Planning and Zoning Commission
Hearing Date: December 4, 2025
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER:	**CU2025-0012**
APPLICANT/OWNER:	**Duane & Katherine Barnes**
APPLICATION:	**Conditional Use Permit – Staging Area and Contractor Shop**
LOCATION:	**22089 Eel Lane, Middleton** **Parcel R25390010**
ANALYST:	**Amber Lewter, Associate Planner**

REQUEST:

The applicant, Duane and Katherine Barnes, requests a conditional use permit for a staging area and contractor shop on approximately 1 acre of the 5.35 acres in an "A" (Agricultural) zone for their business, Barnes Construction, LLC. The applicant proposes to use two pre-existing shops on the property to store tools and materials, as well as an office. There will be 6 employees and parking for them on-site. The hours of operation are Monday through Thursday, 7:00 am – 5:00 pm. *See **Exhibit A** for more information regarding the request.*

PUBLIC NOTIFICATION:

Neighborhood meeting conducted on:	**May 10, 2025**
JEPA notice sent on:	**July 15, 2025**
Agency notice:	**July 15, 2025 and October 30, 2025**
Neighbor notification within 600 feet mailed on:	**October 30, 2025**
Newspaper notice published on:	**November 4, 2025**
Notice posted on site on:	**November 3, 2025**

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1. BACKGROUND:

Parcel R25390010's current configuration was created by an approved administrative land division on April 29, 2005 (LS2005-51).

On February 27, 2025, Canyon County Development Services received an application for a non-viable administrative land division. During staff's analysis of the non-viable administrative land division, it was found that the property was not in compliance due to there being an unpermitted staging area and contractor shop on the property. Staff received an application for a conditional use permit for a staging area and contractor shop on May 30, 2025.

2. HEARING BODY ACTION:

Pursuant to the Canyon County Code of Ordinances (CCCO) §07-07-01, every use which requires the granting of a conditional use permit is declared to possess characteristics which require review and appraisal by the commission to determine whether or not the use would cause any damage, hazard, nuisance, or other detriment to persons or property in the vicinity. The commission may require higher standards of site development than those listed specifically in this chapter in order to assure that the proposed use will be compatible with other property and uses in the vicinity. The commission may revoke or modify its approval of a conditional use permit in accordance with the procedures set forth in the hearing and appeals procedures found in Article 5 of this chapter.

The Commission may attach special conditions to a conditional use permit including, but not limited to, conditions which**:** (1) Minimize adverse impact, such as damage, hazard, and nuisance, to persons or the subject property or property in the vicinity; (2) Control the sequence and timing of development; (3) Control the duration of development; (4) Designate the exact location and nature of development; (5) Require the provision for on site or off site public facilities or services; (6) Require more restrictive standards than those generally required in this chapter; or (7)Mitigate the negative impacts of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the county (CCCO §07-07-17).

Prior to making a decision concerning a conditional use permit request, the presiding party may require studies at the applicant's expense of the social, economic, fiscal, and environmental effects of the proposed conditional use (CCCO §07-07-19).

OPTIONAL MOTIONS:

Approval of the Application: "I move to approve for CU2025-0012, Barnes, finding the application **does** meet the criteria for approval under Section 07-07-05 of Canyon County Code of Ordinances, **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 CU2025-0012, Barnes, finding the application **does not** meet the criteria for approval under Section 07-07-05 of Canyon County Code of Ordinances, **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 CU2025-0012, Barnes, to a [*date certain or uncertain*]

3. HEARING CRITERIA

Table 1. Conditional Use Permit Review Criteria Analysis

HEARING CRITERIA CCCO §07-07-05: The presiding party shall consider each conditional use permit application by finding adequate evidence to answer the following questions in its FCOs:				
Compliant			**County Ordinance and Staff Review**	
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☒	☐	☐	**07-07-05(1)**	**Is the proposed use permitted in the zone by conditional use permit?**
			Staff Analysis	A staging area and contractor shop are permitted in the "A" (Agricultural) zone by Conditional Use Permit, pursuant to Canyon County Code of Ordinances (CCCO) §07-10-27. The applicant submitted a conditional use permit for a staging area and contractor shop on May 30, 2025. *See Exhibit A for the application and submitted materials.* • CCCO §07-02-03 defines a staging area as "*An area where equipment and/or materials are stored for use conducted entirely off-site."* • CCCO §07-02-03 defines a contractor shop as "*May include, but not limited to, a building where a contractor conducts his business, including offices and parking of equipment and employee parking."*
☒	☐	☐	**07-07-05(2)**	**What is the nature of the request?**
			Staff Analysis	The applicants, Duane and Kathy Barnes, request a conditional use permit to establish a staging area and contractor shop for their business, Barnes Construction LLC, on approximately 1 acre of the 5.35-acre parcel, designated as R25390010. • Use: The nature of the request consists of using 1 acre of the subject property to store equipment for the applicants' general contractor business, Barnes Construction LLC, such as vehicles, trailers, tools, and miscellaneous materials (**Exhibit A2.1**)**.** Company vehicles are stored on-site, and when not in use, employee vehicles are also stored on-site. The request includes a pre-existing 30x55 shop with an office inside and a 30x40 tarp shed (**Exhibit A2**). • Number of Employees: The applicant is proposing to have six (6) employees. The employees come on-site to load and unload the needed supplies; the work is conducted off-site (**Exhibit A3**). • Customers: There are no customers who come on-site. • Hours of Operation: The hours of operation proposed are Monday through Thursday, 7:00 am – 5:00 pm per the land use worksheet (**Exhibit A3**). • Parking: The proposal includes parking for six (6) employee vehicles and the applicant's company vehicles (**Exhibit A2**). • Restrooms: There is currently an individual septic tank servicing the residence on site. The Pre-Development Notes with Southwest District Health state "*that no employees remain on-site during the workday, and there are no anticipated changes to the use of the restroom facilities or other sources of wastewater generation. Therefore, no increase in*

