



Planning and Zoning Staff Report Provost - Rezone, RZ2018-0017

Hearing Date: February 21, 2019

Development Services Department

Owners:

Mike Provost

Applicant:

Jay Walker, AllTerra Consulting

Staff:

Dan Lister, Planner II

Tax ID:

R36328

Parcel Size

24.42 acres

Current Zone:

"A" (Agricultural)

Future Land Use Designation:

Residential

City Impact Area:

Greenleaf

Applicable Zoning Land Use

Regulations:

CCZO §07-05-01, §07-06-05

Notification:

- 8/17/18: Agencies/City of Greenleaf
- 9/17/18: Property Owners
- 10/2/18: Publication
- 10/9/18: Posting

Exhibits:

1. Proposed FCO's
2. Applicant's Letter of Intent
3. Neighborhood Meeting List
4. AD2014-26 – BP Relocation
5. Maps
 - a. Small Aerial
 - b. Vicinity
 - c. Zoning
 - d. Future Land Use
 - e. Greenleaf Future Land Use
 - f. Subdivisions with Lot Report
 - g. Soil Map with Report
 - h. Gravel Pit, Feedlot and Dairy
 - i. Contour
 - j. TAZ
6. Agency Comments
 - a. City of Greenleaf
 - b. Golden Gate Highway District
 - c. Department of Environmental Quality
 - d. Southwest District Health
 - e. ITD
7. Comment from Lori & Idsinga
8. Large Aerial Photo

Request

The applicant Jay Walker, representing owner Mike Provost, is requesting to rezone parcel R36328 from Agricultural (A) to Rural Residential (RR). The 24.42 acre agricultural parcel is located near the intersection of Lower Pleasant Ridge Road and Top Road, Caldwell; further described as a portion of the SW quarter of Section 22, Township 4N, Range 4W; Canyon County, ID.

The Planning and Zoning Commission tabled the hearing of this request three times (October 18, 2018, December 6, 2018 and January 17, 2019).

Background/Setting

In 2014, a land division application was approved transferring development rights from the subject parcel to an adjacent parcel to preserve agricultural uses (AD2014-26, Exhibit 4). Therefore, the property does not have any building permits available.

If the rezone is approved, platting will be required. The applicant has submitted a short plat application requesting a 10 lot residential subdivision (SD2018-0016).

The subject property is zoned "A" (Agricultural, 40 acre minimum lot size). Majority of the area is primarily agricultural uses with homesteads. Along Highway 19, approximately 1,100 feet north of the subject property, are parcels zoned "M1" (Light Industrial). Approximately 1,700 feet south of the subject property are three parcels that are zoned "RR" (Rural Residential, 2 acre average minimum lot size). *See Exhibit 5c; Zoning Map.*

As shown on Exhibit 5f, the following are the nearest subdivisions to the subject parcel:

- Hernacki Acres (1,200 feet south of the proposed site). The subdivision was approved in 1997 dividing a 4.85 acre parcel into two parcels.
- Locust Hills Estates (adjacent west of the proposed site). The subdivision was approved in 1976 with an average lot size of 1.6 acres; and
- Winslow Acres Subdivision (780 feet east of the proposed site). Winslow Acres was approved in 2000 with an average lot size of 4.1 acres.

Other residential subdivisions within the general area are located within the City of Greenleaf.

The 2020 Canyon County Comprehensive Plan designates the future land use of the parcel as "residential" (Exhibit 5d). The parcel is located within City of Greenleaf's Area of Impact. City of Greenleaf's Comprehensive Plan designates the future land use of the parcel as "high density residential" (Exhibit 5e). A letter of opposition was received from the City of Greenleaf (Exhibit 6a).

Based on soils maps (Exhibits 5g), the property consists of Class III/moderately-suited soils. Upon review of aerials dating back to 1992, the property has remained in agricultural production. The parcel is bisected by an irrigation waste ditch, Renshaw Canal, maintained by the owner.

The parcel is located adjacent to two roads: Lower Pleasant Ridge and Top Road. Both roads are classified as local urban roads which are less than a mile from the City of Greenleaf (Exhibit 6b).

