

The above-entitled matter having come before the Canyon County Planning and Zoning Commission for public hearing and consideration of recommendation to the Canyon County Commissioners the Commissioners issue these Findings of Fact and Conclusion of Law and Recommendation to the Canyon County Commissioners to wit:

The Canyon County Planning and Zoning Commission does hereby make and set forth this
Record of Proceedings for the above-referenced matter as follows:

EXHIBITS IDENTIFIED	DESCRIPTION OF EXHIBITS AND DOCUMENTS
<p><i>Planning Division Staff Report <u>Applicant/Representative Canyon County Constituent Services Department Document</u></i></p>	

1

DESCRIPTION OF EXHIBITS AND DOCUMENTS	
Identified with prefix "A"	
A	<p>The Planning and Zoning Staff Report contains the following sections and exhibits:</p> <ul style="list-style-type: none"> • Application: Letter of Intent Exhibits 7-A1 7-A2 inclusive of the following Applicants capital improvement plans: <ul style="list-style-type: none"> ➤ City of Caldwell Fire Department & Caldwell Rural Fire District Impact Fee Study and Capital Improvements Plan Final Report July 2, 2019 ➤ Canyon Highway District No. 4 Traffic Impact Fee Program May 7, 2021, and the Canyon Highway District No. 4 Mid-Star Service Area Capital Improvements Plan May 7, 2021 ➤ Homedale Rural Fire Protection District Capital Improvement Plan and Development Impact Fee Study January 27, 2025 ➤ Kuna Rural Fire District Impact Fee Study and Capital Improvement Plan Final Report November 30, 2021 ➤ Marsing Rural Fire District Capital Improvement Plan and Development Impact Fee Study January 13, 2025 ➤ Middleton Rural Fire District Capital Improvement Plan and Development Impact Fee Study September 15, 2023 ➤ Nampa Fire Protection District Capital Improvement Plan and Development Impact Fee Study February 21, 2025 ➤ Parma Rural Fire Protection District Capital Improvement Plan and Development Impact Fee Study August 25, 2022 ➤ Star Fire Protection District Capital Improvement Plan and Development Impact Fee Study August 23, 2023 ➤ Wilder Rural Fire Protection District Impact Fee Study and Capital Improvement Plan March 6, 2019 • Certificate of Legal Notification Exhibit 7-B1 • Legal Notice Transmittal Exhibit 7-B2 • Idaho Department of Environmental Quality response no comment on application Exhibit 7-B3
<u>CANYON COUNTY</u> <u>COMMISSIONER ACTIONS</u> Documents Identified with prefix "CC"	
CC-1	<p>Canyon County Commissioners Resolution amended the Canyon County 2020 Comprehensive Plan dated June 22, 2020 to include among others as Appendix 3 Appendices 1, and 7 the following capital improvement plans: <i>City of Caldwell Fire Department & Caldwell Rural Fire District Impact Fee Study and Capital Improvements Plan Final Report July 2, 2019, and Wilder Rural Fire Protection District Impact Fee Study and Capital Improvement Plan March 6, 2019.</i></p>

	DESCRIPTION OF EXHIBITS AND DOCUMENTS
CC-2	Canyon County Commissioners Resolution on July 20, 2022 amended the Canyon County 2020 Comprehensive Plan to include <i>Appendices 10 and 11 the Canyon Highway District No. 4 Canyon Highway District No. 4 Traffic Impact Fee Program May 7, 2021, and the Canyon Highway District No. 4 Mid-Star Service Area Capital Improvements Plan May 7, 2021.</i>
CC-3	Canyon County Board of Commissioners adopted the Canyon County Development Impact Fee Chapter Ordinance No. 20-018 on June 22, 2020, codified as Articles 1 and 2 of Chapter 11 Canyon County Code of Ordinances.
CC-4	Canyon County Board of Commissioners adopted the Canyon Highway District No. 4 Development Impact Fee Ordinance No. 22-014 on 7-20-2022, codified as Articles 3 and 4 of Chapter 11 Canyon County Code of Ordinance.
CC-5	Canyon County Board of Commissioners adopted by Resolution No. 22-220 on October 27, 2022 amended the County's Comprehensive Plan by the adoption of the Growing Together Comprehensive Plan 2030.
CC-6	<p>Canyon County Board of Commissioners minutes of September 12, 2024 approving a motion to sign the following Intergovernmental Agreements:</p> <ul style="list-style-type: none"> ○ <i>Second Amended and Reformed Canyon County and Caldwell Rural Fire Protection District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems;</i> ○ <i>Canyon County and Homedale Rural Fire Protection District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements;</i> ○ <i>First Amended and Reformed Canyon County and Kuna Rural Fire District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements;</i> ○ <i>First Amended and Reformed Canyon County and Marsing Rural Fire District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements;</i> ○ <i>First Amended and Reformed Canyon County and Middleton Rural Fire District Intergovernmental and</i>

