



**PLANNING AND ZONING COMMISSION**  
**FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

In the matter of the application of:

**Billington Inspection and Services Inc. – CU2025-0014**

The Canyon County Planning and Zoning Commission considers the following:

Case No. CU2025-0014: The applicant, Billington Inspections and Services Inc., represented by Alysha & Matthew Billington is requesting a conditional use permit on Parcel R30795013, approximately 1.31 acres zoned "A" (Agricultural) for storing business equipment and inventory. The proposed use consists of a staging area for three parking spaces with a loading area, one (1) employee with hours of operations Monday to Friday 7 am to 5 pm and Saturday 8 am to 5 pm. The subject property is located at 17030 Madison Road, Nampa, ID, also referenced as Parcel R30795013, a portion of the SE quarter of Section 03, T3, R2, BM, Canyon County, Idaho.

**Summary of the Record**

1. The record is comprised of the following:

- A. The record includes all testimony, the staff report, exhibits, and documents in Case File CU2025-0014.
  - 1. All exhibits are located in the case staff report dated May 7, 2026

**Applicable Law**

- 1. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-07 (Conditional Use Permits), CCCO §07-02-03 (Definitions), CCCO §07-10-27 (Land Use Regulations (Matrix)), CCCO §07-14 (Use Standards), Idaho Code §67-6512 (Special Use Permits, Conditions, and Procedures), and CCCO §09-11-25 (Area of City Impact Agreement).
  - a. Notice of the public hearing was provided pursuant to CCCO §07-05-01, Idaho Code §67-6509 and 67-6512.
  - b. A special use permit may be granted to an applicant if the proposed use is conditionally permitted by the terms of the ordinance, subject to conditions pursuant to specific provisions of the ordinance, subject to the ability of political subdivisions, including school districts, to provide services for the proposed use, and when it is not in conflict with the plan. Idaho Code §67-6512.
  - c. Every use which requires the granting of a conditional use permit is declared to possess characteristics which require review and appraisal by the commission to determine whether or not the use would cause any damage, hazard, nuisance or other detriment to persons or property in the vicinity. *See* CCCO §07-07-01.
  - d. Upon the granting of a special use permit, conditions may be attached to a special use permit including, but not limited to, those: (1) Minimizing adverse impact on other development; (2) Controlling the sequence and timing of development; (3) Controlling the duration of development; (4) Assuring that development is maintained properly; (5) Designating the exact location and nature of development; (6) Requiring the provision for on-site or off-site public facilities or services; (7) Requiring more restrictive standards than those generally required in an ordinance; (8) Requiring mitigation of effects

of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction. *See Idaho Code §67-6512, CCCO §07-07-17, and 07-07-19.*

- e. Use Standards – Staging Area: (1) All work shall be conducted off site. (2) Business vehicles shall be operable and parked on site, not on a public or private road. (3) Persons not employed on the premises may visit the premises for the purpose of picking up equipment and materials to be used elsewhere, including trucks offloading or transferring equipment and/or materials to other vehicles. (4) Employees may meet on the premises to share rides to and from job sites. (5) Employees' vehicles shall be parked on site and not on a public or private road. *See CCCO §07-14-29.*
2. The commission shall have those powers and perform those duties assigned by the board that are provided for in the local land use planning act, Idaho Code, title 67, chapter 65, and county ordinances. CCCO §07-03-01, 07-07-01.
3. There are no mandates in the Local Planning Act as to when conditional permits may or may not be granted, aside from non-compliance with the community master plan. I.C. § 67-6512. Chambers v. Kootenai Cnty. Bd. of Comm'rs, 125 Idaho 115, 117, 867 P.2d 989, 991 (1994).
4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.
5. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.
6. The County's hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCCO 07-05-03(1)(I).

**The application, CU2025-0014, was presented at a public hearing before the Canyon County Planning and Zoning Commission on May 7, 2026. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Canyon County Planning and Zoning Commission decide as follows:**