				wastewater flow to the existing septic system is expected at this time" (**Exhibit D1.1**).
			07-07-05(3)	**Is the proposed use consistent with the comprehensive plan?**
☒	☐	☐	***Staff Analysis***	As conditioned, the proposed use is consistent with the Comprehensive Plan. The 2030 Canyon County Comprehensive Plan designates the subject parcel as "Rural Residential" (**Exhibit B4.17**). However, approximately 0.35 miles north of the subject property, there is a future commercial land use designation, approximately 0.88 miles south of the subject property is zoned agricultural, and approximately 1.75 miles west of the subject property, there is a future industrial land use designation. The future land use is trending towards a mixed use of residential, commercial, and agricultural. As conditioned, the proposed use is aligned with but not limited to the following goals and policies of the 2030 Comprehensive Plan: • <u>Property Rights Goal:</u> o G1.01.00: *"Protect the integrity of individual property rights while safeguarding public health, safety, and welfare."* Canyon County values the applicants' and surrounding applicants' private property rights and may support the applicants' project and the surrounding applicants' rights by adding mitigating conditions to the proposed conditional use permit (CCCO Section 07-07-17). *See the recommended conditions on page 10.* • <u>Population Goal</u>: o G2.01.00: "Incorporate *population growth trends and projections when making land use decisions."* Property owners have the "right to enjoy the property for its intended use without creating nuisances. Zoning categorizes land uses based on compatibility, such as agriculture, residential, commercial, and industrial. Each category has characteristics that might not be compatible with other zoning categories (Pg. 10, Comprehensive Plan 2030)." See section 07-07-05(4) for analysis on land use compatibility and consistency. • <u>Economic Development Goal</u>: o 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."* Canyon County supports retaining, expanding, and recruiting businesses and economic growth and expansion, but this must be done in a way that is compatible with the surrounding area, which may include adding mitigation conditions to this conditional use permit that address the community's concerns (noise, traffic, dust, etc.). *See the recommended conditions on page 10.* • <u>Land Use Policies</u>: o P4.01.01: *"Maintain a balance between residential growth and agriculture that protects the rural character."*

<table>
<tr><td></td><td></td><td></td><td></td><td>
P4.01.02: “Planning, zoning, and land-use decisions should balance the community’s interests and protect private property rights.”
Canyon County supports growth and development as long as it is compatible with the surrounding area and appropriate conditions are added to mitigate adverse impacts that affect other land uses and the surrounding community. See the recommended conditions on page 10.
</td></tr>
<tr><td rowspan="2">☒</td><td rowspan="2">☐</td><td rowspan="2">☐</td><td>07-07-05(4)</td><td>Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?</td></tr>
<tr><td>Staff Analysis</td><td>
As conditioned, the proposed use is not anticipated to be injurious to other property in the immediate vicinity and will not negatively change the essential character of the area.

Summary:
The surrounding land uses, as reviewed within a one- and two-mile radius, as well as the current zoning and classification map, indicate that land uses in the area are a combination of residential, commercial, and agricultural uses as seen in Exhibits B4.6, B4.7, and B4.8. There are agricultural operations adjacent to the subject property on all sides. A staging area and contractor shop are allowed in an agricultural zone with a conditional use permit. As conditioned, the proposed use is not anticipated to be injurious to other property within the immediate vicinity, nor negatively change the essential character of the area.

Adjacent Existing Conditions:
<table>
<tr><th>Direction</th><th>Existing Use</th><th>Primary Zone</th><th>Other Zone</th></tr>
<tr><td>N</td><td>Agricultural with Primary Residence</td><td>A</td><td>C-1</td></tr>
<tr><td>S</td><td>Agricultural with Primary Residence</td><td>A</td><td>-</td></tr>
<tr><td>E</td><td>Agricultural with Primary Residence</td><td>A</td><td>R-R & City of Star</td></tr>
<tr><td>W</td><td>Agricultural Operation</td><td>A</td><td>-</td></tr>
<tr><td colspan="4">“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)</td></tr>
</table>
Surrounding Land Use Cases:
Within a 1-mile radius of the property, there have been six (6) land use cases approved. One (1) conditional rezone to a commercial zone, two (2) rezones to a residential zone, one (1) conditional use permit for a small animal facility, and two (2) conditional use permits for RV storage (Exhibit B4.7).

There have been fifteen (15) subdivisions approved (Exhibit B4.8) in a 1-mile radius from the subject property.

Within a 2-mile radius of the subject property, there are two (2) gravel pits, one (1) feedlot, and one (1) dairy (Exhibit B4.9).

