



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

In the matter of the application of:
Lakey for Olsen – CU2025-0016

The Canyon County Planning and Zoning Commission considers the following:

Case No. CU2025-0016: The applicant, David Olsen, represented by Borton-Lakey Law, is requesting a Conditional Use Permit for an RV Park on approximately 3.35 acres in an “A” (Agricultural) zone. The subject property has an approved conditional use permit for 7 mobile homes on the property. The request allows up to eight (8) RV’s in place of two (2) of the approved manufactured home sites. The subject property is located at 24938 Farmway Rd, Caldwell, also referenced as Parcel R38154, a portion of the NW quarter of Section 33, T5N, R3W, 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 CU2025-0016.
 - 1. All exhibits are located in the case staff report dated June 18, 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)), and CCCO §07-14 (Use Standards).
 - 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.

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, CU2025-0016, was presented at a public hearing before the Canyon County Planning and Zoning Commission on June 18, 2026, and was continued to August 6, 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

Standards of Evaluation – CCCO §07-07-05: The presiding party shall consider each conditional use permit application by finding adequate evidence to answer the following questions in its FCOs:		
County Ordinance and Review		
Criteria Met?	Code Section	Criteria
Yes	1	Is the proposed use permitted in the zone by a conditional use permit?
Analysis		<i>An RV Park is permitted in the "A" (Agricultural) zone by conditional use permit, pursuant to the Canyon County Code of Ordinance (CCCO) §07-10-27.</i> <i>The applicant submitted a conditional use permit for a Recreational Vehicle (RV) Park on August 6, 2025. See Staff Report Exhibit A for the application and submitted materials.</i> <i>CCCO §07-02-03 defines a recreational vehicle (RV) park as "A parcel of land designed and intended for the use of recreational vehicles for a fee as temporary living quarters for recreation or vacation purposes."</i> Although there is evidence that recreational vehicles have previously been used primarily for habitation on the property (CDEF2022-0086), the property owner testified that, with Condition of Approval No. 9 limiting RV occupancy to a maximum of 180 days, the RVs will no longer be used for habitation except as otherwise permitted by the Canyon County Code of Ordinances. The Planning and Zoning Commission found that, with Condition of Approval No. 9, the proposed use meets the definition of a Recreational Vehicle (RV) Park set forth in CCCO §07-02-03.

Criteria Met?	2	What is the nature of the request?
Yes		
Analysis		The property owner, David Olsen, has an approved conditional use permit for a Planned Unit Development (PUD) that allows for a total of seven (7) mobile homes on parcel R38154 (Staff Report Exhibit C4). The request is for a conditional use permit to establish an RV park for a total of eight (8) RVs in lieu of two (2) of the approved mobile home sites (Staff Report Exhibit B2). The request is not to modify the approved Planned Unit Development. Rather, it would allow either a mobile home or a recreational vehicle to occupy two (2) of the approved mobile home sites, subject to the conditions of approval. The supplemental Letter of Intent states that multiple Conditional Use Permits may apply to a single property (Staff Report Exhibit C6). To ensure consistency between the approved PUD and the proposed RV Park, Condition of Approval No. 2a identifies the specific mobile home sites that may alternatively be occupied by recreational vehicles.
Criteria Met?	3	Is the proposed use consistent with the comprehensive plan?
Yes		
Analysis		The proposed use is consistent with the 2030 Canyon County Comprehensive Plan, which designates the subject property as "Agriculture" (see Staff Report, Exhibit C2.15). The nearest "Rural Residential" designation is located approximately 0.12 miles east of the subject property, across Interstate 84. The subject property is zoned "A" (Agricultural). An RV Park is permitted in the "A" Zone through approval of a Conditional Use Permit, subject to the applicable requirements of CCCO §07-10-27. Pursuant to CCCO §07-02-03, an RV Park is intended for the use of recreational vehicles as temporary living quarters for recreation or vacation purposes. There are existing mobile home parks in the area, circa 1970's, when there was an allowance for a Planned Unit Development (PUD) process in the "A" Zone. The subject property has an approved PUD allowing a mobile home park with seven units (CU2002-42, Staff Report Exhibit C3). PUDs are not allowed in the "A" Zone per CCCO §07-10-27. Therefore, the existing mobile home subdivisions and approvals are now legal non-conforming uses that cannot be expanded or extended unless they meet current code requirements per CCCO §07-11-07. The proposal is aligned with, but not limited to, the following goals and policies of the 2030 Comprehensive Plan: <u>Property Rights Goal:</u> <i>G1.02.00: 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> The conditions of approval are intended to mitigate potential impacts associated with the proposed use and ensure the property is operated in accordance with the Canyon County Code of Ordinances. <u>Population Component Goals:</u> <i>G2.01.00: Incorporate population growth trends & projections when making land-use decisions.</i> <i>G2.02.00: Promote housing, business, and service types needed to meet the demand of the future and existing population.</i> The proposed RV Park provides a temporary recreational and vacation use within an area designated and zoned for agricultural purposes. The need for an RV Park was established through public testimony. The proposed use provides a service that may accommodate visitors and recreational users while remaining subject to the limitations and conditions of the Conditional Use Permit. <u>Economic Development Goal and Policy:</u> <i>P3.01.01: Direct business development to locations that can provide necessary services and infrastructure.</i> <i>G3.03.00: Develop and work with organizations on improving tourism in the County.</i>

