

# CR2025-0010 Tabarini

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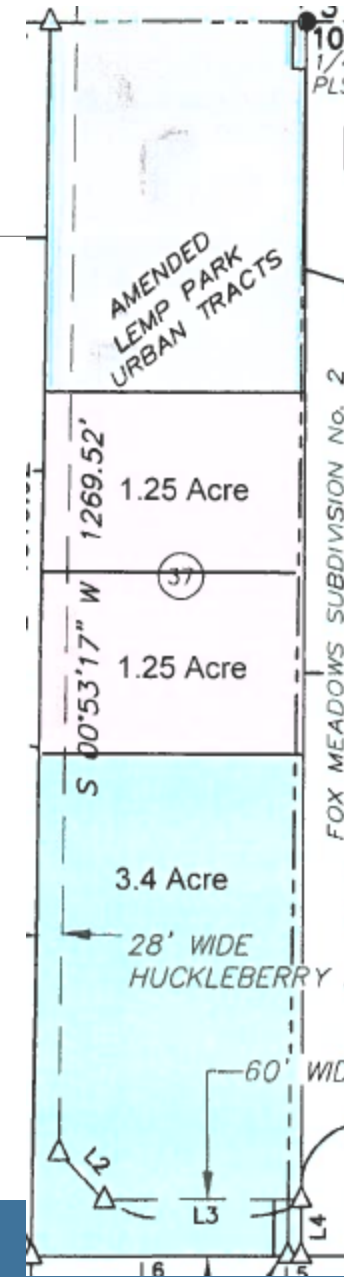
OWNER/APPLICANTS: CARLOS AND KIMBERELY TABARINI



# REQUEST:

The applicants, Carlos and Kimberley Tabarini, are requesting a conditional rezone of 5.9 acres from the “A” (Agricultural) zone to the “CR-R-1” (Conditional Rezone- Single-Family Residential) zone.

The request includes a development agreement limiting the project to three residential parcels.



# Planning and Zoning Commission Recommendation -Denial

## Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission recommends **denial** of Case #CR2025-0010, a conditional rezone of approximately 5.9 acres (Parcels R23913011A and R33968) from the Agricultural Zone to the Conditional Rezone- Single-Family Residential Zone.

Pursuant to Idaho Code Section 67-6519, the following actions may be taken to obtain approval:

1. Apply for a conditional rezone to rural residential with conditions restricting number of divisions to one and restricting secondary residences.

DATED this 18 day of June, 2026.

PLANNING AND ZONING COMMISSION  
CANYON COUNTY, IDAHO

  
Robert Sturgill, Chairman

# GENERAL BACKGROUND:

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- Parcels R23913011A (5.74 acres) and R33968 (0.16 acres) are currently zoned Agricultural (“A”) with a future land use designation of residential.
- Parcel R23913011A was created via an administrative land division in 2022.
- Parcel R33968 is a remainder parcel from the subdivision to the east.
- There is currently no buildings on site.



# CONDITIONAL REZONE CRITERIA - (07-06-07(6)A):

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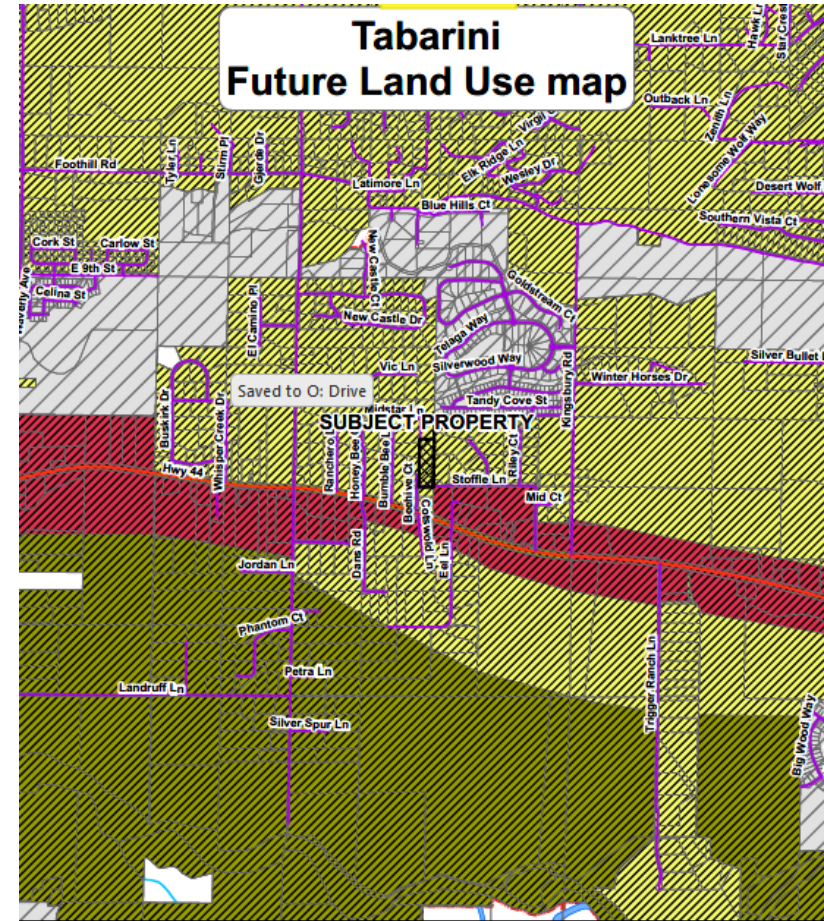
1. Is the proposed conditional rezone generally consistent with the comprehensive plan;
2. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;
3. Is the proposed conditional rezone compatible with surrounding land uses;
4. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?
5. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;
6. Does the proposed conditional rezone 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? What measures have been taken to mitigate traffic impacts?
7. Does legal access to the subject property for the conditional rezone exist or will it exist at time of development; and
8. Will the proposed conditional rezone 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)