Character of the Area:
The area is characterized by a mix of uses ranging from residential, commercial, and agricultural. The subject property is adjacent to agricultural operations on the east, south, and west sides. Within 600 feet of the subject property, there are 12
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				residential properties, all located in the agricultural zone. Located approximately 0.43 miles to the north is "C1" (Neighborhood Commercial) zoning, approximately 0.48 miles to the northwest is "CR-C2" (Service Commercial – Conditional Rezone) zoning, and approximately 0.47 miles to the northeast is "C1" (Neighborhood Commercial) zoning. Located to the east, approximately 0.95 miles from the subject property, is zoned RR (Rural Residential), and approximately 1.26 miles to the west is zoned "R1" (Single Family Residential). **Potential Impacts:** The staging area and contractor shop may impact the surrounding area due to the increase in noise, dust, increased traffic, and lighting related to the use. Staff have proposed conditions to aid in mitigating these potential effects. See the recommended conditions on page 10. The applicant is proposing the hours of operation to be Monday through Thursday, 7:00 am – 5:00 pm. See **Condition # 7a**. The proposed use may increase the dust levels in the immediate vicinity due to the access to the subject property and parking areas is gravel. As conditioned, dust shall be controlled per applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to operations, including but not limited to nuisance regulations (CCCO Chapter 2 Article 1: Public Nuisances) and shall be consistent with Idaho Department of Environmental Quality (DEQ)requirements. To mitigate the potential for dust, the applicant shall submit a dust mitigation plan for staff's review and approval prior to commencement. See proposed **Condition # 9**. See further analysis under section 07-07-05(06 & 07) for discussion and recommended conditions. In order to obscure the business operations, staff recommends that a condition be added to add a sight-obscuring fence to the property. See proposed **Condition # 10.** The applicant has not indicated that they plan to install lighting for the associated use. As conditioned, all exterior lighting, if installed, shall be downward-facing and directed away from surrounding properties. Compliance shall be demonstrated in the building plans submitted as part of the building permit submittal. Review and approval by DSD shall be completed before building permit issuance. See proposed **Condition # 4**. See CCCO §07-07-05(7) for potential traffic impact analysis.
☒	☐	☐	**07-07-05(5)**	**Will adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems be provided to accommodate the use?**
			Staff Analysis	The project will have adequate water, sewer, irrigation, drainage, and stormwater drainage facilities, and utility systems to accommodate the proposed use based on the analysis contained herein. **Water:** The property appears to have adequate water via an individual well. There are no additional wells proposed to serve the proposed staging area and contractor shop (**Exhibit A3**). The existing water uses are anticipated to provide adequate water for the proposed use.

				Sewer: There are no proposed septic tanks for this project. There is currently an individual septic tank servicing the residence on site. Southwest District Health provided comment on July 15, 2025, and there were no concerns raised (**Exhibit D1**). The Pre-Development Notes with Southwest District Health state "*that no employees remain on-site during the workday, and there are no anticipated changes to the use of the restroom facilities or other sources of wastewater generation. Therefore, no increase in wastewater flow to the existing septic system is expected at this time*" (**Exhibit D1.1**). As conditioned, the applicant shall meet Southwest District Health (SWDH) requirements for the proposed uses on the property. See proposed **Condition # 11**. **Irrigation:** The applicant has pressurized irrigation (**Exhibit A3**). Agency notice was sent out to Farmer Cooperative Ditch Co. on July 15, 2025, and October 30, 2025. No comments were received. It's not anticipated that the irrigation system will be impacted by the proposed use. **Condition # 5** ensures the applicant shall not impede, disrupt, or disturb the existing irrigation structure without approval from the irrigation district. **Stormwater drainage facilities:** According to the land use worksheet, stormwater drainage on the subject property will be retained on-site. It appears the use does not require or affect stormwater drainage on the property (**Exhibit A3**). **Utility Systems:** Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on July 15, 2025, and October 30, 2025. No agency comments were provided by those services at the time the staff report was written. It is anticipated that the applicant will be able to work with utility providers to gain any additional utilities needed.
☒	☐	☐	**07-07-05(6)**	**Does legal access to the subject property for the development exist or will it exist at the time of development?**
			Staff Analysis	The subject property does have legal access for the development and will exist at the time of the development. The subject parcel takes access off of a shared access to Eel Lane. According to the comment received from Highway District No. 4 in **Exhibit D3**, Eel Lane is classified as a Local Road. Highway District No. 4's comment provided conditions of approval, such as the applicant obtaining an access permit and obtaining a commercial approach. See proposed **Condition # 3a**.
☒	☐	☐	**07-07-05(7)**	**Will there be undue interference with existing or future traffic patterns?**
			Staff Analysis	There will not be undue interference with the existing or future traffic patterns as conditioned. It's anticipated that there will be a total of six (6) employees, most of whom will be coming to pick up materials and leave at the beginning of their shift, and at the end of their shift, they will come to drop off the materials. There are no customers who come onsite.

				The comment received from Highway District No. 4 on August 7, 2025, stated that HD4 does not oppose the requested land use changes. The ITE Trip Generation Manual estimates there to be 22 daily trips, and HD4 requests an impact fee of approximately $6,397 (**Exhibit D3**).
☒	☐	☐	**07-07-05(8)**	**Will essential services be provided to accommodate the use including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use?**
			Staff Analysis	Essential services will be provided to accommodate the use, including, but not limited to, school facilities, police and fire protection, emergency medical services, and irrigation facilities. The services will not be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use. **School Facilities:** Parcel R25390010 is serviced by the Middleton School District. It is not anticipated that any impacts or accommodations will be needed for the proposed use. Agency comments were sent out on July 15, 2025, and October 30, 2025. No comments were received by the school district. **Police and Fire protection:** Parcel R25390010 is under the jurisdiction of the Star Fire District. Star Fire District is required to provide services to the parcel. As conditioned, the applicant shall comply with all Fire District requirements per State adopted IFC, and as evidenced by review and approval documentation from the applicable fire district prior to issuance of a certification of occupancy and commencement of activities on the site. All development shall comply with the 2018 International Fire Code and codes set forth by Canyon County. See proposed **Condition # 2**. Agency notice was sent on July 15, 2025, and October 30, 2025. No comment was received by the materials deadline. No comment was received from the Canyon County Sheriff's Department. **Emergency Medical Services:** Emergency Medical Services are provided to the property. Canyon County Paramedics/EMT and Canyon County's Emergency Management were notified of the application on July 15, 2025, and October 30, 2025. No comments were received. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. **Irrigation Facilities:** The proposed use is not anticipated to impact the irrigation facilities. Agency notice was sent out to Farmer Cooperative Ditch Co. on July 15, 2025, and October 30, 2025. No comments were received. **Condition # 5** ensures the applicant shall not impede, disrupt, or disturb the existing irrigation structure without approval from the irrigation district.