**Table 1. Conditional Use Permit Standards of Evaluation Analysis**

| <b>Standards of Evaluation – CCCO §07-07-05:</b> The presiding party shall consider each conditional use permit application by finding adequate evidence to answer the following questions in its FCOs: |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <b>County Ordinance and Staff Review</b>                                                                                                                                                                |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Criteria Met?</b>                                                                                                                                                                                    | <b>Code Section</b> | <b>Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Yes</b>                                                                                                                                                                                              | <b>1</b>            | <b>Is the proposed use permitted in the zone by conditional use permit?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Analysis</b>                                                                                                                                                                                         |                     | <p>The proposed use of a staging area is permitted in an "A" (Agricultural) zone by conditional use permit, pursuant to County Ordinance (CCCO §07-10-27). The proposed use consists of a staging area for Billington Inspections and Services Inc. on Parcel R30795013 to store equipment, inventory and material. The applicant submitted a conditional use permit application to establish a staging area on July 16, 2025. <i>See Exhibit B for the application and submitted materials.</i></p> <p>A staging area is defined as "an area where equipment and/or materials are stored for use conducted entirely off site" per CCCO §07-02-03. <i>See project description analysis contained in Code Section 2 detailing the nature of the request.</i></p> |
| <b>Criteria Met?</b>                                                                                                                                                                                    | <b>2</b>            | <b>What is the nature of the request?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Yes</b>                                                                                                                                                                                              |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Analysis</b>                                                                                                                                                                                         |                     | The nature of the request consists of a conditional use permit to establish a staging area for Billington Inspection Services Inc. on Parcel R30795013.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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|                      | <ul style="list-style-type: none"><li>• Billington Inspection Services completes “off-site aerial lift inspections, preventative maintenance and mechanical repairs on fleets” (<b>Exhibit B3</b> of the Staff Report).</li><li>• Hours of operations are proposed to be from 7 a.m. to 5 p.m. Monday through Friday, 8 a.m. to 5 p.m. on Saturday and closed on Sunday (<b>Exhibit B4</b> of the Staff Report).</li><li>• All operations related to Billington Inspections take place off site. Billington Inspections has an office space within Nampa city limits (1800 N Midland Blvd, Nampa, Idaho) where administrative operations are completed (<b>Exhibit B3</b> of the Staff Report). Mechanical repairs, inspections and maintenance take place out in the field. Field personnel take the equipment home with them at the end of the day. The subject property will be utilized as a staging area to park all other business vehicles and store inventory and equipment on site. The proposed use utilizes approximately a quarter of the property with parking the in driveway and storage of materials in the southwest area of the property.</li><li>• The applicant is requesting three (3) parking spaces for business vehicles (<b>Exhibit B5</b> of the Staff Report). During the site visit Staff observed two (2) business trucks (F-150), eight (8) trailers and three (3) shipping containers (<b>Exhibit D</b> of the Staff Report). According to the applicant all the aforementioned equipment is used for business operations, and one (1) of the trailers have since been removed from the property (<b>Exhibit B5</b> of the Staff Report).</li><li>• Deliveries will take place Monday through Friday 8 a.m. to 5 p.m. at the Nampa location. The applicant does not anticipate shipments and deliveries to take place at the subject parcel.</li><li>• There will be one (1) employee at the subject property however, employees may meet on site to share rides and/or pick up equipment (<b>Exhibit B4</b> of the Staff Report). <i>See Table 2 for staging area requirements.</i></li><li>• The applicant proposes fencing and landscaping on the eastern and southern boundary of the staging area (<b>Exhibit B2</b> of the Staff Report).</li><li>• <i>See Exhibits B1, B2 &amp; B3 for the letter of intent, site plan and operation plan for details.</i></li></ul> |                                                                    |
| <b>Criteria Met?</b> | <b>3</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Is the proposed use consistent with the comprehensive plan?</b> |
| <b>Yes</b>           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                    |
| <b>Analysis</b>      | <p>The proposed use is consistent with the 2030 Canyon County Comprehensive Plan. The 2030 Canyon County Comprehensive Plan designates the subject parcel as Residential. The surrounding area is designated as Residential and Industrial. The City of Nampa designates the surrounding area as Industrial and Residential. The subject property is located in an “AE” flood zone therefore a hazardous area without mitigations. <i>See condition of approval No. 1a for mitigation.</i> The proposed use aligns with the following actions, goals and policies outlined in the 2030 Comprehensive Plan:</p> <p><u>Chapter 1: Property Rights</u><br/><b>G1.01.00</b> <i>Protect the integrity of individual property rights while safeguarding public health, safety, and welfare. The use is not anticipated to negatively impact public health, safety and welfare with added conditions of approval.</i><br/><b>P1.01.01</b> <i>No person should be deprived of private property without due process of law.</i><br/><b>G1.02.00</b> <i>Acknowledge the responsibilities of each property owner as a steward of the land, use their property wisely, maintain it in good condition and preserve it for future generations without becoming a public nuisance.</i><br/><b>A1.01.00a</b> <i>Require properties to conform to the zoning code before receiving additional zoning approvals.</i></p> <p>The subject property has a code enforcement violation for operating a staging area without a conditional use permit and unpermitted structures on the property that have not been abated. The 2030 Comprehensive Plan does not support additional approvals prior to conforming to the code. <i>See Code Section five (5) for details. See condition of approval No. 1a &amp; 5 to bring the parcel into compliance to allow for additional zoning approvals (Exhibit B6 of the Staff Report).</i></p> <p>“The right to enjoy: The right to enjoy the property for its intended use without creating nuisances. Zoning categorizes land uses based on compatibility, such as agriculture, residential, commercial, and industrial... (2030 Comprehensive Plan, pg. 10)”. The subject property is contiguous with “M-1” Light Industrial zoning to the south and Agricultural zoning to the north, east and west. The minimal operations of storing</p>                                           |                                                                    |

