Canyon County Hearing Examiner
Hearing Date: October 22, 2026
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER:	**CR2026-0001**
APPLICANT/REPRESENTATIVE:	**Justin Bollinger**
PROPERTY OWNER:	**Justin Bollinger**
APPLICATION:	**Conditional Rezone from "A" (Agricultural) to "CR-C2" (CR-Service Commercial) w/Development Agreement for the purpose of locating a construction company; Bully Excavation on the property.**
LOCATION:	**The subject property, R34440010A (5.76± acres), is located approximately 1017 feet north of the Hwy 44/Emmett Road intersection on the east side of Emmett Road.**
ANALYST:	**Deb Root, Principal Planner**

REQUEST:
The applicant, Justin Bollinger, is requesting a Conditional Rezone of approximately 5.75 acres from an "A" (Agricultural) zone to a "C2" (Service Commercial) zone for the intended purpose of constructing a maintenance shop, offices, construction business staging area that includes a wash station, truck/equipment parking, and a fueling station. The developer is proposing a 10,000 square foot shop with a 1500 square foot attached office building and an additional 3,500 square foot office building to serve as the operational headquarters for Bully Excavation. The property is proposed to support onsite storage of semi-trucks, trailers, and heavy excavation equipment. Activities include equipment maintenance, administrative operations, dispatching, and secured outdoor storage. (Exhibits B.2 and B.4)

PUBLIC NOTIFICATION:

Neighborhood meeting conducted on:	**December 6, 2025**
JEPA notice sent on:	**August 4, 2026**
Agency and Full Political notice:	**September 22, 2026**
Neighbor notification within 600 feet mailed on:	**September 22, 2026**
Newspaper notice published on:	**September 22, 2026**
Notice posted on site on:	**September 22, 2026**

---

1. BACKGROUND:
The subject property is not an original parcel. The property is a portion of the first division of an approximate 11 acre parcel which was subsequently divided by a judicial decree into two 5.7± acre parcels. These parcels were not divided in accordance with ordinance requirements—rezone(s) and platting as a subdivision is required for development of the property. The original 74.5 acres has been divided multiple times and portions of the original parcel have been annexed to the City of Middleton.

The original parcel contains three residentially developed properties. There are no further administrative divisions available and parcels R34440010 and R34440016 do not have building permits available without approval through annexation to the City of Middleton or rezoning with Canyon County.

The applicant's Letter of Intent, follow-up email communications, site plan, and land use worksheet (Exhibits B2-B5) generally describe the proposed business as follows:

- **Employees**: There will be 5-6 employees onsite during business hours including office support and two mechanics. An additional five (5) employees will come to the site daily to pick-up trucks and equipment between the hours of 6:00 am and 6:45 am returning the trucks and equipment at or around 5:00 pm daily. (Exhibit B.3 Oct 8, 2026) **Total employment for Bully Excavation is around 25 employees** with the majority of them reporting directly to job sites.
- **Hours of Operation**: The land use worksheet indicates that operating hours will be **7:00 am to 6:00 pm Monday through Friday and 8:00 am to 6:00 pm on Saturdays**. However, applicant states in email follow-up that employees will retrieve job site trucks and equipment between **6:00 am and 6:45 am daily**. [Staff notes discrepancies with specified hours of operation with regards to the staging area—see email responses Exhibit B.3 Oct.8, 2026, October 13, 2026, and Exhibit B.5]
- **Equipment**: The applicant states in the letter of intent that there will be onsite storage of semi-trucks, trailers, and heavy excavation equipment—no details were provided as to the quantities of equipment types. The construction equipment has back-up alarms as required so there will be piercing noise while loading/off-loading and moving of equipment on the site. He indicates that most equipment to be utilized offsite will be loaded during operational hours (Exhibit B.3 Oct. 13, 2026 email).
- **Operations on site**: The applicant states that operations on site will include equipment maintenance, administrative operations, dispatching and secured outdoor storage. He is proposing chain link fencing around the perimeter of the site. He further clarifies that there will be no stock piling of materials on site. The shop and mechanics will be utilized for the Bully Excavation business only. No outside vehicle/equipment maintenance proposed (Exhibit B.3 Oct. 13, 2026 email).
- **Fueling Station**: The applicant has not provided additional information regarding the fueling station. A condition has been placed to ensure that the location of the fuel tanks has appropriate containment and that no leaching is to take place. The location of the proposed fueling station on the property boundary line is of concern if appropriate steps are not taken to ensure fuel spills, leaks, etc. are managed effectively.
- **Structures**: The site plan and letter of intent propose a 3500 square foot office building, a 10,000 square foot shop with an additional 1,500 square foot attached office. The site plan also indicates that there will be a wash pad. In follow-up email the applicant indicates the wash pad is just a concrete pad with a water spigot—like a pressure washer you would use at home to wash the trucks. It will be a private use facility. Additionally, the site plan indicates a fueling station with no further detail provided at the time of the staff report completion.
- **Parking**: Applicant indicates that the entirety of the site (5.75 acres) will be hard-surfaced with gravel. The applicant proposes that fifteen (15) parking spaces will be provided. He also indicates that there will be a loading and unloading area. The applicant further clarified in email response that he intends to put recycled asphalt down as the base to help eliminate dust.

- *Staff Note: Parking requirements must meet commercial building code requirements and ADA compliance. CCZO Off Street Parking and Loading Requirements §07-13-01 (9) For the two office space buildings a total of 20 spaces are required (3500+1500 / 250 = 20 spaces) §07-13-01 (13) for the personal service and repair shops (10,000 /600 = 16 spaces)*

- **Impacts**: The applicant indicated that "impacts will be mitigated through screening, dust control, lighting direction, and maintaining orderly grounds." The applicant did not provide any details with regards to the actual mitigation plans. There are no screening details, no noise or dust mitigation plans for this industrial site. A follow-up email dated October 13, 2026 indicates that dust will be mitigated with the placement of recycled asphalt on the site and if necessary a water truck can spray the yards. He further indicates that he is respectful of his neighbors and will run between county code operation hours for noise. See conditions for specified operating hours.
- **Additional Uses for the Site**: The application may be conditioned to the specific uses requested in the letter of intent and site plan for Bully Excavation. Staff, Michelle Barron, in an email dated 4-16-26 inquired if the applicant wanted to identify additional uses that could be supported on the property with the rezone to "C2" (Service Commercial). The applicant provided the following in email response dated 4-28-26: (Exhibit B.3)
  1. Accessory uses and/or structures to allowed use,
  2. Contractor Shop
  3. Mini/RV Storage
  4. Retail stores, personal service shops, banks, offices, hotels, motels, microbrewery and restaurants
  5. Sale of heavy building materials and machinery
  6. School
  7. Staging Area

  Staff notes that not all uses have the same impact. The application has not been reviewed by agencies for the specified uses and potential impacts to the area and transportation system. A traffic impact study was not required based on applicant specifications regarding the intended use and business for Bully Excavation. It is possible that if the applicant were allowed the specified uses through this conditional rezone that the impacts could be much greater than agency review anticipated. Staff recommends that the uses on the property be restricted to the proposed primary use and that if the use changes or is proposed to expand to include other uses—the development agreement should be modified through the public hearing process and the proposed uses be evaluated for impacts on the transportation system and area properties and development at that time.

2. HEARING BODY ACTION:

Pursuant to Canyon County Ordinance Article 07-06-07(1) Restrictions: In approving a conditional rezone application, the presiding party may establish conditions, stipulations, restrictions, or limitations which restrict and limit the use of the rezoned property to less than the full use allowed under the requested zone, and which impose specific property improvement and maintenance requirements upon the requested land use. Such conditions, stipulations, restrictions or limitations may be imposed to promote the public health, safety and welfare, or to reduce any potential damage, hazard, nuisance or other detriment to persons or property in the vicinity to make the land use more compatible with neighboring land uses. When the presiding party finds that such conditions, stipulations, restrictions or limitations

are necessary, land may be rezoned upon condition that if the land is not used as approved, or if an approved use ends, the land use will revert back to the zone applicable to the land immediately prior to the conditional rezone action.

Additionally, pursuant to Canyon County Ordinance Article 07-06-07(3) Conditional Rezoning Designation: Such restricted land shall be designated by a CR (conditional rezoning) on the official zoning map upon approval of a resolution by the board for an "order of intent to rezone". An "order of intent to rezone" shall be submitted to the board for approval once the specific use has commenced on the property and all required conditions of approval have been met and any required improvements are in place. Land uses that require approval of a subdivision shall have an approved final plat in accordance with this chapter before the "order of intent to rezone" is submitted for approval by the board. Designation of a parcel as CR shall not constitute "spot" zoning and shall not be presumptive proof that the zoning of other property adjacent to or in the vicinity of the conditionally rezoned property should be rezoned the same.

Should the Hearing Examiner wish to approve the conditional rezone, all applicable Canyon County standards pertaining to the required development agreement shall be strictly adhered to.

The Hearing Examiner should consider the procedures outlined above within Canyon County Ordinance 07-06-07.

OPTIONAL MOTIONS:
Approval of the Application: "I move to approve CR2026-0001, Bollinger, finding the application **meets** the criteria for approval under Article 07.07.05 of Canyon County zoning Regulations, **with the conditions listed in the staff report, finding that**; [*Cite reasons for approval & Insert any additional conditions of approval*].

Denial of the Application: "I move to deny CR2026-0001, Bollinger finding the application **does not** meet the criteria for approval under Article 07.06.05 of Canyon County zoning Regulations, **finding that** [*cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5)*].

Table the Application: "I move to continue CR2026-0001, Bollinger to a [*date certain or uncertain*]

3. HEARING CRITERIA

Table 1. Conditional Rezone Standards of Evaluation Analysis

Standards of Evaluation (07-06-07(6) A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:				
Compliant			**County Ordinance and Staff Review**	
Yes	**No**	**N/A**	**Code Section**	**Analysis**

☒	☐	☐	**07-06-07(6)A1**	**Is the proposed conditional rezone generally consistent with the comprehensive plan;**
			Staff Analysis	The proposed conditional rezone from "A" (Agricultural) to "CR-C2" (CR-Service Commercial) is generally consistent with the 2030 Comprehensive Plan designation of commercial and with multiple goals and policies within the Plan. The 2030 Canyon County Comprehensive Plan designates this property as Commercial. The property immediately to the north of the subject property is designated as Residential. The City of Middleton Future Land Use Map designates this property and a large portion of the property to the north as Commercial. The property is located within 300 feet of the City of Middleton City limits. The applicant is not proposing annexation nor is there a pre-annexation agreement with the city. **Commercial Designation (page 25):** *The commercial designation is intended to encourage commercial uses which can provide goods and services to businesses, travelers, and residents of the County.* The following are select goals and policies that support the land use change as proposed and conditioned: **Economic Development**: **G3.01.00** *Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations.* **G3.05.00** *Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability.* **Land Use and Community Design**: **P4.01.02** *Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights.* **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.* **P4.03.02** *Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns.* **G4.06.00** *Development design should improve the area's character and be compatible with the community's visual appearance and the natural environment.* **P4.06.03** *Development should sustainably provide roadway and pathway connections, downward lighting, drainage, stormwater runoff, landscaping, re-vegetation of disturbed areas, underground utilities, and weed control.* **Natural Resources:** **G5.06.00** *Encourage downward-facing lighting to improve public safety.* *Schools:* **G6.02.00**: *Strive for better connectivity, safer access, and pedestrian-friendly transportation options to schools.* **P6.02.01:** *New development within one mile of existing or planned schools should provide adequate pedestrian and bicycle access for school children and internal and connecting roads and pathways.*

☒	☐	☐	**07-06-07(6)A2**	**When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;**
			Staff Analysis	In consideration of the current surrounding land uses, the proposed conditional zone change to "CR-C2" (CR-Service Commercial) is as appropriate as the current zoning designation of "A" (Agricultural). The parcel is a 5.75 acre piece of land that is in a transitional mixed-use growth area. FINDINGS: 1. The 2030 Plan future land use designation and the City of Middleton's future land use plan both designate the area for future commercial growth (Exhibits C.4, C.5). 2. The City of Middleton does not oppose the proposed application, however, ensuring that the roadway frontage be consistent with the potential residential mixed-use development to the north of the property is requested (Exhibit E.6). 3. There is commercial development occurring along the nearby Hwy 44 frontage inclusive of a large commercial RV Park, tractor Supply, Precision Tire, 44 Feed and Supply, Caldwell Bus Company, and a new Maverick Fueling Station indicating a trend toward the planned commercial development of this area. **PURPOSE OF ZONE**: Pursuant to Canyon County ordinance 07-10-25 (1): (5) The purpose of the **C-1 (Neighborhood Commercial)** Zone is to provide for local commercial service needs and to restrict incompatible uses. (6) The purpose of the **C-2 (Service Commercial) Zone** is to provide areas where activities of a service nature, which are more intensive in character than in other Commercial Zones, may be carried out. The applicant is proposing the more intensive service commercial zone and has provided a list of additional uses that he is interested in preserving should the property change hands or business use change. If approved, the property will be restricted to specific uses unless annexed to the City of Middleton or the development agreement is amended in the future. Staff notes that Middleton High School is located on Emmett Road approximately 2000 feet to the north of the property along with significant residential development in that area surrounding the school. The City of Middleton's future land use designation for the surrounding undeveloped properties is primarily Commercial transitioning to Residential. The property is located within the Middleton area of city impact. **Adjacent Existing Conditions:**

Direction	Existing Use	Primary Zone	Other Zone
N	Agricultural, Residential, Middleton High School	A, R1/RR	City limits

				S	RV Park, Bus Depot, Tractor Supply,	C1, M1, CR-M1 & City	A/Ag Residential
				E	Agricultural, Residential	A & City mixed use	City limits
				W	Agricultural	Agricultural	
				"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: There are no immediately adjacent county land use cases. The cases as listed in Exhibit C9 include mineral extraction to the south along the Boise River, rezone to residential to the north near the high school, a conditional rezone from CR-C1 to CR-C2 nearly a mile to the west along Hwy 44 and a small RV Storage facility on a C1 zoned parcel.			
☒	☐	☐	**07-06-07(6)A3**	**Is the proposed conditional rezone compatible with surrounding land uses;**			
			Staff Analysis	The proposed conditional rezone to "CR-C2" (CR-Service Commercial) as conditioned and limited to the specified use is compatible with the current surrounding land uses which are primarily agricultural on the immediately adjacent properties at this time. The developer is proposing a 10,000 square foot shop with a 1,500 square foot office attached and an additional 3,500 square foot office building to serve as the operational headquarters for Bully Excavation. The property is proposed to support onsite storage of semi-trucks, trailers, and heavy excavation equipment. Activities include equipment maintenance, administrative operations, dispatching, and secured outdoor storage (Exhibit B2). Also proposed is a fueling station and truck/equipment wash pad (Exhibit B.4). He further proposes that the following uses be allowed now or in the future to be specified in the development agreement (Exhibit B.3) 1. Accessory uses and/or structures to allowed use, 2. Contractor Shop, 3. Mini/RV Storage, 4. Retail stores, personal service shops, banks, offices, hotels, motels, microbrewery and restaurants, 5. Sale of heavy building materials and machinery, 6. School, 7. Staging Area The seven listed additional uses have not specifically been reviewed by the responding agencies. The impacts of the listed uses are not or may not be commensurate with the stated use and business model for Bully Excavation creating additional impacts not considered by staff and agencies for this property. Annexation to the City of Middleton with appropriate services including municipal water and sewer services is recommended for any future uses. Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere or conflict with or negatively impact			

				one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses. Service Commercial allows for more intense uses than the neighborhood commercial zone. Canyon County's current proposed use for the adjacent property to the north is residential on the 2030 Future Land Use Map (Exhibit C4). The construction and heavy equipment facility and use could impact future use compatibility. That residential use does not currently exist. The City of Middleton Future Land Use Map (Exhibit C5) has the adjacent property identified for commercial where it abuts the subject property. The adjacent property has an annexation path along the northern boundary (Exhibit C3) and the City of Middleton indicates discussions with the property owner have occurred regarding development (Exhibit E6). Additionally, there is a large RV Park located nearby to the south of the property. There is potential that noise and possibly dust from the activity at the subject property could be a concern. The City of Middleton requests that the frontage along Emmett Road be required to match the functional classification development standards for a principal arterial roadway inclusive of a detached pathway that will also be required of any development in the city. Pathways are supported in the Land Use and Community Design component of the 2030 Plan. Provisions for safe routes for bike/pedestrian travel is important as this region transitions to urban development. A condition requiring the road frontage along Emmett Road to meet the principal arterial roadway standards adopted by the City of Middleton (see Exhibit E6 Middleton 5 Lane Urban Street Section) should be applied to this application.
☒	☐	☐	**07-06-07(6)A4** ***Staff Analysis***	**Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?** The proposed conditional rezone from "A" (Agricultural) to "CR-C2" (Service Commercial) for the purpose of developing a contractor shop, offices, staging area and vehicle repair facility for the proposed business, Bully Excavation, will not negatively affect the transitioning character of the area. However, Service Commercial is the more intensive use commercial zone provided for in the Canyon County code. As conditioned to restrict specified uses on the site, hours of operation, intensity of the use, lighting impacts, provisions for dust mitigation, and screening, the conditional rezone is consistent with a transitioning mixed-use area near a major transportation corridor. Any necessary measures to mitigate impacts are detailed below.

				Character of the Area: The character of the area is transitioning from agricultural to commercial and residential along this highway corridor. Middleton is growing and expanding westward. There is not currently a path to annexation although the city limits are very near and expected to be adjacent within the next year. The area contains a mix of uses and the proposed use as conditioned is not expected to negatively impact the changing character of the area. There is the potential for dust, noise and lighting to impact the existing RV park with the RV slips located approximately 360 feet from the Bollinger property line. However, the location of the RV park being adjacent to State Hwy 44, Tractor Supply, and the school bus depot suggests that there is not an expectation of limited noise within this development. **The following measures will be implemented to mitigate impact** • Lights shall be placed and shielded to direct the light source down and inside the property lines. All direct glare from the lights shall be contained within the facility area. • Dust-The applicant proposes applying recycled asphalt to the facility to help mitigate dust. A water truck can also be utilized to minimize impacts. • Hours of Operation- The facility shall be conditioned to only operate between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and 8:00 a.m. and 6:00 p.m. on Saturdays. No Sunday operations are proposed. Noise is a concern the applicant indicates that the five (5) truck drivers will come to the site at 6:15 a.m. load, hook-up and be on the road by 6:45 a.m. Although this is seemingly normal operating hours for an industrial area; this is a mixed-use area and consideration of the residential development and RV Park should be considered. • Site Uses- Uses shall be restricted to the specific uses and intensity of the use identified for the operation of Bully Excavation. Additional or alternative uses may be considered with an amendment to the Development Agreement so that proposed uses can be reviewed for compatibility, impacts to transportation, services and schools. • Road Frontage improvements: A condition requiring the road frontage along Emmett Road to meet the principal arterial roadway standards adopted by the City of Middleton (see Exhibit E6 Middleton 5 Lane Urban Street Section) should be applied to this application. • Fueling Station: The fueling station shall be designed to have a containment facility capable of retaining the maximum capacity of the fuel tanks to ensure that no fuel leaks, over-fills, etc. do not migrate to the adjacent property or into the soils.
☒	☐	☐	**07-06-07(6)A5** ***Staff Analysis***	**Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;** The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein.

				Sewer: The applicant proposes individual septic system for the site in conformance with requirements of SWDH. **Water:** The applicant proposes an individual well on the property. The applicant was encouraged to reach out to IDWR to determine if the purchase of individual water rights would be required. He will have a wash off station on site as well as multiple buildings being served by the well. At the time of the staff report no comments had been received from the fire district. There will be additional reviews as this parcel must be platted as a subdivision prior to the commencement of the use. It is anticipated that the buildings will require sprinkler fire suppression and fire hydrants may possibly be required. **Drainage:** The applicant must provide adequate drainage to retain all stormwater on site. No water from the wash pad shall leave the site. **Irrigation:** The subject property has surface irrigation water rights through Canyon County Water Company. The applicant is current with his assessments. CCWC indicates that changes to the water flow will need to be approved through the CCW Co. board. (Exhibit E.5) **Utility:** There is no indication that utilities will not be provided to the property.
☒	☐	☐	**07-06-07(6)A6**	**Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?**
			Staff Analysis	The proposed conditional rezone may require public street improvements in order to provide adequate access to and from the subject property in order to minimize undue interference with existing and/or future traffic patterns created by the proposed development. The subject property will require platting as a subdivision to correct the division completed not in accordance with ordinance requirements. Emmett Road is classified a principal arterial roadway and the City of Middleton requests that the development meet the requirements for a principal arterial in compliance with the street section in Exhibit E6 -Middleton 5 Lane Urban Street Section Emmett Road is under the jurisdiction of Highway District 4. HD4 indicates that the development improvements may include widening of the Emmett Road frontage, ROW dedication, and storm drainage retention for Emmett Road run-off. Impact fees will be calculated in accordance with the Institute of Transportation Engineers Trip Generation Rates 11th Edition and collected in accordance with Canyon County Ordinance 22-014. An access permit will be required for the change in use for this property and proposed uses.

				The following measures will be implemented to mitigate impacts: • The applicant shall comply with the requirements of Highway District 4 including access/approach permitting and payment of associated impact fees (Exhibit E1). • The City of Middleton (Exhibit E6) requests that the road frontage meet the requirements for a principal arterial inclusive of curb and gutter and a detached pathway. • Changes in use to the proposed use shall be conditioned to obtain a new approach permit so that impacts are evaluated specific to the future proposed or additional uses.
☒	☐	☐	**07-06-07(6)A7**	**Does legal access to the subject property for the conditional rezone exist or will it exist at time of development; and**
			Staff Analysis	The subject property will have legal access for the conditional rezone and/or will exist at the time of the development. See review and analysis detailed below. The subject property has approximately 320 feet of road frontage on Emmett Road. Emmett Road is a principal arterial and HSDP 3061.020.B does not allow new direct access onto a principal arterial. HSDP 2020.50 can allow for a temporary approach because there is not currently has no other alternative access. The temporary approach shall be established at the property line between parcels R34440010A and R344400010 formalized by a deed restriction. (see Exhibit E.1).
☒	☐	☐	**07-06-07(6)A8**	**Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts? (Ord. 16-007, 6-20-2016)**
			Staff Analysis	The proposed uses are not anticipated to impact essential public services and facilities including, but not limited to schools, police, fire and emergency medical services. Any necessary measures to mitigate impacts are detailed below. **Schools:** The proposed use is not projected to impact the schools as there is not a request for a residential component to this application. The subject property will take access to Emmett Road and the Middleton High School is located approximately 2000 feet to the north of the subject property on Emmett Road. The Middleton School District was notified of the application and did not provide comment. **Police:** The sheriff's office was notified of the application and did not provide comment. The proposed use is not anticipated to significantly impact police services. **Fire protection & Emergency Medical Services:** The Middleton Fire District was provided a request for review and comment on this application. At the time the staff report was completed the Fire District had not provided comment with respect to the conditional rezone. Staff sent an

				additional specific request for comment on October 14, 2026 but had not received feedback by the staff report deadline. Additional reviews by the fire district will occur during the subdivision platting process and at time of building permit submission. **The following measures will be implemented to mitigate impacts:** The fire district shall review and provide a letter of approval at the time of preliminary and final plat for the development of parcel R34440010A0. Additional review shall be completed at the time of building permit submission for the proposed commercial structures.

Table 3. Area of City Impact

CCCO 09-09-01: Middleton Area of City Impact (Plans and Ordinances) Ordinance. 09-09-13 Applicable Ordinances and Standards: Within the Middleton area of city impact, the Canyon County Zoning Ordinance and Subdivision Ordinance apply.				
Compliant			**County Ordinance and Staff Review**	
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☐	☐	☐	**09-09-15**	**Zoning Ordinance Amendment Proposals:** All proposed county ordinance amendments to the text and/or map which may relate to the Middleton area of city impact shall be referred to the city in the same manner as provided for in subsection 09-09-11(3) of this article, except that recommendations received from the city by the county are nonbinding but any factually supported recommendations shall be seriously considered by the county. **09-09-11(3)** Plan Amendment Proposals: **All proposals for amendments to the county comprehensive plan which may appertain to the Middleton area of city impact but which do not originate from the city shall be referred to the city at least thirty (30) calendar days prior to any hearing on such matter and a recommendation may be made before or at said public hearing.** If a recommendation is received it shall be given great weight by the county, provided it is factually supported, but such recommendation shall not be binding on the county. If no response is received the county may proceed without the recommendation of the city. A copy of the final decision issued by the county shall be forwarded to the city. If the city does not agree with the request, because it involves a major change in the county's comprehensive plan, the city may request renegotiation of this article as provided in Idaho Code 67-6526(d). A major change is one that is fundamental to the county's comprehensive plan, as determined by the parties.
			Staff Analysis	**Area of City Impact:** The City of Middleton submitted an email stating that they have no concerns with this request. Middleton requested that the applicant be required to improve the Emmett Road frontage to comply with the principal arterial 5 lane urban roadway standards. (Exhibit E6)

4. AGENCY COMMENTS:

Agencies including the Canyon County Sheriff's Office, Canyon County Paramedics/EMT, Emergency Management Coordinator, Middleton Fire District, Canyon County Water Co., Canyon Ditch Co.,

Middleton Mill Irrigation, Highway District No. 4, Middleton School District, Idaho Transportation Department, Idaho Power, Intermountain Gas, CenturyLink, Ziply, Canyon County Building Department, Canyon County Code Enforcement Department, Canyon County Engineering Dept., Canyon County GIS, Canyon County Historical Society, Canyon County Soil Conservation District, Idaho Department of Water Resources (Water Rights), Dept. of Environmental Quality, Environmental Protection Agency, Southwest District Health, Greater Middleton Area Recreation and the City of Middleton were notified of the subject application on August 4, 2026. Additionally a full political notification was sent to all affected agencies on 09-17-2026.

Staff received agency comments from Highway District #4, Southwest District Health, Canyon Soil Conservation District, DEQ, Canyon County Water Co., and the City of Middleton, and ITD. All agency comments received by the aforementioned materials deadline are located in Exhibit E.