Analysis

Pursuant to §07-06-05 of the Canyon County Zoning Ordinance, standards and criteria shall be evaluated related to the decision of a zoning amendment (rezone) application. Upon review of the requested rezone, subject to the required standards and criteria, the following was determined:

A. Is the proposed zone change generally consistent with the comprehensive plan?

The requested rezone is not generally consistent with the comprehensive plan. Pursuant to the City of Greenleaf, the rezone and subsequent platting of the parcel impacts the City's Future Land Use Map and Comprehensive Plan goals and policies (Exhibit 5e & 6a). The rezone promotes low density residential development which impacts the existing agricultural setting and future expansion and orderly growth goals of the City.

The following comprehensive plan goals and policies are impacted by the request:

- Population Component – Policy #2: “Encourage future high density development to locate within incorporated cities and/or areas of city impact.”
 - o The City of Greenleaf's Future Land Use Plan identifies the area as “high-density residential”. The rezone to a rural residential density is inconsistent with the City's comprehensive plan and future land use map (Exhibit 5e & 6a).
- Land Use Component - Goal #1: “Encourage growth and development in an orderly fashion, minimize adverse impacts on differing land uses, public health, safety, infrastructure and services.”
 - o The rezone promotes suburban sprawl outside of City limits and promotes removal of agricultural land out of production. In the long-term, the unorderly development will contribute to congestion, health and city connectivity impacts that can be avoided if development can wait and work with the City to provide city services and infrastructure is provided (Exhibit 6a).
- Land Use Component – Residential Policy #1: “Encourage high density development in areas of city impact.”
 - o The City of Greenleaf's Future Land Use Plan identifies the area as “high-density residential”. The rezone to a rural residential density is inconsistent with the City's comprehensive plan and future land use map (Exhibit 5e & 6a).
- Land Use Component – Residential Development Implementation Action: “Replace non-farm subdivision development with provisions that allow for rural residential development that will not interfere with future urban development as rural areas are urbanized as part of Area of City Impact expansion or annexation processes.”
 - o Pursuant to the City of Greenleaf's letter (Exhibit 6a), the rural residential development impacts the City's Comprehensive Plan goals for future expansion and annexation of the parcel.
- Land Use Component – City of City Impact: Implementation Action: “Work with cities to recognize or incorporate their design standards and regulations for infill development, where appropriate, this is compatible with the overall character of existing neighborhoods. At the same time, ensure consistency with planned future densities based on city plans for development likely to be located in Areas of City Impact.”
 - o Pursuant to the City of Greenleaf, the requested “RR” (Rural Residential) zone is not consistent with future residential densities adopted in the City of Greenleaf's Comprehensive Plan. Greenleaf designates the parcel for high density residential uses (Exhibit 5e & 6a).
- Agricultural Component – Goals #3: “Protect agricultural land and land uses from incompatible development.” Agricultural Component – Policy #1: “Preserve agricultural lands and zoning classifications.”

- The current surrounding setting is agricultural. The parcel was approved to relocate building permits to an adjacent parcel to preserve the land for agricultural production. As requested by the City of Greenleaf (Exhibit 6a), residential development of the parcel should wait until city services and infrastructure are established to support high density residential on the parcel in accordance with City of Greenleaf's Comprehensive Plan.

B. When considering the surrounding land uses, is the proposed zone change more appropriate than the current zoning designation?

The requested rezone is not more appropriate than the current zoning designation. The majority of the area is agricultural. The subject parcel has historically been used for agricultural production. In 2014, building permits associated with the subject parcel were relocated to another parcel to preserve the agricultural uses on the 24.42 acre parcel and to promote clustered development (Exhibit 4). City of Greenleaf expressed concern that the approval of the rezone potentially promotes the misuse of building permit relocation to create additional residential prior to platting instead of promoting agricultural preservation as intended by the code (Exhibit 6a).

Pursuant to the applicant's letter of intent (Exhibit 2), the rezone to rural residential is consistent with existing nearby subdivisions and uses. The residential subdivisions in the surrounding area (Exhibit 5f) were created at a time that either predated zoning map designation and comprehensive plan assessment or were allowed due to evidence of non-viable agricultural land through a conditional use permit. The approved subdivisions do not meet current Canyon County requirements and are not sufficient evidence to promote residential use within the agricultural area.

C. Is the proposed rezone compatible with surrounding land uses?

The subject property is zoned "A" (Agricultural, 40 acre minimum lot size). Majority of the area is primarily agricultural uses with homesteads. Along Highway 19, approximately 1,100 feet north of the subject property, are parcels zoned "MI" (Light Industrial). Approximately 1,700 feet south of the subject property are three parcels that are zoned "RR" (Rural Residential, 2 acre average minimum lot size).