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| <p>equipment on site matches the surrounding land use per documented evidence and oral testimony provided on May 7, 2026. <i>See Code Section 4 for a compatibility analysis on the proposed use and surrounding uses.</i></p> <p>“The right of control: Is the right to use the property legally (2030 Comprehensive Plan, pg. 10).” The applicant submitted a conditional use permit on July 16, 2025, to establish a staging area on the property legally.</p> <p><u>Chapter 2: Population</u><br/><b>G2.02.00</b> <i>Promote housing, business, and service types needed to meet the demand of the future and existing population.</i></p> <p>“Billington Inspection specializes in off-site inspections and repairs” via mobile work (<b>Exhibit B1</b> of the Staff Report). The business operations on the subject property is specifically utilized as a staging area to store equipment and inventory.</p> <p><u>Chapter 3: Economic Development</u><br/><b>P3.01.02</b> <i>Support suitable sites for economic growth and expansion compatible with the surrounding area.</i></p> <p>“Sixty-four percent (64%) of businesses had one to four employees (2030 Comprehensive Plan, pg. 18).” Billington Inspection operates nationwide; however, the subject property will have one (1) employee on site while other employees will work out of the Nampa location doing administrative work or out in the field completing mobile work.</p> <p><u>Chapter 4: Land Use and Community Design</u><br/><b>A4.01.01b</b> <i>Coordinate land-use planning with adjoining counties, cities, and other agencies and groups.</i><br/><b>P4.04.01</b> <i>Support development in locations where services, utilities, and amenities are or can be provided.</i><br/><b>P4.04.02</b> <i>Align planning efforts in areas of city impact.</i><br/><b>P4.07.01</b> <i>Plan land uses that are compatible with the surrounding community.</i></p> <p>The surrounding land use is industrial south of Cherry Lane and residential north of Cherry Lane. The staging area will have minimal negative impacts on the surrounding community. The subject property is located in an “A” (Agricultural) zone which a staging area conditional use permit is permitted in. The operation of the use is minimal compared to the neighboring industrial uses to the south and compatible with the surrounding residential uses. <i>See code section 4 for analysis on compatibility.</i></p> <p><u>Chapter 5: Natural Resources and Hazardous Areas</u><br/><b>P5.05.01</b> <i>Mitigate development in hazardous areas or require site planning or construction techniques to mitigate the hazard.</i></p> <p>The subject property is located in a “AE” flood zone therefore a floodplain development permit is required. The applicant submitted a floodplain development permit on April 20, 2026 (<b>Exhibit B6</b> of the Staff Report).</p> <p>According to the applicant the property and the proposed use of a staging area is consistent with the 2030 Comprehensive Plan as the primary function of the property will remain residential in nature. Administrative and field work will take place off site and the subject property as a staging area is incidental and will only be used to store equipment and material. There are goals, policies and actions outlined in the 2030 Comprehensive Plan the proposed use aligns with. The proposed use of a staging area on the subject property is consistent with the 2030 Comprehensive Plan with added conditions of approval.</p> |                                                                                                                                                        |                                                                                                                                              |
| Criteria Met?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 4                                                                                                                                                      | Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area? |
| Yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                        |                                                                                                                                              |
| Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | The proposed use will not be injurious to other property in the immediate vicinity and will not negatively change the essential character of the area. |                                                                                                                                              |

The subject property is zoned “A” (Agricultural). The 2030 Canyon County Comprehensive Plan designates the subject parcel as Residential located in Nampa’s area of impact (**Exhibit C1** of the Staff Report). Nampa designates the subject parcel as Industrial.

**Adjacent Existing Conditions within a 600 foot radius of the subject property:**

| Direction                                                                                                                                                                                          | Existing Use | Primary Zone | Other Zone                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|--------------|---------------------------------------------------------------|
| N                                                                                                                                                                                                  | Residential  | “A”          | “R-1” in the County and Residential within Nampa city limits. |
| E                                                                                                                                                                                                  | Residential  | “A”          | “R-1” in the County and Residential within Nampa city limits. |
| S                                                                                                                                                                                                  | Industrial   | “CR-M-1”     | “M-1” in the County and Industrial within Nampa city limits.  |
| W                                                                                                                                                                                                  | Agricultural | “A”          | -                                                             |
| “A” (Agricultural), “R-R” (Rural Residential), “R-1” (Single-Family Residential), “C-1” (Neighborhood Commercial), “C-2” (Service Commercial), “M-1” (Light Industrial), “CR” (Conditional Rezone) |              |              |                                                               |