Pursuant to Canyon County Ordinance 01-17-07B Materials deadline, the submission of late documents or other materials does not allow all parties time to address the materials or allow sufficient time for public review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

5. PUBLIC COMMENTS:

Staff received zero (0) total written public comments by the materials deadline of October 13, 2026 (the 12th was a holiday). All public comments received by the aforementioned materials deadline are located in Exhibit F.

Pursuant to Canyon County Ordinance 01-17-07B Materials deadline, the submission of late documents or other materials does not allow all parties time to address the materials or allow sufficient time for public review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

6. SUMMARY & RECOMMENDED CONDITIONS:

In consideration of the application and supporting materials, staff concludes that the proposed conditional rezone as conditioned is **compliant** with Canyon County Ordinance 07-06-05. A full analysis is detailed within the staff report.

Should the Hearing Examiner wish to approve the subject application, staff recommends the following conditions be attached and enumerated within a development agreement:

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.
2. The developer shall comply with CCZO §07-06-07 (4): Time Requirements: "All conditional rezones for a land use shall commence within two (2) years of the approval of the board."
3. The property is not an original parcel and was divided not in accordance with ordinance requirements. Platting as a subdivision in conformance with CCZO Article 17 Subdivisions, is required for development of this property.

4. The road frontage shall be developed and comply with the requirements of HD4 and the City of Middleton requirements for a principal arterial roadway in the Middleton impact area (see Exhibits E.1 and E.6)
5. The development shall be restricted to the proposed uses in the letter of intent and site plan for Bully Excavation inclusive of a contractor shop with offices, a maintenance and repair shop, and a staging area for excavation equipment, trailers and semi-trucks. Accessory details include a private wash rack and private fueling station.
6. The development of the property shall be in substantial conformance with the Site Plan attached hereto as Exhibit: Site Plan.
7. The average number of employees onsite daily should not exceed 10-13 people. The impact of daily trips has not been calculated nor required improvements made for more than proposed in the application.
8. The hours of operation for the proposed business, Bully Excavation, are as follows:
    a. Monday through Friday
       7:00 a.m. to 6:00 p.m.
    b. Saturday
       8:00 a.m. to 6:00 p.m.
9. Lighting on the 5.57 acre site and on any structures shall be placed and shielded to direct the light source down and inside the property lines. All direct glare from the lights shall be contained within the facility area.
10. Dust shall be mitigated through the installation of recycled asphalt or paving for the driving, parking and staging areas on the site. A water truck may be utilized to further mitigate fugitive dust created by the operations on the site.
11. Stormwater drainage shall be retained on the site.
12. For the following uses and general site compliance: *"No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching or disposal of a contaminant into the environment in a manner that cause a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."* (DEQ; Exhibit E.4)
    a. Wash Rack: All drainage from the wash rack shall be maintained on the site. Wastewater derived from the washing of the undercarriage of trucks and equipment cannot be discharged to the onsite septic system.
    b. Fueling Station: The fueling station shall be designed to have a containment facility capable of retaining the maximum capacity of the fuel tanks to ensure that no fuel leaks, over-fills, etc. do not migrate to the adjacent property or into the soils.
    c. Maintenance/Repair Shop: All solid and hazardous waste shall be appropriately disposed of in accordance with IDAPA requirements.
13. Parking at the facility must comply with zoning and building code requirements.
14. The subject property shall be fenced with a minimum six (6) foot high chain link fence. The Staging Yard shall be fenced with site obscuring fencing on the south, east and north sides. The fencing may be slatted chain link, wood plank, or vinyl panels. The applicant could provide a landscaping plan that provides for visual screening in lieu of solid fencing alternatives. The landscape plan would be reviewed and approved by DSD.
15. If the applicant desires to modify the approved uses or change the use for the site in the future, a development agreement modification is required so that the proposed use and development can be reviewed for compatibility and impacts to the neighboring properties and transportation system.

7. EXHIBITS:

A. Draft FCOs

B. **Application Packet & Supporting Materials**

1. Master Application
2. Letter of Intent
3. Communication-clarifications with applicant/staff
4. Site Plan
5. Land Use Worksheet
6. Neighborhood Meeting
7. Additional Application Materials

C. Supplemental Documents

1. Parcel Tool
2. Aerial Map
3. Vicinity Map
4. County Future Land Use Map (FLU)
5. City of Middleton FLU
6. Zoning and Classification
7. Subdivision and Lot Report
8. Nitrate Priority Map
9. Case Map and Summary Report
10. Soil Map, Prime Farmlands and Report
11. Slope % Map
12. Property History Land Divisions-staff

D. Site Visit Photos: Month Day, Year

1. Google Earth aerial 8-2026

E. Agency Comments Received by: October 13, 2026

1. HD4; Received: August 18, 2026
2. SWDH; Received: August 4, 2026
3. CCSD; Received: August 5, 2026
4. DEQ; Received: August 10, 2026
5. Canyon County Water Company; Received: August 26, 2026
6. City of Middleton; Received: September 29, 2026

F. Public Comments Received by: October 13, 2026 (No public comments received by deadline)

EXHIBIT A:

DRAFT FCOs

EXHIBIT
A

In the matter of the application of:
Bollinger – Case Number CR2026-0001

The Canyon County Hearing Examiner considers the following:

A Conditional Rezone from "A" (Agricultural) to "CR-C2" (CR-Service Commercial) w/Development Agreement for the purpose of locating a construction company; Bully Excavation, on parcel R34440010A (5.75 acres), located approximately 1017 feet north of the Hwy 44/Emmett Road intersection on the east side of Emmett Road. The proposed uses include a staging area, offices, a maintenance and repair facility.

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 CR2026-0001.
      1. All exhibits can be found in the case staff report dated October 22, 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 §07-06-01 (Initiation of Proceedings), CCCO §07-06-07 (Conditional Rezones), CCCO §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6511 (Zoning Map Amendments and Procedures), CCCO § 09-09-01, (Area of City Impact Agreement), and §67-6519 (Application Granting Process).
   a. Notice of the public hearing was provided per CCCO §07-05-01 and Idaho Code §67-6509.
   b. The presiding party may establish conditions, stipulations, restrictions, or limitations which restrict and limit the use of the rezoned property to less than the full use allowed under the requested zone, and which impose specific property improvement and maintenance requirements upon the requested land use. Such conditions, stipulations, restrictions, or limitations may be imposed to promote the public health, safety, and welfare, or to reduce any potential damage, hazard, nuisance, or other detriment to persons or property in the vicinity to make the land use more compatible with neighboring land uses. *See* CCCO §07-06-07(1).
   c. All conditional rezones for land use shall commence within two (2) years of the approval of the board. If the conditional rezone has not commenced within the stated time requirement, the application for a conditional rezone shall lapse and become void. *See* CCCO §07-05-01
2. The presiding party has the authority to exercise powers granted to it by the Idaho Local Land Use and Planning Act ("LLUPA") and can establish its own ordinances regarding land use, including subdivision permits. *See* I.C. §67-6504, §67-6511.
3. The presiding party 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, 07-06-05. **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.
4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.

DRAFT

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. 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, was presented at a public hearing before the Canyon County Hearing Examiner on October 22, 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 Hearing Examiner decides as follows:

Table 1. Conditional Rezone Standards of Evaluation Analysis

Standards of Evaluation (07-06-07(6) A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:

Compliant			County Ordinance and Staff Review	
Yes	**No**	**N/A**	**Code Section**	**Analysis**
			07-06-07(6)A1	**Is the proposed conditional rezone generally consistent with the comprehensive plan;**
☒	☐	☐	***Staff Analysis***	The proposed conditional rezone from "A" (Agricultural) to "CR-C2" (CR-Service Commercial) is generally consistent with the 2030 Comprehensive Plan designation of commercial and with multiple goals and policies within the Plan. The 2030 Canyon County Comprehensive Plan designates this property as Commercial. The property immediately to the north of the subject property is designated as Residential. The City of Middleton Future Land Use Map designates this property and a large portion of the property to the north as Commercial. The property is located within 300 feet of the City of Middleton City limits. The applicant is not proposing annexation nor is there a pre-annexation agreement with the city. **Commercial Designation (page 25):** *The commercial designation is intended to encourage commercial uses which can provide goods and services to businesses, travelers, and residents of the County.* The following are select goals and policies that support the land use change as proposed and conditioned: **Economic Development**: **G3.01.00** *Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations.* **G3.05.00** *Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability.* **Land Use and Community Design**: **P4.01.02** *Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights.*

				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.* **P4.03.02** *Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns.* **G4.06.00** *Development design should improve the area's character and be compatible with the community's visual appearance and the natural environment.* **P4.06.03** *Development should sustainably provide roadway and pathway connections, downward lighting, drainage, stormwater runoff, landscaping, re-vegetation of disturbed areas, underground utilities, and weed control.* **Natural Resources:** **G5.06.00** *Encourage downward-facing lighting to improve public safety.* *Schools:* **G6.02.00**: *Strive for better connectivity, safer access, and pedestrian-friendly transportation options to schools.* **P6.02.01:** *New development within one mile of existing or planned schools should provide adequate pedestrian and bicycle access for school children and internal and connecting roads and pathways.*
☒	☐	☐	**07-06-07(6)A2**	**When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;**
			Staff Analysis	In consideration of the current surrounding land uses, the proposed conditional zone change to "CR-C2" (CR-Service Commercial) is as appropriate as the current zoning designation of "A" (Agricultural). The parcel is a 5.75 acre piece of land that is in a transitional mixed-use growth area. FINDINGS: 1. The 2030 Plan future land use designation and the City of Middleton's future land use plan both designate the area for future commercial growth (Exhibits C.4, C.5). 2. The City of Middleton does not oppose the proposed application, however, ensuring that the roadway frontage be consistent with the potential residential mixed-use development to the north of the property is requested (Exhibit E.6). 3. There is commercial development occurring along the nearby Hwy 44 frontage inclusive of a large commercial RV Park, tractor Supply, Precision Tire, 44 Feed and Supply, Caldwell Bus Company, and a new Maverick Fueling Station indicating a trend toward the planned commercial development of this area. **PURPOSE OF ZONE**: Pursuant to Canyon County ordinance 07-10-25 (1): (5) The purpose of the **C-1 (Neighborhood Commercial)** Zone is to provide for local commercial service needs and to restrict incompatible uses. (6) The purpose of the **C-2 (Service Commercial) Zone** is to provide areas where activities of a service nature, which are more intensive in character than in other Commercial Zones, may be carried out.

				The applicant is proposing the more intensive service commercial zone and has provided a list of additional uses that he is interested in preserving should the property change hands or business use change. If approved, the property will be restricted to specific uses unless annexed to the City of Middleton or the development agreement is amended in the future. Staff notes that Middleton High School is located on Emmett Road approximately 2000 feet to the north of the property along with significant residential development in that area surrounding the school. The City of Middleton's future land use designation for the surrounding undeveloped properties is primarily Commercial transitioning to Residential. The property is located within the Middleton area of city impact. **Adjacent Existing Conditions:** **Direction** / **Existing Use** / **Primary Zone** / **Other Zone** **N** / Agricultural, Residential, Middleton High School / A, R1/RR / City limits **S** / RV Park, Bus Depot, Tractor Supply, / C1, M1, CR-M1 & City / A/Ag Residential **E** / Agricultural, Residential / A & City mixed use / City limits **W** / Agricultural / Agricultural / "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:** There are no immediately adjacent county land use cases. The cases as listed in Exhibit C9 include mineral extraction to the south along the Boise River, rezone to residential to the north near the high school, a conditional rezone from CR-C1 to CR-C2 nearly a mile to the west along Hwy 44 and a small RV Storage facility on a C1 zoned parcel.
☒	☐	☐	**07-06-07(6)A3** ***Staff Analysis***	**Is the proposed conditional rezone compatible with surrounding land uses;** The proposed conditional rezone to "CR-C2" (CR-Service Commercial) as conditioned and limited to the specified use is compatible with the current surrounding land uses which are primarily agricultural on the immediately adjacent properties at this time. The developer is proposing a 10,000 square foot shop with a 1,500 square foot office attached and an additional 3,500 square foot office building to serve as the operational headquarters for Bully Excavation. The property is proposed to support onsite storage of semi-trucks, trailers, and heavy excavation equipment. Activities include equipment maintenance, administrative operations, dispatching, and secured outdoor storage (Exhibit B2). Also proposed is a fueling station and truck/equipment wash pad (Exhibit B.4). He further proposes that the following uses be allowed now or in the future to be specified in the development agreement (Exhibit B.3) 1. Accessory uses and/or structures to allowed use, 2. Contractor Shop, 3. Mini/RV Storage,

				4. Retail stores, personal service shops, banks, offices, hotels, motels, microbrewery and restaurants, 5. Sale of heavy building materials and machinery, 6. School, 7. Staging Area The seven listed additional uses have not specifically been reviewed by the responding agencies. The impacts of the listed uses are not or may not be commensurate with the stated use and business model for Bully Excavation creating additional impacts not considered by staff and agencies for this property. Annexation to the City of Middleton with appropriate services including municipal water and sewer services is recommended for any future uses. Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere or conflict with or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses. Service Commercial allows for more intense uses than the neighborhood commercial zone. Canyon County's current proposed use for the adjacent property to the north is residential on the 2030 Future Land Use Map (Exhibit C4). The construction and heavy equipment facility and use could impact future use compatibility. That residential use does not currently exist. The City of Middleton Future Land Use Map (Exhibit C5) has the adjacent property identified for commercial where it abuts the subject property. The adjacent property has an annexation path along the northern boundary (Exhibit C3) and the City of Middleton indicates discussions with the property owner have occurred regarding development (Exhibit E6). Additionally, there is a large RV Park located nearby to the south of the property. There is potential that noise and possibly dust from the activity at the subject property could be a concern. The City of Middleton requests that the frontage along Emmett Road be required to match the functional classification development standards for a principal arterial roadway inclusive of a detached pathway that will also be required of any development in the city. Pathways are supported in the Land Use and Community Design component of the 2030 Plan. Provisions for safe routes for bike/pedestrian travel is important as this region transitions to urban development. A condition requiring the road frontage along Emmett Road to meet the principal arterial roadway standards adopted by the City of Middleton (see Exhibit E6 Middleton 5 Lane Urban Street Section) should be applied to this application.

☒	☐	☐	**07-06-07(6)A4**	**Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?**
			Staff Analysis	The proposed conditional rezone from "A" (Agricultural) to "CR-C2" (Service Commercial) for the purpose of developing a contractor shop, offices, staging area and vehicle repair facility for the proposed business, Bully Excavation, will not negatively affect the transitioning character of the area. However, Service Commercial is the more intensive use commercial zone provided for in the Canyon County code. As conditioned to restrict specified uses on the site, hours of operation, intensity of the use, lighting impacts, provisions for dust mitigation, and screening, the conditional rezone is consistent with a transitioning mixed-use area near a major transportation corridor. Any necessary measures to mitigate impacts are detailed below. **Character of the Area:** The character of the area is transitioning from agricultural to commercial and residential along this highway corridor. Middleton is growing and expanding westward. There is not currently a path to annexation although the city limits are very near and expected to be adjacent within the next year. The area contains a mix of uses and the proposed use as conditioned is not expected to negatively impact the changing character of the area. There is the potential for dust, noise and lighting to impact the existing RV park with the RV slips located approximately 360 feet from the Bollinger property line. However, the location of the RV park being adjacent to State Hwy 44, Tractor Supply, and the school bus depot suggests that there is not an expectation of limited noise within this development. **The following measures will be implemented to mitigate impact** • Lights shall be placed and shielded to direct the light source down and inside the property lines. All direct glare from the lights shall be contained within the facility area. • Dust-The applicant proposes applying recycled asphalt to the facility to help mitigate dust. A water truck can also be utilized to minimize impacts. • Hours of Operation- The facility shall be conditioned to only operate between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and 8:00 a.m. and 6:00 p.m. on Saturdays. No Sunday operations are proposed. Noise is a concern the applicant indicates that the five (5) truck drivers will come to the site at 6:15 a.m. load, hook-up and be on the road by 6:45 a.m. Although this is seemingly normal operating hours for an industrial area; this is a mixed-use area and consideration of the residential development and RV Park should be considered. • Site Uses- Uses shall be restricted to the specific uses and intensity of the use identified for the operation of Bully Excavation. Additional or alternative uses may be considered with an amendment to the Development Agreement so that proposed uses can be reviewed for compatibility, impacts to transportation, services and schools. • Road Frontage improvements: A condition requiring the road frontage along Emmett Road to meet the principal arterial roadway standards adopted by

				the City of Middleton (see Exhibit E6 Middleton 5 Lane Urban Street Section) should be applied to this application. • Fueling Station: The fueling station shall be designed to have a containment facility capable of retaining the maximum capacity of the fuel tanks to ensure that no fuel leaks, over-fills, etc. do not migrate to the adjacent property or into the soils.
☒	☐	☐	**07-06-07(6)A5**	**Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;**
			Staff Analysis	The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein. **Sewer:** The applicant proposes individual septic system for the site in conformance with requirements of SWDH. **Water:** The applicant proposes an individual well on the property. The applicant was encouraged to reach out to IDWR to determine if the purchase of individual water rights would be required. He will have a wash off station on site as well as multiple buildings being served by the well. At the time of the staff report no comments had been received from the fire district. There will be additional reviews as this parcel must be platted as a subdivision prior to the commencement of the use. It is anticipated that the buildings will require sprinkler fire suppression and fire hydrants may possibly be required. **Drainage:** The applicant must provide adequate drainage to retain all stormwater on site. No water from the wash pad shall leave the site. **Irrigation:** The subject property has surface irrigation water rights through Canyon County Water Company. The applicant is current with his assessments. CCWC indicates that changes to the water flow will need to be approved through the CCW Co. board. (Exhibit E.5) **Utility:** There is no indication that utilities will not be provided to the property.
☒	☐	☐	**07-06-07(6)A6**	**Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?**
			Staff Analysis	The proposed conditional rezone may require public street improvements in order to provide adequate access to and from the subject property in order to minimize undue interference with existing and/or future traffic patterns created by the proposed development. The subject property will require platting as a subdivision to correct the division completed not in accordance with ordinance requirements. Emmett Road is classified a principal arterial roadway and the City of Middleton requests that the development meet the requirements for a

				principal arterial in compliance with the street section in Exhibit E6 -Middleton 5 Lane Urban Street Section Emmett Road is under the jurisdiction of Highway District 4. HD4 indicates that the development improvements may include widening of the Emmett Road frontage, ROW dedication, and storm drainage retention for Emmett Road run-off. Impact fees will be calculated in accordance with the Institute of Transportation Engineers Trip Generation Rates 11th Edition and collected in accordance with Canyon County Ordinance 22-014. An access permit will be required for the change in use for this property and proposed uses. **The following measures will be implemented to mitigate impacts:** • The applicant shall comply with the requirements of Highway District 4 including access/approach permitting and payment of associated impact fees (Exhibit E1). • The City of Middleton (Exhibit E6) requests that the road frontage meet the requirements for a principal arterial inclusive of curb and gutter and a detached pathway. • Changes in use to the proposed use shall be conditioned to obtain a new approach permit so that impacts are evaluated specific to the future proposed or additional uses.
☒	☐	☐	**07-06-07(6)A7**	**Does legal access to the subject property for the conditional rezone exist or will it exist at time of development; and**
			Staff Analysis	The subject property will have legal access for the conditional rezone and/or will exist at the time of the development. See review and analysis detailed below. The subject property has approximately 320 feet of road frontage on Emmett Road. Emmett Road is a principal arterial and HSDP 3061.020.B does not allow new direct access onto a principal arterial. HSDP 2020.50 can allow for a temporary approach because there is not currently has no other alternative access. The temporary approach shall be established at the property line between parcels R34440010A and R344400010 formalized by a deed restriction. (see Exhibit E.1).
☒	☐	☐	**07-06-07(6)A8**	**Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts? (Ord. 16-007, 6-20-2016)**
			Staff Analysis	The proposed uses are not anticipated to impact essential public services and facilities including, but not limited to schools, police, fire and emergency medical services. Any necessary measures to mitigate impacts are detailed below. **Schools:** The proposed use is not projected to impact the schools as there is not a request for a residential component to this application. The subject property will take access to Emmett Road and the Middleton High School is located approximately 2000 feet to the north of the subject property on Emmett Road. The Middleton School District was notified of the application and did not provide comment.

				Police: The sheriff's office was notified of the application and did not provide comment. The proposed use is not anticipated to significantly impact police services. **Fire protection & Emergency Medical Services:** The Middleton Fire District was provided a request for review and comment on this application. At the time the staff report was completed the Fire District had not provided comment with respect to the conditional rezone. Staff sent an additional specific request for comment on October 14, 2026 but had not received feedback by the staff report deadline. Additional reviews by the fire district will occur during the subdivision platting process and at time of building permit submission. **The following measures will be implemented to mitigate impacts:** The fire district shall review and provide a letter of approval at the time of preliminary and final plat for the development of parcel R34440010A0. Additional review shall be completed at the time of building permit submission for the proposed commercial structures.

Table 2. Area of City Impact

CCCO 09-09-01: Middleton Area of City Impact (Plans and Ordinances) Ordinance. 09-09-13 Applicable Ordinances and Standards: Within the Middleton area of city impact, the Canyon County Zoning Ordinance and Subdivision Ordinance apply.				
Compliant			**County Ordinance and Staff Review**	
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☒	☐	☐	**09-09-15**	**Zoning Ordinance Amendment Proposals:** All proposed county ordinance amendments to the text and/or map which may relate to the Middleton area of city impact shall be referred to the city in the same manner as provided for in subsection 09-09-11(3) of this article, except that recommendations received from the city by the county are nonbinding but any factually supported recommendations shall be seriously considered by the county. **09-09-11(3)** Plan Amendment Proposals: **All proposals for amendments to the county comprehensive plan which may appertain to the Middleton area of city impact but which do not originate from the city shall be referred to the city at least thirty (30) calendar days prior to any hearing on such matter and a recommendation may be made before or at said public hearing.** If a recommendation is received it shall be given great weight by the county, provided it is factually supported, but such recommendation shall not be binding on the county. If no response is received the county may proceed without the recommendation of the city. A copy of the final decision issued by the county shall be forwarded to the city. If the city does not agree with the request, because it involves a major change in the county's comprehensive plan, the city may request renegotiation of this article as provided in Idaho Code 67-6526(d). A major change is one that is fundamental to the county's comprehensive plan, as determined by the parties.
			Staff Analysis	**Area of City Impact:** The City of Middleton submitted an email stating that they have no concerns with this request. Middleton requested that the applicant be required to improve the Emmett Road frontage to comply with the principal arterial 5 lane urban roadway standards. (Exhibit E6)

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Hearing Examiner recommends **approval for** Case # CR2026-0001, a conditional zoning map amendment for parcel R34440010A (5.75 acres more or less) from an "A" (Agricultural) zone to a "CR-C2" (CR-Service Commercial) zone for the purpose of establishing a construction business, Bully Excavation, on the site inclusive of offices, a maintenance and repair facility, and a staging area subject to conditions of approval to be enumerated in a development agreement.

For denial:

Pursuant to Idaho Code Section 67-6519, the following actions may be taken to obtain approval:

1. Wait for an adjacency to the city limits of Middleton and annex the property to the city.
2. Consider down zoning to "C1" (Neighborhood Commercial) to be more consistent with the mixed use residential and commercial in the area.
3. Consider a pre-annexation agreement with the City of Middleton for the provision of obtaining municipal water.

DATED this _____ day of _____, 2026.

HEARING EXAMINER
CANYON COUNTY, IDAHO

_____
Jerome Mapp, Hearing Examiner

State of Idaho)

SS

County of Canyon County)

On this _____day of _____, in the year 2026, before me_____, a notary public, personally appeared _____, 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: _____

My Commission Expires: _____

ATTACHMENT A

DRAFT CONDITIONS OF APPROVAL

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the property.
2. The developer shall comply with CCZO §07-06-07 (4): Time Requirements: "All conditional rezones for a land use shall commence within two (2) years of the approval of the board."
3. 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.
4. The property is not an original parcel and was divided not in accordance with ordinance requirements. Platting as a subdivision in conformance with CCZO Article 17 Subdivisions, is required for development of this property.
5. The road frontage shall be developed and comply with the requirements of HD4 and the City of Middleton requirements for a principal arterial roadway in the Middleton impact area (see Exhibits E.1 and E.6)
6. The development shall be restricted to the proposed uses in the letter of intent and site plan for Bully Excavation inclusive of a contractor shop with offices, a maintenance and repair shop, and a staging area for excavation equipment, trailers and semi-trucks. Accessory details include a private wash rack and private fueling station.
7. The development of the property shall be in substantial conformance with the Site Plan attached hereto as Exhibit: Site Plan.
8. The average number of employees onsite daily should not exceed 10-13 people. The impact of daily trips has not been calculated nor required improvements made for more than proposed in the application.
9. The hours of operation for the proposed business, Bully Excavation, are as follows:

a. Monday through Friday
   7:00 a.m. to 6:00 p.m.
b. Saturday
   8:00 a.m. to 6:00 p.m.

10. Lighting on the 5.57 acre site and on any structures shall be placed and shielded to direct the light source down and inside the property lines. All direct glare from the lights shall be contained within the facility area.
11. Dust shall be mitigated through the installation of recycled asphalt or paving for the driving, parking and staging areas on the site. A water truck may be utilized to further mitigate fugitive dust created by the operations on the site.
12. Stormwater drainage shall be retained on the site.
13. For the following uses and general site compliance: *"No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching or disposal of a contaminant into the environment in a manner that cause a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."* (DEQ; Exhibit E.4)

a. Wash Rack: All drainage from the wash rack shall be maintained on the site. Wastewater derived from the washing of the undercarriage of trucks and equipment cannot be discharged to the onsite septic system.
b. Fueling Station: The fueling station shall be designed to have a containment facility capable of retaining the maximum capacity of the fuel tanks to ensure that no fuel leaks, over-fills, etc. do not migrate to the adjacent property or into the soils.
c. Maintenance/Repair Shop: All solid and hazardous waste shall be appropriately disposed of in accordance with IDAPA requirements.

14. Parking at the facility must comply with zoning and building code requirements.
15. The subject property shall be fenced with a minimum six (6) foot high chain link fence. The Staging Yard shall be fenced with site obscuring fencing on the south, east and north sides. The fencing may be slatted chain link, wood plank, or vinyl panels. The applicant could provide a landscaping plan that provides for visual screening in lieu of solid fencing alternatives. The landscape plan would be reviewed and approved by DSD.
16. If the applicant desires to modify the approved uses or change the use for the site in the future, a development agreement modification is required so that the proposed use and development can be reviewed for compatibility and impacts to the neighboring properties and transportation system.