Table 2. Article 14 Use Standards Criteria Analysis
- Contractor Shop & Staging Area-

USE STANDARDS CCCO §07-14-03(1): The provisions of this article apply to all properties where a use is listed as an allowed use, a conditional use, or a director's decision in section 07-10-27 of this chapter (land use matrix).				
Compliant			**County Ordinance and Staff Review**	
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☒	☐	☐	**07-14-09(1)**	**Contractor Shop: (1) The use shall be contained within a building or behind a sight-obscuring fence.**
			Staff Analysis	There shall be a sight-obscuring fence that all vehicles and equipment will be contained behind. See **Condition # 10**. The applicant has a pre-existing 30x55 shop, of which the office is contained within, as well as a 30x40 tarp shed that is used to store equipment. All other work is done off-site.
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☒	☐	☐	**07-14-29(1)**	**All work shall be conducted off site.**
			Staff Analysis	Per the applicant's land use worksheet and letter of intent, all work will be conducted off-site, with loading and unloading of supplies on-site, except what is allowed with the contractor shop criteria, which includes storing vehicles and equipment, which will either be in a building or located behind a site-obscuring fence (**Exhibits A2 and A3).**
☒	☐	☐	**07-14-29(2)**	**Business vehicles shall be operable and parked on site, not on a public or private road.**
			Staff Analysis	Per the applicant's land use worksheet, parking will be on-site (**Exhibit A3).** No parking will take place on a public or private road (**Condition # 7b**). Based on the Planning Staff's site visit on September 5, 2025, there does not appear to be any inoperable business vehicles on the property (**Exhibit C**).
☒	☐	☐	**07-14-29(3)**	**Persons not employed on the premises may visit the premises for the purpose of picking up equipment and materials to be used elsewhere, including trucks offloading or transferring equipment and/or materials to other vehicles.**
			Staff Analysis	Per the land use worksheet, there will be approximately six (6) employees total who will visit the premises to pick up equipment to be used elsewhere (**Exhibit A3**).
☒	☐	☐	**07-14-29(4)**	**Employees may meet on the premises to share rides to and from job sites.**
			Staff Analysis	The above may occur (**Exhibit A2**). There may be instances where multiple employees are needed at a job site; in this instance, the employees may ride in one company vehicle to the job site.
☒	☐	☐	**07-14-29(5)**	**Employees' vehicles shall be parked on site and not on a public or private road.**
			Staff Analysis	There are ample parking spaces for employee vehicles, as seen during the site visit (**Exhibit C**). There is space for more parking if needed. Per **Condition # 7b**, there shall be no parking on a public or private road.

Table 3. Area of City Impact

CCCO §09-09-17: Middleton Area of Impact – Application Procedures				
Compliant			**County Ordinance and Staff Review**	
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☒	☐	☐	**09-09-17(1)**	**Processing Applications: The following procedures shall be adhered to in processing applications within the area of city impact:** **A. Land Use Applications: All land use applications submitted to the county including, but not limited to, conditional use permits, variances and land divisions requiring notification of a public hearing, shall be referred to the city in the same manner as provided for in subsection 09-09-11(3) of this article.**
			Staff Analysis	The subject parcel is in the City of Middleton's area of impact. The City of Middleton's Future Land Use Map designates the subject property and surrounding area as mixed-use (**Exhibit B4.13**). The City of Middleton's future land use designation indicates that the proposed use will not negatively impact the City of Middleton. An agency notice was sent out to the City of Middleton on July 15, 2025, and on October 30, 2025. No comment was received by the materials deadline of November 24, 2025.

4. AGENCY COMMENTS:

Agencies including the Canyon County Sheriff's Office, Canyon County Paramedics/EMT, Star Fire Protection District, Farmer Cooperative Ditch Co., Highway District No. 4, Middleton School District, Idaho Transportation Department, Idaho Power, Intermountain Gas, CenturyLink, Ziply, Canyon County Assessor's Office, Canyon County Building Department, Canyon County Code Enforcement Department, Idaho Department of Water Resources (Water Rights), Canyon County Weed and Gopher Control, Southwest District Health, and the City of Middleton were notified of the subject application.

Staff received agency comments from Southwest District Health (SWDH), Idaho Transportation Department (ITD), Highway District No. 4 (HD4), and Canyon County Building Department. All agency comments received by the aforementioned materials deadline are located in **Exhibit D**.

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 five (5) written public comments by the materials deadline of November 24, 2025. The comments received were in opposition. All public 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.

6. SUMMARY & RECOMMENDED CONDITIONS:

In consideration of the application and supporting materials, staff concludes that the proposed Conditional Use Permit is **compliant** with Canyon County Ordinance 07-07-05. A full analysis is detailed within the staff report.