The majority of the area is agricultural. The subject parcel has historically been used for agricultural production. In 2014, building permits associated with the subject parcel were relocated to another parcel to preserve the agricultural uses on the 24.42 acre parcel and to promote clustered development (Exhibit 4). City of Greenleaf expressed concern that the approval of the rezone potentially promotes the misuse of building permit relocation to create additional residential prior to platting instead of promoting agricultural preservation as intended by the code (Exhibit 6a).

Pursuant to the applicant's letter of intent (Exhibit 2), the rezone to rural residential is consistent with existing nearby subdivisions and uses. The residential subdivisions in the surrounding area (Exhibit 5f) were created at a time that either predated zoning map designation and comprehensive plan assessment or were allowed due to evidence of non-viable agricultural land through a conditional use permit. The approved subdivisions do not meet current Canyon County requirements and are not sufficient evidence to promote residential use within the agricultural area.

D. Will the proposed use negatively affect the character of the area? What measures will be implemented to mitigate impacts?

The proposed rezone may have a negative impact on the character of the area. Majority of the area is primarily agricultural uses with homesteads. Based on existing conditions of the parcel (an unbuildable agricultural parcel), the rezone and subsequent subdivision platting may negatively impact the surrounding area by increasing traffic, water usage, and irrigation usage in the area. During the neighborhood meeting regarding the rezone request on July 10, 2018, neighbors expressed concerns regarding impacts to well quality, well quantity and increased traffic. (Exhibit 3). No substantial evidence was provided by the applicant demonstrating how the rezone and subsequent use is not an adverse impact.

The City of Greenleaf's letter expresses concerns regarding the potential impacts to the existing agricultural setting and character, Greenleaf's ability to expand and provide orderly growth and the long-term effects regarding traffic, water contamination and city connectivity due to unorderly residential sprawl (Exhibit 6a).

The rezone to rural residential has the potential to create a total of 12 parcels. Pursuant to §07-10-03(3) of the Canyon County Zoning Ordinance, trip generation per dwelling is 9.52 trips per day. For a 12 lot subdivision, the development would generate approximately 114.24 daily trips. The parcel currently does not have any development rights and therefore does not generate residential-related daily trips.

The parcels make up approximately 24 acres of an 80 acre TAZ (Traffic Analysis Zone) area. The 80 acre area (Zone 2646) is delineated by the state and/or local transportation officials for tabulating traffic-related data (Exhibit 5j). COMPASS (Community Planning Association of Southwest Idaho) also uses the data as part of the Communities in Motion Regional Transportation Plan. As part of each TAZ zone, data is generated forecasting future population, households and jobs.

The TAZ reports the current population as 125 people with 43 households within the 400 acre zone. By 2025, the population is forecasted to grow by 7 people (132 total) with a growth of 4 households (47 total). By 2030, the population will grow by 12 people (144 total) with a growth of 5 households (52 total). By 2040, the population will grow by 38 people (182 total) with a growth of 14 households (66 total). Based on the forecasted growth within the TAZ, the rezone and platting would generate household growth not anticipated in the area due to lack of infrastructure. The adjacent TAZ area (2643) is located within the City of Greenleaf which forecasts a substantial increase in household and population growth (population growth of 271 people and 98 households by 2025). Therefore, the request would prematurely induce residential growth to an area not anticipated to grow until City of Greenleaf infrastructure is available.

E. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed use?

Pursuant to review by Southwest District Health (Exhibit 6d) and Department of Environmental Quality (Exhibit 6c), adequate service can be accommodated and would require review at the time of proposed development or plat application. As a standard response, Department of Environmental Quality recommends connection to existing wastewater and water system (City services), if feasible.

The City of Greenleaf expressed opposition (Exhibit 6a) of the rezone due to individual wells and septic systems contributing to potential future contamination of local groundwater. Additionally, the irrigation ditch that bisects the parcel connects to other properties to the south which the rural residential development could create groundwater contamination impacts due to residential-related drainage collection in the existing ditch. The long-term impact can be avoided by requiring the applicant to work with the City of Greenleaf to improve service facilities to the property which will allow for high density residential development and meet City of Greenleaf's Future Land Use Plan and Comprehensive Plan goals.