**Surrounding Land Use Cases:** Within a 600 foot radius there are four (4) land use cases in the surrounding area. Approximately 0.7 miles north of the subject property is an approved staging area for a cleaning business (**Exhibit C6** of the Staff Report). There was a preliminary plat approximately 500 feet north of the subject property that was approved, the plat consists of eleven (11) lots (**Exhibit C7** of the Staff Report). Approximately half a mile east of the subject property is a staging area for a nursery (**Exhibit C5** of the Staff Report). A conditional rezone was approved on parcel R31008 directly south of the subject property with a light industrial zoning for RV storage, outdoor equipment rental and a caretaker residence (**Exhibit C4** of the Staff Report). There is not a land use case to the west of the subject property (**Exhibit C8.8** of the Staff Report). Based on past surrounding land use cases the development trends in the area are industrial and residential uses.

**Character of the Area:** To the north and east of the subject property there are residential uses in the county and Nampa city limits approximately 500 feet away. The subject parcel is touching Nampa city limits on the southern property boundary. The parcel directly to the south is zoned CR-M-1 (Conditionally Rezoned to Light Industrial). Parcels located in Nampa’s jurisdiction to the south are zoned Industrial and are used as such. *See Table 3 for analysis on the City of Nampa zoning and area of impact.* Nampa’s future land use designation of the subject property is Industrial. Directly to the west the property is zoned “A” (Agricultural) and is used as such.

**Compatibility Analysis:** The proposed use is not anticipated to interfere with the surrounding residential uses to the north and east of the subject property. The use is compatible with the uses to the south of the subject property as there are industrial operations located in the County and the City of Nampa. The use is not anticipated to diminish one another’s use of public and private services. *See code section five (5) for details.* Potential interactions between the proposed use and the existing uses are anticipated to be minimal as the use operates within approximately 0.35 acres of the subject property behind a 6’foot fence on the south and east sides of the staging area in the southeast area of the subject property. Towards the west property line lies approximately a 2’-4’ fence (**Exhibit D** of the Staff Report). The applicant utilizes an unauthorized access off of Cherry Lane for the purposes of the business, that will be decommissioned, and the drainage system shall be restored and the applicant shall strictly utilize the approved approach on Madison. According to the applicant the proposed use is compatible with the surrounding area as the proposed use will have minimal impacts and remain primarily residential, compatible with the surrounding residential uses.

**Potential Impacts:** The staging area may have an impact on the surrounding area due to the increase in noise, the applicant shall abide by the public nuisance ordinance. To mitigate concerns, fencing and landscaping has been installed around the staging area in all directions (**Exhibit D and B2** of the Staff Report). The applicant proposes three (3) parking spaces, resulting in minimal Average Daily Trips (ADT)

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|                      | therefore creating minimal traffic impacts. <i>See Code Section six and seven (6 &amp; 7) for analysis regarding traffic and access.</i> Residential uses and the proposed use of a staging area are anticipated to have minimal negative interactions. <i>See the conditions below to mitigate concerns that may arise.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Criteria Met?</b> | <b>5</b>                                                                                                                                                                                                                                                                                                                     | <b>Will adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems be provided to accommodate the use?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Yes</b>           |                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Analysis</b>      |                                                                                                                                                                                                                                                                                                                              | <p>The proposed use will have adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems to accommodate the proposed use based on the analysis contained herein.</p> <p><b>Water:</b> The applicant has an individual domestic well. The proposed use is anticipated to have an adequate water system for the proposed use if required. According to the City of Nampa city water is adjacent to the subject property (<b>Exhibit E4.2</b> of the Staff Report).</p> <p><b>Sewer:</b> Southwest District Health was notified of the request on January 12, 2026. According to Southwest District Health on January 12, 2026, stating a subsurface sewage disposal is not required as the proposed use does not generate wastewater. The subject property is located in a nitrate priority area however, according to Southwest District Health a nutrient pathogen study is not required (<b>Exhibit C8.10 &amp; E1</b> of the Staff Report). Although the subject property is adjacent to the City of Nampa, city sewer lines are not available to the subject property. The proposed use is anticipated to have an adequate sewer system for the proposed use if required.</p> <p><b>Irrigation:</b> Pioneer Irrigation District was notified of the request on January 12, 2026, no comments were received. Per the land use worksheet, the applicant does not have irrigation water provided but has also indicated that it's pressurized irrigation (<b>Exhibit B4</b> of the Staff Report). Staff reached out to the applicant for clarity on the irrigation system on March 6 and April 7, 2026 the applicant was unsure how water was provided to the site but did note the property used sprinklers. The subject property is located in Pioneer Irrigation Districts jurisdiction. According to the City of Nampa, pressure irrigation is stubbed at the Cherry Lane and Madison Road intersection (<b>Exhibit E4.2</b> of the Staff Report). It's not anticipated that the irrigation system will be impacted by the proposed use.</p> <p><b>Drainage/ Stormwater drainage facilities:</b> Applicant did not indicate how stormwater will be drained on the land use worksheet (<b>Exhibit B4</b> of the Staff Report). Staff reached out to the applicant for clarity on stormwater drainage facilities on March 6 and April 7, 2026 however, the applicant was unsure how stormwater will be retained on site. Stormwater shall be retained on site.</p> <p><b>Utility Systems:</b> The proposed use is anticipated to have adequate utilities to operate the proposed use. The applicant may contact utility companies if additional utilities are required for the use.</p> <p><b>Floodplain:</b> The subject parcel is located in a Special Flood Hazard Area, in the "AE" flood zone due to Mason Creek, therefore the applicant shall comply with CCCO Article 10A and applicable FEMA regulations. A floodplain development permit is required per Development Services Engineering Division (<b>Exhibit E5</b> of the Staff Report). The applicant submitted a floodplain development permit on April 20, 2026 (<b>Exhibit B6</b> of the Staff Report).</p> <p><b>Building:</b> The three (3) shipping containers on site require a building permit as storage containers are considered a structure regardless of the proposed staging area (<b>Exhibit D</b> of the Staff Report). The southern property boundary is on a section line (Cherry Lane); section lines have a 70' setback requirement unless waived by the highway district that has jurisdiction over the road per Canyon County Code of Ordinance §07-10-19. Two (2) out of the three (3) containers do not meet section line setback requirements as they are placed approximately 55 and 65 feet from the section line (<b>Exhibit C9</b> of the Staff Report). Due to Cherry Lane being located in the City of Nampa's jurisdiction the applicant shall coordinate with the City to obtain a variance/waiver through the City or relocate the shipping containers to meet County setback requirements. Staff discussed the proposed use with City of Nampa's Engineer, Peter Nielsen, he stated Nampa would not grant a variance to the subject property due to the parcel being located in the County. The applicant shall relocate the shipping containers that do not meet section line setback</p> |

