



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

In the matter of the application of:

Burton – CU2026-0014

The Canyon County Planning and Zoning Commission considers the following:

Case No. CU2026-0014: The applicant, Jon Burton, Jr is requesting a Conditional Use Permit for a Staging Area on approximately 1 acre of a 3.79-acre parcel in an “A” (Agricultural) zone. The applicant has a concrete construction business; the proposal is to store the company equipment and vehicles on-site with approximately 3 employees loading and unloading. The hours of operation are 7 a.m.–5 p.m. Monday through Friday, with the occasional Saturday from 7 a.m.–12 p.m., with no customers onsite.

The subject property is located at 12604 Ropers Ln, Nampa, also referenced as Parcel R32815010, a portion of the SW quarter of Section 13, T3N, 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 CU2026-0014.
 - 1. All exhibits are located in the case staff report dated October 1, 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 §09-01-19 (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. **Or** Any hearing examiner appointed by the board shall perform such duties as assigned by the board pursuant to Idaho Code section 67-6520. *See* CCCO §07-03-07.
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, CU2026-0014, was presented at a public hearing before the Canyon County Planning and Zoning Commission on October 1, 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 conditional use permit?
Analysis	The proposed use for a staging area is permitted in the zone by a conditional use permit, pursuant to County Ordinance CCCO §07-10-27. The applicant submitted a conditional use permit for a staging area on April 30, 2026. <i>See Exhibit A for the application and submitted materials.</i> CCCO §07-02-03 defines a staging area as “An area where equipment and/or materials are stored for use conducted entirely off-site.”	
Criteria Met?	2	What is the nature of the request?
Yes		
Analysis	The applicant, Jon Burton, requests a conditional use permit to establish a staging area for his concrete construction business on approximately 1 acre of the 3.79-acre parcel, designated as R32815010. <u>Use</u>: The proposal consists of using approximately one acre of the subject property as a staging area for the storage of equipment and inventory associated with the applicant's concrete construction	

	business, Canyon Construction, Inc. (Exhibit B2). The applicant's Letter of Intent identifies the proposed staging area as approximately one-third of an acre. However, based on the area identified in the application materials, staff determined that the area that may be used for the proposed staging area is approximately one acre. Staff's acreage determination is shown in Exhibit B11. • <u>Equipment and Materials</u>: The applicant proposes to store form trailers, dump-bed trailers, and cargo trailers, with concrete construction equipment stored inside the trailers. Materials proposed to be stored onsite include sticks of rebar and foundation vents (Exhibit B2.1). • <u>Number of Employees</u>: The applicant is proposing to have a total of two (2) employees who come on-site to load and unload the needed supplies; the work is conducted off-site (Exhibit B4). As conditioned, the applicant shall not exceed five (5) employees. <i>See condition number 7c.</i> • <u>Customers</u>: According to the applicant's Operation Plan (Exhibit B5), there are no customers who come on-site. • <u>Hours of Operation</u>: The hours of operation proposed are Monday through Friday, 7:00 am – 5:00 pm with the occasional Saturday, per the land use worksheet (Exhibit B4). <i>See condition number 7a.</i> • <u>Parking</u>: The proposal includes parking for the property owners' company vehicles and employees as needed. • <u>Restrooms</u>: There is currently an individual septic tank servicing the residence on site. The restroom is not anticipated to be used by the employees who come on-site to load and unload the needed supplies. <i>See condition number 11.</i>	
Criteria Met?	3	Is the proposed use consistent with the comprehensive plan?
Yes		
Analysis	As conditioned, the proposed use is consistent with the Comprehensive Plan. The 2030 Canyon County Comprehensive Plan designates the subject parcel as "Rural Residential" (Exhibit C1). However, approximately 0.46 miles north of the subject property, there is a future commercial land use designation; approximately 0.25 miles south of the subject property is zoned agricultural. The subject parcel is within the City of Caldwell's area of impact and adjacent to the City of Nampa to the east. The future land use is trending towards a mixed-use of residential, commercial, and agricultural. As conditioned, the proposed use is aligned with, but not limited to, the following goals and policies of the 2030 Comprehensive Plan: • <u>Property Rights Goal</u>: ○ G1.01.00: <i>"Protect the integrity of individual property rights while safeguarding public health, safety, and welfare."</i> Canyon County values the applicants' and surrounding applicants' private property rights and may support the applicants' project and the surrounding property owners' rights by adding mitigating conditions to the proposed conditional use permit (CCCO Section 07-07-17). <i>See the conditions of approval.</i> • <u>Population Goal</u>: ○ G2.01.00: <i>"Incorporate population growth trends and projections when making land use decisions."</i> Property owners have 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. Each category has characteristics that might not be compatible with other zoning categories (Pg. 10, Comprehensive Plan 2030)." See section 07-07-05(4) for analysis on land use compatibility and consistency. • <u>Economic Development Goal</u>: ○ G3.05.00: <i>"Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability."</i>	