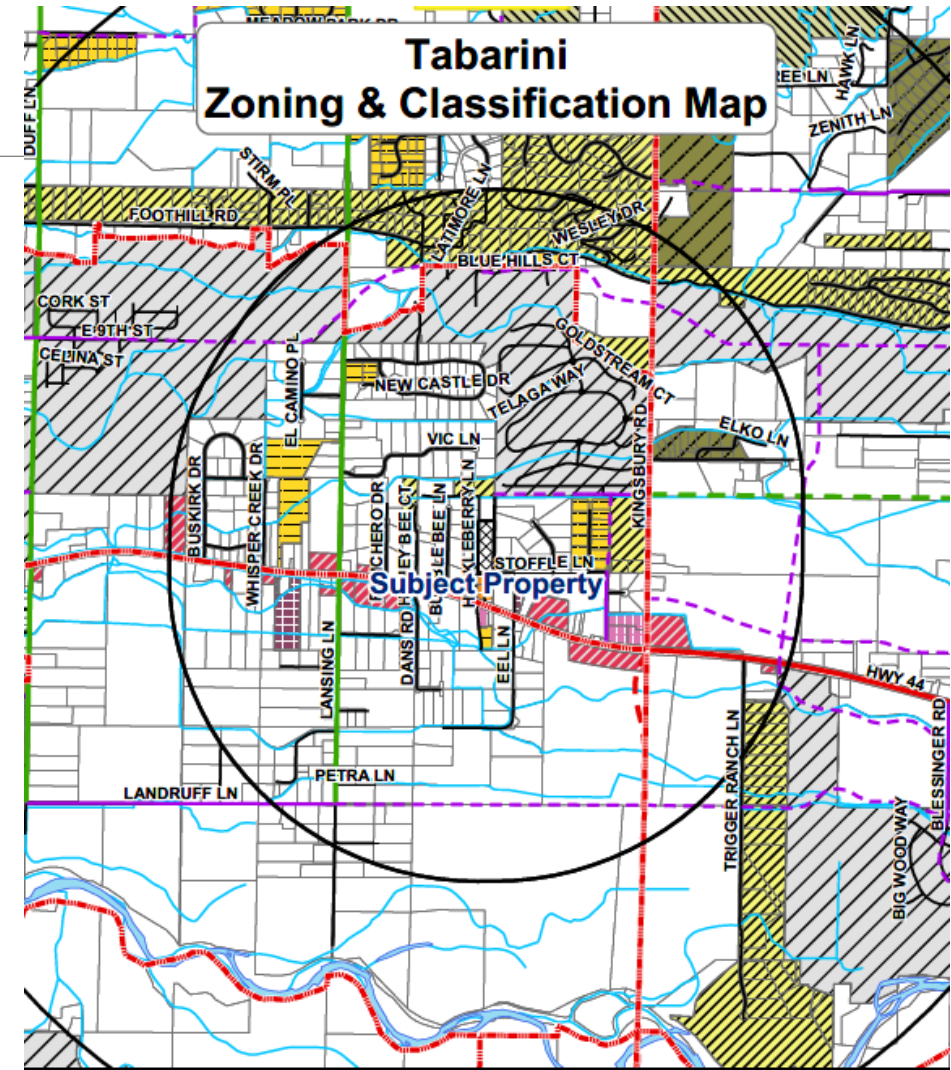
# CONDITIONAL REZONE CRITERIA 1: COMPREHENSIVE PLAN CONSISTENCY

- Canyon County's Future Land Use Map for 2030 calls for residential for this property.
- City of Middleton's Future Land Use Map shows the southern tip of the property as "Commercial," the middle portion as "High Density Residential," and the northern half as "Medium Density Residential."
- The request is consistent with 6 goals and 7 policies of the 2030 Comprehensive Plan.



# CONDITIONAL REZONE CRITERIA 2-3:

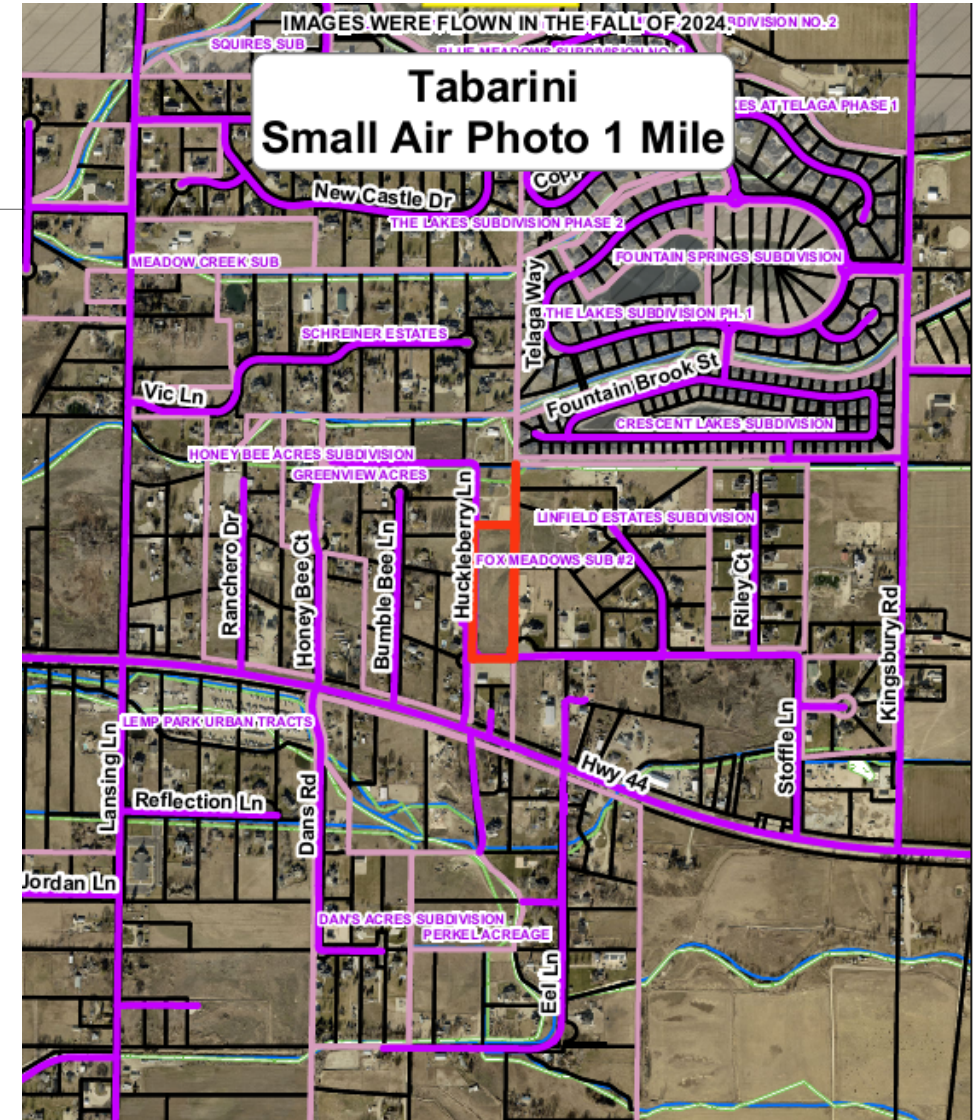
- The surrounding area primarily contains residential uses.
  - There are 32 subdivisions in the area within 1-mile of the subject property and the average and median lot sizes for parcels within 600 feet of the subject property are 2.46 and 1.97 acres, respectively.
  - The average parcel size of the development is 1.96 acres, which is higher than the average parcel size within 600-feet of the property and the proposed lot sizes (1.25 acres) are smaller than the surrounding parcels.
  - The allowance of secondary residences could increase the density by five times.
- Although the land use cases approved in the last 5 years demonstrate the area is trending towards having more residential uses, the proposed density is not compatible.