	The proposed RV Park is located in proximity to Interstate 84, providing convenient access for patrons traveling to and through the area. The proposed use supports temporary recreational and vacation travel and may contribute to tourism and economic activity within the County. <u>Land Use Goals and Policies:</u> • <i>P4.01.01: Maintain a balance between residential growth and agriculture that protects the rural character.</i> • <i>P4.02.01: Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses.</i> • <i>G4.03.00 Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning.</i> • <i>G4.06.00: Development design should improve the area's character and be compatible with the community's visual appearance and the natural environment.</i> • <i>P4.07.01: Plan land uses that are compatible with the surrounding community.</i> The request is compatible with the "Agriculture" designation of the 2030 Canyon County Comprehensive Plan. Although the surrounding area contains existing legal nonconforming mobile home developments, the proposed RV Park is distinct in that it is limited to temporary recreational and vacation use as defined by CCCO §07-02-03. The proposed use is also located in an area where similar forms of temporary and residential occupancy already exist. The conditions of approval address potential impacts associated with the RV Park and are intended to ensure the use remains compatible with the surrounding area, protects the rural character of the community, and does not create an expansion of the existing legal nonconforming mobile home use.																		
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 RV Park will not be injurious to other property in the immediate vicinity or negatively change the essential character of the area because the use has been in effect for at least 8 years since April 2018. The proposed RV Park would be limited by the conditions of approval, which are intended to mitigate potential impacts and ensure the use remains compatible with surrounding properties. The existing legal nonconforming mobile home use and the proposed RV Park are compatible with the surrounding development pattern, particularly given the presence of existing residential subdivisions and a legal nonconforming mobile home park adjacent to the subject property. Summary: The surrounding land uses, as reviewed within a one- and two-mile radius, as well as the current zoning and subdivision map, indicate that land uses in the area south of Purple Sage Road are trending towards residential, and the area north of Purple Sage Road is trending towards a mixed use of agriculture with some residential uses, as seen in Staff Report Exhibits C2.5, C2.6, and C2.7. There are subdivisions adjacent to the subject property to the south and west, and adjacent to the east is a legal non-conforming mobile home park. The subject property is an approved mobile home park with currently five (5) mobile homes on the property. Adjacent Existing Conditions: <table><tr><th>Direction</th><th>Existing Use</th><th>Primary Zone</th><th>Other Zone</th></tr><tr><td>N</td><td>Agricultural with Primary Residence</td><td>A</td><td>--</td></tr><tr><td>S</td><td>Sunlight Terrace Subdivision (Platted in 1978 (Staff Report Exhibit C7))</td><td>A</td><td>--</td></tr><tr><td>E</td><td>Purple Sage Mobile Home Park (Legal Non-Conforming, Established in 1975 (Staff Report Exhibit C8))</td><td>A</td><td>RR, CR-R1, & C1</td></tr></table>			Direction	Existing Use	Primary Zone	Other Zone	N	Agricultural with Primary Residence	A	--	S	Sunlight Terrace Subdivision (Platted in 1978 (Staff Report Exhibit C7))	A	--	E	Purple Sage Mobile Home Park (Legal Non-Conforming, Established in 1975 (Staff Report Exhibit C8))	A	RR, CR-R1, & C1
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	Country Hills Estate (Platted in 1973 (Staff Report Exhibit C9))		A	--
"A" (Agricultural), "R-R" (Rural Residential), "R-I" (Single-Family Residential), "C-I" (Neighborhood Commercial), "C-2" (Service Commercial), "M-I" (Light Industrial), "CR" (Conditional Rezone)				
Surrounding Land Use Cases: Within the last five (5) years in a 1-mile radius of the property, there have been seven (7) land use cases approved. Two (2) rezones to residential zones, four (4) subdivisions, and one (1) conditional use modification for the subject property's approved Planned Unit Development (PUD) (Staff Report Exhibit C2.6). There have been twenty-four (24) subdivisions; most of the subdivisions were platted in the early 2000's or prior, three (3) subdivisions in platting, and two (2) mobile home parks approved (Staff Report Exhibit C2.7) in a 1-mile radius from the subject property. Within a 1-mile radius of the subject property, there is one (1) feedlot, and within 2 miles, there is one (1) gravel pit (Staff Report Exhibit C2.8). Character of the Area: The subject property is zoned "A" (Agricultural) (see Staff Report, Exhibit C1). The general character of the surrounding area is predominantly residential south of Purple Sage Road and primarily agricultural with some residential development north of Purple Sage Road. The subject property is located near Purple Sage Golf Course and is in proximity to Interstate 84, providing convenient access for patrons traveling to and through the area. The proposed use supports temporary recreational and vacation travel and may contribute to tourism and economic activity within the County. The proposed RV Park is consistent with the definition of an RV Park established in CCCO §07-02-03 and, as conditioned, is compatible with the existing development pattern and character of the surrounding area. The conditions of approval are intended to mitigate potential impacts associated with the use and protect the surrounding properties from adverse impacts.				
Criteria Met?	5	Will adequate water, sewer, irrigation, drainage, and stormwater drainage facilities, and utility systems be provided to accommodate the use?		
Yes				
Analysis	The project has the capability of providing adequate water, sewer, irrigation, drainage, and stormwater drainage facilities, and utility systems to accommodate the proposed use based on the analysis contained herein. Water: According to the land use worksheet (Staff Report Exhibit B4), water will be provided via an individual well. However, comments received from Southwest District Health stated that, based on the assumption of five (5) two-bedroom mobile homes and eight (8) RVs with two residents per RV, a total of 26 people, which triggers the requirements to become a Public Water System (Staff Report Exhibit E1.2). The use may also require a water right from the Idaho Department of Water Resources per Idaho Code 42-222. Sewer: There are no additional septic tanks proposed for this project. There are currently two (2) individual septic tanks servicing four (4) RVs each, and individual septic tanks servicing the mobile homes. The property is located in a nitrate priority area (Staff Report Exhibit C2.12). Southwest District Health provided comment on August 27, 2025, advising that the existing septic tanks can accommodate the requested use (Staff Report Exhibit E1). Irrigation: The applicant does not have irrigation according to the land use worksheet (Staff Report Exhibit B4). There is a seasoned ditch used as a source for surface water. Agency notice was sent out to Black Canyon Irrigation District on August 22, 2025, and May 14, 2026. No comments were received. Based on existing uses and location of use (Staff Report Exhibit D), as well as recent improvements (CU2022-0035, Staff Report Exhibit C4), it is not anticipated that the proposed use will impact an irrigation system or a seasoned ditch.			