The same concerns addressed by the City regarding groundwater contamination (arsenic problems in existing wells), ground quantity and cumulative effects on the surrounding wells and irrigation ditch issues were concerns by neighbors during the neighborhood meeting for the rezone request (Exhibit 3), as well as concerns during the building permit relocation application approved in 2014 (Exhibit 4).

F. Does legal access to the subject property for the development exist or will it exist at the time of development?

The parcel is currently utilized for agricultural production. The parcel is located adjacent to two public roads: Lower Pleasant Ridge and Top Road. Both roads are classified as local urban roads which are less than a mile from the City of Greenleaf. Golden Gate Highway District will require access from Lower Pleasant Ridge Road upon review of any subdivision plat proposal (Exhibit 6b).

G. Does the proposed development require road improvements 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?

The rezone of the 24.41 acre parcel to "RR" (Rural Residential, 2 acre average minimum lot size) has the potential to create up to 12 residential parcels. Pursuant to Association of Canyon County Highway District (ACCHD) Section 3120.010, the potential residential buildout of the "RR" Zoning District does not meet the threshold to

be considered a potential traffic impact and would not require a traffic impact study. However, any proposed subdivision would require dedication of right-of-way along Top Road and Lower Pleasant Right Road, an approach permit from Golden Gate Highway District and to meet all ACCHD Standards (Exhibit 6b). Idaho Transportation Department (ITD) does not oppose the request (Exhibit 6e).

H. Will the proposed zone change amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?

No comments were received from affected essential public services regarding the requested rezone. The rezone will not create an impact to essential public services. If approved, platting is required subject to Section 07-17-17 of the Canyon County Code. Essential services will be noticed and provided review of any future development proposal.

Comments

Public Comments

A comment letter was received from neighbor Lori & Greg Idsinga regarding traffic impacts due the potential residential development on the 24.42 acre parcel (Exhibit 7).

County Agency Comments

The following agencies were notified:

Idaho Power	<input checked="" type="checkbox"/>	Southwest District Health	<input checked="" type="checkbox"/>	Golden Gate Highway Dis.	CC Assessor's Office
Sheriff		Intermountain Gas		Dept. of Water Resources	<input checked="" type="checkbox"/> City of Greenleaf
Ambulance		Pioneer Irrigation District		Caldwell Fire District	<input checked="" type="checkbox"/> Dept. of Enviro. Quality
Greenleaf Cemetery District		Vallivue School District		COMPASS	<input checked="" type="checkbox"/> ITD

(The checked-box indicates a comment was received. See Exhibit 6 for comment letter)

Decision Options

- The Planning and Zoning Commission may **recommend approval** of the rezone to the Board of County Commissioners as request by the applicant;
- The Planning and Zoning Commission may **recommend denial** of the rezone to the Board of County Commissioners; or
- The Planning and Zoning Commission may **continue the discussion** and request additional information on specific items.

Staff Recommendation

Staff recommends the Planning and Zoning Commission open a public hearing and discuss the proposed rezone request. Staff is **recommending denial** and has provided findings of fact and conclusions of law for the Planning and Zoning Commission's consideration found in Exhibit 1.



Canyon County Planning and Zoning Commission

Mike Provost – Rezone Case No. RZ2018-0017

Development Services Department

Findings of Fact, Conclusions of Law, and Order

Findings of Fact

1. The applicant Jay Walker of AllTerra Consulting, representing owner Mike Provost, is requesting to rezone of parcel R36328 from Agricultural (A) to Rural Residential (RR). The 24.42 acre agricultural parcel is located near the intersection of Lower Pleasant Ridge Road and Top Road, Caldwell; further described as a portion of the SW quarter of Section 22, Township 4N, Range 4W; Canyon County, ID.
2. In 2014, a land division application was approved transferring development rights to an adjacent parcel to preserve agricultural production on the subject parcel (AD2014-26). Therefore, the property does not have any building permits available. If the rezone is approved, platting will be required.
3. The subject property is zoned “A” (Agricultural).
4. The subject property is designated ‘Residential’ on the Future Land Use Map with in the 2020 Canyon County Comprehensive Plan.
5. The subject property is located within Greenleaf’s Area of City Impact. The City of Greenleaf designates the property as “high density residential” on the Future Land Use Map in the City’s Comprehensive Plan.
6. The subject property is located within the Golden Gate Highway District No. 3, Caldwell Rural Fire District, and Vallivue School District.
7. On July 10, 2018, a neighborhood meeting was held in accordance with CCZO §07-01-15.
8. Notice of the public hearing was provided as per CCZO §07-05-01: Agencies were notified on August 17, 2018. Property owners within 300 feet of the parcel boundaries were notified by mail on September 17, 2018. Full political notice was completed on September 11, 2018. Newspaper notice was provided on October 2, 2018. The property was posted on October 9, 2018.
9. The Planning and Zoning Commission tabled the hearing of this request three times (October 18, 2018, December 6, 2018 and January 17, 2019).
10. The record consists of exhibits as provided as part of the public hearing staff report, exhibits submitted during the public hearing on February 21, 2019 and all information contained in DSD case file RZ2018-0017.

