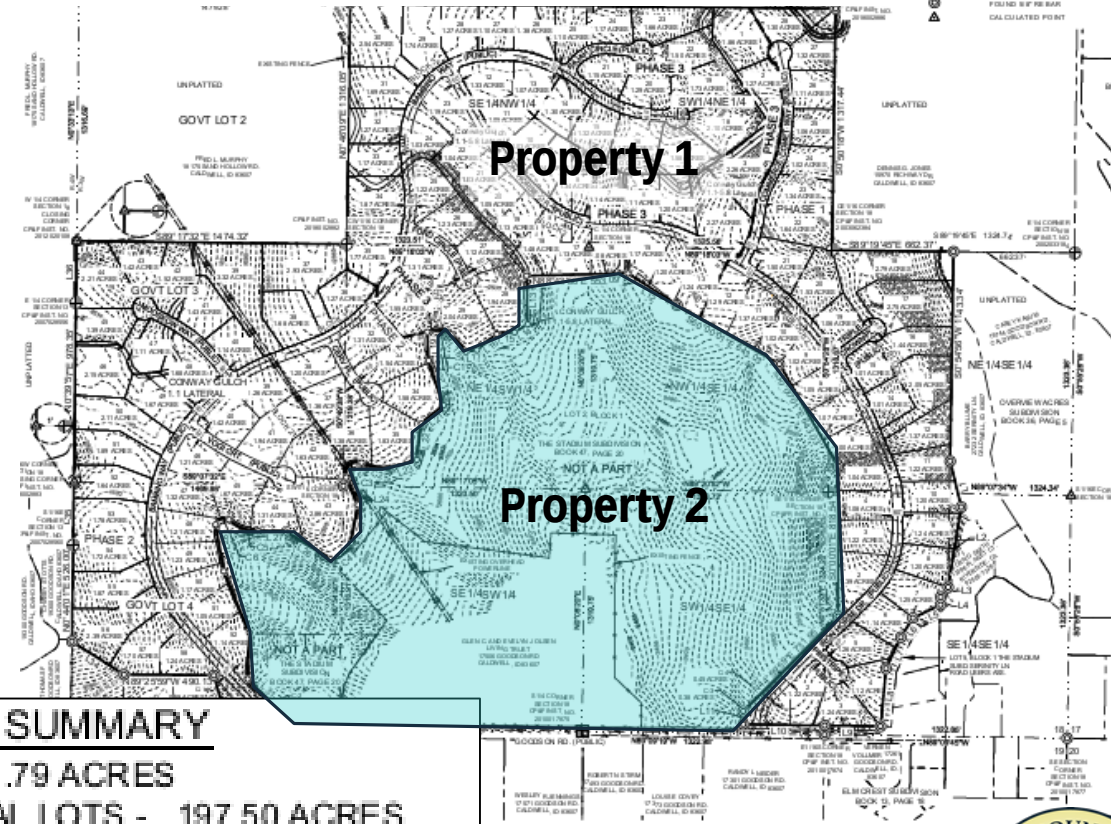
EVALUATION CRITERIA: NECESSITY OF REQUEST

DA No. 17-001- Condition 5.B for Property 1 establishes a maximum number of 178 lots

- (Does not account for roads, drainage, hillside, septic systems, well placements, irrigation, or pathways.
- 222 acres of property 1 with 1.25 acres minimum lot size would leave no room for roads if 178 lots were developed.

Stadium Subdivision No. 2 Preliminary Plat approved in 2022 with 136 residential lots on Property 1