	Stormwater drainage facilities: According to the land use worksheet, stormwater drainage on the subject property will be retained on-site. It appears the use does not require or affect stormwater drainage on the property (Staff Report Exhibit B4). Utility Systems: Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on August 22, 2025, and May 14, 2026. No agency comments were provided by those services at the time the staff report was written. It is anticipated that the applicant will be able to work with utility providers to gain any additional utilities needed.	
Criteria Met?	6	Does legal access to the subject property for the development exist or will it exist at the time of development?
Yes		
Analysis	The subject property does have legal access for the development and will exist at the time of the development. The subject parcel takes access from Farmway Road and Purple Sage Road. According to the comment received from Notus Parma Highway District (Staff Report Exhibit E2), existing access approaches include commercial approaches to the subject parcel that meet the requirements for the intended use per ACCHD standards.	
Criteria Met?	7	Will there be undue interference with existing or future traffic patterns?
Yes		
Analysis	Based on comments received from the Notus-Parma Highway District and Idaho Transportation Department, undue interference with traffic patterns is not anticipated. The property has a legal non-conforming use allowing a mobile home park with a total of seven units (approximately 66.64 Average Daily Trips (ADT) based on CCCO §07-10-03(4)). The request will allow the replacement of two units with eight (8) RVs. If the RVs have the same ADT as dwellings, then the request created approximately 123.76 ADT, which is below the threshold for a traffic impact study (500 ADT per IDAPA 39.03.42) According to the comment received from Notus Parma Highway District (Staff Report Exhibit E2), existing access approaches include commercial approaches to the subject parcel that meet the requirements for the intended use per ACCHD standards. The letter did not state any traffic concerns regarding the request. Idaho Transportation Department (Staff Report Exhibit E4) also has no concerns regarding the request.	
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	Essential services will be provided to accommodate the use, including, but not limited to, school facilities, police and fire protection, emergency medical services, and irrigation facilities. The services will not be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use. School Facilities: Parcel R38154 is serviced by the Middleton School District. It is not anticipated that a significant impact or accommodations will be needed for an RV Park. Agency comments were sent out on August 22, 2025, and May 14, 2026. No comments were received by the school district. Police and Fire Protection: Parcel R38154 is under the jurisdiction of the Middleton Rural Fire District and Canyon County Sheriff's Department. Middleton Rural Fire District and Canyon County Sheriff's Department are required to provide services to the parcel. Agency notices were sent on August 22, 2025, and May 14, 2026, to the Middleton Rural Fire District and the Canyon County Sheriff's Department.	