DESCRIPTION OF EXHIBITS AND DOCUMENTS	
	<p><i>Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements;</i></p> <ul style="list-style-type: none"> ○ <i>Canyon County and Parma Rural Fire Protection District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements;</i> ○ <i>First Amended and Reformed Canyon County and Star Fire Protection District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements;</i> ○ <i>First Amended and Reformed Canyon County and Wilder Rural Fire Protection District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements; and</i> ○ <i>First Amended and Reformed Canyon County and Highway District No. 4 Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Highway District Systems Improvements.</i>
CC-7	<p>Canyon County Commission on February 18, 2025 approve a motion to enter into the following Intergovernmental Agreement:</p> <ul style="list-style-type: none"> ○ <i>Second Amended and Reformed Canyon County and Nampa Fire Protection District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements;</i>
<u>Notices, Documents</u> identified with the prefix "N"	
N-1	Idaho Press Affidavit of Publication
N-2	Planning and Zoning Commission Agenda Notice
<u>TischlerBise/ Galena</u> Documents identified with the prefix "T"	

DESCRIPTION OF EXHIBITS AND DOCUMENTS	
T-1	Canyon County Fire District Impact Fees & CIP/Power Point

April 3, 2025 Public Hearing Conducted before Planning and Zoning Commission:

The Public Hearing properly noticed April 3, 2025. The public hearing was commenced by the Commission, at 6:30 p.m. for the receipt of reports, testimony, and comment from County Development Services Staff, the Applicants, and the public.

Canyon County Prosecutor's Office

- Zachary J. Wesley/ Civil Deputy Prosecuting Attorney gave an introduction of the purposes of and the legal reasons for the Applications.

Canyon County Development Services Staff:

- Aaron Williams II/Director Canyon County Constituent Services Department presented the Staff Report.

Applicant Representatives provided information in support of their applications:

- Wm. F. Gigray, III of the firm of White, Peterson, Gigray & Nichols, P.A. attorney for all the Applicants gave an introduction of his clients proposed amendments to the County's comprehensive plan, the process that will follow with the County Commissioners and other presentations that will be made in support of the pending applications. He also reported on Highway District No. 4 name change from Canyon Highway District No. 4 to Highway District No.4 following the County Commissioners previous amendment to the County Comprehensive Plan.
- Mark Wendelsdorf, Administrative Chief and Commissioner Leslie Beauchamp Commissioner Caldwell Rural Fire Protection District. Appeared. Mark Wendelsdorf spoke in favor of the Application and to answer questions regarding this Fire District's capital improvement plan.
- Chris Hopper, P.E., and Bruce Bayne Director of Highway District No. 4, District Engineer were both available by phone to answer questions regarding this Highway District's capital improvement plan.
- Dennis Uria, Fire Chief Homedale Rural Fire Protection District appeared in support of the Application and to answer questions regarding this Fire District's capital improvement plan.
- T.J. Lawrence, Fire Chief Kuna Rural Fire Protection District appeared to in support of the Application and answer questions regarding this Fire District's capital improvement plan.
- Jerry Meyer, Fire Chief Marsing Rural Fire District appeared to answer questions regarding this Fire District's capital improvement plan.