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|                      | <p>requirements to obtain a building permit (<b>Exhibit C9</b> of the Staff Report). The shipping containers shall be in compliance with all floodplain and FEMA requirements. <i>See condition of approval No. 5.</i></p> <p><b>Code Enforcement Violation:</b> The applicant received a code enforcement violation on October 16, 2024 for operating a staging area without a conditional use permit and having unpermitted shipping containers on the subject property (<b>Exhibit C3</b> of the Staff Report). The applicant submitted a conditional use permit application on July 16, 2025 to remedy the code enforcement violation. Additionally, a building permit application with a floodplain development permit was attempted to be submitted on July 16, 2025, however, due to the containers not meeting section line setback requirements the application was not accepted by Development Services Building Department to allow the applicant to meet the section line setback requirements. The code enforcement violation remains open as the shipping containers do not meet setback requirements, and the conditional use permit goes through the hearing process. If the conditional use permit request and a waiver is approved or the containers are relocated to meet setback requirements, the property will come into compliance with Canyon County code subject to conditions of approval. <i>See conditions of approval to keep the parcel in compliance with Canyon County code.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                         |
| <b>Criteria Met?</b> | <b>6</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Does legal access to the subject property for the development exist or will it exist at the time of development?</b> |
| <b>Yes</b>           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                         |
| <b>Analysis</b>      | <p>The subject property does have legal access to Madison Road for the proposed use and legal access will exist at the time of the development.</p> <p>The subject property is located on the northeast corner of the Madison Road and Cherry Lane intersection. Madison Road is classified as a rural major collector and Cherry Lane is classified as a principal arterial roadway. The subject property has legal access to Madison Road via an approved approach from Nampa Highway District No. 1. Agency notice was provided to Nampa Highway District No. 1 on January 12, 2026 and April 2, 2026. Nampa Highway District No. 1 provided comments on January 13, 2026, stating the approach off Madison Road shall meet ACCHD-106 requirements if it serves the business, no new access will be permitted to Madison Road (<b>Exhibit E3</b> of the Staff Report). <i>See condition of approval No. 6.</i></p> <p>The applicant utilizes an unauthorized approach off Cherry Lane for the proposed use (<b>Exhibit D</b> of the Staff Report). The City of Nampa has jurisdiction over Cherry Lane, according to City of Nampa Engineer, Peter Neilsen, the applicant would need to request access from the City of Nampa to utilize the approach to Cherry (<b>Exhibit E4.1</b> of the Staff Report). Staff requested the applicant to contact the City of Nampa to obtain legal access on to Cherry Lane, which the applicant did on April 8, 2026. City of Nampa Engineer, Peter Neilsen, stated "an access to Cherry Lane from the lot would not meet the necessary minimum [spacing] requirements" and further stated "any request for approval of an access to Cherry Lane at this location would be denied" (<b>Exhibit E4.1</b> of the Staff Report). The applicant shall cease the utilization of the approach off Cherry Lane and restore the shoulder and drain of the road. The applicant shall strictly use the approved access on Madison Road.</p> |                                                                                                                         |
| <b>Criteria Met?</b> | <b>7</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Will there be undue interference with existing or future traffic patterns?</b>                                       |
| <b>Yes</b>           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                         |
| <b>Analysis</b>      | <p>There will not be undue interference with the existing and/or future traffic patterns as the use will create minimal impacts.</p> <p>The operation of a staging area has commenced on the subject property. There will be three (3) parking spaces and a loading and unloading area north of the driveway and in the backyard area (<b>Exhibit B2</b> of the Staff Report). <i>See Exhibit D for the types of vehicles that may be parked on-site. See Table 2 for staging area criteria and details.</i> The applicant is anticipating minimal daily trips, if any, related to the business (<b>Exhibit B7</b> of the Staff Report). According to the applicant, commercial traffic and customer visits will not take place on site, therefore the average daily trips will be limited. Agency notice was provided to Idaho Transportation Department (ITD) on January 12, 2026 and April 2, 2026. Comments were received from ITD on January 21, 2026, stating the requested use does not meet the threshold for a traffic impact study (100 average daily trips during peak hour) nor does it pose any safety concerns (<b>Exhibit E6</b> of the Staff Report). Nampa Highway District did not provide comments related to traffic impacts.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                         |