Should the Commission wish to approve the subject application, staff recommends the following conditions be attached:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
    a. The applicant shall comply with applicable Canyon County GIS Department requirements (**Exhibit D5).**
2. A change of occupancy from residential to commercial occupancy, fire district permits, and approval for a Certificate of Occupancy for the pre-existing 30x55 shop, 30x40 tarp shed, and the business office. All appropriate building permits shall be obtained within **180 days from the approval of the Conditional Use Permit**.
3. The applicant shall comply with the applicable highway district's access requirements. The applicant shall obtain a permit prior to commencement of use.
    a. Provided at the time of the change of occupancy permit, the applicant shall coordinate with Highway District No. 4 and obtain the necessary approvals for the intended use. Evidence shall be an approved approach permit from the subject highway district.
4. All exterior lighting, if installed, shall be downward-facing and directed away from surrounding properties. Compliance shall be demonstrated in the building plans submitted as part of the building permit submittal via an exterior lighting plan. Review and approval by DSD shall be completed before building permit issuance.
5. The applicant shall not impede, disrupt, or otherwise disturb the existing irrigation structures on and adjacent to the subject property and easement without written approval from the irrigation district with jurisdiction.
6. Signage shall meet CCCO §07-10-13 requirements, and shall not exceed 32 sq. feet and 10 feet in height unless an additional sign permit is applied for and approved by the Director. If it exceeds 6 ft in height, a building permit is required.
7. The proposed development shall be in general conformance with the applicant's site plan and letter of intent (**Exhibits A2, A2.1, and A4**).
    a. The hours of operation shall be Monday – Thursday, 7:00 am – 5:00 pm, as outlined in the applicant's land use worksheet (**Exhibit A3**).
    b. Employees' vehicles shall be parked on-site and not on a public or private road. Business vehicles shall be operable and parked on site, not on a public or private road.
8. This conditional use permit must follow land use time limitation as stated in CCCO 07-07-23: "When a conditional use permit is granted, the land use or construction of its facility proposed in the application must have commenced within three (3) years of the date of the final decision by the presiding party or a court of appropriate jurisdiction. The improvements for the approved use must be completed within five (5) years of the same date.

a. Commencement shall be the date zoning compliance is issued for a change of occupancy for the pre-existing 30x55 shop, the 30x40 tarp shed, and the business office.

9. A dust mitigation plan shall be provided **180 days from the approval of the Conditional Use Permit** to the Development Services Department. Dust shall be controlled per applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to operations, including but not limited to nuisance regulations (Canyon County Code of Ordinances Chapter 2 Article 1: Public Nuisances) and shall be consistent with Idaho Department of Environmental Quality (DEQ) requirements.

10. A sight-obscuring fence shall be constructed on the east and south boundaries south of the house on the proposed 1-acre portion located on the 5.35-acre parcel, as seen in **Exhibit A7, within 6 months from the approval of the Conditional Use Permit**. The placement of fencing shall take into consideration any easements that may be in place. Proof shall be submitted to the Development Services Department for review and approval.

11. The applicant shall meet all applicable Southwest District Health (SWDH) requirements for the proposed uses. Evidence shall be a letter of review and approval from SWDH, provided **180 days from the approval of the Conditional Use Permit**.

12. The conditional use permit for a staging area and contractor shop shall be limited to Duane Barnes and family. Should ownership of parcel R25390010 change from Duane Barnes or an immediate family member, the conditional use permit for a staging area and contractor shop shall terminate.

7. EXHIBITS:

A. Application Packet & Supporting Materials
1. Master Application
2. Letter of Intent
   2.1. Email Correspondence from March 3, 2025
3. Land Use Worksheet
4. Site Plan
5. Neighborhood Meeting
6. Agency Acknowledgement
7. Sight-Obscuring Fence Location
8. Applicant's Presentation Materials

B. Supplemental Documents
1. Parcel Tool
2. Scheduling Letter
3. Conversation Notes from November 4, 2025
4. Case Maps/Reports
   4.1. Aerial
   4.2. Notification Map
   4.3. Small Air Photo 1 Mile
   4.4. FEMA Small Air Photo
   4.5. Small Vicinity Map
   4.6. Zoning & Classification Map
   4.7. Case Map & Summary
   4.8. Subdivision Map & Report
   4.9. Dairy, Feedlot, & Gravel Pit Map
   4.10. Lot Classification Map
   4.11. Soil and Prime Farmland Maps with Report

4.12. Contour Map
4.13. City of Middleton Future Land Use Map
4.14. Nitrate Priority & Wells Map
4.15. TAZ Household & Job Maps
4.16. Slope Percent Map
4.17. Future Land Use Map

C. Site Visit Photos: September 5, 2025

D. Agency Comments Received by: November 24, 2025

1. Southwest District Health (SWDH); Received: July 15, 2025
   1.1. SWDH Pre-Development Notes
2. Idaho Transportation Department (ITD); Received: July 23, 2025
3. Highway District No. 4 (HD4); Received: August 7, 2025
4. Canyon County Building Department; Received: October 30, 2025
5. Canyon County GIS Department; Received: November 19, 2025
6. Canyon County Water Company; Received: November 24, 2025

E. Public Comments Received by: November 24, 2025

1. Becky Smith – In Opposition; Received: October 28, 2025
   1.1. Becky Smith – In Opposition; Received: November 3, 2025
   1.2. Becky Smith – In Opposition; Received: November 6, 2025
2. Ranee Herrera – In Opposition; Received: November 20, 2025
3. Mary Jo Christophersen – In Opposition; Received: November 23, 2025
4. Justin Walker – In Opposition; Received: November 24, 2025
5. Cheri Moore – In Opposition; Received: November 24, 2025

F. Draft Findings of Fact, Conclusion of Law and Order (FCOs)

Exhibit A:

EXHIBIT A

Application Packet & Supporting Materials

Planning & Zoning Commission

Case #: CU2025-0012

Hearing date: December 4, 2025

Exhibit A1:

CONDITIONAL USE PERMIT
PUBLIC HEARING - APPLICATION

PROPERTY OWNER	OWNER NAME: W. Duane Barnes / Katherine A. BARNES
	MAILING ADDRESS: 22089 Eel Ln. Middleton, ID 83644
	PHONE: [redacted] EMAIL: [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: Duane Barnes *Date:* 5-30-2025

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	APPLICANT NAME: Duane Barnes
	COMPANY NAME: BARNES Construction LLC
	MAILING ADDRESS: 22089 Eel Ln. Middleton, Id 83644
	PHONE: [redacted] EMAIL: [redacted]

Bryan Barnes [redacted]