- Greg Timinski, Fire Chief Middleton Rural Fire District and Star Fire Protection District appeared in support of the Application and to answer questions regarding this Fire District's capital improvement plan.
- Ron Johnson, Fire Marshal Nampa Fire Protection District appeared in support of the Application and to answer questions regarding this Fire District's capital improvement plan.
- Jeff Rodgers, Fire Chief Parma Rural Fire Protection District, appeared in support of the Application and to answer questions regarding this Fire District's capital improvement plan.
- Kathryn Zaiss Secretary/Treasurer, of Parma Rural Fire Protection District appeared in support of the Application and to answer questions regarding this Fire District's capital improvement plan.
- Steve Rhodes, Fire Chief appeared in support of the Application and to answer questions regarding this Fire District's capital improvement plan. Chad Christiansen Assistant Chief of the Wilder Rural Fire Protection District was also available.
- Colin McAweeney of TischlerBise who prepared Exhibit T and presented the capital improvement plans of the following fire district applicants which are the subject of the Applications:
 - ✓ Homedale Rural Fire Protection District
 - ✓ Marsing Rural Fire District
 - ✓ Middleton Rural Fire District
 - ✓ Nampa Fire Protection District
 - ✓ Parma Rural Fire Protection District
 - ✓ Star Fire Protection District

Other persons appearing and making statements before the P&Z Commission:

- Patrick Williamson asked a question as a tax payer regarding lower level of service.

FINDINGS OF FACT

The Planning and Zoning Commission does hereby make these following findings of fact:

The Applicants are: Caldwell Rural Fire Protection District, Highway District No. 4, Homedale Rural Fire Protection District, Kuna Rural Fire District, Marsing Rural Fire District, Middleton Rural Fire District, Nampa Fire Protection District, Parma Rural Fire Protection District, Star Fire Protection District and Wilder Rural Fire Protection District (the "Applicants").

The Applications are: Applications to consider an amendment to the *Canyon County 2030 Comprehensive Plan* (the "Comprehensive Plan") by the amendment of the following:

- To amend Table 7. Public Services, Facilities, Utilities Goals, Policies, and Actions by amending G7.01.00 to read as follows:

G7.01.00 Endeavor to continue providing reliable public services, public safety facilities, & public utilities that support existing developed areas and future growth. Enter into intergovernmental agreements with districts, authorized by Idaho Code Section 67-8204A, for the purpose of agreeing to the collection and expenditure of development impact fees to assure that new development pays for its impact on district facilities, utilities, and services.

- To amend Table 7. Public Services, Facilities, Utilities Goals, Policies, and Actions by the addition of a new section A7.01.00a to read as follows:

A7.01.00a Include, as Comprehensive Plan appendices, all approved development impact fee capital improvements plans.

- To amend by the addition to the Comprehensive Plan of new appendix B to read as follows:

Appendix B - Intergovernmental Agreement Capital Improvements Plans:

CAPITAL IMPROVEMENTS PLANS

The following Capital Improvements Plans are the basis of development impact fees set forth in Article 1 of Chapter 11 Development Impact Fee Ordinance of the Canyon County Code of Ordinances.

- B-1 City of Caldwell Fire Department & Caldwell Rural Fire District Impact Fee Study and Capital Improvements Plan Final Report July 2, 2019
- B-2 Canyon Highway District No. 4 Traffic Impact Fee Program May 7, 2021, and the Canyon Highway District No. 4 Mid-Star Service Area Capital Improvements Plan May 7, 2021
- B-3 Homedale Rural Fire Protection District Capital Improvement Plan and Development Impact Fee Study January 27, 2025
- B-4 Kuna Rural Fire District Impact Fee Study and Capital Improvement Plan Final Report November 30, 2021
- B-5 Marsing Rural Fire District Capital Improvement Plan and Development Impact Fee Study January 13, 2025
- B-6 Middleton Rural Fire District Capital Improvement Plan and Development Impact Fee Study September 15, 2023
- B-7 Nampa Fire Protection District Capital Improvement Plan and Development Impact Fee Study February 21, 2025
- B-8 Parma Rural Fire Protection District Capital Improvement Plan and Development Impact Fee Study August 25, 2022
- B-9 Star Fire Protection District Capital Improvement Plan and Development Impact Fee Study August 23, 2023
- B-10 Wilder Rural Fire Protection District Impact Fee Study and Capital Improvement Plan March 6, 2019

Public Notice and Hearing: [See Exhibits N-1 and N-2] and [See Exhibit A and including Exhibit B1 and Exhibit B2]

The Notice of Hearing was published in the *Idaho Press* on March 4th and March 19th of 2025. The Public Hearing Notice was also made available to other papers, radio, and television stations

serving the Canyon County for use as a public service announcement. Public Hearing Notice was also mailed to all political subdivisions providing services within the Canyon County, including school districts and the manager or person in charge of the local public airports. The public hearing, regarding the Applications, was held and conducted by the Planning and Zoning Commission on April 3, 2025 as identified in the Notice of Hearing.