ATTACHMENT "B"

SITE PLAN

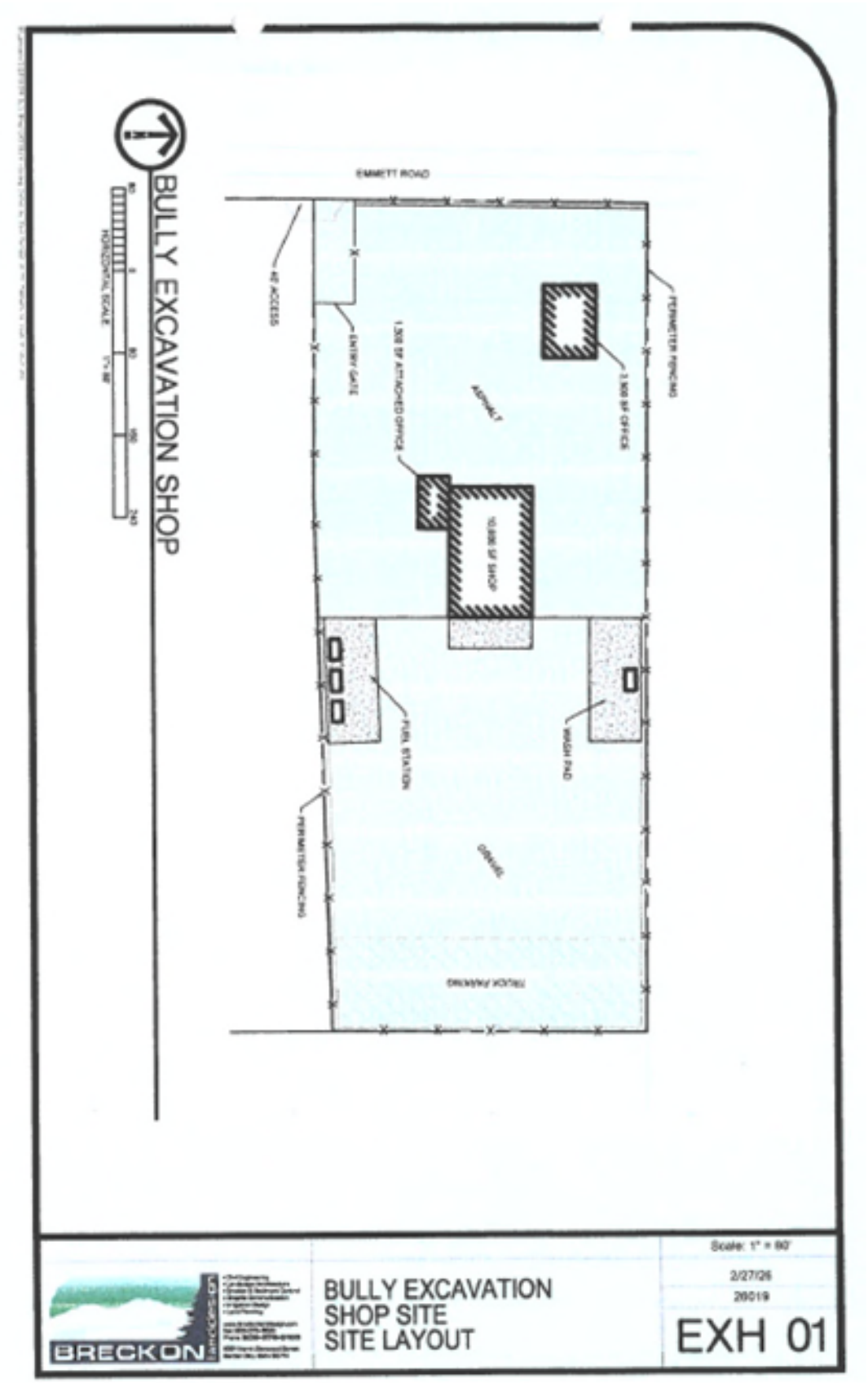


EXHIBIT B:

APPLICATION PACKET AND MATERIALS

EXHIBIT
B

ZONING AMENDMENT
PUBLIC HEARING - MASTER APPLICATION

PROPERTY OWNER	OWNER NAME: Justin Bollinger
	MAILING ADDRESS: 7825 Elm Ln Nampa, ID 83687
	[redacted]

I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If the owner(s) is a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign.

Signature: _____ *Date:* 11/18

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	APPLICANT NAME:	
	COMPANY NAME:	
	MAILING ADDRESS:	
	PHONE:	EMAIL:

SITE INFO	STREET ADDRESS: 000 Emmett Rd Middleton, ID 83644	
	PARCEL NUMBER: R34440010A	
	PARCEL SIZE: ~~11.54 Acres~~ 5.75 Acres	
	CHECK THE APPLICABLE APPLICATION TYPE:	
	☒ REZONE	☐ CONDITIONAL REZONE WITH DEVELOPMENT AGREEMENT
	CURRENT ZONING: Ag	PROPOSED ZONING: Commercial
	FLOOD ZONE (YES/NO)	ZONING DISTRICT:

FOR DSD STAFF COMPLETION ONLY:

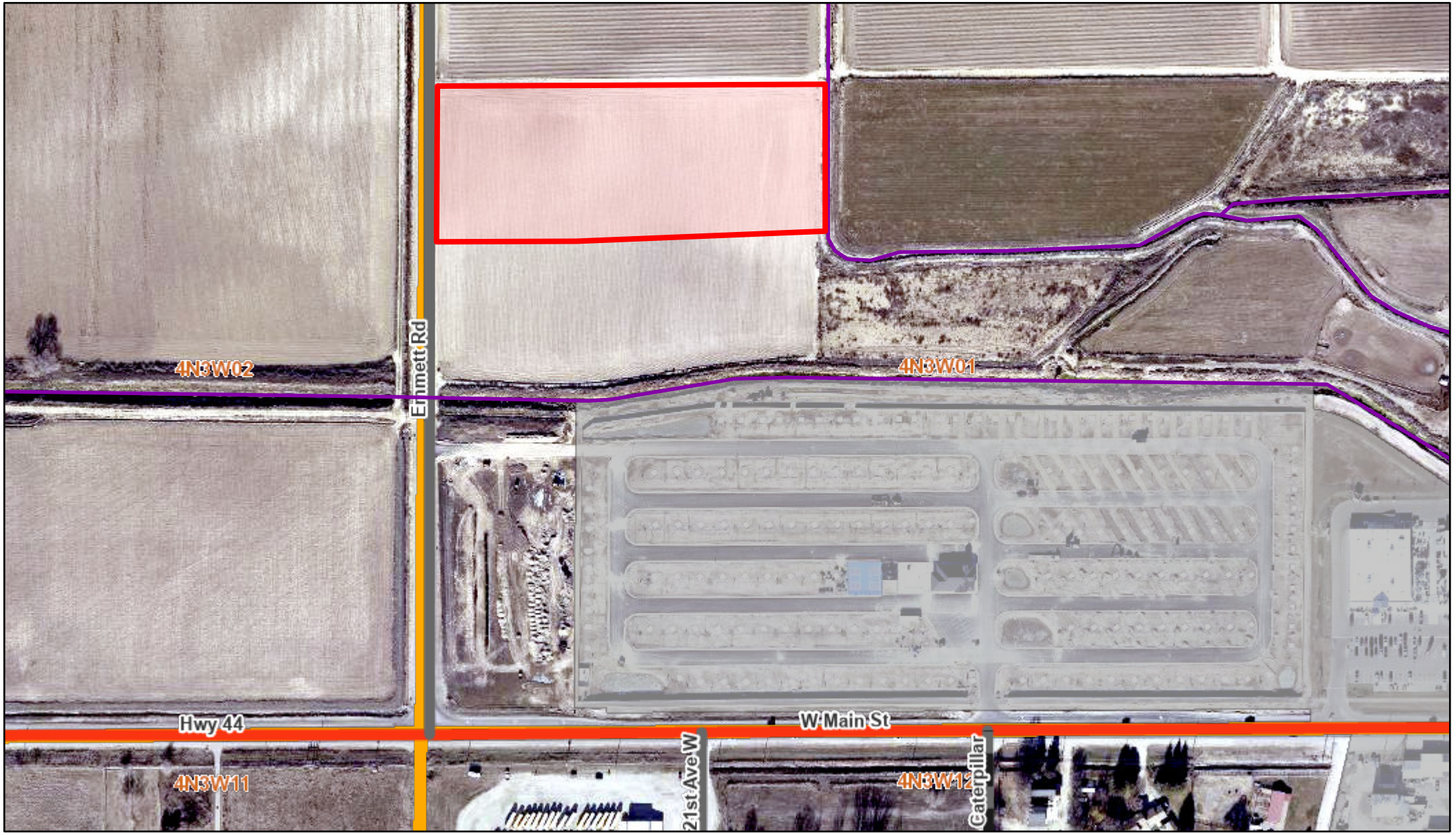
CASE NUMBER	~~RZ2025-0004~~ CR2026-0001	DATE RECEIVED:	12/19/25
RECEIVED BY:	MG	APPLICATION FEE: $2400.00	CK MO CC CASH #3671

SCANNED

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov - Phone: 208-402-4164
Revised 3/21/23

EXHIBIT B.1

Canyon County, ID Web Map



12/19/2025, 4:07:06 PM

Multiple Parcel Search _Query result

Hydro_NHDFlowline

CanyonCountyRoads

Hwy

Roads

CC_PrivateRoads

County Boundary

Current Impact Area

City Limits

Sections

Imagery_2025_3in

Red: Band_1

1:4,514

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

Canyon County, ID

Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | City of Nampa |

Tuesday & Thursday

ZONING AMENDMENT
PUBLIC HEARING - CHECKLIST

Zoning Amendment/Conditional Rezone CCZO Section 07-06-05/07-06-07

Check the applicable application type:

☒ ~~Rezone~~

☑ Conditional Rezone with Development Agreement

THE FOLLOWING ITEMS MUST BE SUBMITTED WITH THIS APPLICATION TO BE DEEMED COMPLETE (PLEASE CHECK OFF THE ITEMS REQUIRED):

Description	Applicant	Staff
Master Application completed and signed.	✓	
Letter of Intent (see standards on next page)	✓	
Land Use Worksheet	✓	
Neighborhood Meeting form was completed and signed	✓	
Completed Agency Acknowledgement form including:	✓	
Southwest District Health	✓	
Irrigation District	✓	
Fire District	✓	
Highway District/Idaho Transportation Dept	✓	
Area of City Impact (If applicable)	✓	
Conditional Rezone:	✓	
Proposed conditions of approval and/or Concept Plan (can be a draft survey/draft preliminary plat/drawing)	✓	
Deed or evidence of property interest to the subject property	✓	
Fee: **Rezone: Per Adopted Fee Schedule** **Conditional Rezone: Per Adopted Fee Schedule** **Text Amendment: Per Adopted Fee Schedule**		
Fees are non-refundable		

*DISCLAIMER: The subject property shall be in compliance with the public nuisance ordinance, the building code and the zoning code before the Director can accept the application.

REZONE OPTION:

When considering a zoning map amendment (rezone) of a property, a conditional rezone is recommended when considering conceptual site plan and/or addressing potential impacts through mitigation strategies and measures such as restricting uses, limiting the area to be rezoned to retain agricultural uses, and agricultural preservation methods such as buffers and disclosures. Without a conditional rezone, no conditions can be considered as part of the rezone application.

The applicant/owner and DSD Planner must sign (below) if the conditional rezone option was discussed and the applicant/owner declined the option.

Applicant/Owner: _____ Date _____

DSD Planner: _____ Date _____

SUBMITTAL STANDARDS

LETTER OF INTENT STANDARDS
Description of proposed use: expand on the Land Use Worksheet
Description of the existing use.
Expected impacts and traffic of future development.
Explanation of how the proposed rezone is consistent with the Comprehensive Plan and specific zoning criteria.
Conditional Rezone:
Explanation/Description of the Concept Plan
Proposed conditions of approval

LETTER OF INTENT

Applicant: Justin Bollinger
Business: Bully Excavation
Email: [redacted]
Phone: [redacted]
Parcel: R34440010A
Address: 000 Emmett Road, Middleton, Idaho 83684

1. Description of Proposed Use

The proposed use is the development of a 10,000 sq. ft. shop and a 3,500 sq. ft. office building to serve as the operational headquarters for Bully Excavation. The property will also support on-site storage of semi-trucks, trailers, and heavy excavation equipment. Activities include equipment maintenance, administrative operations, dispatching, and secured outdoor storage.

2. Description of Existing Use

This 5.75 acre parcel is currently vacant, undeveloped land with no structures or active uses. The subject parcel is currently zoned Agricultural (AG) and remains in an undeveloped state with no existing structures or active operations.

3. Expected Impacts and Traffic

Traffic will consist of employee vehicles and occasional movement of semi-trucks and equipment. No public customer traffic is expected. Impacts will be mitigated through screening, dust control, lighting direction, and maintaining orderly grounds.

4. Consistency With Comprehensive Plan & Zoning Criteria

The project supports economic development, local employment, and contractor services. The Conditional Rezone allows regulation ensuring compatibility with rural surroundings.

EXHIBIT
B.2

5. Conditional Rezone Explanation

A Conditional Rezone (CR) is requested to allow the proposed shop, office, and equipment yard. Conditions and improvements will be formalized in a Development Agreement.

6. Concept Plan Description

Includes a 10,000 sq. ft. shop, 3,500 sq. ft. office, defined parking, secured equipment storage, stormwater management, private septic and well, and screening. Access from Emmett Road.

7. Proposed Conditions of Approval

- Screening/fencing of equipment storage
- Compliance with drainage, irrigation, utilities
- Lighting directed downward
- Dust/noise mitigation
- Completion of required road/access improvements
- Use limited to approved operations
- Development Agreement execution and recording
- Zoning change from Ag to Commercial

Michelle Barron

From: Justin Bollinger [redacted]
Sent: Wednesday, March 4, 2026 2:22 PM
To: Michelle Barron
Subject: [External] Re: Conditional Rezone application

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Michelle, yes ma'am we are wanting to go with c-2 zoning. Please let me know what I can do to help. Thank you very much.

Justin Bollinger
Owner
[redacted]
Public Works-060700-Unlimited
BULLY Excavation
RCE-58187

On Mar 3, 2026, at 11:41 AM, Michelle Barron <Michelle.Barron@canyoncounty.id.gov> wrote:

Good morning Justin,

I am the planner assigned to your rezone case. When the case was entered into our system, it was created with an incorrect case number (RZ2025-0009). I have had that corrected to reflect that it is a conditional rezone. The new case number is **CR2026-0001**.

I do have a question. I am assuming that you want to rezone to C-2 – Service Commercial, since that will allow the operation that you are proposing. If you choose C-1 – Neighborhood Commercial and are approved, you would need to go through an additional hearing process for a Conditional Use Permit.

Please let me know what your intention is.

See below: (C is Conditional Use Permit required, A is an allowed use in that zone)

<image001.png>

EXHIBIT
B.3

Michelle Barron

From: Justin Bollinger [redacted]
Sent: Tuesday, April 28, 2026 8:56 AM
To: Michelle Barron
Subject: Re: [External] Re: CR2026-0001

Follow Up Flag: Follow up
Flag Status: Flagged

1. accesory uses and/or srtructures to allowed use
2. contractor shop
3. mini/rv storage
4. Retail stores, personal service shops, banks, offices, hotels, motels, microbrewery and restaurants
5. Sale of heavy building materials and machinery
6. School
7. Staging area

Justin Bollinger
Owner
[redacted]
Public Works-060700-Unlimited
BULLY Excavation
RCE-58187

Believe that covers my usage and future sells. Thank you.

> On Apr 16, 2026, at 2:00 PM, Michelle Barron <Michelle.Barron@canyoncounty.id.gov> wrote:
>
> Justin,
>
> As noted in my previous email, "you may want to add a few other similar uses that could be supported on this parcel in case you may want to sell it in the future." I don't recommend choosing all of the uses. Since this is a Conditional Rezone, I just wanted to reflect what uses you would want to add and what uses to exclude. Please look over the list and determine which ones you would like to allow with this conditional rezone. Keeping all of the items would be a challenge to get approved.

Thanks,

Michelle Barron
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-6033
DSD Office Phone: 208-454-7458
Email: Michelle.Barron@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

From: Justin Bollinger [redacted]
Sent: Thursday, April 16, 2026 12:48 PM
To: Michelle Barron <Michelle.Barron@canyoncounty.id.gov>
Subject: [External] Re: CR2026-0001

Yes the c2 conditional use chart looks perfect. Thank you for sending that to me. It seems to fit my current and future needs with the property. Thank you.

Justin Bollinger
2083717883

On Thu, Apr 16, 2026 at 12:35 PM Michelle Barron <Michelle.Barron@canyoncounty.id.gov> wrote:

> Good afternoon Justin,
>
> I am getting ready to send out the initial agency notice and wanted to get some more specifics of your application.
>
> I realize that you have a business that you plan on operation out of this location, but with a rezone, you have to think of the future land owners as well. It seems that you want to lock down the use to the business that you currently have, but you may want to add a few other similar uses that could be supported on this parcel in case you may want to sell it in the future. I will attach the land use matrix for your reference. Look over the other items that can be allowed in the C2 zone and allowed by conditional use permit. It is okay if you want to lock it down to your current needs, but I wanted to be sure that is what you wanted.
>
> Thanks,
>
> *Michelle Barron*
> *Principal Planner*
> *Canyon County Development Services Department*
> *111 N. 11th Ave., #310, Caldwell, ID 83605*
> Direct Line: 208-455-6033
> DSD Office Phone: 208-454-7458
> Email: Michelle.Barron@canyoncounty.id.gov
> Website: www.canyoncounty.id.gov

Debbie Root

From: Justin Bollinger <justin@bullyxidaho.com>
Sent: Thursday, October 8, 2026 6:47 AM
To: Debbie Root
Subject: [External] Re: truck wash?

Yes ma'am, the proposed truck wash will just be a concrete pad that we can wash truck on, then scoop up the dirt and load it into a truck to haul away. Yes just a private wash pad. I will contact the well people today, we don't need anything more then a hose spicket. Will be just like using your pressure washer at your house. Nothing more then that.

I am meeting with engineer tomorrow to get the drawings going for the site.

Yes there will be 5 truck drivers that will show up around 6:15 every morning and leave the yard around 6:45. They will not return until around 5 at night on average. There will be one office manager, 2 estimators and 2 mechanics there almost all day Monday through Friday. I will come and go from there as needed in the field/office.

Bully Excavation employs around 25 people. Majority of those workers go straight to the job sites and straight home without ever coming to the office. On occasion the 3 supervisors would come by for site plans or something of that nature, but they also will spend all of there time in the field.

On Wed, Oct 7, 2026 at 10:34 AM Debbie Root <Debbie.Root@canyoncounty.id.gov> wrote:

> Justin,
>
> Could you please describe the proposed truck wash? Will it be a private use facility? Will the waste water be contained? Have you spoken with IDWR with regards to purchasing groundwater rights for a commercial well and all the proposed uses on this facility?
>
> Do you have specific drawings/plans for the fueling station for the construction equipment/trucks? More specifically I am looking for containment plans.
>
> Also, you do not indicate the number of employees that are expected to be at the facility daily and those that may just come to the facility for equipment/meetings/etc.
>
> Please provide some employee count details – this will come up at hearing so it is important to have that information and yes I understand it can be fluctuating but I still need to have an idea of the expected numbers.

Debbie Root

From: Justin Bollinger <justin@bullyxidaho.com>
Sent: Tuesday, October 13, 2026 12:19 PM
To: Debbie Root
Subject: Re: [External] Re: truck wash?

Dust mitigation- we are going to put recycled asphalt down as the base to help eliminate dust, also can have water truck spray yards if necessary.

Noise mitigation, we are respectful of our neighbors and will run between county code operating hours for noise.

Yes the mechanics will only be working on my stuff
We are not mechanics for hire.

Yes summer hours we will start trucks a little earlier. 7am. And winter around 730am for warm up and walk around.

There will be no stockpiling of materials. We will haul off what minimal mud we scrape up weekly. I don't want dirty piles in my clean yard.

Most of the equipment that will go in and out of the shop will be loaded during operational hours. Yes all of our equipment has backup alarms. Those are a must on every piece. No exceptions.

Thank you for everything ma'am .

On Thu, Oct 8, 2026 at 9:33 AM Debbie Root <Debbie.Root@canyoncounty.id.gov> wrote:

> I know this seems like a lot of questions but as I work through the staff report and conditions it is important to provide more details and of course that is prompting more questions:
>
> Along with the questions below—what is your plan for **Dust Mitigation**? **Noise Mitigation**?
>
> You also indicate that there will be two full time mechanics, I know equipment needs maintained – are the mechanics strictly for your own equipment?
>
> Respectfully,

Deb Root, MBA

Canyon County Development Services

debbie.root@canyoncounty.id.gov

208-455-6034

From: Debbie Root
Sent: Thursday, October 8, 2026 9:16 AM
To: Justin Bollinger <justin@bullyxidaho.com>
Subject: RE: [External] Re: truck wash?

Justin thank you for the information. Will winter hours for the coming and going of trucks be different from summer hours? Is the intent to start the trucks for warm up?

Will there be any stock piling of materials and loading of materials from this site? I know you said that the wash off materials would be reloaded but will there be regular loading of materials?

Will there be equipment loaded at the site? Back up alarms? Start up and loading of heavy equipment?

Respectfully,

Deb Root, MBA

Canyon County Development Services

debbie.root@canyoncounty.id.gov

208-455-6034

From: Justin Bollinger <justin@bullyxidaho.com>
Sent: Thursday, October 8, 2026 6:47 AM

To: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Subject: [External] Re: truck wash?

Yes ma'am, the proposed truck wash will just be a concrete pad that we can wash truck on, then scoop up the dirt and load it into a truck to haul away. Yes just a private wash pad. I will contact the well people today, we don't need anything more then a hose spicket. Will be just like using your pressure washer at your house. Nothing more then that.

I am meeting with engineer tomorrow to get the drawings going for the site.

Yes there will be 5 truck drivers that will show up around 6:15 every morning and leave the yard around 6:45. They will not return until around 5 at night on average. There will be one office manager, 2 estimators and 2 mechanics there almost all day Monday through Friday. I will come and go from there as needed in the field/office.

Bully Excavation employs around 25 people. Majority of those workers go straight to the job sites and straight home without ever coming to the office. On occasion the 3 supervisors would come by for site plans or something of that nature, but they also will spend all of there time in the field.

On Wed, Oct 7, 2026 at 10:34 AM Debbie Root <Debbie.Root@canyoncounty.id.gov> wrote:

> Justin,
>
> Could you please describe the proposed truck wash? Will it be a private use facility? Will the waste water be contained? Have you spoken with IDWR with regards to purchasing groundwater rights for a commercial well and all the proposed uses on this facility?
>
> Do you have specific drawings/plans for the fueling station for the construction equipment/trucks? More specifically I am looking for containment plans.

Also, you do not indicate the number of employees that are expected to be at the facility daily and those that may just come to the facility for equipment/meetings/etc.

Please provide some employee count details – this will come up at hearing so it is important to have that information and yes I understand it can be fluctuating but I still need to have an idea of the expected numbers.

Respectfully,

Deb Root, MBA

Canyon County Development Services

debbie.root@canyoncounty.id.gov

208-455-6034

Debbie Root

From: Debbie Root
Sent: Tuesday, October 13, 2026 10:42 AM
To: justin@bullyxidaho.com
Subject: Follow-up questions:

Justin,

Last week I sent a few follow-up questions that I did not receive a response for.

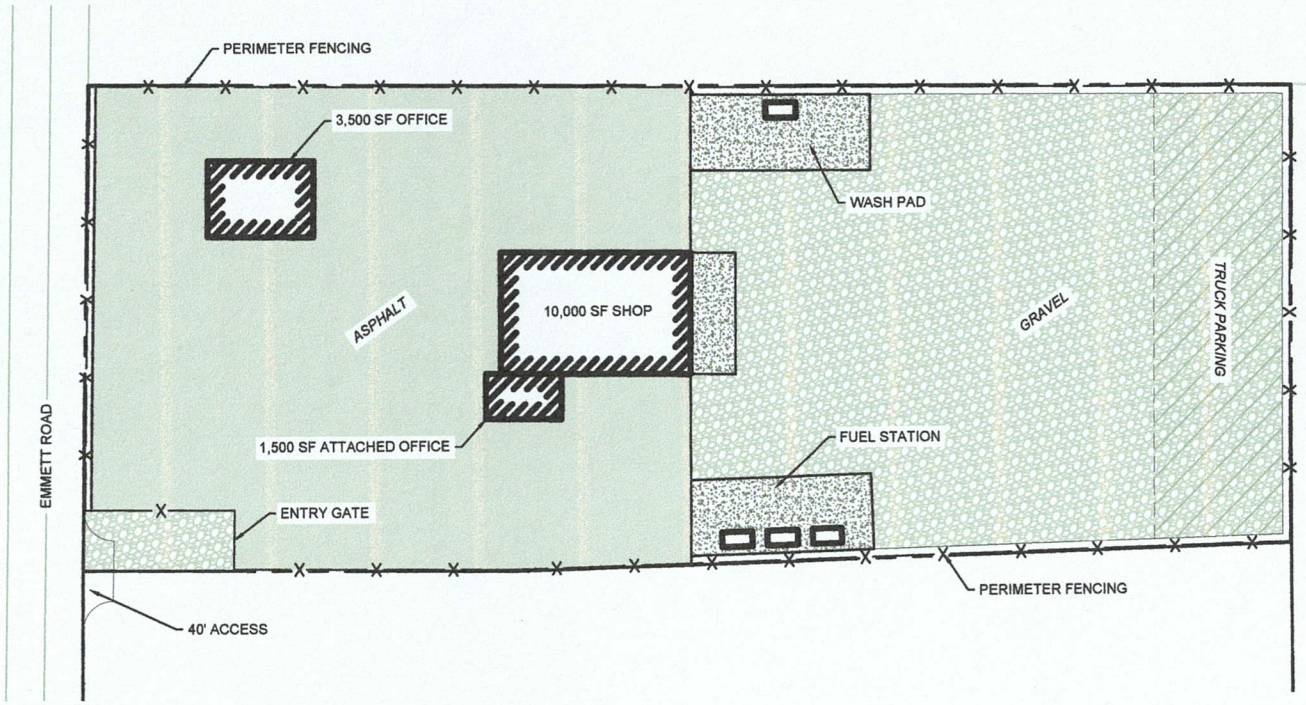
- Will winter hours for the coming and going of trucks be different from summer hours? Is the intent to start the trucks for warm up?
- Will there be any stock piling of materials and loading of materials from this site? I know you said that the wash off materials would be reloaded but will there be regular staging and loading of materials on the site?
- Will there be equipment loaded at the site? (if so, when will the equipment be loaded and prepped to go out to the job sites?) Back up alarms? Start up and loading of heavy equipment?
- What is your plan for Dust Mitigation?
- Noise Mitigation?
- Please describe the fueling station. Your site plan shows three tanks; what is the size of the tanks? are they elevated? What is your proposed containment area?