Stadium Subdivision No. 2 Preliminary Plat



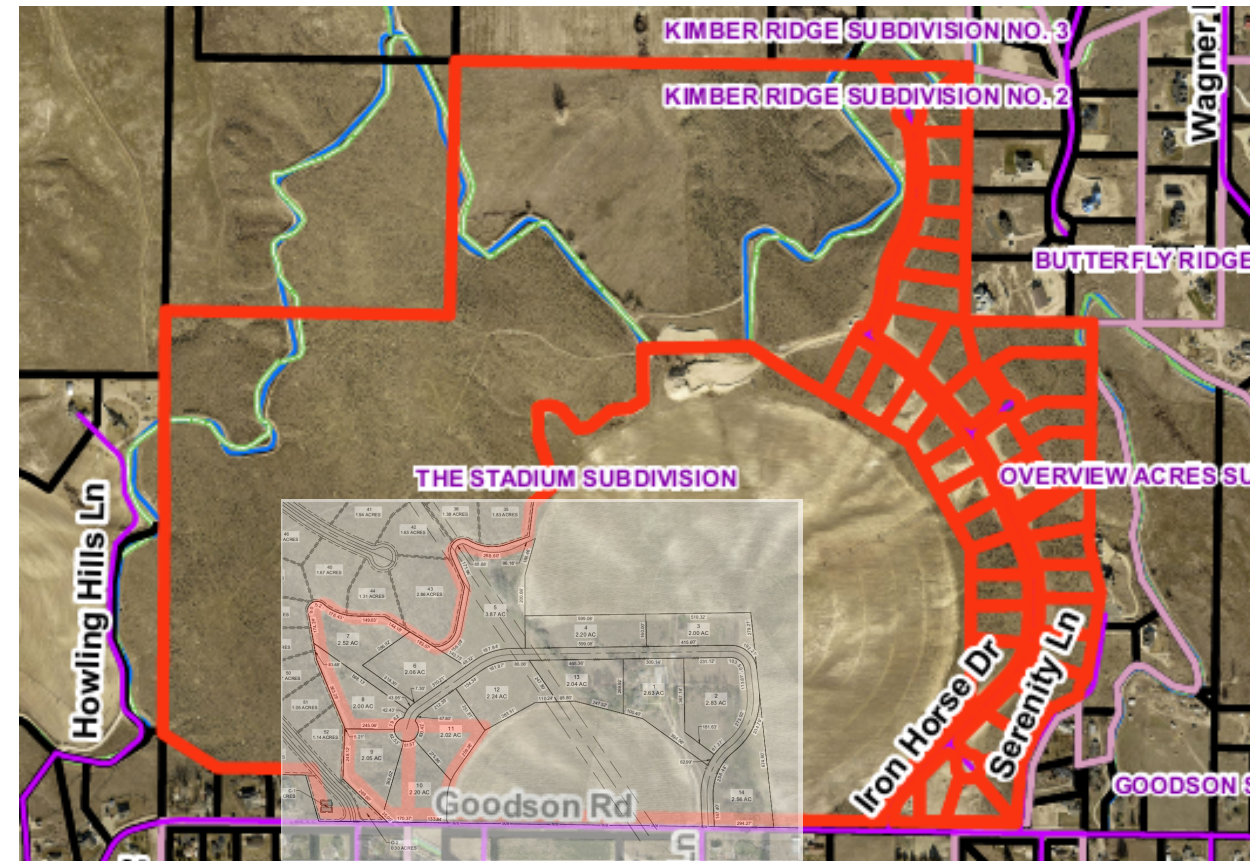
ACREAGE SUMMARY

TOTAL - 221.79 ACRES
RESIDENTIAL LOTS - 197.50 ACRES
COMMON LOTS - 1.72 ACRES
STREET RIGHT-OF-WAY - 22.57 ACRES



EVALUATION CRITERIA: NECESSITY OF REQUEST

- DA No. 12-147 and No. 17-001 allowed for approval of a preliminary plat with 33 more lots on Property 1 than what was originally approved for the entire development.
- The proposed modification will erode the intended clustering of development.





NOTIFICATION (07-05-01) & COMMENTS:

Neighbors within 600' were notified on February 12, 2026 and July 29, 2026:

- Two (2) public comments connected to the applicant were received for the P&Z Hearing

Agency notice was sent on July 25, 2025, February 12, 2026 and July 29, 2026, with a materials deadline of August 24, 2026, for the BOCC Hearing. Staff received comments from the following agencies:

- Notus Parma Highway District, Middleton School District, Idaho Transportation Department, and Southwest District Health