The Capital Improvement Plans: [See Exhibit A including Exhibit 7-A1 and Exhibit 7-A2]

- The Canyon County Commissioners Resolution amended the Canyon County 2020 Comprehensive Plan dated June 22, 2020 to include among others as Appendix 3 Appendices 1, and 7 the following capital improvement plans: *City of Caldwell Fire Department & Caldwell Rural Fire District Impact Fee Study and Capital Improvements Plan Final Report July 2, 2019, and Wilder Rural Fire Protection District Impact Fee Study and Capital Improvement Plan March 6, 2019* [See Exhibit CC-1]
- Canyon County Commissioners Resolution on July 20, 2022 amended the Canyon County 2020 Comprehensive Plan to include *Appendices 10 and 11 the Canyon Highway District No. 4 Canyon Highway District No. 4 Traffic Impact Fee Program May 7, 2021, and the Canyon Highway District No. 4 Mid-Star Service Area Capital Improvements Plan May 7, 2021* [See Exhibit CC-2]
- The following capital improvement plans remain unchanged since the Canyon County Commissioners amended the Canyon County 2020 Comprehensive Plan on June 22, 2020: *City of Caldwell Fire Department & Caldwell Rural Fire District Impact Fee Study and Capital Improvements Plan Final Report July 2, 2019, and Wilder Rural Fire Protection District Impact Fee Study and Capital Improvement Plan March 6, 2019, Canyon Highway District No. 4 Canyon Highway District No. 4 Traffic Impact Fee Program May 7, 2021, and the Canyon Highway District No. 4 Mid-Star Service Area Capital Improvements Plan May 7, 2021* (the “Previously Approved Applicant Capital Improvement Plans”). [Testimony of Chris Hopper P.E., Mark Wendelsdorf, Steve Rhodes]
- Canyon County Board of Commissioners adopted the Canyon County Development Impact Fee Chapter Ordinance No. 20-018 on 6-22-2020, codified as Articles 1 and 2 of Chapter 11 Canyon County Code of Ordinances. [See Exhibit CC-3]
- Canyon County Board of Commissioners adopted the Canyon Highway District No. 4 Development Impact Fee Ordinance No. 22-014 on 7-20-2022, codified as Articles 3 and 4 of Chapter 11 Canyon County Code of Ordinance. [See Exhibit CC-4]
- Canyon County Board of Commissioners adopted by resolution on October 27, 2022 amendments of the County’s Comprehensive Plan by the adoption of the Growing Together Comprehensive Plan 2030 which does not include any of the Applicant’s capital improvement plans nor are there any references to any of the Applicant’s capital improvement plans. [See Exhibit CC-5]
- The following Applicant’s capital improvement plans, which are subjects of the Applicants’ application for amendments to the Growing Together Comprehensive Plan 2030, are new since June 22, 2020: *Homedale Rural Fire Protection District Capital Improvement Plan and Development Impact Fee Study January 27, 2025, Kuna Rural Fire District Impact Fee Study and Capital Improvement Plan Final Report November 30, 2021, Marsing Rural Fire District*

Capital Improvement Plan and Development Impact Fee Study January 13, 2025, Middleton Rural Fire District Capital Improvement Plan and Development Impact Fee Study September 15, 2023, Nampa Fire Protection District Capital Improvement Plan and Development Impact Fee Study February 21, 2025, Parma Rural Fire Protection District Capital Improvement Plan and Development Impact Fee Study August 25, 2022, and Star Fire Protection District Capital Improvement Plan and Development Impact Fee Study August 23, 2023 (the “New Applicant Capital Improvement Plans”) [See Exhibit A included Exhibits 7-A1 7-A2 1]