If you could please provide this additional detail I would appreciate it.

Respectfully,

Deb Root, MBA
Canyon County Development Services
debbie.root@canyoncounty.id.gov
208-455-6034

EXHIBIT
B.4



BULLY EXCAVATION SHOP

80 0 80 160 240

HORIZONTAL SCALE: 1"= 80'

Scale: 1" = 80'

2/2

26

EXH

BULLY EXCAVATION
SHOP SITE
SITE LAYOUT

• Civil Engineering
• Landscape Architecture
• Erosion & Sediment Control
• Graphic Communication
• Water Design
• Land Planning

www.BreckonLandDesign.com
Fax: 208-375-8833
Phone: 208-387-1183

6661 North Glenwood Street
Garden City, Idaho 83714

landdesign
BRECKON

S:_projects\2026\26019 Bully Shop\CAD\26019 xdd.dwg plotted by: Colin Ronhaar on Fri, February 27, 2026 at 08:04 AM

LAND USE WORKSHEET

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

GENERAL INFORMATION

1. **DOMESTIC WATER:** ■ Individual Domestic Well ☐ Centralized Public Water System ☐ City

☐ N/A – Explain why this is not applicable: _____

☐ How many Individual Domestic Wells are proposed? 1

2. **SEWER (Wastewater)** ■ Individual Septic ☐ Centralized Sewer system

☐ N/A – Explain why this is not applicable: _____

3. **IRRIGATION WATER PROVIDED VIA:**

☐ Surface ☐ Irrigation Well ☒ None

4. **IF IRRIGATED, PROPOSED IRRIGATION:**

☐ Pressurized ☐ Gravity

5. **ACCESS:**

■ Frontage ☐ Easement Easement width_____Inst. # _____

6. **INTERNAL ROADS:**

☐ Public ■ Private Road User's Maintenance Agreement Inst #_____

7. **FENCING** ☒ Fencing will be provided (Please show location on site plan)

Type: Chain link Height: 6'0"

8. **STORMWATER:** ■ Retained on site ☐ Swales ☐ Ponds ☐ Borrow Ditches

☐ Other: _____

9. **SOURCES OF SURFACE WATER ON OR NEARBY PROPERTY:** (i.e. creeks, ditches, canals, lake)

Ditches

EXHIBIT
B.5

RESIDENTIAL USES

1. NUMBER OF LOTS REQUESTED:

☐ Residential _____ ■ Commercial 1 ☐ Industrial _____

☐ Common _____ ☐ Non-Buildable _____

2. FIRE SUPPRESSION:

■ Water supply source: Well

3. INCLUDED IN YOUR PROPOSED PLAN?

☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ■ None

NON-RESIDENTIAL USES

1. SPECIFIC USE: OFFICE & SHOP for BULLY EXCAVATION

2. DAYS AND HOURS OF OPERATION:

■ Monday 7 to 6

■ Tuesday 7 to 6

■ Wednesday 7 to 6

■ Thursday 7 to 6

■ Friday 7 to 6

■ Saturday 8 to 6

☐ Sunday _____ to _____

3. WILL YOU HAVE EMPLOYEES? ■ Yes If so, how many? 5 on site ☐ No

4. WILL YOU HAVE A SIGN? ■ Yes ☐ No ☐ Lighted ■ Non-Lighted

Height: 4 ft Width: 8 ft. Height above ground: 10 ft

What type of sign: X Wall _____ Freestanding _____ Other

5. PARKING AND LOADING:

How many parking spaces? 15 I intend on Graveling the entire 5.75 acre parcel

Is there is a loading or unloading area? Yes

ANIMAL CARE-RELATED USES

1. **MAXIMUM NUMBER OF ANIMALS:** 0

2. **HOW WILL ANIMALS BE HOUSED AT THE LOCATION?**

☐ Building ☐ Kennel ☐ Individual Housing ☐ Other _____

3. **HOW DO YOU PROPOSE TO MITIGATE NOISE?**

☒ Building ☒ Enclosure ☐ Barrier/Berm ☐ Bark Collars

4. **ANIMAL WASTE DISPOSAL**

☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System

☐ Other: _____

Notice of Neighborhood Meeting
Pre-application requirement for a Public Hearing

Date

Dear Neighbor,

We are in the process of presenting an application to Canyon County Development Services for a Conditional Rezone To Commercial [write in applicable application type i.e. variance, zoning ordinance map amendment, rezone]. One of the requirements necessary, prior to submission, is to hold a "Neighborhood Meeting" and provide information to our surrounding neighbors about our application; *Canyon County Zoning Ordinance § 07-01-15.* This meeting for our surrounding neighbors is only for informational purposes. We would like to receive feedback from you, our neighbors, as we move through the land use application process with the county.

This neighborhood meeting is **not** a public hearing before a governing body of Canyon County. Once our application has been submitted to the county's Development Services Department, only then, will a public hearing date be scheduled. Also, only after our application is accepted and a public hearing is scheduled with a confirmed date by the county, will the surrounding neighbors receive an official notification from the county via postal mail. The notice will also appear in a newspaper publication and a sign will be displayed on the parcel notifying the public of a county Planning and Zoning land use hearing for our application.

The Neighborhood Meeting details are as follows:

Date: 12-6-25
Time: 10:00 am
Location: on site
Property description: farm field

The project is summarized below:

Site Location: Emmett Road
Proposed access: Emmett Rd Temporary access
Total acreage: 5.75
Proposed lots: 1

We look forward to our neighborhood meeting and encourage you, as our neighbor, to attend. During our meeting, we will answer any questions you may have. Please note, the county does not currently have any information on our project. Also, please do not call the county regarding this meeting or our application as this meeting is a PRE-APPLICATION requirement; we have not submitted the application to the county for consideration at this time.

Feel free to contact me at (insert phone, email, or written correspondence).

Sincerely,

EXHIBIT
B.6

NEIGHBORHOOD MEETING INSTRUCTIONS

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov Phone: 208-402-4164

NEIGHBORHOOD MEETINGS

CANYON COUNTY ZONING ORDINANCE §07-01-15

Before submitting an application for a public hearing, these steps must be completed:

(1) Applicants shall conduct a neighborhood meeting for any proposed variance, conditional use, zoning ordinance map amendment, expansion, or extension of nonconforming uses requiring a public hearing.

(2) It shall be the sole duty of the applicant to provide written notice to all property owners or purchasers of record owning property within six hundred (600) feet of the exterior boundary of the property subject to the application. Notice of a neighborhood meeting shall be in addition to, and not combined with, notices already required by this chapter, and shall include the date, time, location and purpose of the meeting.

(3) The purpose of the neighborhood meeting shall be to review the proposed project and discuss neighborhood concerns, if any.

A. The meeting shall not be on a holiday, a holiday weekend, or the day before a holiday.

B. The meeting shall be held at one of the following locations:

1. On the property subject to the application;

2. At a nearby available public meeting place including, but not limited to, a fire station, library, school, or community center; or

3. At a location with suitable meeting facilities if such facilities are within a one (1) mile radius of the nearest public meeting place.

(4) The neighborhood meeting shall be conducted prior to acceptance of the application by Development Services. The neighborhood meeting shall not be conducted earlier than six (6) months prior to the acceptance of the application, and shall be held no sooner than ten (10) calendar days from the mailing of the notice of the neighborhood meeting.

(5) Each application for a public hearing shall include a form acceptable to the director, which requires the applicant to provide the starting and ending times of the neighborhood meeting and an attendance list, with names and addresses of those who attended the neighborhood meeting. (Ord.10-006, 8-16-2010)

NEIGHBORHOOD MEETING SIGN-UP

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov Phone: 208-402-4164

NEIGHBORHOOD MEETING SIGN UP SHEET

CANYON COUNTY ZONING ORDINANCE §07-01-15

Applicants shall conduct a neighborhood meeting for any proposed comprehensive plan amendment, zoning map amendment (rezone), subdivision, variance, conditional use, zoning ordinance map amendment, or other requests requiring a public hearing.

SITE INFORMATION

Site Address: 000 Emmett Rd	Parcel Number: R34440010	
City: Middleton	State: Idaho	ZIP Code: 83644
Notices Mailed Date:	Number of Acres: 11.54	Current Zoning: Ag
Description of the Request:		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Justin Bollinger		
Company Name: Bully Excavation		
Current address: 7825 Elm Ln		
City: Nampa	State: Idaho	ZIP Code: 83687
Phone:	Cell [redacted]	Fax:
Email: [redacted]		

MEETING INFORMATION

DATE OF MEETING: 12-6-25	MEETING LOCATION: on-site
MEETING START TIME: 10 am	MEETING END TIME: 10:30 am

ATTENDEES:

NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. Stacy Bennett	Stacy Bennett	9809 Hayden Way Middleton
2. Jan Arrasmith	Jan Arrasmith	12981 Okie Ridge, Caldwell
3. Mike Okamura	Mike Okamura	23190 Canyon Lane Caldwell
4. Marty Okamura		23123 Hartley Ln Middleton
5. Justin Bollinger		7825 ELM LN Nampa ID
6.		
7.		
8.		
9.		

Revised 6/9/22

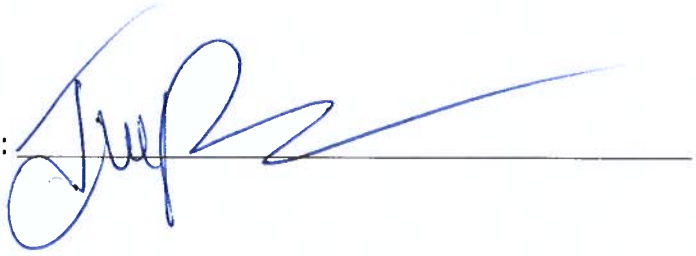
10.
11.

12.
13.
14.
15.
16.
17.
18.
19.
20.

NEIGHBORHOOD MEETING CERTIFICATION:

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accordance with Canyon County Zoning Ordinance § 07-01-15.

APPLICANT/REPRESENTATIVE (Please print): Justin Bollinger

APPLICANT/REPRESENTATIVE (Signature): 

DATE: 12 / 6 / 25

AGENCY ACKNOWLEDGMENT

Date: 12-3-25

Applicant: Justin Ballinger

Parcel Number: R34440010A

Site Address: TBD Emmett Rd Middleton ID 83644

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

The purpose of this form is to facilitate communication between applicants and agencies so that relevant requirements, application processes, and other feedback can be provided to applicants early in the planning process. Record of communication with an agency regarding the project can be submitted instead of a signature. After the application is submitted, impacted agencies will be sent a hearing notification by DSD staff and will have the opportunity to submit comments.

Southwest District Health:

☒ Applicant submitted/met for informal review.

Date: 12/08/2025 Signed: Anthony Lee

Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District: District: Middleton RFD

☒ Applicant submitted/met for informal review.

Date: 12/8/25 Signed:

Authorized ~~Fire District~~ Representative
(This signature does not guarantee project or permit approval)

Highway District: District: Highway District #4

☑ Applicant submitted/met for informal review.

Date: 12/3/25 Signed:

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District: District: Drain Dist. #2

☒ Applicant submitted/met for informal review.

Date: 12-8-25 Signed: Allen Funtenmeyer

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact City: Middleton

☐ Applicant submitted/met for informal review.

Date: 12/8/25 Signed: RZ

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED

EXHIBIT
B.7

UNOFFICIAL COPY

2025-040368
RECORDED
11/07/2025 08:04 AM
RICK HOGABOAM
CANYON COUNTY RECORDER
Pgs=4 JWINSLOW $15.00
TYPE: DEED
STEWART TITLE - MERIDIAN OFFICE
ELECTRONICALLY RECORDED

stewart TITLE

QUITCLAIM DEED

THIS INDENTURE, made this 06 day of November, 2025, between

Anita Jo Castello, an unmarried woman and Bill Jonathon Nishioka, an unmarried man, as **GRANTOR(S)**

and

Justin Anthony Bollinger, a married man as his sole and separate property, **GRANTEE(S)**

whose current address is 7825 Elm Lane Nampa, ID 83687.

WITNESS, that said Grantor(s), for and in consideration in lawful money of the United States of America, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these premises remise, release and forever QUITCLAIM, unto the said Grantee(s) and to its heirs and assigns all that certain lot, piece or parcel of land, bounded and particularly described as follows, to wit:

Parcel I:

A parcel being described in Judgment for Partition of Real Property, recorded July 7, 2025 as Instrument No. 2025-023396 and also a portion of that property as described in Quitclaim Deed Instrument No. 2009058285, records of Canyon County, Idaho, located in South half of the Southwest Quarter of Section 1, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and more particularly described as follows:

COMMENCING at an Aluminum Cap monument marking the southwest corner of the SW 1/4 of said Section 1, from which an Aluminum Cap monument marking the southeast corner of said SW 1/4 (S 1/4 Corner) bears S 89°39'53" E a distance of 2679.67 feet;

Thence along the westerly boundary of said SW 1/4 N 1°00'36" E (formerly N 0°25'06" E) a distance of 1327.63 feet to a point marking the northwest corner of the S 1/2 of the SW 1/4 of said Section 1;

Thence along the northerly boundary of said S 1/2 of the SW 1/4 S 89°38'39" E (formerly N 89°45'05" E) a distance of 25.00 feet to the POINT OF BEGINNING;

Thence continuing along said northerly boundary S 89°38'39" E a distance of 798.08 feet to a point marking the northeast corner of said Quitclaim Deed property;

Thence along the easterly boundary of said Quitclaim Deed property S 0°29'50" W (formerly S 0°04'07" E) a distance of 302.05 feet to a point;

Thence leaving said easterly boundary S 88°20'26" W a distance of 513.81 feet to a point;

Thence N 89°38'39" W a distance of 287.50 feet to a point on the easterly right-of-way of Emmett Road;

Thence along said easterly right-of-way N 1°00'36" E a distance of 320.14 feet to the POINT OF BEGINNING.

UNOFFICIAL COPY

UNOFFICIAL COPY

Parcel II:

An easement being over a portion of that property shown as Parcel 1 on Record of Survey Instrument No. 2025-039050, records of Canyon County, Idaho, located in South half of the Southwest Quarter of Section 1, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and more particularly described as follows:

A strip of land 25.00 feet in width, left of and adjacent to the following described easement line:

COMMENCING at an Aluminum Cap monument marking the Southwest corner of the Southwest Quarter of said Section 1, from which an Aluminum Cap monument marking the southeast corner of said SW 1/4 (S 1/4 Corner) bears S 89°39'53" E a distance of 2679.67 feet;

Thence along the westerly boundary of said SW 1/4 N 1°00'36" E a distance of 687.94 feet to a point;

Thence leaving said westerly boundary S 88°17'53" E a distance of 25.00 feet to a point on the easterly right-of-way of Emmett Road;

Thence along said easterly right-of-way N 1°00'36" E a distance of 320.14 feet to a point marking the southwest corner of said Parcel 1 and the BEGINNING POINT of said easement line;

Thence along the southerly boundary of said parcel 1 S 89°38'39" E a distance of 287.50 feet to a point;

Thence N 88°20'26" E a distance of 513.81 feet to the ENDING POINT of said easement line.

The left side of said easement to be lengthened or shortened to begin and terminate at said Parcel 1 boundary lines.

Parcel III:

An easement being over a portion of that property shown as Parcel 1 on Record of Survey Instrument No. 2025-039050, records of Canyon County, Idaho, located in South half of the Southwest Quarter of Section 1, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and more particularly described as follows:

A strip of land 15.00 feet in width, right of and adjacent to the following described easement line:

COMMENCING at an Aluminum Cap monument marking the southwest corner of the Southwest Quarter of said Section 1, from which an Aluminum Cap monument marking the southeast corner of said SW1/4 (S 1/4 Corner) bears S 89°39'53" E a distance of 2679.67 feet;

Thence along the westerly boundary of said SW 1/4 N 1°00'36" E a distance of 1327.63 feet to a point marking the northwest corner of the S 1/2 of the SW 1/4 of said Section 1;

Thence along the northerly boundary of said S 1/2 of the SW 1/4 S 89°38'39" E a distance of 25.00 feet to the BEGINNING POINT of said easement line;

Thence continuing along said northerly boundary S 89°38'39" E a distance of 798.08 feet to a point marking the northeast corner of Parcel 1;

Thence along the easterly boundary of said Parcel 1 S 0°29'50" W a distance of 277.03 feet to a point;

Thence leaving said easterly boundary S 88°20'26" W a distance of 514.31 feet to a point;

Thence N 89°38'39" W a distance of 286.77 feet to a point on the easterly right-of-way of Emmett Road;

Thence along said easterly right-of-way N 1°00'36" E a distance of 295.14 feet to the POINT OF BEGINNING.

UNOFFICIAL COPY

UNOFFICIAL COPY

Parcel Number: 34440010 0

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Grantee and to its heirs and assigns forever.

UNOFFICIAL COPY
UNOFFICIAL COPY
UNOFFICIAL COPY
UNOFFICIAL COPY
UNOFFICIAL COPY
UNOFFICIAL COPY

UNOFFICIAL COPY

UNOFFICIAL COPY

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

Anita Jo Castello

Bill Jonathon Nishioka by Georgia Cheatham, attorney in fact

Bill Jonathon Nishioka by Georgia Cheatham, attorney in fact

State of Idaho)
) ss.
County of Ada

On this 6th day of November, 2025, before me the undersigned, a Notary Public, in and for said State, personally appeared Anita Jo Castello, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public: Kelsie King
Residing at: Boise, ID
My commission expires: 10/19/29

KELSIE A KING
COMMISSION # 20234331
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 10/19/2029

State of Idaho)
) ss.
County of Canyon

On this 5 day of November, in the year of 2025, before me, the undersigned, a notary public, personally appeared Georgia Cheatham, known or identified to me (or proved to me on the oath of N/A) to be the person whose name is subscribed to the within instrument as the attorney in fact of Bill Jonathon Nishioka, and acknowledged to me that he subscribed the name of Bill Jonathon Nishioka thereto as principal, and ~~his~~ her own name as attorney in fact.

Seal

KAURI RICHARDS
COMMISSION #37229
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 11/30/2031

Notary Public
My Commission Expires on 11.30.31

UNOFFICIAL COPY

Canyon County Development Services
111 N. 11th Ave. Room 310, Caldwell, ID 83605
(208) 454-7458

Building Divsn Email: buildinginfo@canyoncounty.id.gov **Planning Divsn Email:** zoninginfo@canyoncounty.id.gov

Receipt Number: 87159 Date: 12/19/2025

Date Created: 12/19/2025 **Receipt Type:** Normal Receipt **Status:** Active

Customer's Name: Bully Excavation LLC

Comments: RZ2025-0009

Site Address: 0 EMMETT RD, Middleton ID 83644 / Parcel Number: 34440010A0

CHARGES

Item Being Paid For:	Application Number:	Amount Paid:	Prevs Pymnts:	Unpaid Amnt:
Planning - Conditional Rezone	RZ2025-0009	$1,250.00	$0.00	$0.00
Planning - Notification - Public Hearing Level Cases (2 Hearings)	RZ2025-0009	$600.00	$0.00	$0.00
Planning - Case Mapping (Fee Per Case Set)	RZ2025-0009	$50.00	$0.00	$0.00
Planning - Development Agreement (DA) - (Add to Rezone with Conditions; Up to 1 Hour Legal Time)	RZ2025-0009	$500.00	$0.00	$0.00

Sub Total: $2,400.00

Sales Tax: $0.00

Total Charges: $2,400.00

PAYMENTS

Type of Payment:	Check/Ref Number:	Amount:
Check	3671	$2,400.00

Total Payments: $2,400.00

ADJUSTMENTS

Receipt Balance: $0.00

Issued By: lheidel

EXHIBIT C:

SUPPLEMENTAL DOCUMENTS

EXHIBIT
C

CANYON COUNTY DEVELOPMENT SERVICES MAKES NO WARRANTY WITH RESPECT TO THE ACCURACY, COMPLETENESS, OR USEFULNESS OF THIS PARCEL INFORMATION TOOL.

R34440010A PARCEL INFORMATION REPORT

8/28/2026 4:10:24 PM

PARCEL NUMBER: R34440010A
OWNER NAME: BOLLINGER JUSTIN ANTHONY
CO-OWNER:
MAILING ADDRESS: 7825 ELM LN NAMPA ID 83687
SITE ADDRESS: 0 EMMETT RD
TAX CODE: 0310000
TWP: 4N **RNG:** 3W **SEC:** 01 **QUARTER:** SW
ACRES: 5.76
HOME OWNERS EXEMPTION: No
AG-EXEMPT: Yes
DRAIN DISTRICT: DD2
ZONING DESCRIPTION: AG / AGRICULTURE
HIGHWAY DISTRICT: HIGHWAY DISTRICT #4
FIRE DISTRICT: MIDDLETON FIRE
SCHOOL DISTRICT: MIDDLETON SCHOOL DIST #134
IMPACT AREA: Middleton
FUTURE LAND USE 2011-2022 : COM
FLU Overlay Zone Desc 2030: INTENSIVE AGRICULTURE OVERLAY
FLU RR Zone Desc 2030:
FUTURE LAND USE 2030: COMMERCIAL
IRRIGATION DISTRICT: MIDDLETON IRRIGATION ASSN INC / CANYON COUNTY WATER CO LTD / MIDDLETON MILL DITCH CO
FEMA FLOOD ZONE: X **FLOODWAY:** NOT In FLOODWAY **FIRM PANEL:** 16027C0234G
WETLAND: Riverine
NITRATE PRIORITY: NO Nitrate Prio
FUNCTIONAL Classification: PRINCIPAL ARTERIAL
INSTRUMENT NO. : 2025040368
SCENIC BYWAY: NOT In Scenic Byway
LEGAL DESCRIPTION: 01-4N-3W SW TX 25455 NW S 1/2 SW
PLATTED SUBDIVISION:
SMALL CITY ZONING:
SMALL CITY ZONING TYPE:

DISCLAIMER:

1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS. POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER.
2. THIS FORM DOES NOT CALCULATE DATA FOR PARCELS INSIDE CITY LIMITS SO WATCH YOURSELVES.
3. WETLANDS CLASSIFICATION WILL POPULATE IF "ANY" PORTION OF SAID PARCEL CONTAINS A DELINEATED WETLAND.
4. COLLECTORS AND ARTERIALS ARE BASED ON THE SHERRIFS CENTERLINE WITH AN ADDITIONAL 100 FOOT BUFFER.

CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR MISUSE OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.