SITE INFO	STREET ADDRESS: 22089 Eel Lane Middleton, Id 83644
	PARCEL NUMBER: R25390010
	PARCEL SIZE: 5.35 Acres
	REQUESTED USE: Construction Co. staging / storage / Parking / office
	FLOOD ZONE (YES/NO): NO ZONING DISTRICT:

FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER	CU2025-0012	DATE RECEIVED:	5-30-25
RECEIVED BY:	Karla Nelson	APPLICATION FEE: $1,600	CK MO CC CASH

Canyon County, ID Web Map



6/3/2025, 9:19:39 AM

Multiple Parcel Search _Query result

CC_PrivateRoads

CanyonCountyRoads

Roads

Imagery_2025_3in

Red: Band_1

Green: Band_2

Blue: Band_3

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 |

To whom it may concern, 04-10-2025

RE: Conditional use permit

Duane Barnes/Barnes Construction LLC

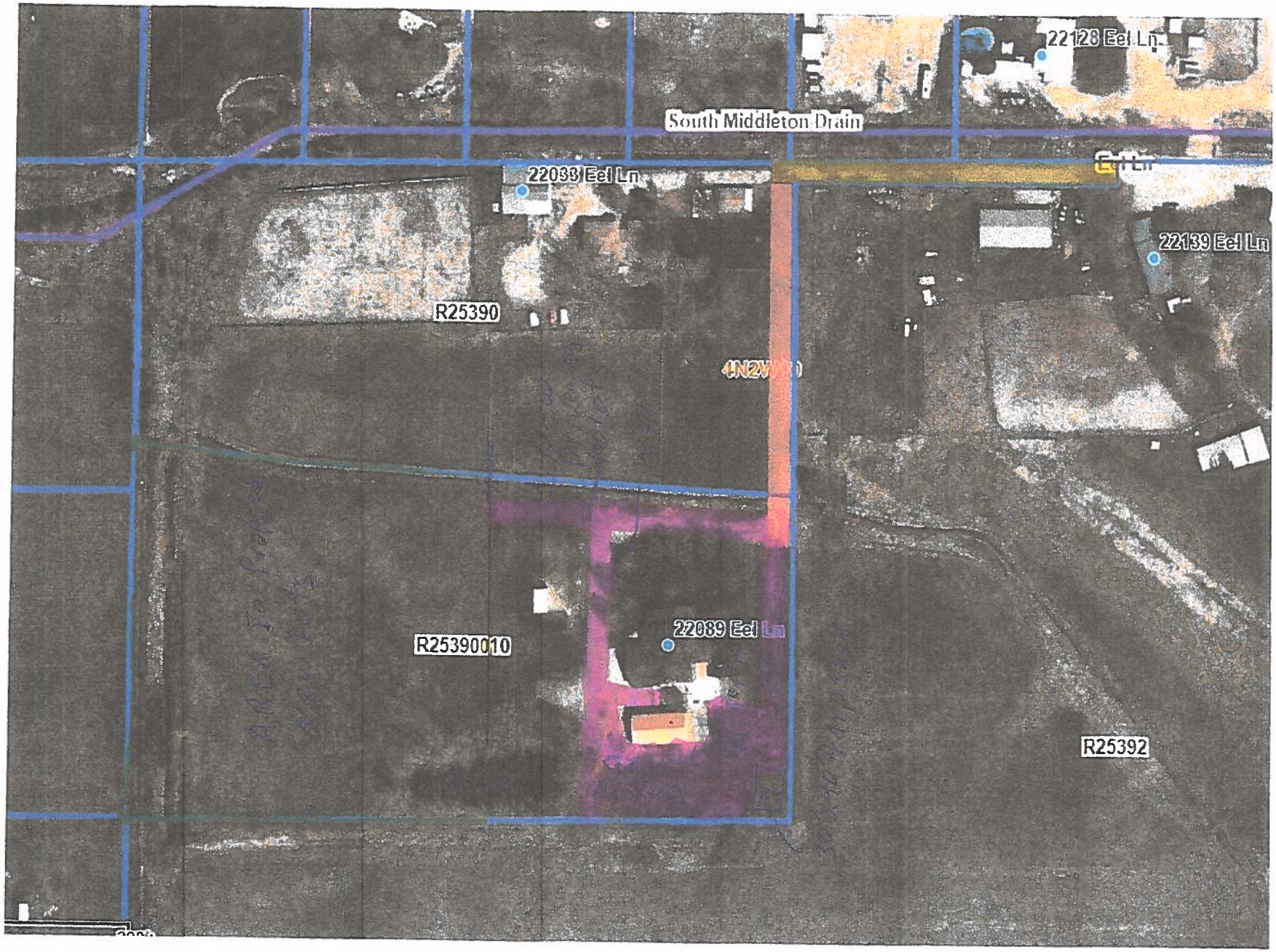
This is concerning my property at 22089 Eel Ln. Middleton, Id. 83644. This is my personal residence which includes our home, a 30x55 shop and a 30x40 tarp shed on 5.35 acres. I am a general contractor that has been in business since 1982. We operate our business from this property using the shop that has a 15x30 office in it. The remaining part of the shop is storage for tools and materials. The tarp shed is for materials storage. We have a gravel parking area to park our equipment and employee parking. We do not run any of the business out of the house itself. We currently have 6-employees, which includes myself. We do not do any manufacturing on site. This is strictly a staging and storage area. We typically operate 4 days per week from 7:00 a.m. to 5:00 p.m. The crew meets here and leave their personal vehicles here. Most of the time they take 1 pickup pulling a tool trailer and are gone all day. Sometimes there may be a 2nd or 3rd pickup with a trailer depending on the job.

Other than the little bit of extra traffic from employees coming and going there is nothing we do that would affect the neighbors at all. The place looks like a typical country home that is very well kept clean and nice.