- There was no evidence presented in the record of this proceeding that any of the Previously Approved Applicant Capital Improvement Plans had been subsequently unapproved by the County Commissioners, and the failure to include them in the County Commissioners resolution of October 27, 2022. This error can be corrected by the approval of the pending Application. [See Exhibit A Letter of Intent]
- Each of the New Applicant Capital Improvement Plans has been prepared by a qualified professional in the fields of finance, and planning. [Exhibit A -Exhibits 7A-1 and &-A-2, Colin McAweeney testimony and Exhibit T]
- Each of the New Applicant Capital Improvement Plans contains the necessary information required by Idaho Code Section 67-8208 (1) (a-i) and (k). [Exhibit A -Exhibits 7A-1 and &-A-2, Colin McAweeney testimony and Exhibit T]

Intergovernmental Agreements: [See Exhibits CC-6 and CC-7]

- Canyon County Board of Commissioners resolution approved on September 12, 2024 authorizing the chairman of the Canyon County Commission to execute on behalf of Canyon County the following Intergovernmental Agreements:
 - *Second Amended and Reformed Canyon County and Caldwell Rural Fire Protection District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems;*
 - *Canyon County and Homedale Rural Fire Protection District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements;*
 - *First Amended and Reformed Canyon County and Kuna Rural Fire District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements;*
 - *First Amended and Reformed Canyon County and Marsing Rural Fire District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements;*
 - *First Amended and Reformed Canyon County and Middleton Rural Fire District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements;*

- *Canyon County and Parma Rural Fire Protection District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements;*
 - *First Amended and Reformed Canyon County and Star Fire Protection District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements;*
 - *First Amended and Reformed Canyon County and Wilder Rural Fire Protection District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements; and*
 - *First Amended and Reformed Canyon County and Highway District No. 4 Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Highway District Systems Improvements. [See Exhibit CC-6]*
- Canyon County Commissioners on February 18, 2025 approve a motion to enter into the following Intergovernmental Agreement:
 - *Second Amended and Reformed Canyon County and Nampa Fire Protection District Intergovernmental and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements;*

History:

- Applicant Highway District No. 4's name was changed by Resolution after a public hearing by the Applicant's Board of Commissioners on August 30, 2023 from Canyon Highway District No. 4 to Highway District No.4 [testimony of Chris Hopper, P.E.]
- Each of the Applicants, pursuant to I.C. § 67-8204A, has entered into an intergovernmental agreement with the County [see Exhibits CC6 and CC7]; and
- The County and each Applicant are experiencing and is affected by considerable growth and development. [see Exhibit A including Exhibit 7-A1 and Exhibit 7-A2]
- The Canyon County Board of Commissioners adopted by resolution on October 27, 2022, the Growing Together Comprehensive Plan 2030 which is the current edition of Canyon County's comprehensive plan (the "Comprehensive Plan"). [See Exhibit A and Exhibit CC-5]
- The County Commissioners have adopted the Canyon County Development Impact Fee Chapter Ordinance No. 20-018 on 6-22-2020, codified as Articles 1 and 2 of Chapter 11

Canyon County Code of Ordinances establishing development impact fees for Caldwell Rural Fire Protection District, Kuna Rural Fire District, Marsing Rural Fire District, Middleton Rural Fire District, Nampa Fire Protection District, Star Fire Protection District, and Wilder Rural Fire Protection District. [See Exhibit A and Exhibit CC-3]