EXHIBIT C.1

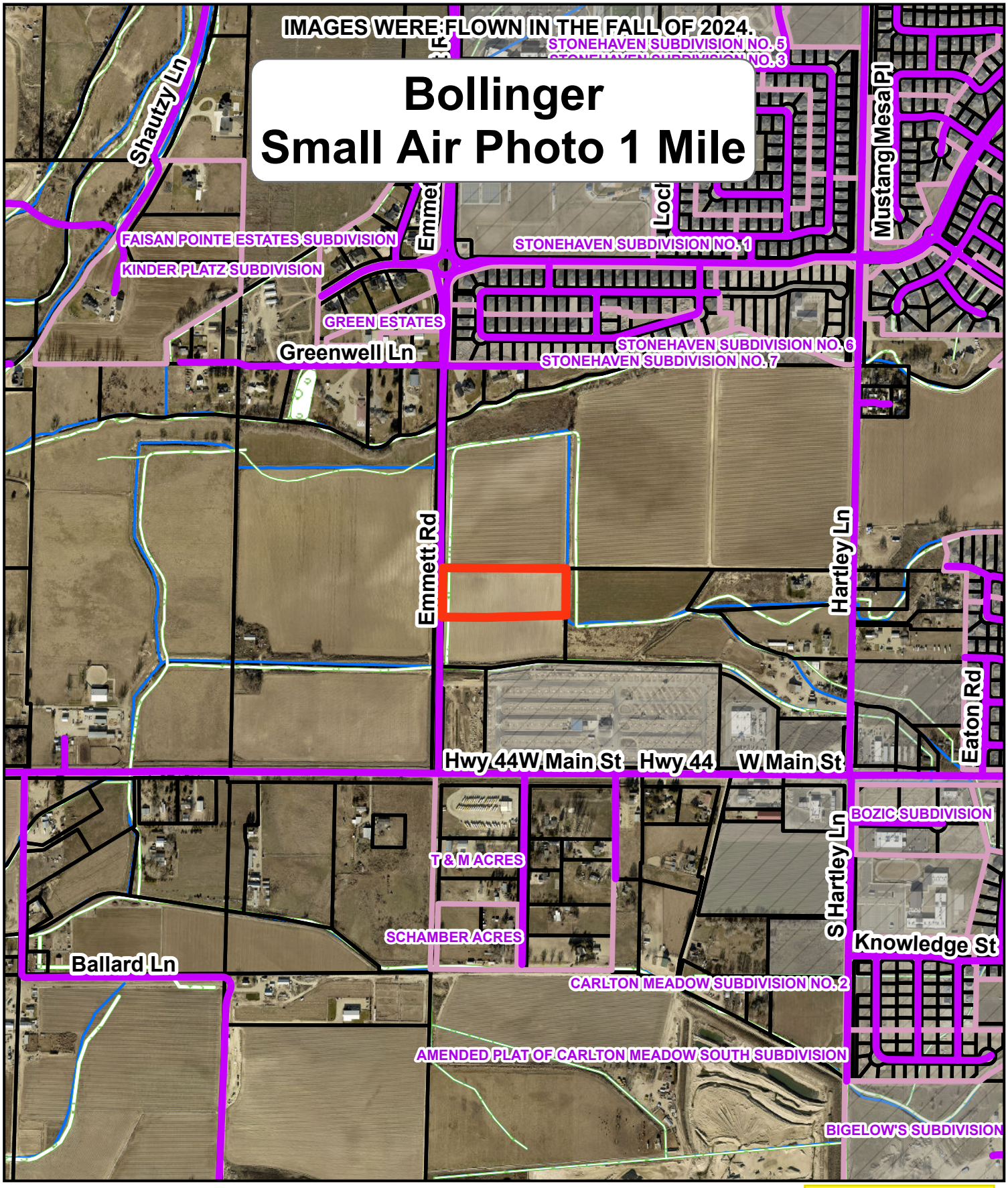
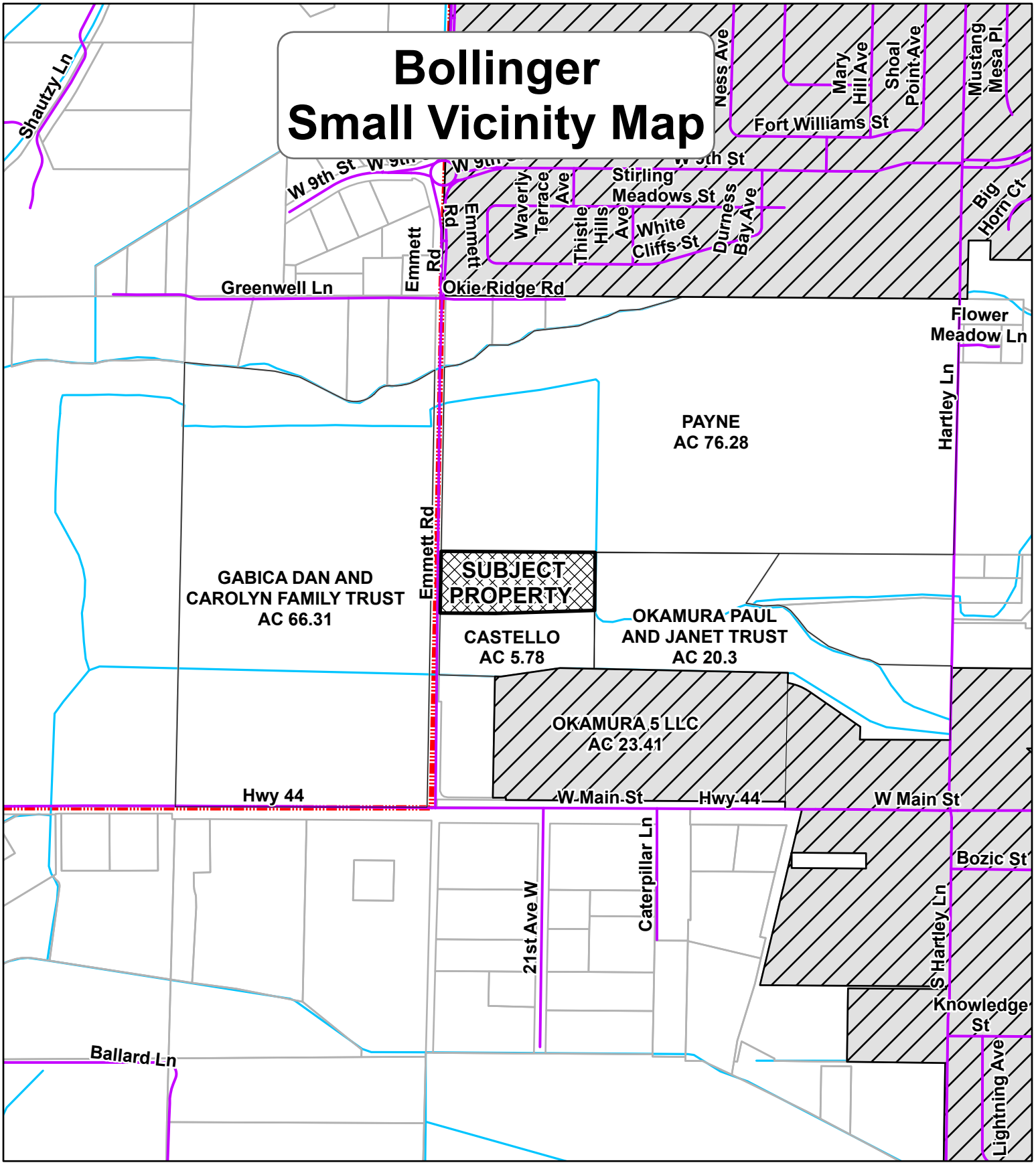
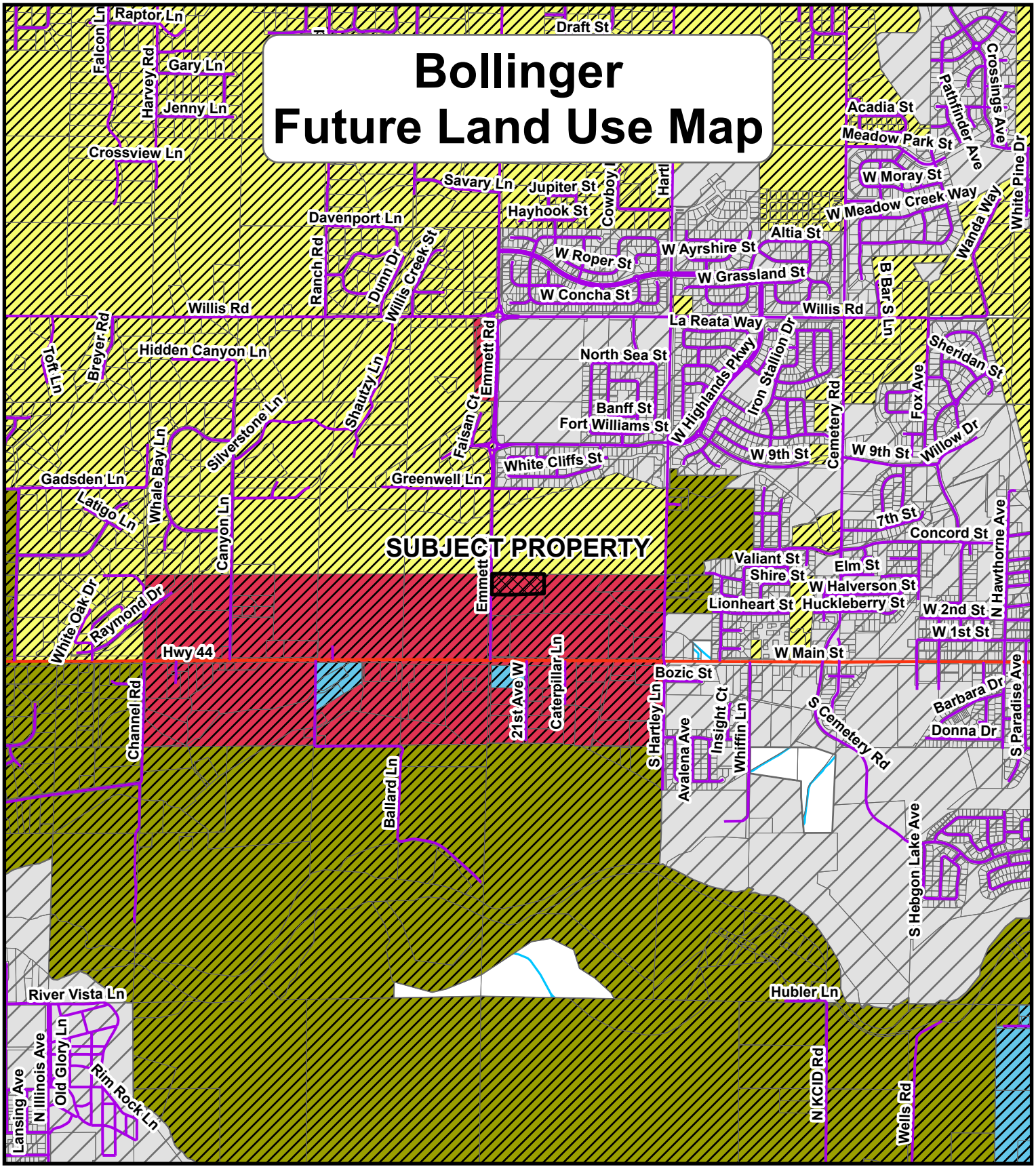


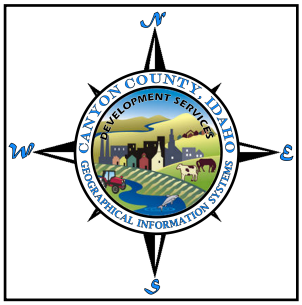
EXHIBIT
C.2

City_Limits
Wetlands

0 0.25 0.5 Miles


Bollinger
Small Vicinity Map
Shautzy Ln
W 9th St
Emmett Rd
Greenwell Ln
Okie Ridge Rd
Ness Ave
Mary Hill Ave
Shoal Point Ave
Mustang Mesa Pl
Fort Williams St
Waverly Terrace Ave
Stirling Meadows St
Thistle Hills Ave
White Cliffs St
Durness Bay Ave
Big Horn Ct
Flower Meadow Ln
Hartley Ln
PAYNE
AC 76.28
GABICA DAN AND
CAROLYN FAMILY TRUST
AC 66.31
SUBJECT
PROPERTY
CASTELLO
AC 5.78
OKAMURA PAUL
AND JANET TRUST
AC 20.3
OKAMURA 5 LLC
AC 23.41
Hwy 44
W Main St
Hwy 44
W Main St
21st Ave W
Caterpillar Ln
Bozic St
S Hartley Ln
Knowledge St
Lightning Ave
Ballard Ln
N
W
E
S
CANYON COUNTY, IDAHO
DEVELOPMENT SERVICES
GEOGRAPHICAL INFORMATION SYSTEMS
EXHIBIT
C.3
0
0.25
0.5
Miles



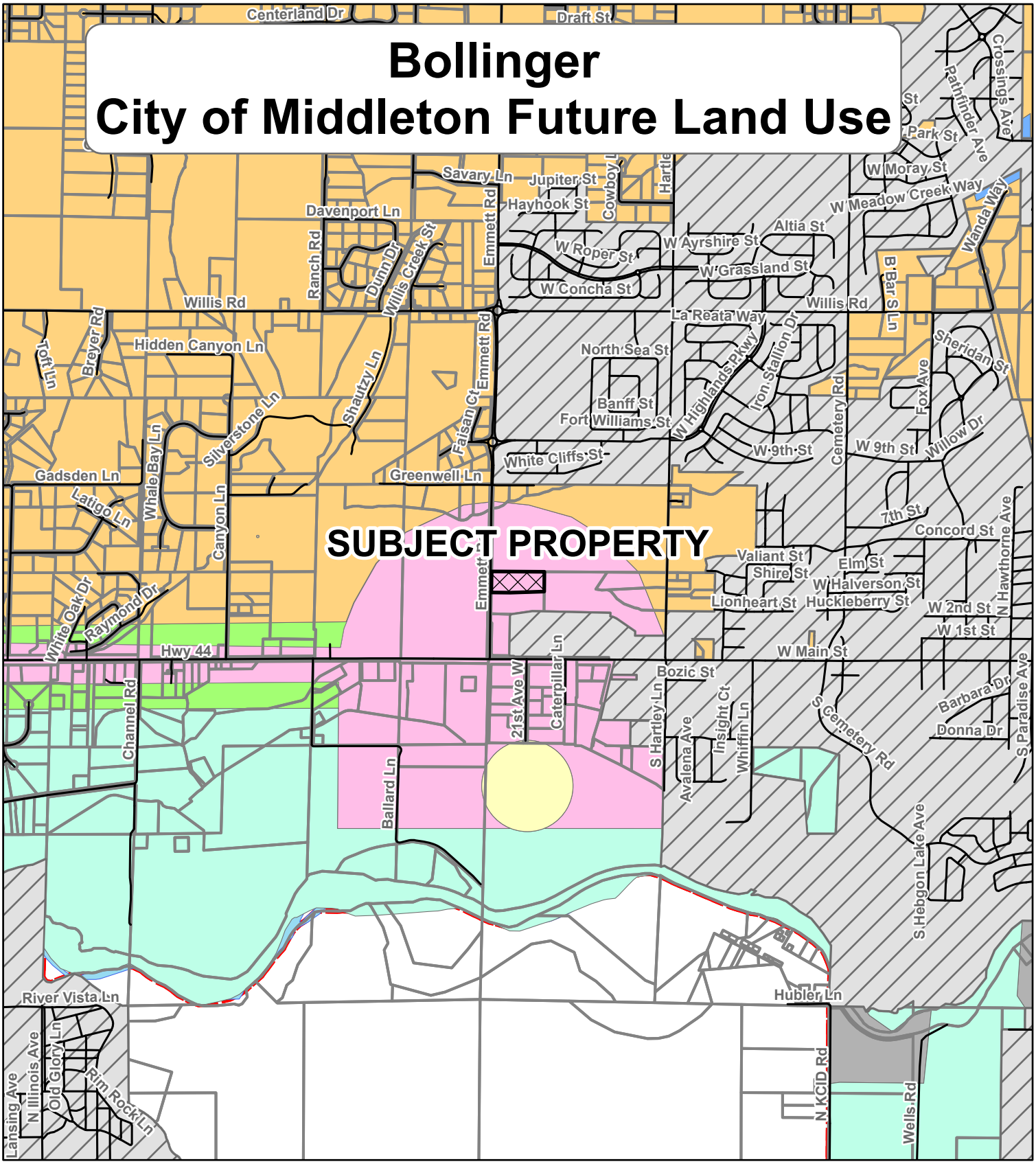


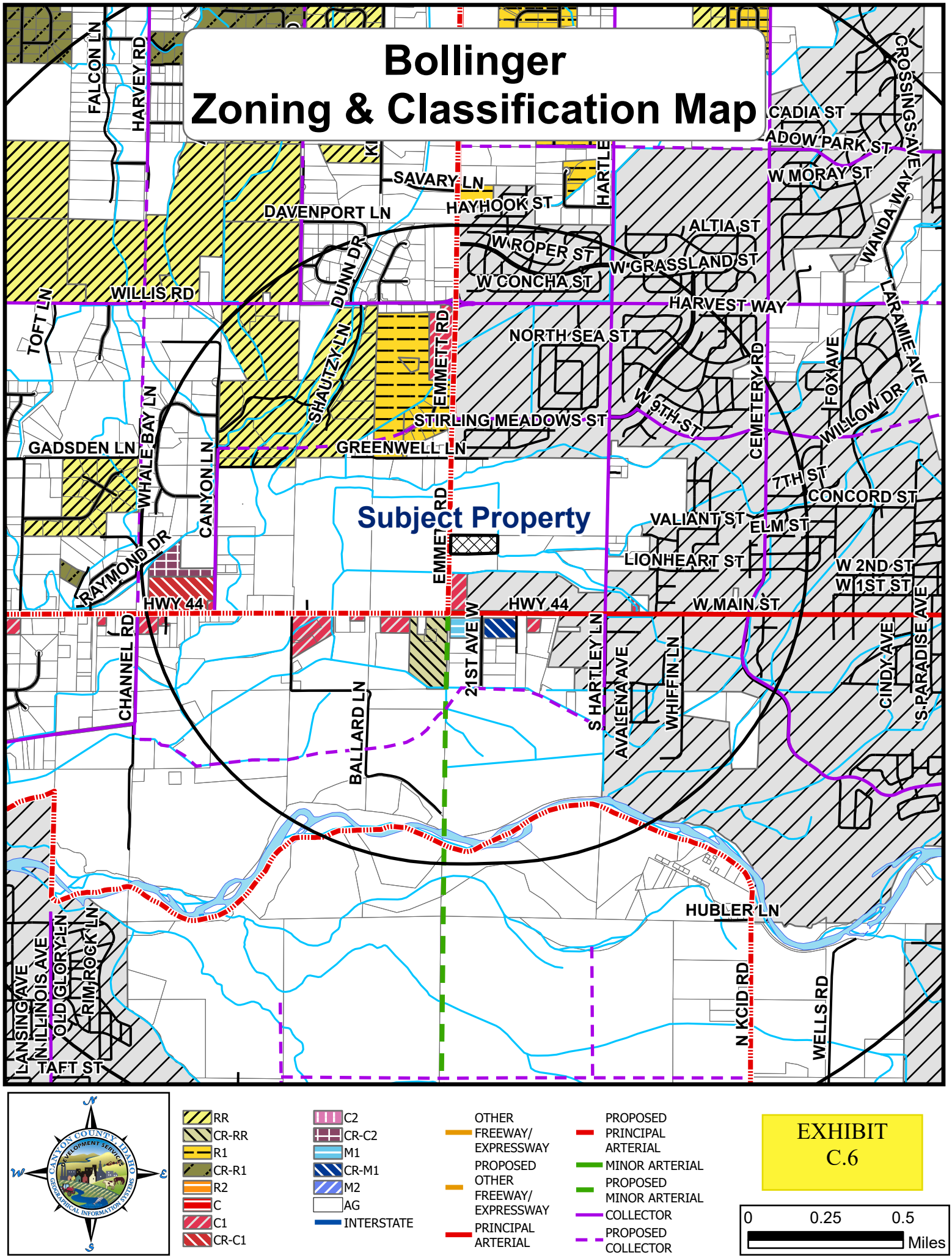
Future Land Use 2030

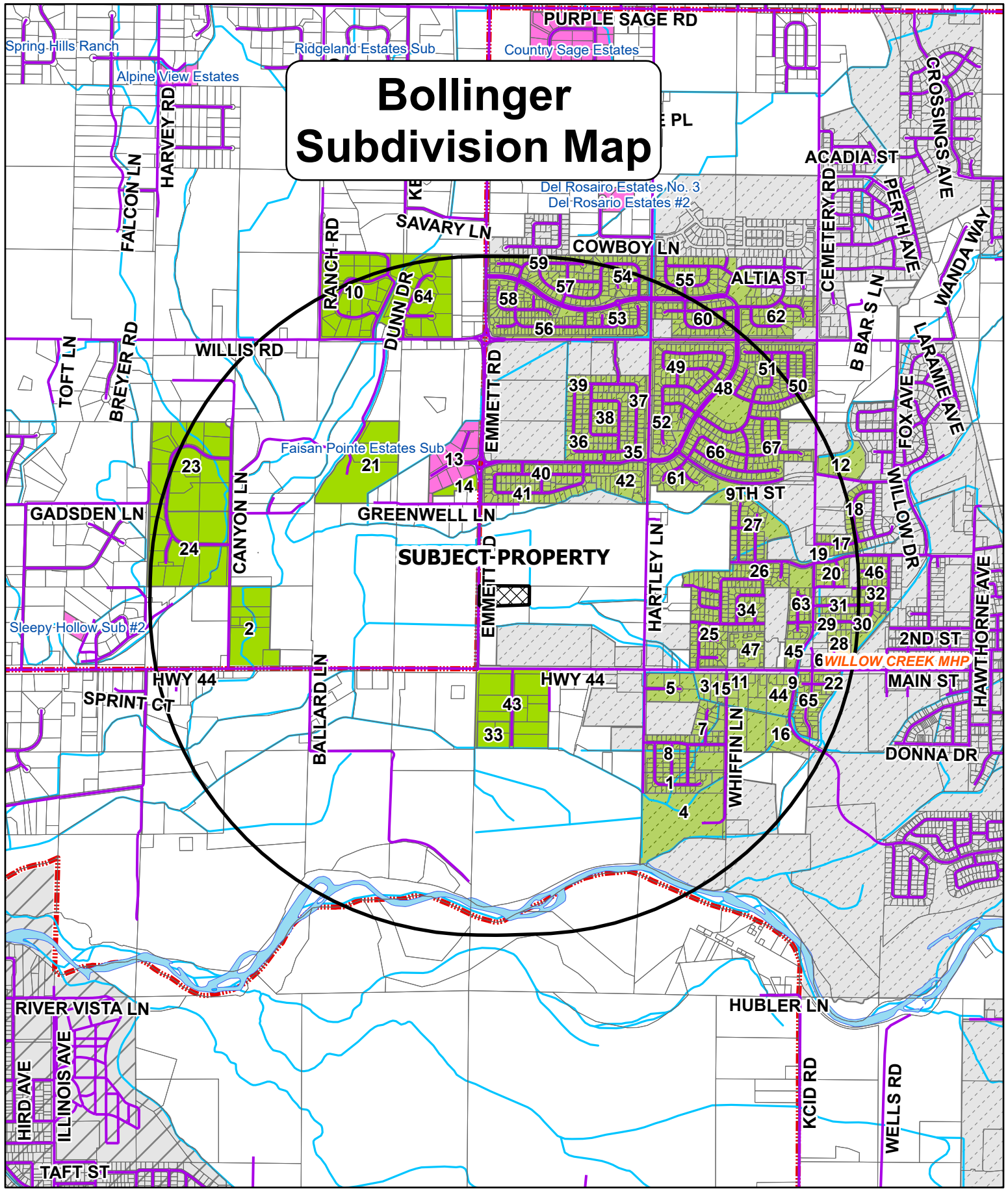
- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL
- RURAL RESIDENTIAL

EXHIBIT
C.4

0 0.5 1 Miles


Bollinger
City of Middleton Future Land Use
SUBJECT PROPERTY
Centerland Dr
Draft St
Savary Ln
Jupiter St
Hayhook St
Davenport Ln
Ranch Rd
Dunn Dr
Willis Creek St
Emmett Rd
Cowboy Ln
Hartle
W Roper St
W Ayrshire St
Altia St
W Grassland St
W Concha St
Willis Rd
W Moray St
W Meadow Creek Way
Wanda Way
Park St
Pathfinder Ave
Crossings Ave
Breyer Rd
Hidden Canyon Ln
Shautzy Ln
Faisan Ct
La Reata Way
North Sea St
Banff St
Fort Williams St
W Highlands Pkwy
Iron Stallion Dr
Cemetery Rd
Fox Ave
Sheridan St
W 9th St
Willow Dr
White Cliffs St
Greenwell Ln
Gadsden Ln
Latigo Ln
Whale Bay Ln
Silverstone Ln
Canyon Ln
7th St
Concord St
Valiant St
Shire St
Elm St
W Halverson St
Lionheart St
Huckleberry St
N Hawthorne Ave
W 2nd St
W 1st St
W Main St
White Oak Dr
Raymond Dr
Hwy 44
Channel Rd
Ballard Ln
21st Ave W
Caterpillar Ln
Bozic St
S Hartley Ln
Avalena Ave
Insight Ct
Whiffin Ln
S Cemetery Rd
Barbara Dr
Donna Dr
S Paradise Ave
S Hebgon Lake Ave
River Vista Ln
Hubler Ln
Lansing Ave
N Illinois Ave
Old Glory Ln
Rim Rock Ln
N KCID Rd
Wells Rd
MiddletonCompPlan
Commercial
Industrial
Mixed Use
Public
Residential
Residential Special Areas
Transit Oriented
EXHIBIT
C.5
0
0.5
1
Miles


Bollinger
Zoning & Classification Map
Subject Property
FALCON LN
HARVEY RD
SAVARY LN
HAYHOOK ST
DAVENPORT LN
DUNN DR
WILLIS RD
TOFT LN
SHAUTZY LN
EMMETT RD
HARTLE
CADIA ST
ADOW PARK ST
CROSSINGS AVE
W MORAY ST
WANDA WAY
ALTIA ST
W ROPER ST
W GRASSLAND ST
W CONCHA ST
HARVEST WAY
LARAMIE AVE
NORTH SEA ST
CEMETERY RD
FOX AVE
W 9TH ST
WILLOW DR
STIRLING MEADOWS ST
GREENWELL LN
GADSDEN LN
WHALE BAY LN
CANYON LN
7TH ST
CONCORD ST
VALIANT ST
ELM ST
LIONHEART ST
W 2ND ST
W 1ST ST
RAYMOND DR
HWY 44
W MAIN ST
CHANNEL RD
21ST AVE W
S HARTLEY LN
AVALENA AVE
WHIFFIN LN
CINDY AVE
S PARADISE AVE
BALLARD LN
HUBLER LN
LANSING AVE
ILLINOIS AVE
OLD GLORY LN
RIM ROCK LN
TAFT ST
N KCID RD
WELLS RD
RR
CR-RR
R1
CR-R1
R2
C
C1
CR-C1
C2
CR-C2
M1
CR-M1
M2
AG
INTERSTATE
OTHER FREEWAY/ EXPRESSWAY
PROPOSED OTHER FREEWAY/ EXPRESSWAY
PRINCIPAL ARTERIAL
PROPOSED PRINCIPAL ARTERIAL
MINOR ARTERIAL
PROPOSED MINOR ARTERIAL
COLLECTOR
PROPOSED COLLECTOR
EXHIBIT C.6
0
0.25
0.5
Miles


Bollinger Subdivision Map
PURPLE SAGE RD
Spring Hills Ranch
Ridgeland Estates Sub
Country Sage Estates
Alpine View Estates
HARVEY RD
FALCON LN
Del Rosario Estates No. 3
Del Rosario Estates #2
ACADIA ST
CROSSINGS AVE
PERTH AVE
WANDA WAY
CEMETERY RD
SAVARY LN
COWBOY LN
RANCH RD
DUNN DR
ALTIA ST
B BAR S LN
LARAMIE AVE
FOX AVE
WILLIS RD
TOFT LN
BREYER RD
EMMETT RD
Faisan Pointe Estates Sub
CANYON LN
GADSDEN LN
GREENWELL LN
9TH ST
WILLOW DR
HARTLEY LN
SUBJECT PROPERTY
Sleepy Hollow Sub #2
2ND ST
WILLOW CREEK MHP
HWY 44
SPRINT CT
BALLARD LN
MAIN ST
HAWTHORNE AVE
WHIFFIN LN
DONNA DR
RIVER VISTA LN
HUBLER LN
HIRD AVE
ILLINOIS AVE
KCID RD
WELLS RD
TAFT ST
SUBDIVISIONS
Plat Type,Plat Status
Preliminary,Approved
Preliminary,Pending
MOBILE HOME PARKS
EXHIBIT
C.7
0
0.5
1
Miles

SUBDIVISION & LOT REPORT

NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
67	850.62	2062	0.41

NUMBER OF SUBS IN PLATTING	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
1	13.82	11	1.26