	Canyon County supports retaining, expanding, and recruiting businesses and economic growth and expansion, but this must be done in a way that is compatible with the surrounding area, which may include adding mitigation conditions to this conditional use permit that address the community's concerns (noise, traffic, dust, etc.). <i>See the conditions of approval.</i> • <u>Land Use Policies:</u> ○ P4.01.01: "Maintain a balance between residential growth and agriculture that protects the rural character." ○ P4.01.02: "Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights." Canyon County supports growth and development as long as it is compatible with the surrounding area and appropriate conditions are added to mitigate adverse impacts that affect other land uses and the surrounding community. <i>See the conditions of approval.</i>																						
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	As conditioned, the proposed use is not anticipated to be injurious to other property in the immediate vicinity and will not negatively change the essential character of the area. Summary: The surrounding land uses, as reviewed within a one- and two-mile radius, as well as the current zoning and classification map, indicate that land uses in the area are a combination of residential and agricultural uses as seen in Exhibits C2.5, C2.6, and C2.7. There are agricultural operations within close proximity to the south and west of the subject property. A staging area and contractor shop are allowed in an agricultural zone with a conditional use permit. As conditioned, the proposed use is not anticipated to be injurious to other property within the immediate vicinity, nor negatively change the essential character of the area. 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 Operation</td><td>A</td><td>City of Caldwell</td></tr><tr><td>S</td><td>City of Caldwell</td><td>Low Density Residential</td><td>-</td></tr><tr><td>E</td><td>City of Nampa</td><td>RS6 - Residential</td><td>-</td></tr><tr><td>W</td><td>Residential with Agricultural Operation</td><td>A</td><td>City of Caldwell</td></tr></table> "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 1-mile radius of the property, there has been one (1) Conditional Rezone from "A" zone to "CR-C2" zone that was denied, and one (1) Conditional Use Permit for a staging area that was denied (Exhibit C2.6). The staging area that was denied, case CU2025-0008, is not comparable to the current request. The request was for four (4) semi-trucks and two (2) sprinter vans. The request for the semi-trucks would have a greater impact on the area than the subject property's proposed use due to an increase in noise, dust, and traffic. See Exhibit B9 for specific details of denial. Within a 2-mile radius of the subject property, there are three (3) gravel pits approved (Exhibit C2.8). There are forty-six (46) subdivisions with an average lot size of 0.34 acres approved within a 2-mile radius of the subject property and eleven (11) subdivisions in platting (Exhibit C2.7). Character of the Area: The area is characterized as primarily residential with some agricultural. The subject property is surrounded by city jurisdictions on all sides. However, there are several agricultural operations within one and two miles of the subject property to the south and west.			Direction	Existing Use	Primary Zone	Other Zone	N	Agricultural Operation	A	City of Caldwell	S	City of Caldwell	Low Density Residential	-	E	City of Nampa	RS6 - Residential	-	W	Residential with Agricultural Operation	A	City of Caldwell
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W	Residential with Agricultural Operation	A	City of Caldwell																				