- Canyon County Board of Commissioners have adopted the Canyon Highway District No. 4 Development Impact Fee Ordinance No. 22-014 on 7-20-2022, codified as Articles 3 and 4 of Chapter 11 Canyon County Code of Ordinance establishing development impact fees for Highway District No. 4 formerly known as Canyon Highway District No. 4. [See Exhibit A and Exhibit CC- 4]
- The Canyon County Commissioners Resolution amended the Canyon County 2020 Comprehensive Plan on June 22, 2020 to include among others as Appendix 3 Appendices 1, and 7 the following capital improvement plans: *City of Caldwell Fire Department & Caldwell Rural Fire District Impact Fee Study and Capital Improvements Plan Final Report July 2, 2019, and Wilder Rural Fire Protection District Impact Fee Study and Capital Improvement Plan March 6, 2019*. [See Exhibit A and Exhibit CC-1]
- The Canyon County Commissioners Resolution on July 20, 2022 amended the Canyon County 2020 Comprehensive Plan to include *Appendices 10 and 11 the Canyon Highway District No. 4 Canyon Highway District No. 4 Traffic Impact Fee Program May 7, 2021, and the Canyon Highway District No. 4 Mid-Star Service Area Capital Improvements Plan May 7, 2021*. [See Exhibit A and Exhibit CC-2]
- Applicants have made application to the Canyon County Commissioners to include in the County's Comprehensive Plan the Previously Approved Applicant Capital Improvement Plans and the New Applicant Capital Improvement Plans each of which was prepared in accordance with the requirements of Idaho Code § 67-8208: [See Exhibit A Letter of Intent including Exhibits 7-A1 and 7-A2]
- Parma Rural Fire Protection District's and Homedale Rural Fire Protection District's comprehensive plan amendment applications to include their capital improvement plans in the County's Comprehensive Plan and proposal for new development impacts fees for those two Applicants. [See Exhibit A Letter of Intent and Exhibits CC-3 and CC-8]

STATEMENT OF LEGAL AUTHORITY AND CONCLUSIONS OF LAW

1. Article XII Section 2 of the Constitution of the State of Idaho provides that counties may make and enforce within its limits, all such local police, sanitary, and other regulations as are not in conflict with the general laws.
2. The Act at I.C. § 67-8208 (1) provides those governmental entities, such as the County, who are required to undertake comprehensive planning pursuant to Chapter 65, Title 67, Idaho Code, are also required to prepare and adopt capital improvements plans according to the requirements contained in chapter 65 of title 67 Idaho Code (the “Local Planning Act”), section 67-6509, Idaho Code, and shall be included as an element of the comprehensive plan.
3. The County has provided for the processing of an amendment to its Comprehensive Plan, authorized by Section 67-6509, Idaho Code.
4. No neighborhood meetings are required, as provided in Canyon County Code of Ordinances Section 07-01-15, because the Applications do not involve a variance, conditional use, zoning ordinance map amendment, expansion, or extension of nonconforming uses and does not affect any land use within the unincorporated area of the County.
5. I.C. § 67-6509 (1) provides that the Canyon County Planning and Zoning Commission, prior to recommending an amendment to the County’s Comprehensive Plan to the County Commissioners, shall at least fifteen (15) days prior to the hearing, publish public hearing notice of the time and place and a summary of the proposed amendment to the plan in the official newspaper or paper of general circulation within the County. The planning and zoning commission is also required to make available the public hearing notice to other papers, radio, and television stations serving the Canyon County for use as a public service announcement. Public hearing notice of intent to amend the Comprehensive Plan shall also be sent to all political subdivisions providing services within the Canyon County, including school districts and the manager or person in charge of the local public airport.

6. The County has the authority, pursuant to Chapter 82 of Title 67 Idaho Code, to enact impact fees by ordinance; and, pursuant to I.C. § 67-8204A, to enter into an intergovernmental agreement with the Fire Districts and the Highway District for the purpose of agreeing to collect and expend development impact fees for fire district's and highway district's systems improvements.
7. The *Idaho Development Impact Fee Act* (the "Act") codified at Chapter 82 of Title 67 Idaho Code provides for:
 - The imposition, collection, and expenditure of development impact fees in accordance with the provisions of the Act; and
 - The promotion of orderly growth and development by establishing uniform standards by which local governments may require that those who benefit from new growth and development pay a proportionate share of the costs of new public facilities needed to serve new growth and development; and
 - Minimum standards for the adoption of development impact fee ordinances by governmental entities which are authorized to adopt ordinances; and
 - The contents of a capital improvements plan and the process to be followed for the adoption of a capital improvements plan.
8. The County is a governmental entity as defined in the Act at Idaho Code § 67-8203(14) and, as provided at Idaho Code § 67-8202(5), has ordinance authority to adopt a development impact fee ordinance whereas the Fire Districts nor the Highway District do not have ordinance authority and cannot adopt a development impact fee ordinance.
9. The Act provides, at Idaho Code § 67-8204A, that the County, when affected by growth and development, has the authority to enter into an intergovernmental agreement with the fire districts and highway districts for the purpose of agreeing to collect and expend development impact fees for Fire Districts 'System Improvements and the Highway District's System Improvements.
10. The County is a governmental entity required, by I.C. § 67-6503, to exercise the powers conferred upon it pursuant to Chapter 65 of Title 67 Idaho which includes a comprehensive