Conclusions of Law

For this request, the Planning and Zoning Commission finds and concludes the following regarding the Standards of Review for a Zoning Amendment (§07-06-05):

A. Is the proposed zone change generally consistent with the comprehensive plan?

Conclusion: The proposed zone change is not consistent with the 2020 Canyon County Comprehensive Plan.

Finding: Pursuant to the City of Greenleaf, the rezone and residential development associated with such rezoning may impact the City’s Future Land Use Map and Comprehensive Plan goals and policies. The rezone promotes low density residential development which impacts the existing agricultural setting and future expansion and orderly growth goals of the City.

The following comprehensive plan goals and policies are impacted by the request:

- Population Component – Policy #2: “Encourage future high density development to locate within incorporated cities and/or areas of city impact.”
 - o The City of Greenleaf’s Future Land Use Plan identifies the area as “high-density residential”. The rezone to a rural residential density is inconsistent with the City’s comprehensive plan and future land use map.
- Land Use Component - Goal #1: “Encourage growth and development in an orderly fashion, minimize adverse impacts on differing land uses, public health, safety, infrastructure and services.
 - o The rezone promotes sub-urban sprawl outside of City limits and promotes removal of agricultural land out of production. In the long-term, the unorderedly development will contribute to congestion, health and city connectivity impacts that can be avoided if development can wait and work with the City to provide city services and infrastructure is provided.
- Land Use Component – Residential Policy #1: “Encourage high density development in areas of city impact.”
 - o The City of Greenleaf’s Future Land Use Plan identifies the area as “high-density residential”. The rezone to a rural residential density is inconsistent with the City’s comprehensive plan and future land use map.
- Land Use Component – Residential Development Implementation Action: “Replace non-farm subdivision development with provisions that allow for rural residential development that will not interfere with future urban development as rural areas are urbanized as part of Area of City Impact expansion or annexation processes.”
 - o Pursuant to the City of Greenleaf’s letter, the rural residential development impacts the City’s Comprehensive Plan goals for future expansion and annexation of the parcel.
- Land Use Component – City of City Impact: Implementation Action: “Work with cities to recognize or incorporate their design standards and regulations for infill development, where appropriate, this is compatible with the overall character of existing neighborhoods. At the same time, ensure consistency with planned future densities based on city plans for development likely to be located in Areas of City Impact.”
 - o Pursuant to the City of Greenleaf, the requested “RR” (Rural Residential) zone is not consistent with future residential densities adopted in the City of Greenleaf’s Comprehensive Plan. Greenleaf designates the parcel for high density residential uses.
- Agricultural Component – Goals #3: “Protect agricultural land and land uses from incompatible development.” Agricultural Component – Policy #1: “Preserve agricultural lands and zoning classifications.”
 - o The current surrounding setting is agricultural. The parcel was approved to relocate building permits to an adjacent parcel to preserve the land for agricultural production. As requested by the City of Greenleaf, residential development of the parcel should wait until city services and infrastructure are established to support high density residential on the parcel consistent with City of Greenleaf’s Comprehensive Plan.

B. When considering the surrounding land uses, is the proposed zone change more appropriate than the current zoning designation?

Conclusion: The proposed zone change is not more appropriate as the current zoning designation.

Finding: The subject property is zoned “A” (Agricultural, 40 acre minimum lot size). Majority of the area is primarily agricultural uses with homesteads. Along Highway 19, approximately 1,100 feet north of the subject property, are parcels zoned “M1” (Light Industrial). Approximately 1,700 feet south of the subject property are three parcels that are zoned “RR” (Rural Residential, 2 acre average minimum lot size).

The majority of the area is agricultural. The subject parcel has historically been used for agricultural production. In 2014, building permits associated with the subject parcel were relocated to preserve the agricultural operation on the parcel and to promote clustered development (AD2014-26).