NUMBER OF LOTS NOTIFIED	AVERAGE	MEDIAN	MINIMUM	MAXIMUM
7	28.84	20.30	4.03	76.29

NUMBER OF MOBILE HOME PARKS	ACRES IN MHP	NUMBER OF SITES	AVG HOMES PER ACRE	MAXIMUM
1	3.26	7.00	2.00	2.00

PLATTED SUBDIVISIONS

SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF…	Year
AMENDED PLAT OF CARLTON MEADOW SOUTH SU	1	4N3W12	8.02	27	0.30	MIDDLETON	2025
ATKINSON SUB	2	4N3W02	21.36	10	2.14	COUNTY (Canyon)	1971
BEESON'S CORNER	3	4N3W12	2.21	2	1.11	0	1998
BIGELOW'S SUBDIVISION	4	4N3W12	53.19	14	3.80	MIDDLETON	1907
BOZIC SUBDIVISION	5	4N3W12	8.47	6	1.41	MIDDLETON	2022
BUTLER ADD	6	4N2W06	0.96	4	0.24	MIDDLETON	1996
CARLTON MEADOW SUBDIVISION NO. 1	7	4N3W12	7.42	27	0.27	MIDDLETON	2023
CARLTON MEADOW SUBDIVISION NO. 2	8	4N3W12	11.59	56	0.21	MIDDLETON	2024
CORNELL SUB	9	4N3W12	0.52	2	0.26	MIDDLETON	2004
D&S PURPLE SAGE RANCHETTES	10	5N3W35	36.47	31	1.18	COUNTY (Canyon)	1972
DIXIE SUNRISE	11	4N3W12	1.01	3	0.34	MIDDLETON	1998
ELK ACRES SUBDIVISION	12	4N2W06	8.05	3	2.68	MIDDLETON	2004
FAISAN POINTE ESTATES SUBDIVISION	13	4N3W02	13.82	13	1.06	COUNTY (Canyon)	2021
GREEN ESTATES	14	4N3W02	2.87	2	1.44	COUNTY (Canyon)	2009
HAMMOND'S REPLAT	15	4N3W12	1.26	5	0.25	MIDDLETON	1973
HAWTHORNE SUBDIVISION	16	4N3W01	8.12	181	0.04	COUNTY (Canyon)	1910
HIGHLAND MEADOWS	17	4N2W06	5.48	19	0.29	MIDDLETON	1997
HIGHLAND MEADOWS # 4	18	4N2W06	5.09	20	0.25	MIDDLETON	2003
HOLLINGER PARK ADDITION	19	4N2W06	0.77	2	0.38	MIDDLETON	1978
KAY'S ADD	20	4N2W06	6.20	16	0.39	MIDDLETON	1971
KINDER PLATZ SUBDIVISION	21	4N3W02	25.33	4	6.33	COUNTY (Canyon)	2017
LEE'S REPLAT	22	4N2W07	1.08	5	0.22	0	1977
NORTHSLOPE ESTATES #1	23	4N3W02	42.71	15	2.85	COUNTY (Canyon)	2004
NORTHSLOPE ESTATES #2	24	4N3W02	37.37	12	3.11	COUNTY (Canyon)	2005
NOTTINGHAM GREENS #1	25	4N3W01	14.95	62	0.24	MIDDLETON	2001
NOTTINGHAM GREENS #2	26	4N3W01	19.19	72	0.27	MIDDLETON	2003
NOTTINGHAM GREENS #3	27	4N3W01	15.17	43	0.35	MIDDLETON	2004
PICCADILLY SQUARE SUBDIVISION	28	4N2W06	1.77	5	0.35	MIDDLETON	2023
PLUMTREE SUB #1	29	4N2W06	2.67	9	0.30	MIDDLETON	1984
PLUMTREE SUB #2	30	4N2W06	7.60	19	0.40	MIDDLETON	1997
PLUMTREE SUB #3	31	4N2W06	5.13	19	0.27	MIDDLETON	1999
PLUMTREE SUB #4	32	4N2W06	3.34	11	0.30	MIDDLETON	2000
SCHAMBER ACRES	33	4N3W12	5.08	2	2.54	0	1999
SHERWOOD ESTATES	34	4N3W01	9.58	37	0.26	0	2006
STONEHAVEN SUBDIVISION NO. 1	35	4N3W01	8.18	25	0.33	MIDDLETON	2019
STONEHAVEN SUBDIVISION NO. 2	36	4N3W01	6.44	25	0.26	MIDDLETON	2020
STONEHAVEN SUBDIVISION NO. 3	37	4N3W01	9.80	29	0.34	MIDDLETON	2020
STONEHAVEN SUBDIVISION NO. 4	38	4N3W01	13.34	59	0.23	MIDDLETON	2021
STONEHAVEN SUBDIVISION NO. 5	39	4N3W01	7.20	30	0.24	MIDDLETON	2021
STONEHAVEN SUBDIVISION NO. 6	40	4N3W01	12.39	50	0.25	MIDDLETON	2022
STONEHAVEN SUBDIVISION NO. 7	41	4N3W01	11.46	37	0.31	MIDDLETON	2023
STONEHAVEN SUBDIVISION NO. 8	42	4N3W01	10.64	24	0.44	MIDDLETON	2024
T & M ACRES	43	4N3W12	29.22	9	3.25	0	1977
TD&D SUBDIVISION	44	4N3W12	6.01	5	1.20	MIDDLETON	2015
THE COTTAGES SUBDIVISION_MIDDLETON	45	4N3W01	3.01	2	1.50	MIDDLETON	2009
VIDA GLENN SUB	46	4N2W06	6.05	22	0.27	MIDDLETON	1976
WELLSTONE SUBDIVISION	47	4N3W01	6.64	18	0.37	0	2007
WEST HIGHLANDS RANCH SUBDIVISION #1	48	4N3W01	36.56	78	0.47	MIDDLETON	2008
WEST HIGHLANDS RANCH SUBDIVISION #2	49	4N3W01	16.67	52	0.32	0	2008
WEST HIGHLANDS RANCH SUBDIVISION #3	50	4N3W01	9.18	48	0.19	MIDDLETON	2009
WEST HIGHLANDS RANCH SUBDIVISION #4	51	4N3W01	14.44	68	0.21	MIDDLETON	2013
WEST HIGHLANDS RANCH SUBDIVISION #5	52	4N3W01	9.96	33	0.30	MIDDLETON	2015
WEST HIGHLANDS RANCH SUBDIVISION NO. 10	53	5N3W36	15.93	58	0.27	MIDDLETON	2021
WEST HIGHLANDS RANCH SUBDIVISION NO. 11	54	5N3W36	14.66	51	0.29	MIDDLETON	2021

WEST HIGHLANDS RANCH SUBDIVISION NO. 12	55	5N3W36	19.11	51	0.37	MIDDLETON	2021
WEST HIGHLANDS RANCH SUBDIVISION NO. 13	56	5N3W36	13.86	55	0.25	MIDDLETON	2022
WEST HIGHLANDS RANCH SUBDIVISION NO. 14	57	5N3W36	11.75	39	0.30	MIDDLETON	2022
WEST HIGHLANDS RANCH SUBDIVISION NO. 15	58	5N3W36	13.55	58	0.23	MIDDLETON	2022
WEST HIGHLANDS RANCH SUBDIVISION NO. 16	59	5N3W36	11.14	44	0.25	MIDDLETON	2022
WEST HIGHLANDS RANCH SUBDIVISION NO. 18	60	5N3W26	14.44	54	0.27	MIDDLETON	2024
WEST HIGHLANDS RANCH SUBDIVISION NO. 8	61	4N3W01	9.60	23	0.42	MIDDLETON	2016
WEST HIGHLANDS RANCH SUBDIVISION NO. 9	62	5N3W36	24.79	61	0.41	MIDDLETON	2020
WESTWOOD SUBDIVISION	63	4N3W01	10.48	26	0.40	0	2006
WILLIS CREEK SUBDIVISION	64	5N3W35	28.54	19	1.50	COUNTY (Canyon)	2005
WILLOW CREEK SUB MI	65	4N3W12	11.25	29	0.39	0	1975
West Highlands Ranch Subdivision No. 6	66	4N3W01	19.17	62	0.31	MIDDLETON	2016
West Highlands Ranch Subdivision No. 7	67	4N3W01	21.33	60	0.36	MIDDLETON	2016

SUBDIVISIONS IN PLATTING

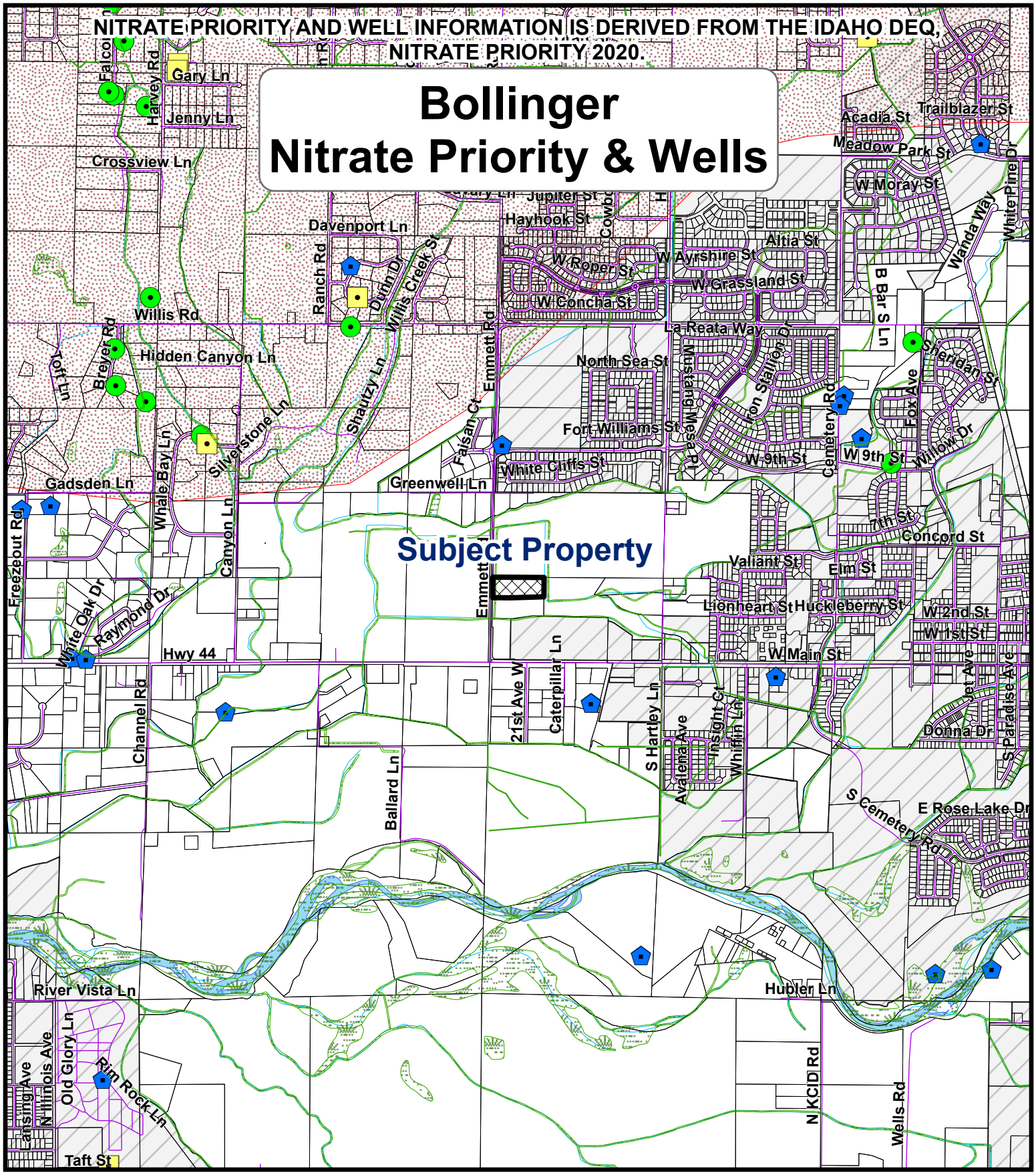
SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE
Faisan Pointe Estates Sub	13.82	11	1.26

MOBILE HOME & RV PARKS

SUBDIVISION NAME	SITE ADDRESS	ACRES	NO. OF SPACES	UNITS PER ACRE	CITY OF...
Willow Creek MHP	606 West Main Street	3.26	7	2.14	City of Middlet

NITRATE PRIORITY AND WELL INFORMATION IS DERIVED FROM THE IDAHO DEQ, NITRATE PRIORITY 2020.

Bollinger Nitrate Priority & Wells



GEO-THERMAL LOCATIONS

WETLANDS

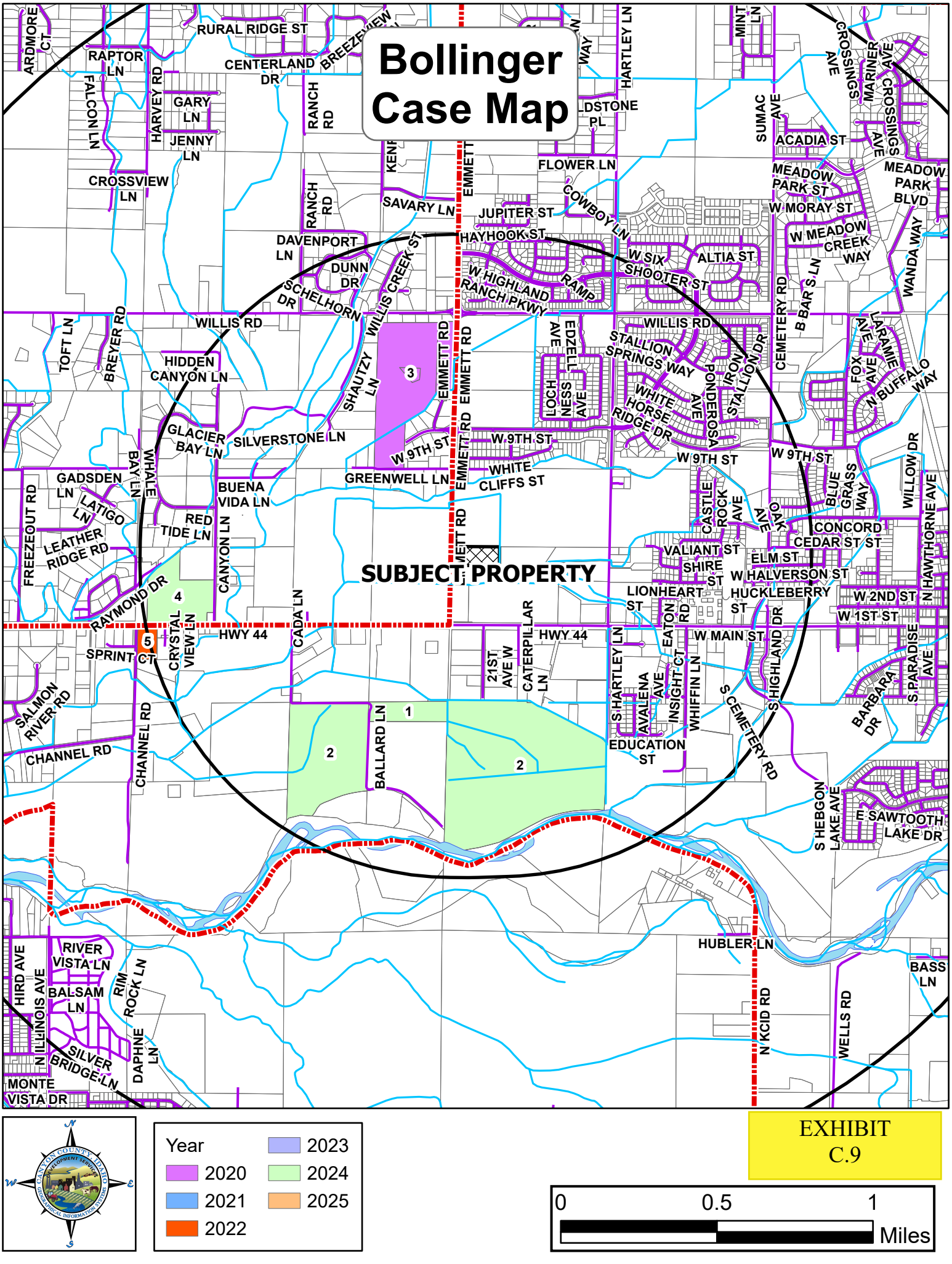
NITRATE_PRIORITY

DEQ WELLS N03_MGL

- 0.005 - 2.00
- 2.000001 - 5.00
- 5.0000001 - 10.00
- 10.000001 - 49.80

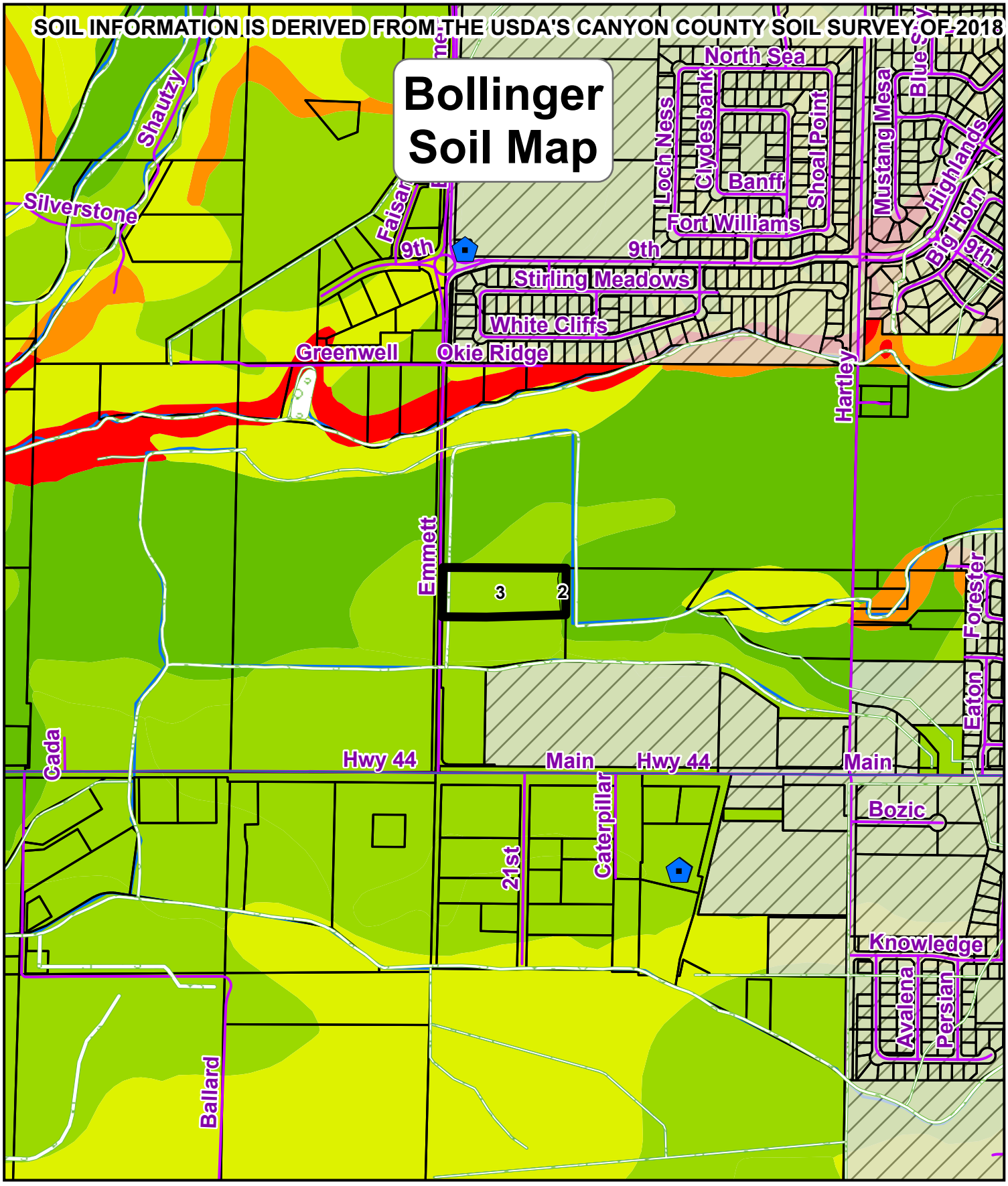
EXHIBIT C.8

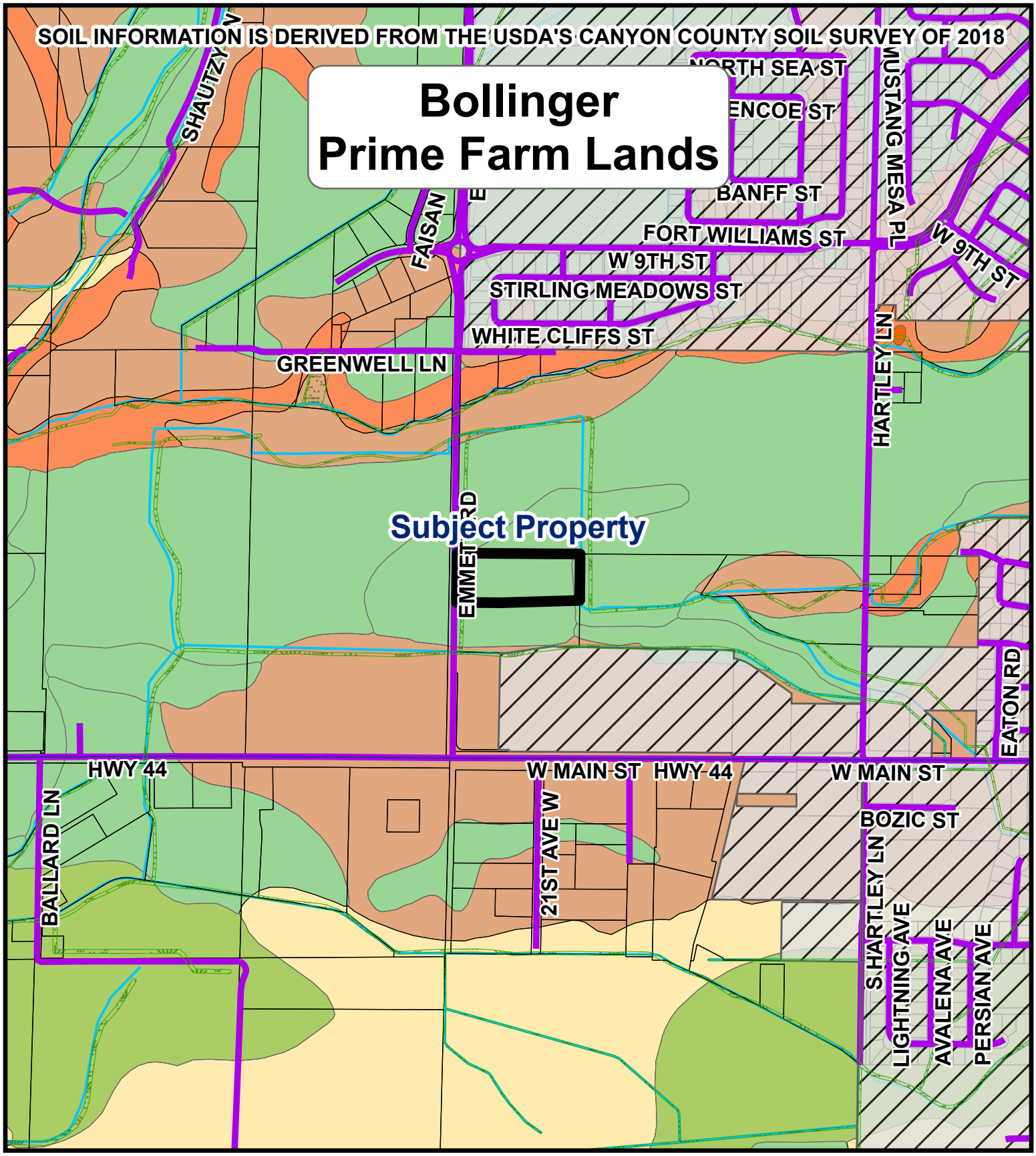
0 0.5 1 Miles


Bollinger
Case Map
SUBJECT PROPERTY
ARDMORE CT
RAPTOR LN
FALCON LN
HARVEY RD
GARY LN
JENNY LN
CROSSVIEW LN
RURAL RIDGE ST
CENTERLAND DR
BREEZEVIEW
RANCH RD
KENT
EMMETT
SAVARY LN
DAVENPORT LN
DUNN DR
SCHELHORN DR
WILLIS CREEK ST
WILLIS RD
TOFT LN
BREYER RD
HIDDEN CANYON LN
SHAUTZY LN
EMMETT RD
GLACIER BAY LN
SILVERSTONE LN
WHALEN BAY LN
GADSDEN LN
LATIGO LN
BUENA VIDA LN
RED TIDE LN
FREEZEOUT RD
LEATHER RIDGE RD
CANYON LN
RAYMOND DR
CRYSTAL VIEW LN
SPRINT CT
HWY 44
CADA LN
SALMON RIVER RD
CHANNEL RD
BALLARD LN
21ST AVE W
CATERPILLAR LN
HWY 44
HARTLEY LN
DSTONE PL
FLOWER LN
JUPITER ST
HAYHOOK ST
W HIGHLAND RANCH PKWY
RAMP
COWBOY LN
W SIX SHOOTER ST
ALTIA ST
EDZELL AVE
LOCH NESS AVE
STALLION SPRINGS WAY
IRON STALLION DR
PONDEROSA AVE
WHITE HORSE RIDGE DR
W 9TH ST
GREENWELL LN
WHITE CLIFFS ST
CASTLE ROCK AVE
OAK AVE
VALIANT ST
SHIRE ST
LIONHEART ST
EATON RD
W MAIN ST
HUCKLEBERRY ST
W HALVERSON ST
ELM ST
CONCORD CEDAR ST ST
W 2ND ST
W 1ST ST
N HAWTHORNE AVE
BLUE GRASS WAY
WILLOW DR
N BUFFALO WAY
FOX AVE
LARAMIE AVE
CEMETERY RD
B BAR S LN
W MEADOW CREEK WAY
WANDA WAY
MEADOW PARK ST
MEADOW PARK BLVD
W MORAY ST
ACADIA ST
SUMAC AVE
CROSSINGS AVE
MARINER CROSSINGS AVE
MINT LN
S HARTLEY LN
AVALENA AVE
INSIGHT CT
WHIFFIN LN
EDUCATION ST
S CEMETERY RD
S HIGHLAND DR
BARBARA DR
S PARADISE AVE
S HEBGON LAKE AVE
E SAWTOOTH LAKE DR
HUBLER LN
N KCID RD
WELLS RD
BASS LN
RIVER VISTA LN
BALSAM LN
RIM ROCK LN
HIRD AVE
N ILLINOIS AVE
SILVER BRIDGE LN
DAPHNE LN
MONTE VISTA DR
1
2
2
3
4
5
Year
2020
2021
2022
2023
2024
2025
EXHIBIT
C.9
0
0.5
1
Miles