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|               | The minimal operation of a staging area is not anticipated to interfere with the existing and/or future traffic patterns per oral testimony heard on May 7, 2026. Madison Road is classified as a rural major collector and Cherry Lane is classified as a principal arterial roadway. Traffic volumes are anticipated to increase on major collectors and principal arterials as they are intended to serve major regional centers; however, the requested use is not anticipated to negatively impact the traffic patterns.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                    |
| Criteria Met? | 8                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Will essential services be provided to accommodate the use including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use? |
| Yes           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                    |
| Analysis      | <p>Essential services will be provided to accommodate the use including, but not limited to school facilities, police and fire protection, emergency medical services, irrigation facilities. The services will not be negatively impacted by such use, and/or require additional public funding in order to meet the needs created by the requested use.</p> <p><b>School Facilities:</b> Agency notice was provided to Vallivue School District on January 29, 2026 and April 2, 2026, no comments were received. The proposed use is not anticipated to negatively impact school facilities.</p> <p><b>Police and Fire protection:</b> Agency notice was provided to Nampa Police Department, Canyon County Sherriff and Nampa Fire District on January 12, 2026 and April 2, 2026, and no comments were received from Nampa Police Department and Canyon County Sherriff. Nampa Fire District provided comments on February 10, 2026 stating Nampa Fire District is not opposed to the request subject to complying with all code requirements outlined in the comment letter (<b>Exhibit E7</b> of the Staff Report). The proposed use is not anticipated to negatively impact police and fire protection services.</p> <p><b>Emergency Medical Services:</b> Agency notice was provided to Canyon County’s Emergency Management Coordinator and Canyon County Paramedics on January 12, 2026, and April 2, 2026, no comments were received. The proposed use is not anticipated to negatively impact emergency medical services.</p> <p><b>Irrigation Facilities:</b> Pioneer Irrigation District was notified of the application on January 12, 2026 and April 2, 2026, no comments were received. The proposed use is not anticipated to negatively impact irrigation facilities.</p> |                                                                                                                                                                                                                                                                                                                                                    |