Pursuant to the applicant's letter of intent, the rezone to rural residential is consistent with existing nearby subdivisions and uses. The following are the nearest subdivisions to the subject parcel (other than subdivision located within the City of Greenleaf):

- Hernacki Acres (1,200 feet south of the proposed site). The subdivision was approved in 1997 dividing a 4.85 acre parcel into two parcels.
- Locust Hills Estates (adjacent west of the proposed site). The subdivision was approved in 1976 with an average lot size of 1.6 acres; and
- Winslow Acres Subdivision (780 feet east of the proposed site). Winslow Acres was approved in 2000 with an average lot size of 4.1 acres.

The residential subdivisions in the surrounding area were created at a time that either predated zoning map designation and comprehensive plan assessment or were allowed due to evidence of non-viable agricultural land through a conditional use permit. The approved subdivision do not meet current Canyon County requirements and are not sufficient evidence to promote residential use within the agricultural area.

C. Is the proposed rezone compatible with surrounding land uses?

Conclusion: The proposed use is not compatible with the surrounding land uses.

Finding: The subject property is zoned "A" (Agricultural, 40 acre minimum lot size). Majority of the area is primarily agricultural uses with homesteads. Along Highway 19, approximately 1,100 feet north of the subject property, are parcels zoned "M1" (Light Industrial). Approximately 1,700 feet south of the subject property are three parcels that are zoned "RR" (Rural Residential, 2 acre average minimum lot size).

The majority of the area is agricultural. The subject parcel has historically been used for agricultural production. In 2014, building permits associated with the subject parcel were relocated to another parcel to preserve the agricultural uses on the 24.42 acre parcel and to promote clustered development (Exhibit 4). City of Greenleaf expressed concern that the approval of the rezone potentially promotes the misuse of building permit relocation to create additional residential prior to platting instead of promoting agricultural preservation as intended by the code (Exhibit 6a).

Pursuant to the applicant's letter of intent (Exhibit 2), the rezone to rural residential is consistent with existing nearby subdivisions and uses. The residential subdivisions in the surrounding area (Exhibit 5f) were created at a time that either predated zoning map designation and comprehensive plan assessment or were allowed due to evidence of non-viable agricultural land through a conditional use permit. The approved subdivision do not meet current Canyon County requirements and are not sufficient evidence to promote residential use within the agricultural area.

D. Will the proposed use negatively affect the character of the area? What measures will be implemented to mitigate impacts?

Conclusion: The proposed use will negatively affect the character of the area and no mitigation is proposed or warranted at this time.

Finding: Majority of the area is primarily agricultural uses with homesteads. Based on existing conditions of the parcel (an unbuildable agricultural parcel), the rezone and subsequent subdivision platting may negatively impact the surrounding area by increasing traffic, water usage, and irrigation usage in the area. During the neighborhood meeting regarding the rezone request on July 10, 2018, neighbors expressed concerns regarding impacts to well quality, well quantity and increased traffic. No substantial evidence was provided by the applicant demonstrating how the rezone and

subsequent use is not an adverse impact. The City of Greenleaf's letter expresses concerns regarding the potential impacts to the existing agricultural setting and character, Greenleaf's ability to expand and provide orderly growth and the long-term effects regarding traffic, water contamination and city connectivity due to unorderly residential sprawl.

The rezone to rural residential has the potential to create a total of 12 parcels. Pursuant to §07-10-03(3) of the Canyon County Zoning Ordinance, trip generation per dwelling is 9.52 trips per day. For a 12 lot subdivision, the development would generate approximately 114.24 daily trips. The parcel currently does not have any development rights and generates no residential-related daily trips. A comment letter was received from neighbor Lori & Greg Idsinga regarding traffic impacts due the potential residential development on the 24.42 acre parcel. The main concern is the impacts of more residential traffic within an area consisting of generally slow traffic due to surrounding agricultural use and related vehicles.

The parcels make up approximately 24 acres of an 80 acre TAZ (Traffic Analysis Zone) area. The 80 acre area (Zone 2646) is delineated by the state and/or local transportation officials for tabulating traffic-related data. COMPASS (Community Planning Association of Southwest Idaho) also uses the data as part of the Communities in Motion Regional Transportation Plan. As part of each TAZ zone, data is generated forecasting future population, households and jobs.