CASE SUMMARY

ID	CASENUM	REQUEST	CASENAME	FINALDECIS
1	CU2021-0019	Gravel Pit	Idaho Materials and Construction	APPROVED
2	CU2021-0019	Gravel Pit	Idaho Materials and Construction	APPROVED
3	RZ2019-0034	Rezone AG to R1	Mortensen	APPROVED
4	CR2022-0007	Rezone CR-C1 to CR-C2	Payne	APPROVED
5	CU2022-0031	RV Storage	TOUPS TYLER	Approved


SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018
Bollinger Soil Map
Shautzy
Silverstone
Faisar
9th
North Sea
Loch Ness
Clydesbank
Banff
Shoal Point
Fort Williams
Mustang Mesa
Blue Sky
Highlands
Big Horn
Stirling Meadows
White Cliffs
Greenwell
Okie Ridge
Hartley
Emmett
3
2
Forester
Eaton
Cada
Hwy 44
Main
Caterpillar
21st
Bozic
Knowledge
Avalena
Persian
Ballard
Nitrate Priority Wells
0.005000 - 2.000000
2.000001 - 5.000000
5.000001 - 10.000000
10.000001 - 49.800000
IDWR_2C_Geothermal_
Wetlands
EXHIBIT C.10
0
0.25
0.5
Miles


SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018
Bollinger
Prime Farm Lands
SHAUTZY
NORTH SEA ST
ENCOE ST
BANFF ST
MUSTANG MESA PL
FAISAN
FORT WILLIAMS ST
W 9TH ST
W 9TH ST
STIRLING MEADOWS ST
WHITE CLIFFS ST
GREENWELL LN
HARTLEY LN
Subject Property
EMMETT RD
EATON RD
HWY 44
W MAIN ST
HWY 44
W MAIN ST
BALLARD LN
21ST AVE W
BOZIC ST
S HARTLEY LN
LIGHTNING AVE
AVALENA AVE
PERSIAN AVE
TAXLOTS
City_Limits
WETLANDS
2C_Hydro
FARMLAND
Farmland of statewide importance
Farmland of statewide importance, if irrigated
Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
Not prime farmland
Water/Gravel Pit/ Rock outcrop/ Riverwash/ Terrace Escarpments
Prime farmland if irrigated
Prime farmland if irrigated and drained
Prime farmland if irrigated and reclaimed of excess salts and sodium
EXHIBIT
C.11
0
0.125
0.25
Miles

SOIL REPORT

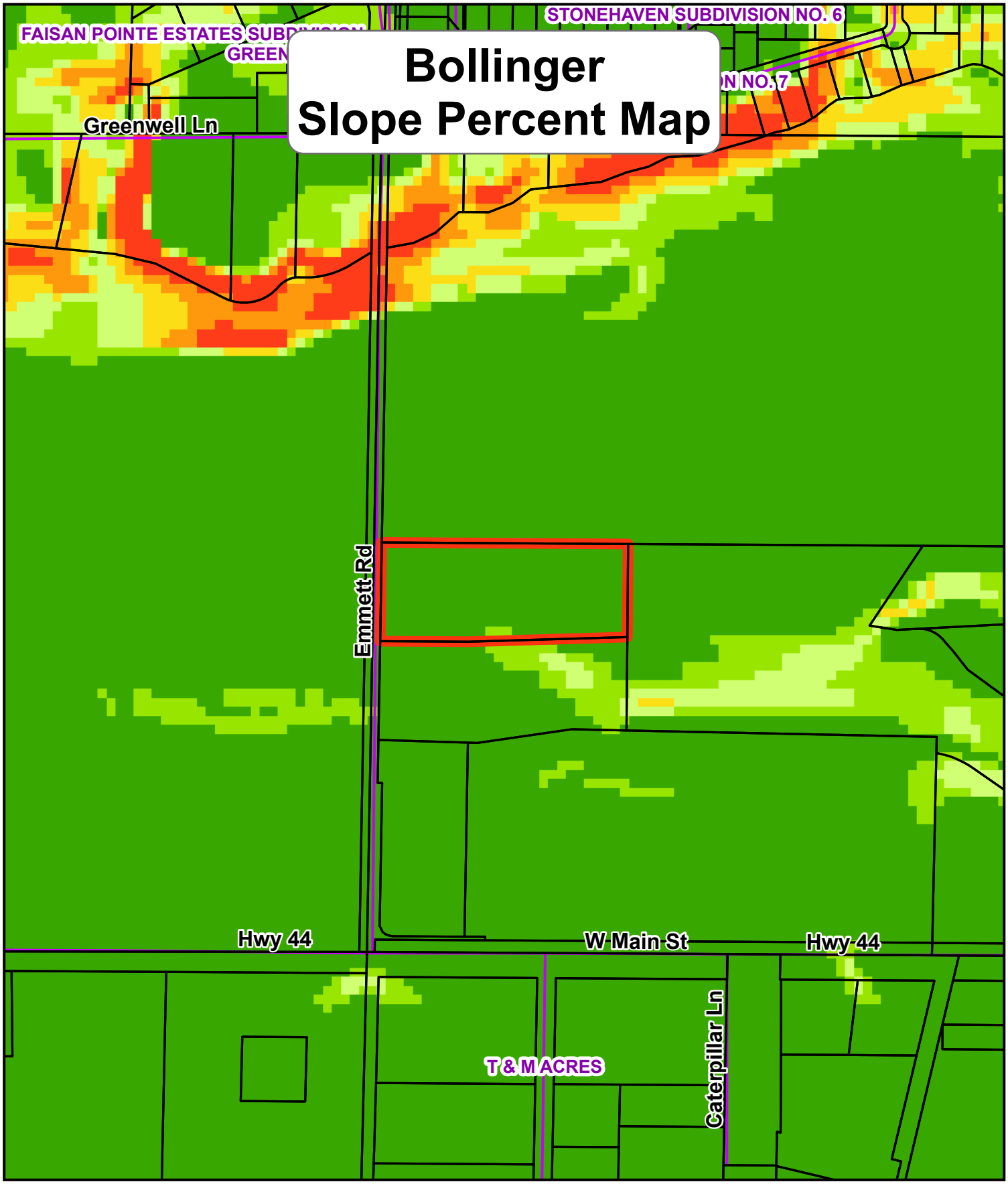
SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
2	BEST SUITED SOIL	13298.60	0.31	5.30%
3	MODERATELY SUITED SOIL	237530.54	5.45	94.70%
		250829.14	5.76	100%

FARMLAND REPORT

SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
PhA	Prime farmland if irrigated	13298.60	0.31	5.30%
PhB	Prime farmland if irrigated	237530.54	5.45	94.70%
		250829.14	5.76	100%

SOIL INFORMATION IS DERIVED FROM THE USDA's CANYON COUNTY SOIL SURVEY OF 2018

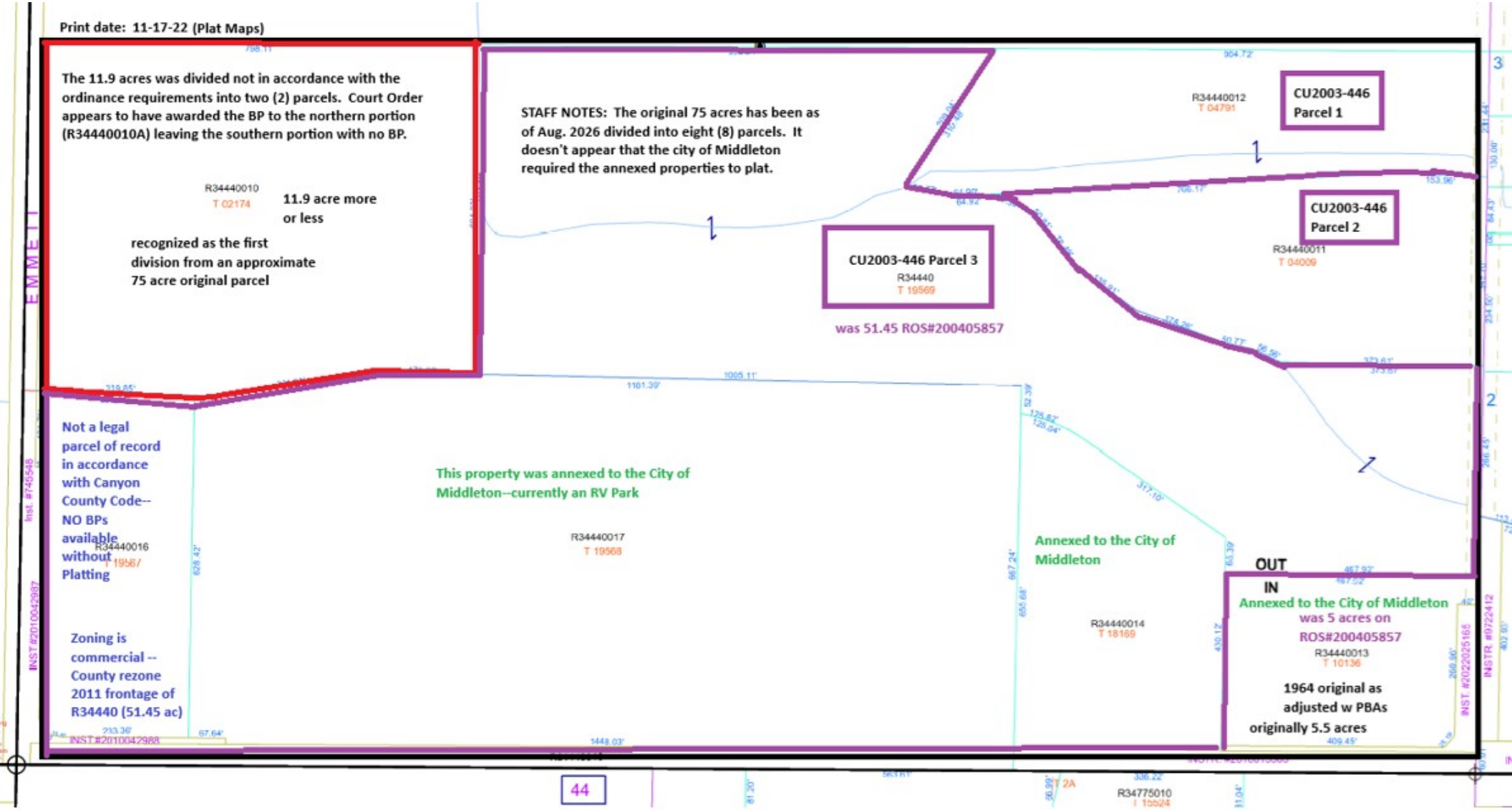
GRADE	SOILTYPE
1	BEST SUITED SOIL
2	BEST SUITED SOIL
3	MODERATELY SUITED SOIL
4	MODERATELY SUITED SOIL
5	LEAST SUITED SOIL
6	LEAST SUITED SOIL
7	LEAST SUITED SOIL
8	LEAST SUITED SOIL
9	LEAST SUITED SOIL

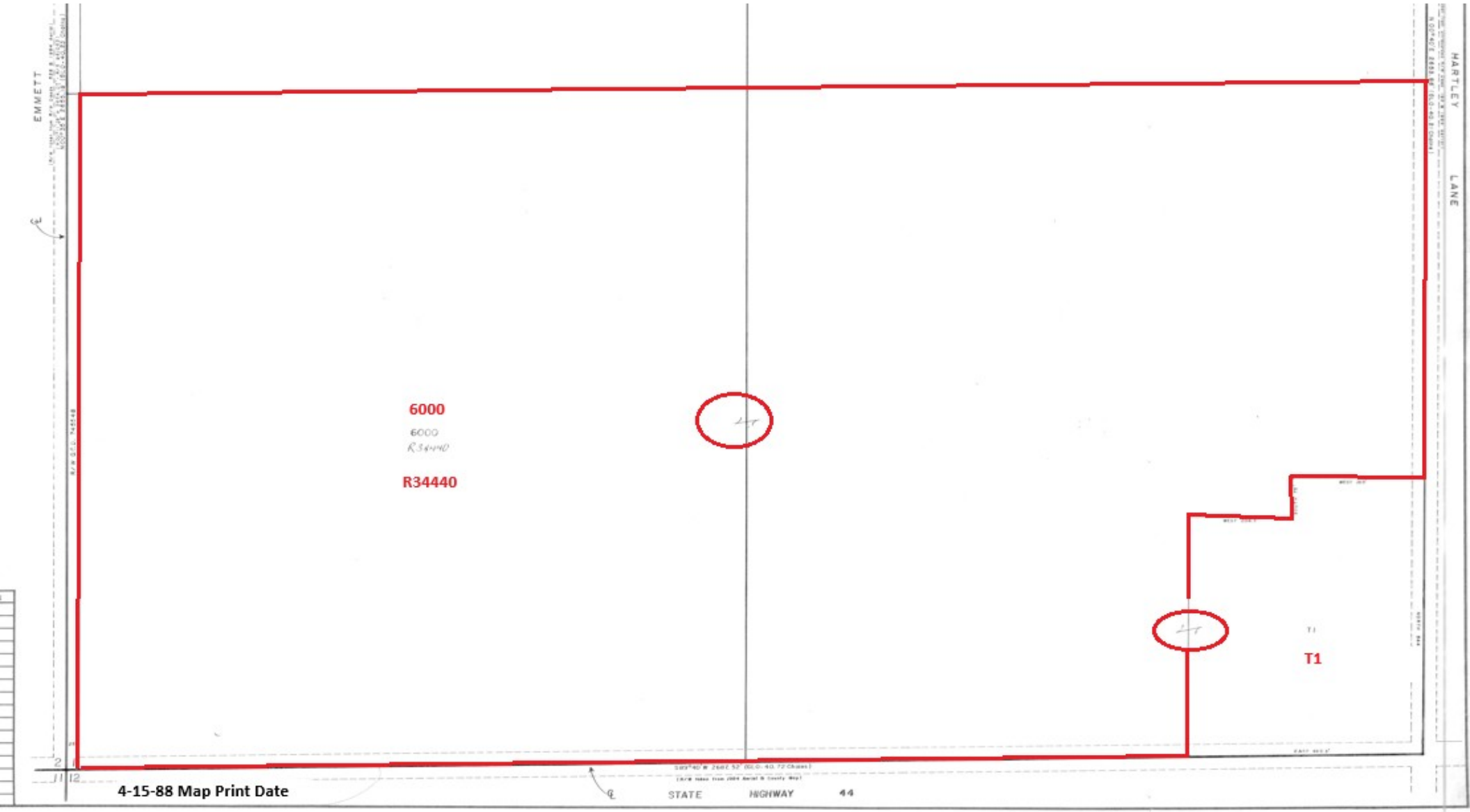

Bollinger
Slope Percent Map
STONEHAVEN SUBDIVISION NO. 6
FAISAN POINTE ESTATES SUBD
GREEN
N NO. 7
Greenwell Ln
Emmett Rd
Hwy 44
W Main St
Hwy 44
T & M ACRES
Caterpillar Ln
Slope Percent
0.001 - 3
3.001 - 6
6.001 - 9
9.001 - 12
12.001 - 14.999
15 - 202.718
EXHIBIT
C.11
0
200
400
600
Feet



The Original Parcel has been divided multiple times. There are more than four parcels on the original parcel.

EXHIBIT
C.12
PROPERTY HISTORY


Print date: 11-17-22 (Plat Maps)
The 11.9 acres was divided not in accordance with the ordinance requirements into two (2) parcels. Court Order appears to have awarded the BP to the northern portion (R34440010A) leaving the southern portion with no BP.
R34440010
T 02174
11.9 acre more or less
recognized as the first division from an approximate 75 acre original parcel
STAFF NOTES: The original 75 acres has been as of Aug. 2026 divided into eight (8) parcels. It doesn't appear that the city of Middleton required the annexed properties to plat.
R34440012
T 04791
CU2003-446 Parcel 1
CU2003-446 Parcel 2
R34440011
T 04009
CU2003-446 Parcel 3
R34440
T 19569
was 51.45 ROS#200405857
EMMETT
Not a legal parcel of record in accordance with Canyon County Code-- NO BPs available without Platting
R34440016
T 19567
This property was annexed to the City of Middleton--currently an RV Park
R34440017
T 19568
Annexed to the City of Middleton
R34440014
T 18169
OUT
IN
Annexed to the City of Middleton was 5 acres on ROS#200405857
R34440013
T 10136
1964 original as adjusted w PBAs originally 5.5 acres
Zoning is commercial -- County rezone 2011 frontage of R34440 (51.45 ac)
INST #2010042987
INST #745548
INSTR #9722412
INST #2022025165
R34775010
T 15s02
44


EMMETT
HARTLEY LANE
6000
6000
R34440
R34440
T1
T1
4-15-88 Map Print Date
STATE HIGHWAY 44

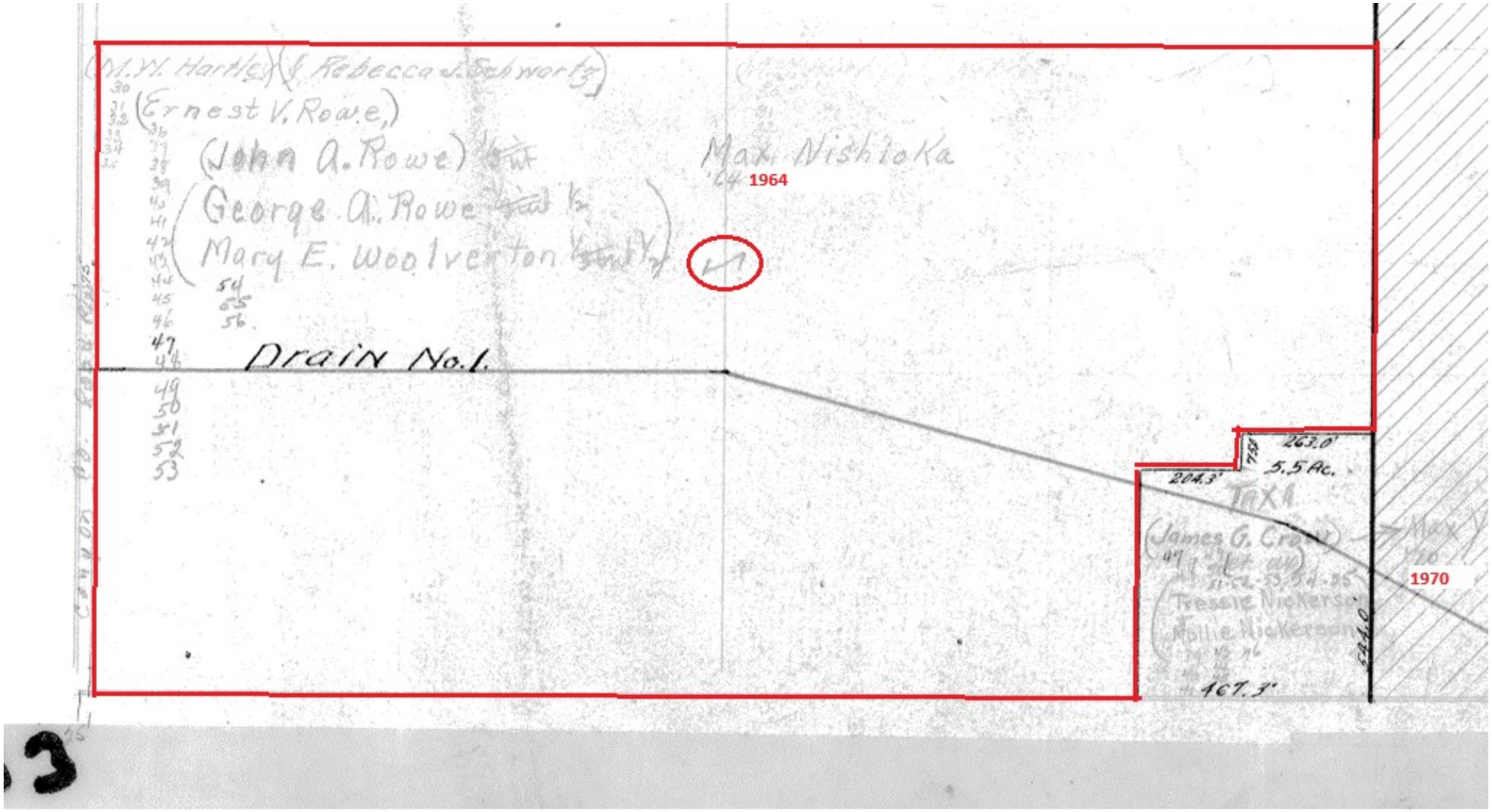

(W. W. Hartley) (J. Rebecca J. Sedworth)
(Ernest V. Rowe,)
(John A. Rowe)
George A. Rowe
Mary E. Woolverton
Max Nishioka
1964
Drain No. 1
263.0'
5.5 Ac.
204.3'
TAX
(James G. Crow)
(Tressie Nickerson
Nellie Nickerson)
467.3'
544.0'
1970

EXHIBIT D:

SITE VISIT PHOTOS

EXHIBIT
D


Middleton HS
23123 Hartley Ln
HWY 44

EXHIBIT E:

AGENCY COMMENTS

EXHIBIT
E

HIGHWAY DISTRICT No.4
15435 HIGHWAY 44
CALDWELL, IDAHO 83607

TELEPHONE 208.454.8135
FAX 208.454.2008

August 18, 2026

Canyon County Commissioners, P&Z Commission, & Development Services
111 N. 11th Ave Suite 140
Caldwell, Idaho 83605
Attention; Debbie Root, Planner

RE: CR2026-0001 Justin Bollinger
Staging with Office/Shop
Canyon County Parcel R34440010A aka 0 Emmett Road, Middleton, Id

Dear Commissioners:

Highway District No. 4 (HD4) has reviewed the application for a rezone of the above described parcel for purposes of establishing a shop, office, construction business staging area that includes a wash station, truck/equipment parking, and a fueling station.

The subject property is located approximately 1010 feet north of the intersection of Emmett Road and State Highway 44 on the east side Emmett Road. The property is also referenced as parcel R34440010A, a portion of the SW quarter of Section 01-4N-3W, BM, Canyon County, Idaho.. HD4 offers the following comments on the proposed use:

General
The subject property parcel, is approximately 5.76 acres. The parcel has approximately 320 feet of frontage along the westerly boundary on Emmett Road, a Principal Arterial. There is no other public road access available to the subject property. The application materials indicate the applicants are requesting to rezone 100% of the property, or a total of 5.76 acres to "C2" Service Commercial zone to support the intended use.

Access
HSDP 3061.020.B does not allow new direct access onto a principal arterial, HSDP 2020.050 can allow a temporary approach since the existing lot has no other means of access, with consideration being be given to a shared approach at the south property line between parcel R34440010A and R34440010 formalized by deed restriction. Improvements may include widening of the Emmett Road frontage, ROW dedication, and storm drainage retention for Emmett Road runoff. An access permit from HD4 should be required to allow collection of impact fees to mitigate additional traffic from the change in use.

Transportation Impacts
The proposed use as Service Commercial, will increase traffic demand on the transportation system operated and maintained by ITD, HD4 and the City of Middleton. The applicant plans to construct 2 buildings on site. An office approximately 3,000 SF and shop approximately 10,000 SF. The site will have a total of 9 employees (2 mechanics, 2 office employees, and 5 drivers). According to the Institute of Transportation Engineers Trip Generation Rates 11th Edition total the site will generate the following impacts:

EXHIBIT
E.1

Use	ITE Code	Units	# of Units Proposed	PM Peak Trips	Daily Trips
Specialty Trade Contractor	180	Employees	9	6	33

The total PM peak hour trips is equivalent to six (6) single-family residences.

Canyon County Ordinance 22-014 (July 21, 2022) established transportation impact fees to fund improvements to the highway system made necessary from new growth and development within the Mid-Star Service Area, which includes the subject property. The adopted impact fee schedule does not have any land use types similar to the applicant's request; therefore the impact fee can be calculated directly from the base impact fee formula:

Cost per Vehicle Mile Traveled	x	Peak Hour Trips	x	New Trip Factor	x	Average Trip Length	x	Network Adjustment Factor	=	Traffic Impact Fee
$2,883	x	3	x	1.0	x	8.4	x	0.317	=	**$23,031**

Peak hour trips can be estimated from the ITE code 180 (Specialty Trade Contractor) most closely equivalent to the proposed use, 6 peak hour trips, and counting each trip as having two ends, 3 trips are attributable to the proposed use. The new trip factor is held at 1.0 (no reduction) as pass by trips are not anticipated from surrounding properties. The average trip length of 8.4 is consistent with commercial uses. The network adjustment factor represents the proportion of the total trip length on the local system for all land uses. Complete information on the Mid-Star Impact Fees Program and the Capital Improvement plan can be found on the HD4 website at www.hwydistrict4.org/impact-fees

Individual Assessment of Impact Fees: If an applicant feels their development will have a less than typical impact on the roadway network, they may choose to complete an individual assessment for their development. To initiate an Individual Assessment, the applicant may prepare and submit a written request for an Individual Assessment within 30 days of paying an impact fee; within 30 days upon receipt of a final notice of assessment, or after receipt of a preliminary assessment. An Individual Assessment is a traffic study, performed by a traffic engineer at the applicant's expense. See the Individual Assessment Guidelines for details on which traffic generation factors may be considered. (https://www.hwydistrict4.org/download/individual-assessment-guidelines)

For comparative purposes, this is equivalent to the impact fee for less than five single family residences. A final determination of the impact fee assessment will be made upon receipt of an access permit application for the change in use.