planning process designed to prepare, implement, and review and update a comprehensive plan.

11. The County is required by I.C. § 67-8208(1) to include each of the Applicants' Capital Improvement Plans as an element of the County's Comprehensive Plan.
12. I.C. § 67-8208 (2) and (4) provide that a government entity imposing a development impact fee shall update the capital improvements plan at least once every five (5) year period, and capital improvements plans are to be updated each time a government entity proposes the amendment, modification or adoption of a development impact fee ordinance.
13. I.C. § 67-6535 (1) provides that an approval or denial of any application which is authorized pursuant to Chapter 65 of Title 67 Idaho Code (the "Local Land Use Planning Act") shall be based upon standards and regulation of the County in its land use ordinance.
14. I.C. § 67-6535 (2) provides that any approval or denial of any application required or authorized pursuant to Chapter 65 of Title 67 Idaho Code shall be in writing and accompanied by a reasoned statement the explains the criteria and standards based on the applicable provisions of the comprehensive plan, relevant ordinance, statutory provisions, pertinent constitutional principles and factual information contained in the record.
15. Canyon County Code of Ordinances § § 07-06-01, and 07-06-03 provides the comprehensive plan amendment standards and regulation of the County which provide: that applications are filed with the County's Development Services Department accompanied by the adopted fee, and may be consolidated for notice and hearing purposes. This Commission is to review the particular facts and circumstances of each proposed comprehensive plan amendment and make recommendation regarding the same to the Board of Commissioners and shall determine the following:
 - Do the proposed amendments meet the requirements of Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code; and
 - Is the requested type of growth generally in conformance with the comprehensive plan; and
 - Considering surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation; and

- Is the proposed comprehensive plan amendment compatible with surrounding land uses; and
- Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted; and
- Will the proposed comprehensive plan amendment impact public services and facilities.

REASONED STATEMENT

The following is a reasoned statement summary explaining the criteria and standards considered relevant and the rational for the Planning and Zoning Commissioners determination and recommendation to the County Commissioners the pending Applications.

1. The above stated "Record of Proceedings" is the record of the evidence presented and admitted at the hearing together with the testimony presented which is preserved in the audio and video conferencing of the above-entitled matter is the basis upon which the Commissioners have determined the facts.
2. The above stated "Findings of Facts" are the facts which the Commissioners have found are relevant to their determination and rational for their recommendation to the County Commissioners.
3. The proposed amendments to the Growing Together Comprehensive Plan 2030 [Exhibit A Letter of Intent] meet the requirements of Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code because the County has entered into intergovernmental agreements pursuant to I.C. § 67-8204A with each applicant for the establishment of development impact fees for each applicant, and I.C. § 67-8208(1) requires that the County include each applicant's Capital Improvement Plan as an element of the County's Comprehensive Plan.
4. The Applications are in response to growth and anticipated growth within each of the Applicant's service areas [Exhibit A Letter of Intent], but not as a request for growth.