**Table 2. Use Standards – Staging Area: CCCO §07-14-29**

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| Per CCCO §07-14-03(1): The provisions of this article apply to all properties where a use is listed as an allowed use, a conditional use, or a director's decision in section 07-10-27 of this chapter (land use matrix). |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| County Ordinance and Staff Review                                                                                                                                                                                         |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Criteria Met?                                                                                                                                                                                                             | Code Section | Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Yes                                                                                                                                                                                                                       | 1            | All work shall be conducted off site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Analysis                                                                                                                                                                                                                  |              | According to the letter of intent, all work is completed off-site as “Billington Inspection specializes in off-site inspections and repairs” ( <b>Exhibit B1</b> of the Staff Report). The proposed use is strictly for parking business vehicles and storing equipment and materials for the business on site. Billington Inspections and Services Inc. is registered under Alysha and Matthew Billington ( <b>Exhibit C10</b> of the Staff Report). Billington Inspections has an office located at 1800 N Midland Blvd, Nampa, Idaho, where other employees work out of for administrative work. Repairs, inspections and maintenance take place in the field off-site. The business trucks, materials and equipment will be parked and stored on site with the approval of the conditional use permit. |
| Criteria Met?                                                                                                                                                                                                             | 2            | Business vehicles shall be operable and parked on site, not on a public or private road.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Yes                                                                                                                                                                                                                       |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Analysis                                                                                                                                                                                                                  |              | The proposed use consists of three (3) parking spaces and a loading and unloading space for the staging area ( <b>Exhibit B4</b> of the Staff Report). During the site visit Staff observed eight (8) trailers, two (2) business trucks and three (3) shipping containers on site; all parking was provided off-street, located on the premise                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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|                      | and appeared to be operable ( <b>Exhibit D</b> of the Staff Report). One (1) of the trailers has since been removed from the property since the site visit according to the applicant.                                                                                                     |                                                                                                                                                                                                                                          |
| <b>Criteria Met?</b> | <b>3</b>                                                                                                                                                                                                                                                                                   | <b>Persons not employed on the premises may visit the premises for the purpose of picking up equipment and materials to be used elsewhere, including trucks offloading or transferring equipment and/or materials to other vehicles.</b> |
| <b>Yes</b>           |                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                          |
| <b>Analysis</b>      | According to the Land Use Worksheet, the proposed use shall have one (1) employee on site that may access the property to pick-up equipment, materials and business vehicles to be used elsewhere ( <b>Exhibit B1 &amp; B3</b> of the Staff Report).                                       |                                                                                                                                                                                                                                          |
| <b>Criteria Met?</b> | <b>4</b>                                                                                                                                                                                                                                                                                   | <b>Employees may meet on the premises to share rides to and from job sites.</b>                                                                                                                                                          |
| <b>Yes</b>           |                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                          |
| <b>Analysis</b>      | There is one (1) employee at the subject property, however Billington employees may meet on-site to share rides to and from the job site if needed. The proposed hours of operation are Monday through Friday, 7 a.m. to 5 p.m. and Saturday 8 a.m. to 5 p.m.                              |                                                                                                                                                                                                                                          |
| <b>Criteria Met?</b> | <b>5</b>                                                                                                                                                                                                                                                                                   | <b>Employees' vehicles shall be parked on site and not on a public or private road.</b>                                                                                                                                                  |
| <b>Yes</b>           |                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                          |
| <b>Analysis</b>      | Employees' vehicles, business vehicles, materials, and equipment shall be parked on site and out of Madison Road and Cherry Lane right of way. Based on the provided site plan, all of the parking is proposed to be on the premises, off-street ( <b>Exhibit B2</b> of the Staff Report). |                                                                                                                                                                                                                                          |

**Table 3. Area of City Impact**

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| <b>CCCO 09-11-01: Nampa Area of City Impact (Plans and Ordinances/Map) Ordinance Applicable Ordinances and Standards:</b> Within the Nampa area of city impact, the following ordinances apply, but the city of Star ordinances are subject to the waiver provisions in subsection (6) of this section. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>County Ordinance and Staff Review</b>                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Criteria Met?</b>                                                                                                                                                                                                                                                                                    | <b>Code Section</b>                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Analysis</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Yes</b>                                                                                                                                                                                                                                                                                              | <b>09-11-25</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p><b>The following procedures shall be adhered to in processing applications within the Nampa area of city impact:</b></p> <p><b>(1) Land Use Applications:</b> All land use applications submitted to Canyon County including, but not limited to, rezones, conditional rezones, conditional use permits, variances and land divisions requiring notification of a public hearing, shall be referred to the city of Nampa in the manner as provided for in subsection <a href="#">09-11-17(3)</a> of this article.</p> <p><b>§09-11-17(3): Comprehensive Plan Amendment Proposals:</b> All proposals to amend Canyon County's comprehensive plan, which may pertain to the Nampa area of city impact, but which do not originate from the city of Nampa, shall be referred to the city of Nampa's planning and community development director at least thirty (30) calendar days prior to the first county public hearing on the matter and the city of Nampa may make a recommendation before or at said public hearing. After the city receives its initial thirty (30) days' notice, any further notice of proposed changes to the proposal will be provided to the city of Nampa at least seven (7) days prior to the public hearing. If a recommendation is received by the county from the city of Nampa, it shall be given consideration by the county, provided it is factually supported, but such recommendation shall not be binding on the county. If no recommendation is received, Canyon County may proceed without the recommendation of the city of Nampa.</p> |
| <b>Analysis</b>                                                                                                                                                                                                                                                                                         | <b>Area of City Impact:</b> The Nampa area of city impact consists of an area in unincorporated Canyon County where development or use of land affects, or may affect, the City of Nampa in consideration of trade areas, geographic factors and areas that can reasonably be expected to be annexed to the City of Nampa in the future. The subject parcel is contiguous with Nampa city limits. The subject parcel is in the City of Nampa's area of impact. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| <p>An agency notice was sent out to the City of Nampa on January 12 and April 2, 2026, and The City of Nampa submitted a letter on January 13, 2026, stating that the subject property's land use designation is Industrial in Nampa's Comprehensive Plan and it's adjacent to a Residential land use designation, therefore, mitigations needs to be in place to allow for compatibility such as landscaping and setback requirements (<b>Exhibit E4</b> of the Staff Report). Nampa recommends denial to allow the subject property to annex into the City of Nampa to meet their standards. The subject property is adjacent to industrial uses in the County and the City of Nampa therefore, the request is not anticipated to negatively impact the city's future land use plans. The applicant proposes to have a sight obscuring fence around the staging area and landscaping on the east property line running north to south (<b>Exhibit B2 &amp; D</b> of the Staff Report). <i>See condition of approval No. 7.</i></p> |
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## Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission **Approves** Case # CU2025-0014, a conditional use permit for a staging area.