# Conditional Rezone Criteria 4

- Character of the area is primarily residential
  - Residential subdivisions in all directions of the property
  - The City of Middleton's limits are found immediately to the northeast of the subject property, which contains residential uses.
- The applicant is proposing to limit the development to three parcels.





Stoffle Lane – public section of road



Taken on Stoffle Lane facing north showing  
Subject Property



Taken near the northern boundary of  
the Subject Property facing southeast



Taken along the western boundary of  
the Subject Property facing northeast



Huckleberry Lane facing north



# CONDITIONAL REZONE CRITERIA 5: ADEQUATE FACILITIES AND SERVICES

- Sewer: Individual septic systems. No N-P Study is required.
- Water: Individual wells are planned.
- Drainage: Stormwater drainage will be retained on site.
- Irrigation: Irrigation water is provided to the property via surface water rights from Middleton Irrigation District/Middleton Mill Ditch Co.
- Utilities: Idaho Power Company sent a letter that stated their mapping system showed the Northwest Pipeline running through the property. Staff reached out to Northwest Pipeline and it is located to the northeast of the property (Exhibit D11).



# CONDITIONAL REZONE CRITERIA 6: PUBLIC STREET IMPROVEMENT AND TRAFFIC PATTERNS/IMPACTS

- Highway District No. 4 is not requiring any public street improvements at this time, but is requesting that the southerly 60-feet of Parcel R33968 be dedicated to the public right-of-way.
- Traffic impacts from the development will be mitigated by traffic impact fees if they have been adopted for this area.
- Idaho Transportation Department found the applicant does not meet thresholds for a TIS nor does it pose a safety concern





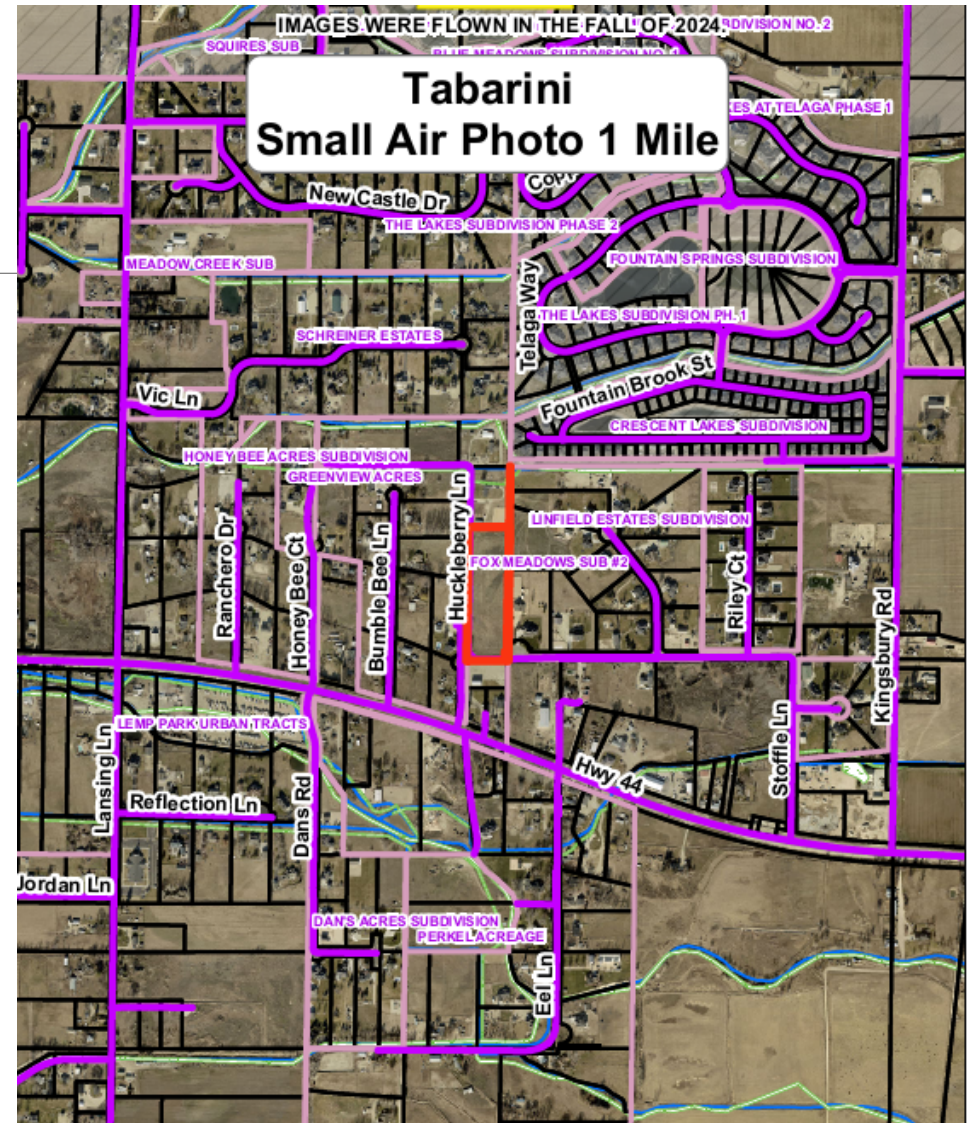
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# CONDITIONAL REZONE CRITERIA 8: PUBLIC SERVICES AND FACILITIES