5. The Applications [Exhibit A Letter of Intent] do not involve any need to consider surrounding land uses or whether or not it is compatible with surrounding land uses because the Applications do not involve any change in any land uses.
6. The Applications [Exhibit A Letter of Intent] do not involve any issue related to development trends in the general area nor do they affect current designations or involve any issues related to any changed development trend circumstances changes since the Growing Together Comprehensive Plan 2030 was adopted.
7. The Applications [Exhibit A Letter of Intent] for proposed comprehensive plan amendments will positively impact public services and facilities by providing a new growth and development funding sources to pay new growth's share of the costs of Applicant facilities to maintain their current level of services. [See Exhibits C-1 through C-10].
8. The following capital improvement plans were approved by the County Commissioners and have remained unchanged since the Canyon County Commissioners amended the Canyon County 2020 Comprehensive Plan on June 22, 2020: *City of Caldwell Fire Department & Caldwell Rural Fire District Impact Fee Study and Capital Improvements Plan Final Report July 2, 2019*, and *Wilder Rural Fire Protection District Impact Fee Study and Capital Improvement Plan March 6, 2019*, *Canyon Highway District No. 4 Canyon Highway District No. 4 Traffic Impact Fee Program May 7, 2021*, and the *Canyon Highway District No. 4 Mid-Star Service Area Capital Improvements Plan May 7, 2021* (the "Previously Approved Applicant Capital Improvement Plans"). [See Exhibit CC-5, testimony of Chris Hopper P.E., Mark Wendelsdorf, Steve Rhodes]
9. There is no evidence that the Canyon County Board of Commissioners repealed Canyon County Development Impact Fee Chapter Ordinance No. 20-018 on 6-22-2020, codified as Articles 1 and 2 of Chapter 11 Canyon County Code of Ordinances. [See Exhibit CC-3]
10. There is no evidence that Canyon County Board of Commissioners repealed the Canyon Highway District No. 4 Development Impact Fee Ordinance No. 22-014

on 7-20-2022, codified as Articles 3 and 4 of Chapter 11 Canyon County Bode of Ordinance. [See Exhibit CC-4]


11. There is an omission of any of the following named Applicant's capital improvement plans nor are there any references to any of the following named Applicant's capital improvement plans (Applicant Star Fire Protection District Middleton Rural Fire District Highway District No. 4, Caldwell Rural Fire Protection District, Wilder Rural Fire Protection District, Marsing Rural Fire District, Nampa Fire Protection District, and Kuna Rural Fire District) in the Growing Together Comprehensive Plan 2030. [See Exhibit CC-5]
12. Because I.C. § 67-8208 (1) requires: *For governmental entities required to undertake comprehensive planning pursuant to chapter 65, title 67, Idaho Code, such capital improvements plan shall be prepared and adopted according to the requirements contained in the local planning act, section 67-6509, Idaho Code, and shall be included as an element of the comprehensive plan*, the granting of the Applications will rectify the omissions in the Growing Together Comprehensive Plan 2030.
13. Granting the Applications complies with I.C. § 67-8208 (1) by including their capital improvement plans in the County's Comprehensive plan and in particular:
 - Re-establishes Applicants: Caldwell Rural Fire Protection District's, Highway District No. 4's, and Wilder Rural Fire Protection District's unchanged capital improvement plans as an element in the County's Comprehensive Plan. [See Exhibits CC-5 and C-2, and c-10]
 - Updates and re-establishes Applicants: Star Fire Protection District's, Middleton Rural Fire Protection District's, Marsing Rural Fire District's Nampa Fire Protection District's, and Kuna Rural Fire District's capital improvement plans as an element in the County's Comprehensive Plan in compliance with I.C. § 67-8208 (1) (2) and (4). [See Exhibits CC-5 and C-4, C-5, C-6, C-7, and C-9]

- Establishes for the first time Applicants: Homedale Rural Fire Protection District's and Parma Rural Fire Protection District's capital improvement plans as an element in the County's Comprehensive Plan in compliance with I.C. § 67-8208 (1) and (4). [See Exhibits CC-5 and Exhibit A including Exhibit 7-A1]

DECISION AND RECOMMENDATION TO THE CANYON COUNTY BOARD OF COMMISSIONERS

THEREFORE, the Canyon County Planning and Zoning Commission hereby **recommends** to the County Commissioners that the above stated Applications for amendments to the *Canyon County 2030 Comprehensive Plan* be **approved and granted**.

Findings of Fact **adopted** this 1 day of May, 2025.



Robert Sturgill, Chairman
Canyon County Planning and Zoning Commission

Attest:



Caitlin Ross, DSD Hearing Specialist

W:\Work\Development Impact Fees\Canyon County 2024\Canyon County Documents 2024\02-CC -2 PZ Findings and Conclusion Comp Plan
CIP wfg 04.04.2025.docx