



Canyon County Planning and Zoning Commission Amendment of Canyon County Zoning Ordinance

Agricultural Protection Act Ordinance

Development Services Department, November 21, 2024

Findings of Fact, Conclusions of Law, and Order

Amendment of the Canyon County Zoning Ordinance to add a new Article to Chapter 7, to be known as the Chapter 7 Article 9 Agricultural Protection Act in accord with Idaho Code §67-9701 - 9712.

Findings of Fact and Conclusion of Law

1. A public hearing was conducted in accordance with CCZO Chapter 7, Articles 5 and 6, and Idaho Code §67-6509 and §67-6511.
2. The request is not subject to the regulatory taking analysis provided for by section §67-8003.
3. There is no evidence that would demonstrate that the requested amendments are contrary to the Comprehensive Plan or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction.
4. In accordance with Canyon County Code §07-06-01(4)(A), the Planning and Zoning Commission considered the Comprehensive Plan and other evidence gathered through the public hearing process.

Recommended Amendments to proposed Ordinance

1. Remove references to or requirements pertaining to the following:
 - a. The prohibition of APA eligible properties within areas of city impact areas
 - b. Remove requirements to provide soils classification/survey data
 - c. All references to 'contiguous'
 - d. Requirement for comprehensive plan map amendment
 - e. The BOCC shall not require improvements to an APA property to increase/improve compatibility
 - f. Minimize fees, simply expedite the approval processes.
 - g. Remove requirements pertaining to history of ownership
 - h. Remove item b in section 10
 - i. DSD staff reminders to property owner as expiration nears.
 - j. Remove all application evaluation criteria not specifically required by statute (items b-m) with the exception of item i (compatibility and add water rights data to this item).
2. Add allowances for the following:
 - a. Allow buildings & structures for use specifically for the occurring agricultural use, ie. Crop storage buildings, shops and other ag related facilities
 - b. Allow renewable energy systems appropriately sized for the APA.
 - c. Allow auto renewal

Order

Based upon the Findings of Fact and Conclusions of Law contained herein, the Planning and Zoning Commission recommends approval of the Agricultural Protection Act Ordinance with the amendments enumerated above to the Board of County Commissioners.

APPROVED this 21 day of November, 2024.



**PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO**

A handwritten signature in blue ink, appearing to read "Robert Sturgill".

Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this 21 day of November, in the year 2024, before me Amber Lewter, a notary public, personally appeared Robert Sturgill, 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: Amber Lewter

My Commission Expires: 10/20/2029