

2024-013940

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RICK HOGABOAM

CANYON COUNTY RECORDER

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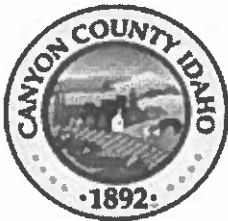
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ORDINANCE

CANYON COUNTY



**Canyon County
Recorder's Office
Document
Cover Sheet**



ORDINANCE NO. 24000

ORDINANCE DIRECTING AMENDMENTS TO THE
CANYON COUNTY ZONING MAP
(Kelley – Conditional Rezone – CR2022-0033)

An ordinance of Canyon County, Idaho directing amendments to the Canyon County Zoning Map (Ordinance No. 12-021); providing for title, structure, purpose, and authority clauses; rezone; severability; and an effective date.

Be It Ordained by the Board of County Commissioners of Canyon County, Idaho:

SECTION 1. TITLE.

This Ordinance shall be known as the “Ordinance Directing Amendments to Canyon County Zoning Map (for approximately 4.12 acres; R38194010A).

SECTION 2. STRUCTURE.

Titles and subtitles of this Ordinance are only used for organization and structure and the language in each paragraph of this Ordinance should control with regard to determining the legislative intent and meaning of the Board of County Commissioners.

SECTION 3. PURPOSE.

The purpose of this Ordinance is to authorize the rezone of the property described in Section 5 of this Ordinance from “A” (Agricultural) to “CR-R-1” (Conditional Rezone – Single Family Residential). The purpose of this Ordinance also authorizes amendments to the Official Maps of Canyon County to reflect the rezone authorized by this Ordinance.

SECTION 4. AUTHORITY.

This Ordinance amending the Official Zoning Maps of Canyon County (is enacted pursuant to the authority conferred by Canyon County Zoning Ordinance 7, Chapter 7, Article 6; and Idaho Code § 67-6511, 67-6511A, 31-714, 31-801 and 31-828.

SECTION 5. REZONE.

The subject property shall be and is rezoned from “A” (Agricultural) to “CR-R-1” (Conditional Rezone – Single Family Residential), as specifically identified and described in the attached Exhibit “A”, according to the Findings of Fact, Conclusions of Law and Order issued on *May 6, 2024*, the Board of Canyon County Commissioners as authorized by Canyon County Zoning Ordinance, Chapter 7, Article 6; the Idaho Constitution; and Idaho Code § 67-6511, 67-6511A.

SECTION 6. SEVERABILITY CLAUSE.

Should any provision of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance in whole or in part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall be in full force and effect on MAY 12, 2024.

ADOPTED AND APPROVED this 12 day of MAY, 2024.



BOARD OF COUNTY COMMISSIONERS
CANYON COUNTY, IDAHO

	Yes	No	Did Not Vote
<u>[Signature]</u> Commissioner Leslie Van Beek	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>[Signature: Brad Holton]</u> Commissioner Brad Holton	<u>X</u>	<u>_____</u>	<u>_____</u>
<u>[Signature: Zach Brooks]</u> Commissioner Zach Brooks	<u>X</u>	<u>_____</u>	<u>_____</u>

Attest: Rick Hogaboam, Clerk

By: [Signature: Monica Reyes]
Deputy

Date: 5/12/24

Publication Date: MAY 12, 2024, Idaho Press-Tribune

EXHIBIT "A"

Parcel 2 of Record of Survey recorded as Instrument No. 2022-007396, more particularly described as part of the Northwest Quarter of the Northwest Quarter of Section 35, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho described as:

Beginning at a found 5/8" rebar marking the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 35, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and running thence North 00° 01'07" West, 354.90 feet along the West line of the Northwest Quarter of the Northwest Quarter of said Section to a point on the South bank of an existing canal;

Thence along said South bank the following ten (10) courses:

- (1) Thence South 67° 47'22" East, 50.49 feet;
- (2) Thence South 49° 41'01" East, 146.09 feet;
- (3) Thence South 59° 11'40" East, 63.66 feet to a point of curve;
- (4) Thence Easterly 122.44 feet along said curve to the left (Curve data: Radius= 96.00', Delta= 73° 04'44", Chord Bearing and Distance= North 84° 15'58" East, 114.31 feet);
- (5) Thence North 47° 43'36" East, 139.13 feet to a point of curve;
- (6) Thence Northeasterly 36.48 feet along said curve to the right (Curve data: Radius= 49.00', Delta= 42° 39'39", Chord Bearing and Distance= North 69° 03'25" E, 35.65 feet);
- (7) Thence South 89° 36'45" East, 60.35 feet to a point of curve;
- (8) Thence Northeasterly 52.29 feet along said curve to the left (Curve data: Radius= 76.00', Delta= 39° 25'22", Chord Bearing and Distance= North 70° 40'33" East, 51.27 feet);
- (9) Thence North 50° 57'52" East, 32.63 feet to a point of curve;
- (10) Thence Northeasterly 47.65 feet along said curve to the left (Curve data: Radius= 201.00', Delta= 13° 34'59", Chord Bearing and Distance= North 44° 10'23" East, 47.54 feet);

Thence South 00° 01'07" East, 399.19 feet parallel to the West line of the Northwest Quarter of the Northwest Quarter of said Section to a point on the South line of the Northwest Quarter of the Northwest Quarter of said Section;

Thence North 89° 51'37" West, 630.00 feet along said South line to the Point of Beginning.