	Potential Impacts: As proposed, the staging area is not anticipated to significantly increase the sound levels in the immediate vicinity. Per the letter of intent (Exhibit B2), the nature of the work is remote, with loading and unloading on-site. As conditioned, the normal hours of operation are limited to Monday through Friday, 6:00 am – 6:00 pm (Exhibit B4), and the proposed use shall be in general conformance with the applicant’s site plan; therefore, it cannot expand outside of the area shown without amending the conditional use permit. <i>See condition number 7.</i> The proposed use may increase the dust levels in the immediate vicinity due to the storage and parking areas being gravel. As conditioned, 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 (CCCO Chapter 2 Article 1: Public Nuisances) and shall be consistent with Idaho Department of Environmental Quality (DEQ) requirements. To mitigate the potential for dust, the applicant shall submit a dust mitigation plan for staff’s review and approval prior to commencement. <i>See condition number 9.</i> The applicant has not indicated that they plan to install lighting for the associated use. As conditioned, all exterior lighting, if installed, shall be downward-facing and directed away from surrounding properties. Compliance shall be demonstrated in the building plans submitted as part of the building permit submittal. Review and approval by DSD shall be completed before building permit issuance. <i>See condition number 4.</i> See CCCO §07-07-05(7) for potential traffic impact analysis.	
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 proposed use is anticipated to have adequate water, sewer, irrigation, drainage, stormwater drainage facilities, and utility systems to accommodate the proposed use, subject to the conditions of approval and the analysis provided below. Water: The property is served by an individual well. No additional wells are proposed to serve the proposed staging area (Exhibit B4). Based on the information provided, the existing water system is anticipated to provide adequate water to accommodate the proposed use. Sewer: No new septic system is proposed as part of this project. An existing individual septic system currently serves the residence on the property. The pre-application comments from Southwest District Health (SWDH) indicated that, based on the information provided, the proposed staging area is not anticipated to adversely impact the existing primary or replacement drain fields (Exhibit E1.1). As conditioned, the applicant shall comply with all applicable SWDH requirements for the proposed use on the property. <i>See Condition 11.</i> Irrigation: The proposed use is not anticipated to adversely impact existing irrigation facilities. Agency notice was provided to Pioneer Irrigation District on June 11, 2026, and January 29, 2026. No comments were received. As conditioned, the applicant shall not impede, disrupt, or disturb any existing irrigation structures or facilities without prior approval from the applicable irrigation district. <i>See Condition 5.</i> Stormwater drainage facilities: The applicant did not provide specific information regarding the proposed management of stormwater drainage on the subject property. As conditioned, the applicant shall retain stormwater drainage onsite in a manner that does not adversely impact adjacent properties or public facilities. <i>See Condition 13.</i> Utility Systems: Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziplly, were notified of the application on June 11, 2026, and September 1, 2026. No comments were received from these utility providers at the time of preparation of this staff report. Based on the information available, the proposed use is anticipated to be adequately served by existing utility systems, and the applicant will be responsible for coordinating with the applicable utility providers regarding any additional service or improvements necessary to accommodate the proposed use.	