	Middleton Rural Fire District provided comment on December 30, 2025 (Staff Report Exhibit E6). Middleton Rural Fire District advised that the proposed use has been in place for many years; therefore, the proposed use will not negatively impact their services. It was stated that currently, the structures on the property do not meet the code for building identification (Addressing). If the application were to be approved, this would need to be a condition of approval. The subject property is serviced by Station 53, which is approximately 6.5 miles with an estimated response time of 10 minutes under optional driving conditions. No comment was received from the Canyon County Sheriff's Department. Emergency Medical Services: Emergency Medical Services are provided to the property. Canyon County Paramedics/EMT and Canyon County's Emergency Management were notified of the application on August 22, 2025, and May 14, 2026. No comments were received. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Irrigation Facilities: The applicant does not have irrigation according to the land use worksheet (Staff Report Exhibit B4). There is a seasoned ditch used as a source for surface water. Agency notice was sent out to Black Canyon Irrigation District on August 22, 2025, and May 14, 2026. No comments were received. It is not anticipated that the proposed use will impact an irrigation system or a seasoned ditch.
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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 # CU2025-0016, a conditional use permit for an RV Park subject to the following conditions as enumerated:

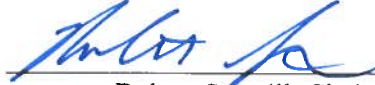
Conditions of Approval:

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. Per CCCO §07-07-23(10), any improvements approved through this conditional use permit shall commence in 3 years and be completed in 5 years, unless otherwise specified.
 - b. Signage shall meet CCCO §07-10-13 requirements and shall not exceed 32 sq. feet and 10 feet in height unless an additional sign permit is applied for and approved by the Director. If it exceeds 6 feet in height, a building permit is required.
 - c. Within **180 days of approval**, the applicant must meet on-site parking requirements as outlined in CCCO §07-13-01 (See Condition 8a).
2. The proposed development shall be in general conformance with the applicant's site plan and letter of intent (**Exhibits B2, B2.1, and B3**).
 - a. No more than eight (8) RVs in place of two (2) mobile homes are allowed (four (4) RVs per mobile home space) located in mobile home units 4 and 5 (**Exhibit C10**).
 - b. Any increase in the number of RVs allowed will require a revocation of the approved Planned Unit Development and a conditional use permit modification for the RV Park.
3. The applicant shall comply with the requirements and regulations of the Notus Parma Highway District (**Exhibit E2**).
4. The applicant shall meet all applicable Southwest District Health (SWDH) requirements for the proposed uses (**Exhibits E1, E1.1, and E1.2**). Evidence shall be a letter of review and approval from SWDH within **180 days of approval**.
 - a. A public water system is required when there are at least 15 service connections, or the system regularly serves 25 or more people daily for at least 60 days per year. If applicable, the applicant must comply with DEQ requirements for a public water system.

5. The applicant shall number the eight (8) RV spots for emergency services. The numbers shall be reviewed and approved by Middleton Fire District. Evidence shall be provided to DSD within **180 days of approval**.
6. All proposed electrical hookups shall comply with the regulations found in the Idaho Electrical Code.
7. The applicant shall comply with the requirements and regulations of the Middleton Fire District (**Exhibit E6**).
 - a. A parking and circulation plan drawn to scale must be submitted and obtain any necessary fire district approval. The parking and circulation plan must be complaint with Canyon County's off-street parking requirements. Evidence of consistency shall be turned into Canyon County DSD within **180 days of approval**.
8. Quiet hours for the RV Park shall be 10:00 PM – 7 AM, 365 days a year.
9. No person, party, or organization shall be permitted by the owner to camp for more than 180 days within a calendar year, unless the code is amended to allow for longer stays.
 - a. If condition number 9 is violated, the applicant shall consider the past code enforcement violations as a courtesy notice, and the revocation process shall be initiated for the conditional use permit. Notice thereof will be given in accordance with CCCO §07-07-21.
10. Rental Agreements shall be in place that limit persons to the same conditions of approval as this conditional use permit. The template of the rental agreement shall be provided to the Development Services Department within 30 days of approval.
 - a. The property owner or their designee shall be made available at all times to enforce the rental agreements and the conditions of approval.
11. The property owner shall maintain a log of patrons for the RV Park that includes length of stay, license plate numbers, name of all patrons age 18 and older staying in the RV, and space number. The log shall be available anytime Canyon County requests to view such log.
12. The conditional use for the RV Park shall be limited to David Olsen and family on parcel R38154, unless, within **60 days of ownership change**, the new property owner provides the Development Services Department with a notarized consent to the RV Park conditions.

DATED this 20 day of August, 2026.

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



Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this 20 day of August, 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