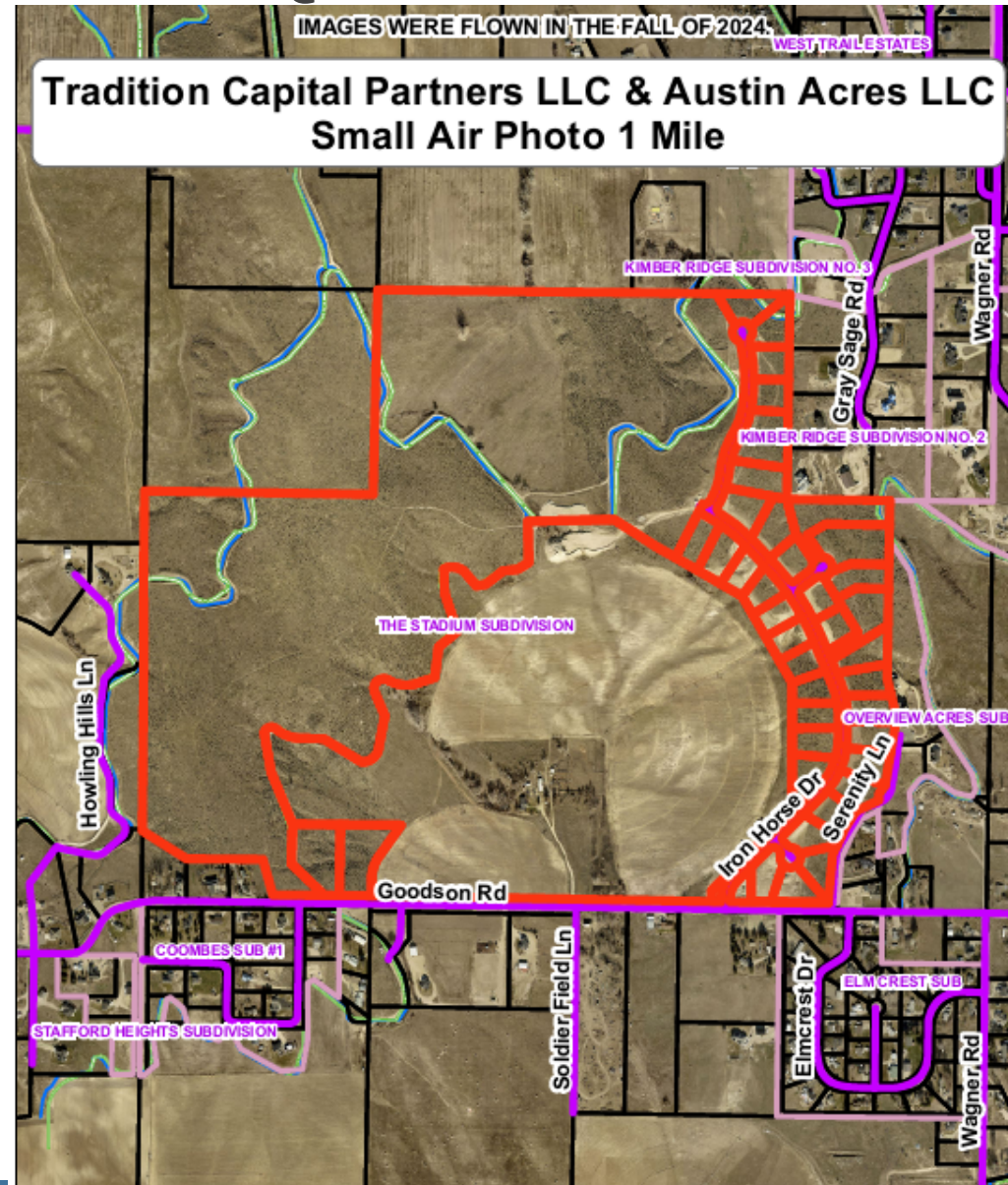
RECOMMENDATION & CONDITIONS:

In consideration of the application, the Planning and Zoning Commission concludes that the proposed development agreement modification ***is not compliant*** with Canyon County Ordinance Section 07-06-07(7)F. A full analysis is detailed within this staff report.

Planning and Zoning Commission recommends maintaining the development agreement as currently written.



Questions?



	2007 - 2010 DA 10- 104	2012 DA 12- 147	2017 DA 17- 001	Approved Prelim Plat	Request DA Mod	Horrocks 2026 Concept
Property 1		178 max	178 max	136	138	165
Property 2		3	3	3	14	3
Total Res Lots	103	181 max	181 max	139	152	168