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 has legal access to serve the proposed development, and access will be available at the time of development, subject to compliance with the applicable access requirements. The subject property takes access from Ropers Lane, a private road that connects to Ropers Street. Ropers Street is classified as a local road. See Exhibit B10 for visual representation. Agency notice was provided to Highway District No. 4 on June 11, 2026. Highway District No. 4 provided comments and conditions of approval on June 30, 2026. The conditions include obtaining an access permit and consulting with the City of Caldwell regarding right-of-way dedication and approach improvements onto Ropers Street (Exhibit E5). The agency comments do not indicate that legal access to the subject property is unavailable. Rather, additional access requirements must be satisfied as part of the proposed use. As conditioned, the applicant shall comply with all applicable requirements of the governing highway district, including obtaining any required access permits and completing any required access improvements. <i>See Condition 3.</i>
Criteria Met?	7	Will there be undue interference with existing or future traffic patterns?
Yes		
Analysis		Undue interference with existing or future traffic patterns is not anticipated. Based on the proposed intensity of the use, the anticipated traffic generated by the use is limited, and the applicable transportation agencies have not identified concerns that would indicate an undue impact to existing or future traffic patterns. According to the applicant's operations plan, the proposed use will have two (2) employees who will pick up materials as needed, and there will be no customers or regular public traffic to the site (Exhibit B5). The subject property takes access from Ropers Lane, a private road that connects to Ropers Street. Ropers Street is serviced by Highway District No. 4. Agency notice was provided to Highway District No. 4 on June 11, 2026. Highway District No. 4 provided comments on June 30, 2026. Based on the Institute of Transportation Engineers (ITE) Trip Generation information provided by the agency, the proposed use is anticipated to generate approximately eleven (11) daily trips (Exhibit E5). As conditioned, the applicant shall coordinate with Highway District No. 4 and obtain all necessary approvals for the proposed use. <i>See Condition 3a.</i> The Idaho Transportation Department (ITD) provided comments on June 30, 2026 (Exhibit E4), indicating no concerns at this time. Based on the limited anticipated traffic generation, the absence of onsite customers, and the agency comments received, undue interference with existing or future traffic patterns is not anticipated.
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 R32815010 is serviced by the Vallivue School District. It is not anticipated that any impacts or accommodations will be needed for the proposed use. Agency notice was sent out on June 11, 2026, and September 1, 2026. No comments were received by the school district. Police and Fire protection: Parcel R32815010 is under the jurisdiction of the Nampa Fire District. Nampa Fire District is required to provide services to the parcel. As conditioned, the applicant shall 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 and commencement of activities on the site. All development shall comply with the 2018 International Fire Code and codes set forth by Canyon County. <i>See condition number 12.</i> Nampa Fire District provided comment on July 8, 2026, advising that Nampa Fire District does not oppose the proposal (Exhibit E6). 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 June 11, 2026, and September 1, 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 proposed use is not anticipated to impact the irrigation facilities. Agency notice was sent out to Pioneer Irrigation District on June 11, 2026, and September 1, 2026. No comments were received. <i>See condition number 5</i>, which ensures the applicant shall not impede, disrupt, or disturb the existing irrigation structure without approval from the irrigation district.
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Table 2. Use Standards – Staging Area: CCCO §07-14-29

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 Review		
Criteria Met?	Code Section	Criteria
Yes	1	All work shall be conducted off site.
Analysis	Per the applicant's operation plan, all work will be conducted off-site, except for loading and unloading supplies on-site, which will either be in a building or located behind a site-obscuring fence (Exhibit B5). See condition number 10.	
Criteria Met?	2	Business vehicles shall be operable and parked on site, not on a public or private road.
Yes		
Analysis	Per the operation plan, parking will be on-site (Exhibit B5). No parking will take place on a public or private road. It appears there are materials/equipment parked on Ropers Lane; the applicant must remove these items. See condition number 7b. Based on the Planning Staff's site visit on September 17, 2026, there does not appear to be any inoperable business vehicles on the property (Exhibit D).	
Criteria Met?	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.
Yes		
Analysis	Per the land use worksheet, there will be approximately two (2) employees total who will visit the premises to pick up equipment to be used elsewhere (Exhibit B4).	
Criteria Met?	4	Employees may meet on the premises to share rides to and from job sites.
Yes		
Analysis	It is not anticipated that the above will occur. However, there may be instances where multiple employees are needed at a job site; in this instance, the employees may ride in one company vehicle to the job site.	
Criteria Met?	5	Employees' vehicles shall be parked on site and not on a public or private road.
Yes		
Analysis	There are ample parking spaces for employee vehicles, as seen during the site visit (Exhibit D). There is space for more parking if needed. There shall be no parking on a public or private road. See condition number 7b.	

