



# Coalition for Agriculture's Future

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Dear Commissioners:

The Coalition for Agriculture's Future would like to raise concerns regarding an important Canyon County issue. Specifically, we are very concerned about the number of Conditional Use Permits (CUP) involving agricultural lands that are at or near their project start or five-year completion time limits and which have or may be resubmitted as formal requests for conditional rezoning.

Many of these expiring CUPs involve hop-scotch residential development in historically productive agricultural lands which have consistently provided a greater economic beneficial use for the public. These types of leap frog developments, if allowed to go forward, inevitably cost taxpayers more in provided public services than will ever be returned in taxes.

One such application – the Lake Estates project – was approved by Commissioners earlier this month. Another similar project – from BPB development (formerly known as Southern Hill and Canyon Ranch Estates) – comes before you May 14<sup>th</sup>. They may well represent the tip of a tidal wave of CUP-to-rezone applications about to flood the approval process.

Accordingly, the Coalition hereby requests the Board of Commissioners to immediately impose a 6-month moratorium on the processing and approval of these specific types of applications. The time would allow Development Services, Planning and Zoning and the Canyon County Board of Commissioners to develop an enhanced application review process for these specific types of applications. We request this action for a variety of reasons.

This CUP-change-to-rezone approach constitutes efforts to end-run spot zoning and speculative statutory prohibitions on projects that are no longer economically viable. The goal obviously being to rezone into perpetuity residential development land use changes without start or completion restrains. There may well be legal issues which, if challenged in court, could put the findings of the commissioners in legal jeopardy.

Because these CUPs were vetted and approved during the original CUP approval process, we are concerned that developers may be relying on a “rubber stamp” mindset by Commissioners in regards to the merits of the re-zoning proposals.

Years have passed and economic conditions are vastly different then when the original CUP was approved. Some type of enhanced process is needed to scrutinize the true likelihood of the project ever becoming reality. This would help ensure that land speculation strategies cannot be successfully camouflaged by developers.

Ultimately, however, if the conditions outlined in the original CUP have not been met, then the project should be considered terminated rather than given a “get out of jail free” pass which can be used to go after a permanent land use zoning change.


For these types of applications, the Board of Commissioners must provide a more comprehensive method of fully informing the public that CUP-to-zoning-change types of applications are to be considered. Only then can full public involvement be realized.

We are also concerned about “out of sight-out of mind” attempts to evade public scrutiny by renaming controversial development projects, thus minimizing public and media attention and subsequent involvement.

The Coalition believes firmly that positive action must be taken to establish a system for these types of applications which can weed out zoning changes for unscrupulous or unattainable development projects originally approved as Conditional Use Permits. Also, it would help ensure that the provisions of the county’s comprehensive plan are being fully incorporated into land use decisions, a critical element of public trust given the efforts that citizens put into its creation.

We encourage the Board of Commissions to embrace a renewed spirit towards forward looking land use decisions based on best use management practices as the County balances urban development against preservation of historic agricultural lands. The Coalition stands ready to assist you in any way possible to reach that goal.

Sincerely,



George W. Crookham  
Chairman  
Coalition for Agriculture’s Future