- Schools: Middleton School District does not have comments on this project due to the low number of lots.
- Police: No comments were received.
- Fire Protection: Star Fire Protection District is required to provide services to this parcel and fire district sign off is required for residential building permits.
- EMS: Canyon County Paramedics sent three (3) response times for different stations – 6.67 minutes, 16.18 minutes, and 23.18 minutes.



# NOTIFICATION (07-05-01) & COMMENTS:

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Neighbors within 600' were notified on May 5, 2026 for the P&Z Hearing:

- One (1) public comment was received in support.

Neighbors within 600' were notified on August 6, 2026 for the BOCC Hearing:

- No public comments were received.

Initial agency noticing and JEPA notice was sent on November 5, 2025. Agencies and a Full Political was sent out on April 30, 2026 with a materials deadline of May 26, 2026. Staff received comments from the following agencies:

Southwest District Health, Idaho Department of Environmental Quality, Idaho Transportation Department,, Highway District No. 4, Sawtooth Law Office (on behalf of Middleton Mill Ditch Company and Middleton Irrigation District Association), Canyon County Ambulance District, City of Middleton, Middleton School District, Idaho Power Company, Idaho Department of Water Resources (Floodplain), and Northwest Pipeline.



# Decision Options:

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The Board of Canyon County Commissioners may **approve** the rezone and direct staff to make findings of fact to support this decision;

The Board of Canyon County Commissioners may deny the rezone; or

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



# Questions?



# Staff's Proposed Conditions of Approval

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property.
2. The subject parcel, approximately 3.58 acres, shall be divided in compliance with Chapter 7, Article 18 (Administrative Land Divisions) or Chapter 7, Article 17 (Subdivisions) (whichever is applicable) of the Canyon County Code of Ordinance (CCZO) and shall not exceed three (3) residential parcels (**Exhibit 3.A2**).
  - a. Further divisions of the property are prohibited.
3. At the time of an application for an administrative land division or preliminary plat, an irrigation maintenance easement must be established and recorded so property owners have access to the irrigation water source for the property.

# Staff's Proposed Conditions of Approval Pt. 2

4. At the time of application for an administrative land division or preliminary plat, an irrigation plan must be submitted to Canyon County Development Services. The irrigation plan shall be reviewed and approved by the local irrigation district per Idaho Code §67-6537(1) prior to submittal to Canyon County's Development Services Department.

5. At the time of application for an administrative land division or preliminary plat, Middleton Irrigation Association Inc and/or Middleton Mill Ditch Co. applicable requirements shall be met as outlined in their comment letter in **Exhibit 3.D5**. Evidence of compliance with Middleton Irrigation Association Inc and/or Middleton Mill Ditch Co. requirements shall be an approved irrigation district document indicating completion of requirements.

6. At the time of application for an administrative land division or preliminary plat, the southerly 60-feet of Parcel R33968 shall be dedicated as public right-of-way or as a public access easement for the continuation of Stoffle Lane unless waived by Highway District No. 4 (**Exhibits 3.D4 and 3.D4.1**).

7. The developer shall comply with CCZO §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."

a. Commencement (or "commence") shall be as defined in CCZO §07-02-03 (Definitions Enumerated).