Table 3. Area of City Impact

CCCO §09-01-19: Caldwell Area of City Impact Applicable Ordinances and Standards: Within the Caldwell area of city impact, the following ordinances apply, but the City of Caldwell ordinances are subject to the waiver provisions in subsection (6) of this section:		
County Ordinance and Review		
Criteria Met?	Code Section	Analysis
Yes	09-01-19	(6) Waiver of City of Caldwell Ordinance Provisions: The requirements listed in the Caldwell ordinances, identified in subsections (2) and (3) of this section, may be waived by the Canyon County Board of Commissioners in its discretion. An applicant for such waiver bears the burden of persuasion and must specifically state the reasons why a waiver is necessary and prove said waiver will not cause an adverse effect to the health, safety, and welfare of the community and that the requirements sought to be waived constitute an undue hardship. For the purpose of this section, increased financial expense associated with a requirement, by itself, does not constitute an undue hardship. Notice of the requested waiver must be given to the City of Caldwell not less than thirty (30) days prior to the hearing on the waiver application. Any further notice on the proposed waiver will be provided to the City of Caldwell at least seven (7) days prior to any public hearing. Written objections from the City of Caldwell will be considered by the Canyon County Commissioners. The application for waiver must show that prior to filing the application, the applicant first sought consent from the City of Caldwell to the waiver, indicating the date of the request and the response, if any, from the City of Caldwell. In granting any waiver, the county may impose any conditions the county deems necessary to help mitigate any adverse effect on the health, safety, and welfare of the community. The application for waiver will first be considered by the Canyon County Planning and Zoning Commission at a public hearing, which shall make recommendations to the Canyon County Board of Commissioners for their consideration at a public hearing. The public hearings held before the Canyon County Planning and Zoning Commission and the Canyon County Board of Commissioners will be conducted in accordance with the notice and hearing procedures provided by subsections 07-17-09(4) and (5) of this code. (Ord. 05-013, 6-1-2005)
Analysis	The subject parcel is in the City of Caldwell's area of impact. An agency notice was sent to the City of Caldwell on June 11, 2026. The City of Caldwell provided comments on July 14, 2026. The City of Caldwell's Future Land Use Map designates the subject property and surrounding area as Neighborhood 2, which supports low-density residential and commercial uses at major intersections. The City of Caldwell stated that the requested use would not be permitted on the subject parcel under City of Caldwell regulations. The City requested that, if the proposal is approved, the applicant provide a sight-obscuring fence and additional landscaping (Exhibit E7).	

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission **approves** Case # CU2026-0014, a conditional use permit for a staging area 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. The applicant shall record a Road Users Maintenance Agreement (RUMA) **180 days from the approval of the Conditional Use Permit** and provide the Development Services Department with a copy of the recorded RUMA.
 - b. The applicant shall permit the accessory shop as indicated in **Exhibit E2.1 180 days from the approval of the Conditional Use Permit**.
2. The applicant shall obtain all appropriate building permits for any structures associated with the staging area prior to commencement of use.
3. The applicant shall comply with the applicable highway district's access requirements. The applicant shall obtain a permit prior to commencement of use.
 - a. Provided at the time of the change of occupancy permit, the applicant shall coordinate with Highway District No. 4 and obtain the necessary approvals for the intended use. Evidence shall be an approved approach permit from the subject highway district (**Exhibit E5**).
4. All exterior lighting, if installed, shall be downward-facing and directed away from surrounding properties. Compliance shall be demonstrated in the building plans submitted as part of the building permit submittal via an exterior lighting plan. Review and approval by DSD shall be completed before building permit issuance.
5. 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.
6. 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 ft in height, a building permit is required.
7. The proposed development shall be in general conformance with the applicant's site plan and letter of intent (**Exhibits B2, B2.1, B3, and B11**).
 - a. The normal hours of operation shall be Monday through Friday, 6:00 a.m. to 6:00 p.m. Once per month, the applicant may operate Monday through Friday from 5:00 a.m. to 7:00 p.m. The applicant may also operate on Saturdays, provided no additional employees are present.
 - b. Employees' vehicles shall be parked on-site and not on a public or private road. Business vehicles shall be operable and parked on-site, not on a public or private road.
 - c. There shall be no more than five (5) employees.
8. This conditional use permit must 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."
 - a. Commencement shall be the date an approved zoning compliance is issued.
9. A dust mitigation plan shall be provided **180 days from the approval of the Conditional Use Permit** to the Development Services Department. 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) requirements.

10. The applicant shall meet all applicable Southwest District Health (SWDH) requirements for the proposed uses. Evidence shall be a letter of review and approval from SWDH, provided **180 days from the approval of the Conditional Use Permit**.
11. The applicant shall meet all applicable Nampa Fire District requirements for the proposed uses. Evidence shall be a letter of review and approval from Nampa Fire District, prior to commencement of use.
12. The applicant shall retain stormwater drainage on-site.

DATED this 1 day of October, 2026.

PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO


Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this 1st day of October, 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