The TAZ reports the current population as 125 people with 43 households within the 400 acre zone. By 2025, the population is forecasted to grow by 7 people (132 total) with a growth of 4 households (47 total). By 2030, the population will grow by 12 people (144 total) with a growth of 5 households (52 total). By 2040, the population will grow by 38 people (182 total) with a growth of 14 households (66 total). Based on the forecasted growth within the TAZ, the rezone and platting would generate household growth not anticipated in the area due to the lack of infrastructure. The adjacent TAZ area (2643) is located within the City of Greenleaf which forecasts a substantial increase in household and population growth (population growth of 271 people and 98 households by 2025). Therefore, the request would prematurely induce residential growth to an area not anticipated to grow until City of Greenleaf services are available.

E. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed use?

Conclusion: Adequate sewer, drainage, and storm water drainage facilities and utility systems will be provided to accommodate the proposed use at the time of development.

Finding: Adequate facilities can be provided. The property will utilize septic and well's for the individual lots. Southwest District Health did not state they were in opposition, but did require that applicant set up a pre-application meeting. Pursuant to review by Southwest District Health and Department of Environmental Quality, adequate service can be accommodated and would require review at the time of proposed development or plat application. As a standard response, Department of Environmental Quality recommends connection to existing wastewater and water system (City services), if feasible.

The City of Greenleaf expressed opposition the request due to individual wells and septic systems contributing to the potential future contamination of local groundwater. Additionally, the irrigation ditch that bisects the parcel connects to other properties to the south which the rural residential development could create groundwater contamination impacts due to residential-related drainage collection in the existing ditch. The long-term impact can be avoided by requiring the applicant to work with the City of Greenleaf to improve service facilities to the property which will allow for high density residential development and meet City of Greenleaf's Future Land Use Plan and Comprehensive Plan goals.

The same concerns addressed by the City regarding groundwater contamination (arsenic problems in existing wells), ground quantity and cumulative effects on the surrounding wells and irrigation ditch issues were concerns by neighbors during the neighborhood meeting for the rezone request,

as well as concerns during the building permit relocation application approved in 2014 (AD2014-26).

F. Does legal access to the subject property for the development exist or will it exist at the time of development?

Conclusion: Legal access will be provided during the platting process.

Finding: The parcel is currently utilized for agricultural production. The parcel is located adjacent to two public roads: Lower Pleasant Ridge and Top Road. Both roads are classified as local urban roads which are less than a mile from the City of Greenleaf. Golden Gate Highway District will require access from Lower Pleasant Ridge Road upon review of any subdivision plat proposal.

G. Does the proposed development require road improvements 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?

Conclusion: The rezone of the subject property will not cause undue interference with existing or future traffic patterns. Any road improvements will be required at the time of platting and/or development of the project.

Finding: The rezone of the 24.41 acre parcel to "RR" (Rural Residential, 2 acre average minimum lot size) has the potential to create up to 12 residential parcels. Pursuant to §07-10-03(3) of the Canyon County Zoning Ordinance, trip generation per dwelling is 9.52 trips per day. For a 12 lot subdivision, the development would generate approximately 114.24 daily trips. Pursuant to Association of Canyon County Highway District (ACCHD) Section 3120.010, the potential residential buildout of the "RR" Zoning District does not meet the threshold to be considered a potential traffic impact and would not require a traffic impact study. However, any proposed subdivision would require dedication of right-of-way along Top Road and Lower Pleasant Right Road, an approach permit from Golden Gate Highway District and to meet all ACCHD Standards. Idaho Transportation Department (ITD) does not oppose the request.

H. Will the proposed zone change amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?

Conclusion: Essential services will be provided to accommodate the use. No mitigation is proposed at this time.

Finding: No comments were received from affected essential public services regarding the requested rezone. The rezone will not create an impact to essential public services. If approved, platting is required subject to Section 07-17-17 of the Canyon County Code. Essential services will be noticed and provided review of any future development proposal.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission **recommends denial** of Case # RZ2018-0017, a request to rezone parcel R36328 from an "A" (Agricultural) zone to an "RR" (Rural Residential) zone.

APPROVED this _____ day of _____, 2019.

PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO

Richard Hall, Chairman

State of Idaho)

SS

County of Canyon County)

On this _____ day of _____, in the year 2019 before me _____, a notary public, personally appeared _____, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she) executed the same.

Notary: _____

My Commission Expires: _____