### Conditions of Approval:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
  - a. Within 90 days from the date the development agreement is signed, a floodplain development permit shall be submitted to the Development Services Department (**Exhibit E5**). Floodplain development permit compliance must be obtained within one (1) year of the approval date of the Findings of Fact, Conclusion of Law and Order, unless the floodplain development permit is denied or expires due to inactivity. If the floodplain development permit is denied or expires (over 45 days without any action or activity), termination of this conditional use permit may be enacted before the one-year timeframe.
  - b. Comply with all Fire District requirements per State adopted IFC and as evidenced by review and approval documentation from the applicable fire district prior to issuance of a certificate of occupancy for unpermitted structures.
2. This conditional use permit shall follow land use time limitation as stated in CCCO §07-07-23: When a conditional use permit is granted, the land use or construction of its facility proposed in the application must have commenced within three (3) years of the date of the final decision by the presiding party or a court of appropriate jurisdiction. The improvements for the approved use must be completed within five (5) years of the same date unless otherwise specified herein.
  - a. Commencement shall be the date of the signing of the Findings of Fact Conclusion of Law and Order (FCO).
3. The staging area conditional use permit shall be limited to parcel R30795013 and the applicant Alysha and Matthew Billington. This permit is not transferable to any other property or individual and is not valid for any business or use other than the applicant or that specifically approved by the Planning and Zoning Commission.
4. The proposed use shall be in conformance with the applicant's Site Plan and Letter of Intent (**Exhibits B1 & B2**).
  - a. Staging Area: No more than three (3) vehicles, eight (8) trailers and three (3) shipping containers shall be on site in conformance with the site plan (not on a public road) and shall be in operable condition (**Exhibit B2**).
  - b. No more than a quarter of the property shall be utilized for staging area purposes in conformance with the site plan (**Exhibit B2**).
  - c. Hours of Operation: The applicant shall operate the staging area Monday to Friday 7 a.m. to 5 p.m. Saturdays 8 a.m. to 5 p.m. and close on Sundays. Business related shipments and deliveries shall be prohibited to the subject parcel.
5. The applicant shall comply with Development Services Building Department and meet Canyon County setbacks by relocating the shipping containers that do not meet county setback requirements (starred in **Exhibit C9**) within six (6) months from the signed Findings of Fact Conclusion of Law and Order (FCO).

6. The applicant shall comply with the applicable Nampa Highway District No.1's requirements, including paying any applicable impact fees (**Exhibit E3**). The applicant shall obtain a commercial access permit on Madison Road within 120 days of the date of the signing of the Findings of Fact Conclusion of Law and Order (FCO) as evidenced by the applicant providing Development Services with an approved highway district document indicating the completion of improvements.
7. A minimum six (6) foot sight obscuring fence in accordance with CCCO §07-02-03, shall be maintained on the north, east, south and west boundary of the staging area location as to obscure business vehicles, materials and equipment (**Exhibit B2 & D**).
8. All exterior lighting, if installed, shall be downward facing and directed away from surrounding properties.
9. A dust mitigation plan shall be submitted within 120 days of the signed decision. Dust shall be controlled per applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to operations including but not limited to nuisance regulations (Canyon County Code of Ordinances Chapter 2 Article 1: Public Nuisances) and shall be consistent with Idaho Department of Environmental Quality (DEQ) and Environmental Protection Agency (EPA) requirements.
10. The applicant shall not impede, disrupt, or otherwise disturb the existing irrigation structures on and adjacent to the subject property and easement without written approval from the irrigation district with jurisdiction.
  - a. The applicant shall retain stormwater drainage onsite.

DATED this 21 day of May, 2026.

PLANNING AND ZONING COMMISSION  
CANYON COUNTY, IDAHO

  
Robert Sturgill, Chairman

State of Idaho )

SS

County of Canyon County )

On this 21 day of May, in the year 2026, before me CAITLIN ROSS, 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: Caitlin Ross

My Commission Expires: 5/7/2031