HD4 does not opposed the requested land use changes, but requests that the Planning & Zoning Commission and Canyon County Commissioners consider these comments, and make any conditional approval of the applicant's request subject to the requirements listed above.

Please feel free to contact me with any questions on this matter.

Respectfully,



Kraig Wartman
Senior Engineering Tech.
Highway District No. 4

File: Z:\Engineering\Development\Canyon County P&Z\2026\Emmett- CR2026-0001 Bollinger

Debbie Root

From: Justin Bollinger <justin@bullyxidaho.com>
Sent: Tuesday, September 15, 2026 10:41 AM
To: Debbie Root
Subject: [External] Fwd: Emmett- Bully Excavation- Bollinger (R34440010A)

Begin forwarded message:

From: Lenny Riccio <lriccio@hwydistrict4.org>
Subject: Emmett- Bully Excavation- Bollinger (R34440010A)
Date: January 13, 2026 at 9:52:01 AM MST
To: "justin@bullyxidaho.com" <justin@bullyxidaho.com>

Commissioner Bollinger,

This email is written to further flesh out details regarding what was previously believed to be limited capacity of the Emmett/Highway 44 intersection, to provide detail for your improvement drawing submittal, and next steps:

1. Please see below correspondence from the County. I did want you to be aware that these two lots, according to the County, requires a plat
2. From the development meeting minutes "Applicant should be aware of the reduced level of service at the Emmett/Highway 44 intersection (below LOS D). Staff have historically recommended denial of this and other corridors with similar deficiencies until capacity improvements are made either by the development or by others. The Board has historically confirmed this recommendation."
    a. Traffic impact study from an adjacent development shows the Emmett/Highway 44 intersection presently operating at LOS C. The signal at the Hartley/Highway 44 intersection, which was installed after the CIP traffic study, likely attracted some of the Emmett Road traffic and improved delay at the Emmett/Highway 44 intersection.
    b. <u>Given this new information there is adequate capacity for your development and staff does not find a need to visit with the Board prior to staff acceptance of the improvement drawings</u>
3. Middleton City commented and requested a full width 5-lane City section:
    a. HSDP 2100.010: "When construction of a new roadway or modification to an existing roadway occurs within the area of city impact, the District may apply the standards and specifications of the City at the Highway District's discretion…" Given the development is adjacent to City Limits, staff recommends applying the City's 5-lane section
    b. Improvements can be made by cash deposit in lieu of construction
        i. Cash deposit to address the following deferred improvements:
            1. Widening to match ½ Middleton's 5-lane section which also includes pathway and curb and gutter.

EXHIBIT
E.1.A

c. ROW dedication of 50’ from section line applies
d. Please be aware, due to the proximity to City Limits, HD4 staff will make comment to the County encouraging this development to occur in City Limits

4. Improvement drawings
    a. See HSDP checklist for further information
    b. Drainage tributary area should include the deferred improvements.
        i. See HSDP 3070 for design and calc methodology and the following link for drainage supplemental standards, https://hwydistrict4.org/about-us/what-we-do/development/
    c. Locate approach at common property line with parcel R34440010
        i. Cross access easement required
    d. All encroachments within the ROW require removal. This may apply to the irrigation ditch at north property line. Staff will review existing conditions sheet to determine direction on this existing infrastructure.
    e. Your engineer is encouraged to visit with staff prior to drafting plans
5. After improvement drawing acceptance, staff to draft and Board to review commercial access permit conditions agreement
    a. Access permit issuance to occur after this review and after zoning approval
    b. As a reminder impact fees do apply and a draft assessment to be provided in the rezone comment letter to the County

If you have any questions, you are welcome to call or email me.

Regards,

Lenny Riccio, P.E.
Transportation Planner
Senior Assistant Engineer

Highway District No. 4
www.hwydistrict4.org
15435 Hwy 44
Caldwell, ID 83607
Phone: (208) 454-8135 Ext 117
Fax: (208) 454-2008
**To enter review queue hard copies of plans required*

From: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Sent: Tuesday, January 6, 2026 11:32 AM
To: Lenny Riccio <lriccio@hwydistrict4.org>
Subject: RE: [External] Parcel Inquiry

Please do 😊

Sincerely,

Dan Lister, Planning Supervisor
DSD Office: (208) 454-7458 - Direct Line: (208) 455-5959
Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD)
Public office hours
Monday, Tuesday, Thursday, and Friday
8 am – 5 pm
Wednesday
1 pm – 5 pm
**We will not be closed during lunch hour **

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and, as such, may be copied and reproduced by members of the public.

From: Lenny Riccio <lriccio@hwydistrict4.org>
Sent: Tuesday, January 6, 2026 11:31 AM
To: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Subject: RE: [External] Parcel Inquiry

Given County staff confirmation of the lot split violation then this applies, "...the division would need to be approved prior to the commencement of any use." That's all I need to know on my end. Are you ok if I share this with the applicant?

Thank you,

Lenny Riccio, P.E.
Transportation Planner
Senior Assistant Engineer

Highway District No. 4
www.hwydistrict4.org
15435 Hwy 44
Caldwell, ID 83607
Phone: (208) 454-8135 Ext 117
Fax: (208) 454-2008
**To enter review queue hard copies of plans required*

From: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Sent: Tuesday, January 6, 2026 11:29 AM
To: Lenny Riccio <lriccio@hwydistrict4.org>
Subject: RE: [External] Parcel Inquiry

The rezone just came in, so we don't know what restrictions will be recommended for the rezone at this time. However, if the parcel was divided incorrectly, the division would need to be approved prior to the commencement of any use.

Sincerely,

Dan Lister, Planning Supervisor
DSD Office: (208) 454-7458 - Direct Line: (208) 455-5959
Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD)
Public office hours
Monday, Tuesday, Thursday, and Friday
8 am – 5 pm
Wednesday
1 pm – 5 pm
**We will not be closed during lunch hour **

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and, as such, may be copied and reproduced by members of the public.

From: Lenny Riccio <lriccio@hwydistrict4.org>
Sent: Tuesday, January 6, 2026 11:23 AM
To: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Subject: RE: [External] Parcel Inquiry

Dan,

Thank you for the information. From my previous conversation with the applicant, they desire a staging area for their excavation business and to construct two buildings 1 office and 1 mechanic shop for their 9ish employees. Will they be able to do this prior to platting the lots? What staff recommended restrictions are there on the rezone?

Regards,

Lenny Riccio, P.E.
Transportation Planner
Senior Assistant Engineer

Highway District No. 4
www.hwydistrict4.org
15435 Hwy 44
Caldwell, ID 83607
Phone: (208) 454-8135 Ext 117

Fax: (208) 454-2008
**To enter review queue hard copies of plans required*

From: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Sent: Monday, January 5, 2026 11:18 AM
To: Lenny Riccio <lriccio@hwydistrict4.org>
Subject: RE: [External] Parcel Inquiry

Lenny,

The subject parcel was divided and sold in violation of the County Code. The owner is currently working on a rezone (RZ2025-0009), which will require, if approved, platting. We initially recommended the parcels be annexed to the City of Middleton.

Sincerely,

Dan Lister, Planning Supervisor
DSD Office: (208) 454-7458 - Direct Line: (208) 455-5959
Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD)
Public office hours
Monday, Tuesday, Thursday, and Friday
8 am – 5 pm
Wednesday
1 pm – 5 pm
**We will not be closed during lunch hour **

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and, as such, may be copied and reproduced by members of the public.

Debbie Root

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Tuesday, August 4, 2026 11:57 AM
To: Debbie Root
Cc: Mitch Kiester
Subject: [External] RE: Agency Notice CR2026-0001 / Bollinger
Attachments: Pre.Development.Meeting.Notes.12.08.2025.pdf

Hi Deb,

1. Will a Nutrient Pathogen Study be required? **A Nutrient Pathogen Study is not required.**
2. Will adequate sanitary systems be provided to accommodate the use? **A site evaluation and test holes have not been conducted to determine site suitability for a subsurface sewage disposal system.**
3. Any concerns about the use or request for rezoning? If so, are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and nearby city? **There are no concerns about the use or request for rezoning if the applicant meets all SWDH requirements.**

Please see attached notes, however, SWDH was not aware of a car washing station which is not allowed to dispose of wastewater into a septic system.

Let me know if you have any questions.

Thank you,

SOUTHWEST DISTRICT HEALTH

Check out our new online self-service portal here! PORTAL

Anthony Lee, RS/BS | Land Development Senior

o 208.455.5384 | c 208.899.1285 | f 208.455.5300

anthony.lee@swdh.id.gov | SWDH.org

13307 Miami Ln., Caldwell, ID 83607

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Tuesday, August 4, 2026 9:10 AM
To: 'lpennington@msd134.org' <lpennington@msd134.org>; 'mgee@msd134.org' <mgee(
'permits@starfirerescue.org' <permits@starfirerescue.org>; 'knute.sandahl@doi.idaho.gov

EXHIBIT
E.2

SOUTHWEST DISTRICT HEALTH

Environmental & Community Health Services
EnvironmentalSupport@swdh.id.gov • (208) 455-5400

Pre-Development Meeting

Name of Development: Bully Excavation

Applicant: Justin Bollinger

P.E./P.G.: _____

Others In Attendance: _____

_____

of Lots: N/A Wastewater Flow: Unknown Acreage Proposed: 5.75

Location of Development: TBD Emmett Rd, Caldwell ID 83607

Parcel # : R34440010A

Project in Area of Concern: Not in a NP area Groundwater/Rock <10': GW

Level 1 NP Study Required: ○ Yes ◉ No

LSAS/CSS Proposed: N/A

Proposed Drinking Water: ◉ Individual ○ City ○ Community ○ Public Water Supply

Information Distributed: ◉ SER ○ NP Guidance ○ Non-Domestic WW ap

Description of Projects:

SWDH met with the applicant to discuss the proposed land-use changes, including a zoning modification from Agricultural (AG) to Commercial and the development of a staging area with an associated contractor shop on the 5.75-acre parcel. The property is not located within a designated High Nitrate Priority Area. Should the County approve the Conditional Use Permit, the applicant will be required to submit an application for a site evaluation and perform test holes to determine the feasibility of a subsurface sewage disposal system in accordance with IDAPA 58.01.03. Groundwater is anticipated to be present on the parcel; therefore, groundwater monitoring may be required to adequately assess site suitability.

Anthony Lee

Date: 12/08/2025

Richard Sims
Associate Supervisor
Canyon County Soil Conservation District
2208 E. Chicago Ste A, Caldwell Idaho 83605
Middletown.rich@gmail.com
1 208-897-9297
August 5, 2026

Canyon County Planning and Zoning Commission
Canyon County Development Services
111 North 11th Ave., Ste 310, Nampa, Idaho 83686

RE: Case No. CR2026-0001 Justin Bollinger

Attention: Deb Root
Debbie.Root@canyoncounty.id.gov

Thank you for sending Canyon County Soil Conservation District (SCD) a zoning request. The acreage amounts on the map is an estimate. Percentages of soils are rounded to a whole number.

As I look at the 2030 County Comprehensive plan map the area in question is very close or is in the intensive agriculture overlay. It warrants a review.

C R2026-0001 is 4 percent Irrigated Capability Class 2. This is the most productive soil in Canyon County with few limitations. It is 96 percent Irrigated Capability Class 3 with moderate limitations and appropriate management practices can make any irritated Capability Class 3 productive. We do NOT recommend a land use change.

Richard Sims

Signing for Clay Erskine
Chairman Soil Conservation District

EXHIBIT
E.3

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Canyon Area, Idaho

CR2026-0001 Justin Bollinger



August 6, 2026

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Contents

Preface.....2
Soil Information for All Uses.....5
Suitabilities and Limitations for Use.....5
Land Classifications.....5
Irrigated Capability Class (CR2026-0001).....5

Soil Information for All Uses

Suitabilities and Limitations for Use

The Suitabilities and Limitations for Use section includes various soil interpretations displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each interpretation.

Land Classifications

Land Classifications are specified land use and management groupings that are assigned to soil areas because combinations of soil have similar behavior for specified practices. Most are based on soil properties and other factors that directly influence the specific use of the soil. Example classifications include ecological site classification, farmland classification, irrigated and nonirrigated land capability classification, and hydric rating.

Irrigated Capability Class (CR2026-0001)

Land capability classification shows, in a general way, the suitability of soils for most kinds of field crops. Crops that require special management are excluded. The soils are grouped according to their limitations for field crops, the risk of damage if they are used for crops, and the way they respond to management. The criteria used in grouping the soils do not include major and generally expensive landforming that would change slope, depth, or other characteristics of the soils, nor do they include possible but unlikely major reclamation projects. Capability classification is not a substitute for interpretations that show suitability and limitations of groups of soils for rangeland, for woodland, or for engineering purposes.

In the capability system, soils are generally grouped at three levels-capability class, subclass, and unit. Only class and subclass are included in this data set.

Capability classes, the broadest groups, are designated by the numbers 1 through 8. The numbers indicate progressively greater limitations and narrower choices for practical use. The classes are defined as follows:

Class 1 soils have few limitations that restrict their use.

Class 2 soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices.

Class 3 soils have severe limitations that reduce the choice of plants or that require special conservation practices, or both.

Class 4 soils have very severe limitations that reduce the choice of plants or that require very careful management, or both.

Class 5 soils are subject to little or no erosion but have other limitations, impractical to remove, that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

Class 6 soils have severe limitations that make them generally unsuitable for cultivation and that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

Class 7 soils have very severe limitations that make them unsuitable for cultivation and that restrict their use mainly to grazing, forestland, or wildlife habitat.

Class 8 soils and miscellaneous areas have limitations that preclude commercial plant production and that restrict their use to recreational purposes, wildlife habitat, watershed, or esthetic purposes.

Map—Irrigated Capability Class (CR2026-0001)



Map Scale: 1:1,440 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 20 40 80 120

Feet: 0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

Soil Rating Polygons

- Capability Class - 1
- Capability Class - 2
- Capability Class - 3
- Capability Class - 4
- Capability Class - 5
- Capability Class - 6
- Capability Class - 7
- Capability Class - 8
- Not rated or not available

Soil Rating Lines

- Capability Class - 1
- Capability Class - 2
- Capability Class - 3
- Capability Class - 4
- Capability Class - 5
- Capability Class - 6
- Capability Class - 7
- Capability Class - 8
- Not rated or not available

Soil Rating Points

- Capability Class - 1
- Capability Class - 2
- Capability Class - 3
- Capability Class - 4
- Capability Class - 5
- Capability Class - 6
- Capability Class - 7
- Capability Class - 8
- Not rated or not available

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Canyon Area, Idaho
Survey Area Data: Version 22, Aug 27, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 9, 2023—Sep 14, 2023

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Table—Irrigated Capability Class (CR2026-0001)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
PhA	Power silt loam, 0 to 1 percent slopes	2	0.2	4.3%
PhB	Power silt loam, 1 to 3 percent slopes	3	5.2	95.7%
Totals for Area of Interest			**5.4**	**100.0%**

Rating Options—Irrigated Capability Class (CR2026-0001)

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

1445 N. Orchard St.
Boise ID 83706 • (208) 373-0550

Brad Little, Governor
Jess Byrne, Director

August 10, 2026

Debbie Root, Planner
Canyon County Development Services
112 N. 11th Ave., #310
Caldwell, ID 83605
Debbie.root@canyoncounty.id.gov

Subject: Agency Notice CR2026-0001 / Bollinger

Dear Debbie:

Thank you for the opportunity to respond to your request for comments. While DEQ does not review every project on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: https://www2.deq.idaho.gov/admin/LEIA/api/document/download/15083.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. **AIR QUALITY**
   - Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).
     For questions, contact David Luft, Air Quality Manager, at 208-373-0550.
   - IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.
   - For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.
2. **WASTEWATER AND RECYCLED WATER**
   - DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
   - IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. IDAPA 58.01.25 addresses discharge permits. Please review these rules to determine whether this or future projects will require DEQ approval.
   - IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the local public health district.

EXHIBIT
E.4

- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects, subsurface disposal projects, and discharge projects require separate permits as well.
- DEQ recommends that projects be served by existing wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect groundwater.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.
- For questions, contact Valerie Greear, Water Quality Engineering Manager at 208-373-0459.

3. DRINKING WATER

- DEQ recommends using an existing drinking water system whenever possible. Please contact DEQ to discuss this project and to explore options to both best serve this project and provide for protection of groundwater resources.
- When connecting to an existing system, DEQ recommends verifying there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system. A drinking water system is a Public Water System (PWS) if it has at least 15 service connections or regularly serves an average of 25 or more people per day for at least 60 days per year (refer to the DEQ website at: https://www.deq.idaho.gov/water-quality/drinking-water/).
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- For non-regulated systems and/or private wells, DEQ recommends testing for total coliform bacteria, nitrate, and nitrite prior to use and retested at least annually thereafter.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.
- For questions, contact Brandon Lowder, Drinking Water Compliance Supervisor, at 208-373-0568.

4. SURFACE WATER

- A Construction General Permit from DEQ may be required for projects that meet the eligibility criteria and have an allowable discharge of storm water or authorized non-storm water associated with construction activities. For questions, contact Emily Montague, IPDES Compliance Supervisor, at 208-373-0433.
- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Multi-Sector General Permit from DEQ may be required for facilities that have an allowable discharge of storm water or authorized non-storm water associated with the primary industrial activity and co-located industrial activity.
- For questions, contact Emily Montague, IPDES Compliance Supervisor, at 208-373-0433.

- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call 208-334-2190 for more information. Information is also available on the IDWR website at: https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.
- For questions, contact Lance Holloway, Surface Water Manager, at 208-373-0564.

5. **SOLID WASTE, HAZARDOUS WASTE AND GROUNDWATER CONTAMINATION**
   - **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards.
   - **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
   - **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.24.060 and 58.01.24.061). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.24.060.01 and 58.01.24.061.04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
   - **Groundwater Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."
   - For questions, contact Matthew Pabich, Waste & Remediation Manager, at 208-373-0510.

6. **ADDITIONAL NOTES**
   - If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, additional regulations may apply. If an UST is present, the site should be evaluated to determine whether the UST is regulated by DEQ. If an AST is identified, EPA may have additional requirements. Both UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 208-373-0550, or visit the DEQ website https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/ for assistance. If applicable to this project, DEQ recommends that BMPs be implemented for any of the following land uses: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, ponds and outdoor gun ranges. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at 208-373-0550.

Sincerely,



Troy Smith
Regional Administrator

Case # CR2026-0001

@ 0 Emmett Rd, Middleton, ID

5.7 water shares from Canyon County Water Company

This property is assessed by the Canyon County Water Company. Justin Bollinger, the owner of parcel # R34440010A, is current with CCW irrigation assessment at this time and will be billed for 2026 irrigation season in October.

Any changes to the water flow or changes made within CCW Co ditch/canal easement will need to be approved by the CCW Co board.

Dianne Foster, Secretary

Canyon County Water Company Dianne Foster 8/26/2026

EXHIBIT
E.5

Debbie Root

From: Roberta Stewart <rstewart@middletoncity.org>
Sent: Tuesday, September 29, 2026 4:24 PM
To: Debbie Root
Subject: [External] RE: Justin Bollinger/Bully Excavation parcel R34440010A
Attachments: Middleton 5 lane urban Street section.pdf

Hi Debbie: Mr. Bollinger's property is not contiguous to City limits and City respects his desire to develop his property in the County. City has no particular concerns with the Conditional Rezone. However, City recommends that sufficient traffic impact fees be collected to cover Mr. Bollinger's impacts on the surrounding intersections.

Also, City's Functional Classification Map, which should match the County's FCM, shows Emmett Road to be a principal arterial roadway. City standards for a principal arterial roadway is our 5 lane urban road section. See attached. City requests that Emmett Road adjacent to Mr. Bollinger's property be developed to the standards shown in the attachment so the roadway will blend with the roadway to be developed to the north and south of Mr. Bollinger's property.

It appears that the large 76 acre parcel (R344410) to the north of Mr. Bollinger's parcel will be annexing into the City next year. We have met with the Developer a couple of times already. It would be nice if the Emmett Road design along the 76 acre parcel matches the Emmett Road design along Mr. Bollinger's parcel (i.e., curb & gutter, 8' detached pathway...etc.). Thanks,

Roberta L. Stewart

PLANNING & ZONING OFFICIAL
City of Middleton, Planning & Zoning
1103 W. Main St.
P.O. Box 487
Middleton, ID 83644

Tele - (208) 585-3133
Fax – (208) 585-9601
rstewart@middletoncity.org

www.middleton.id.gov

EXHIBIT
E.6

From: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Sent: Tuesday, September 29, 2026 3:59 PM
To: Roberta Stewart <rstewart@middletoncity.org>
Subject: Justin Bollinger/Bully Excavation parcel R34440010A

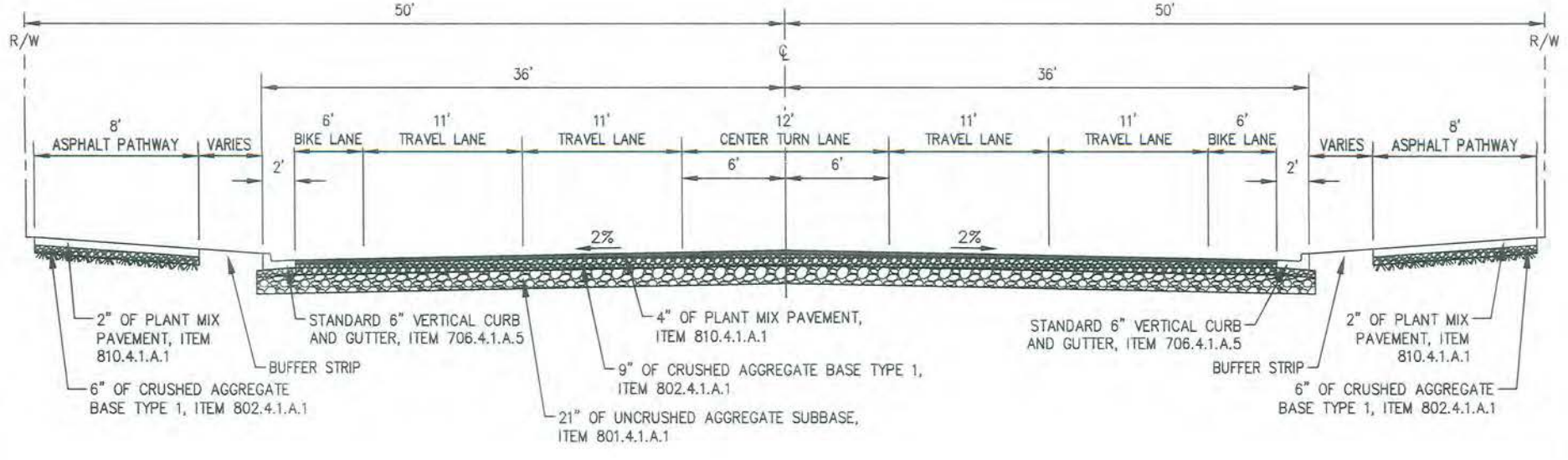
Roberta,

I am just checking to see if the City of Middleton had any comments regarding the conditional rezone proposed by Justin Bollinger on the 5.76 acres situated along Emmett Road approximately 1000 feet north of Hwy 44. The parcel # is R34440010A. City limits appears to be just about 300 feet to the south at the RV Park. I'm putting together the staff report and would like to know if you have any concerns, conditions, etc?

Thanks

Respectfully,

Deb Root, MBA
Canyon County Development Services
debbie.root@canyoncounty.id.gov
208-455-6034



City of Middleton
Five-Lane Urban Roadway Typical Section - 50' Half Width ROW

NOT TO SCALE

Debbie Root

From: Nathan Blank <Nathan.Blank@itd.idaho.gov>
Sent: Monday, September 21, 2026 10:39 AM
To: Debbie Root
Subject: [External] RE: Agency Notice CR2026-0001 / Bollinger

Hi Debbie, ITD has reviewed the transmittal and currently has no comment. Thanks.

Nate Blank | Development Services Senior Planner
Idaho Transportation Department| District 3
Email: *Nathan.Blank@itd.idaho.gov*

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Thursday, September 17, 2026 10:27 AM
To: 'jhutchison@middletoncity.org' <jhutchison@middletoncity.org>; 'mhobbs@middletoncity.org' <mhobbs@middletoncity.org>; 'rstewart@middletoncity.org' <rstewart@middletoncity.org>; 'lpennington@msd134.org' <lpennington@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'lriccio@hwydistrict4.org' <lriccio@hwydistrict4.org>; 'mkaes@hwydistrict4.org' <mkaes@hwydistrict4.org>; 'kwartman@hwydistrict4.org' <kwartman@hwydistrict4.org>; 'brandy.walker@ForgedFiber37.com' <brandy.walker@forgedfiber37.com>; 'eingram@idahopower.com' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'arobins@idahopower.com' <arobins@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'Contract.Administration.Bid.Box@ziply.com' <contract.administration.bid.box@ziply.com>; 'irr.water.3@gmail.com' <irr.water.3@gmail.com>; 'kchamberlain.fcdc@gmail.com' <kchamberlain.fcdc@gmail.com>; 'irrigation.mm.mi@gmail.com' <irrigation.mm.mi@gmail.com>; 'drain.dist.2@gmail.com' <drain.dist.2@gmail.com>; 'bryce@sawtoothlaw.com' <bryce@sawtoothlaw.com>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; 'gis@compassidaho.org' <gis@compassidaho.org>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Kendra Conder <Kendra.Conder@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; 'gmprdjennifer@gmail.com' <gmprdjennifer@gmail.com>; 'makline2@marathonpetroleum.com' <makline2@marathonpetroleum.com>; Historic Preservation (Canyon County Parks) <pr.historicpreservation@canyoncounty.id.gov>; 'middletown.rich@gmail.com' <middletown.rich@gmail.com>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Lucy Ostyn <lucy.ostyn@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Code Enforcement <CodeEnforcement@canyoncounty.id.gov>; GIS and Addressing Division <GISAddressing@canyoncounty.id.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'smith.carolyn.d@epa.gov' <smith.carolyn.d@epa.gov>; file <file@idwr.idaho.gov>
Subject: Agency Notice CR2026-0001 / Bollinger

CAUTION: This email originated outside the State of Idaho network. Verify links and attachmen
open, even if you recognize and/or trust the sender. Contact your agency service desk with any

EXHIBIT
E.7

EXHIBIT F:

PUBLIC COMMENTS

EXHIBIT
F