Sincerely

Duane Barnes

Duane Barnes


22128 Eel Ln
South Middleton Drain
22033 Eel Ln
22139 Eel Ln
R25390
R25390010
22089 Eel Ln
R25392

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- existing

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

   ☐ N/A – Explain why this is not applicable: 1- Existing

3. **IRRIGATION WATER PROVIDED VIA:**

   ☑ Surface ☐ Irrigation Well ☐ None existing

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

   ☑ Pressurized ☐ Gravity existing

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: 5' barb wire cattle fence existing Height: 5'

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

   ☐ Other: _____

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

   ditches

RESIDENTIAL USES

1. **NUMBER OF LOTS REQUESTED:** 5.35 Acres

☑ Residential 1 existing ☐ Commercial _____ ☐ Industrial _____

☐ Common _____ ☐ Non-Buildable _____

2. **FIRE SUPPRESSION:**

☐ Water supply source: existing Pond

3. **INCLUDED IN YOUR PROPOSED PLAN?**

☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☑ None

NON-RESIDENTIAL USES

1. **SPECIFIC USE:** Employees meet on site, leave for the day + return end of day Storage + staging

2. **DAYS AND HOURS OF OPERATION:**

☑ Monday 7:AM to 5:PM.

☑ Tuesday 7:AM to 5:00 P.M

☑ Wednesday 7 AM to 5 PM

☑ Thursday 7 AM to 5 PM.

☐ Friday _____ to _____

☐ Saturday _____ to _____

☐ Sunday _____ to _____

3. **WILL YOU HAVE EMPLOYEES?** ☑ Yes If so, how many? 6-including myself ☐ No

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

Height: _____ ft Width: _____ ft. Height above ground: _____ ft

What type of sign: _____Wall _____ Freestanding _____ Other

5. **PARKING AND LOADING:**

How many parking spaces? NA gravel lot

Is there is a loading or unloading area? NO

ANIMAL CARE-RELATED USES

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

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

☐ Building ☐ Kennel ☐ Individual Housing ☐ Other NA

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

☐ Building ☐ Enclosure ☐ Barrier/Berm ☐ Bark Collars NA

4. **ANIMAL WASTE DISPOSAL**

☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System

☐ Other: NA

AFTER RECORDING MAIL TO:

W. Duane Barnes and Katherine A Barnes
22089 Eel Ln
Middleton, ID 83644

ELECTRONICALLY RECORDED - DO NOT REMOVE THE COUNTY STAMPED FIRST PAGE AS IT IS NOW INCORPORATED AS PART OF THE ORIGINAL DOCUMENT

2023-019023
RECORDED
06/15/2023 01:17 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=4 TYOUREN $15.00
TYPE: DEED
FIRST AMERICAN TITLE INSURANCE
ELECTRONICALLY RECORDED

WARRANTY DEED

File No.: 4103-4065691 *(AG)*

Date: *June 07, 2023*

For Value Received, **John L. Bramwell and Chris Bramwell, husband and wife**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **W. Duane Barnes and Katherine A Barnes, husband and wife**, hereinafter referred to as Grantee, whose current address is **22089 Eel Ln, Middleton, ID 83644**, the following described premises, situated in **Canyon** County, **Idaho**, to wit:

LEGAL DESCRIPTION: Real property in the County of Canyon, State of Idaho, described as follows:

PARCEL I

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO, THE SAME BEING A PART OF LOT 11 ACCORDING TO THE PLAT OF PERKEL ACREAGE OF RECORD IN BOOK 4 OF PLATS, PAGE 44, RECORDS OF CANYON COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST 1/16 CORNER OF SAID SECTION 10, SAID CORNER MARKED BY AN IRON PIN; THENCE, ALONG THE WESTERLY BOUNDARY OF THE SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND SAID LOT 11
SOUTH 00°53'56" WEST, 280.30 FEET TO A POINT FROM WHICH AN IRON PIN BEARS NORTH 00°53'56" EAST, 6.50 FEET, THE REAL POINT OF BEGINNING; THENCE, LEAVING SAID WESTERLY BOUNDARY
SOUTH 82°06'00" EAST, 135.68 FEET TO THE CENTERLINE OF AN IRRIGATION DITCH; THENCE, ALONG SAID CENTERLINE THE FOLLOWING COURSES AND DISTANCES;

SOUTH 85°54'31" EAST, 227.01 FEET,
SOUTH 86°21'20" EAST, 308.76 FEET TO A POINT FROM WHICH AN IRON PIN BEARS NORTH 00°20'32" EAST, 5.00 FEET; THENCE LEAVING SAID CENTERLINE
SOUTH 00°20'32" WEST, 324.27 FEET TO AN IRON ON THE SOUTH BOUNDARY OF THE NORTH HALF OF THE SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE ALONG SAID SOUTH BOUNDARY
NORTH 89°59'43" WEST, 672.99 FEET TO AN IRON PIN, BEING THE SOUTHWEST CORNER OF THE SAID NORTH HALF; THENCE ALONG THE WESTERLY BOUNDARY OF THE SAID

**SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER
NORTH 00°53'56" EAST, 378.73 FEET TO THE REAL POINT OF BEGINNING.**

**BASIS OF BEARING:
NORTH 89°58'08" EAST BETWEEN THE SOUTHWEST 1/16 CORNER AND THE CENTER-SOUTH 1/16 CORNER OF SAID SECTION 10**

PARCEL II

AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER LAND MORE PARTICULARLY DESCRIBED AS:

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO, THE SAME BEING A PART OF LOT 11 ACCORDING TO THE PLAT OF PERKEL ACREAGE OF RECORD IN BOOK 4 OF PLATS, PAGE 44, RECORDS OF CANYON COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE SOUTHWEST 1/16 CORNER OF SAID SECTION 10, SAID CORNER MARKED BY AN IRON PIN; THENCE, ALONG THE WESTERLY BOUNDARY OF THE SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND SAID LOT 11
SOUTH 00°53'56" WEST, 280.30 FEET TO A POINT FROM WHICH AN IRON PIN BEARS
NORTH 00°53'56" EAST, 6.50 FEET; THENCE, LEAVING SAID WESTERLY BOUNDARY
SOUTH 82°06'00" EAST, 135.86 FEET TO THE CENTERLINE OF AN IRRIGATION DITCH;
THENCE, ALONG SAID CENTERLINE THE FOLLOWING COURSES AND DISTANCES:**

**SOUTH 85°54'31" EAST, 227.01 FEET,
SOUTH 86°21'20" EAST, 308.76 FEET TO A POINT, THE REAL POINT OF BEGINNING, FROM WHICH AN IRON PIN BEARS
NORTH 00°20'32" EAST, 5.00 FEET; THENCE LEAVING SAID CENTERLINE
NORTH 00°20'32" EAST, 316.23 FEET TO AN IRON PIN; THENCE
SOUTH 89°07'59" EAST, 326.39 FEET TO AN IRON PIN; THENCE
NORTH 00°50'35" EAST, 24.00 FEET TO AN IRON PIN ON THE NORTHERLY BOUNDARY OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 10, FROM WHICH THE CENTER-SOUTH 1/16 CORNER, MARKED BY AN ALUMINUM CAP, BEARS
NORTH 89°58'08" EAST, 330.00 FEET; THENCE ALONG SAID NORTHERLY BOUNDARY
SOUTH 89°58'08" WEST, 331.59 FEET THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 10, SAID CORNER MARKED BY AN IRON PIN; THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY OF THE SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER
NORTH 89°58'08" WEST, 23.01 FEET TO A POINT; THENCE LEAVING SAID NORTHERLY BOUNDARY
SOUTH 00°20'32" WEST, 333.31 FEET TO A POINT, ON THE CENTERLINE OF THE AFOREMENTIONED IRRIGATION DITCH; THENCE ALONG SAID IRRIGATION DITCH
SOUTH 86°21'20" EAST 28.03 FEET TO THE REAL POINT OF BEGINNING.**

APN: **25390010 0**

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all

encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

John L. Bramwell

Chris Bramwell

STATE OF Idaho)
SS.
COUNTY OF Ada)

On this 13 day of **June, 2023** , before me, a Notary Public in and for said State, personally appeared **John L. Bramwell and Chris Bramwell**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for the State of Idaho
Residing at: Eagle, ID
My Commission Expires:

A COATES
COMMISSION #22373
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 07/08/2025

Exhibit A2:

To whom it may concern, 04-10-2025

RE: Conditional use permit

Duane Barnes/Barnes Construction LLC

This is concerning my property at 22089 Eel Ln. Middleton, Id. 83644. This is my personal residence which includes our home, a 30x55 shop and a 30x40 tarp shed on 5.35 acres. I am a general contractor that has been in business since 1982. We operate our business from this property using the shop that has a 15x30 office in it. The remaining part of the shop is storage for tools and materials. The tarp shed is for materials storage. We have a gravel parking area to park our equipment and employee parking. We do not run any of the business out of the house itself. We currently have 6-employees, which includes myself. We do not do any manufacturing on site. This is strictly a staging and storage area. We typically operate 4 days per week from 7:00 a.m. to 5:00 p.m. The crew meets here and leave their personal vehicles here. Most of the time they take 1 pickup pulling a tool trailer and are gone all day. Sometimes there may be a 2nd or 3rd pickup with a trailer depending on the job.

Other than the little bit of extra traffic from employees coming and going there is nothing we do that would affect the neighbors at all. The place looks like a typical country home that is very well kept clean and nice.

Sincerely

Duane Barnes

Duane Barnes

Exhibit A2.1:

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Development Services Department (DSD)

NEW public office hours

Effective Jan. 3, 2023

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

**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: Duane Barnes <duane@barnesconstructionllc.com>
Sent: Monday, March 3, 2025 6:15 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: [External] Re: AD2025-0026

Emily,

Yes we run our construction company, Barnes Construction LLC out of this property. 6 employees counting myself. We have an office in the shop. We very seldom do any work here on site. This is parking for vehicles and trailers, tools and miscellaneous materials left over from jobs. They meet here in the mornings, go to the job site and

come back at the end of the work day.

I will see if I can come up with a record of easements for you.

Don't know the exact size of the lots at this point but are thinking a minimum of 1 acre, not much more if any, for the small lot and the remaining for the larger lot. Don't know the exact acreage we are working with until we get it surveyed which won't happen until it looks like we will be able to move forward with our plan.

I am attaching pictures of the site so you have a better idea of what we are working with. Some of it is really rocky. The majority of it is a sandy lomb with some rock. It may have been farmed in the past when it was a larger field before the structures were built and the pond which is ground water and was created when they dug up the gravel and used it to build up the pads to build the house and shop on. This all happened in I believe 2005. We have only been here 1 1/2 years and are the 3rd owners. I sent pictures of the pond, the drain ditch which is about 50ft. wide and runs the entire length of the west line and the irrigation ditch that runs the entire north line, it doesn't leave much acreage to farm. Really all it's good for is pasture, which is what it is now.

Let me know if you have any further questions.

Thanks

Duane Barnes

On Mon, Mar 3, 2025 at 3:54 PM Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

> Hello,

Exhibit A3:

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- existing

2. **SEWER (Wastewater)** ☑ Individual Septic ☐ Centralized Sewer system
   ☐ N/A – Explain why this is not applicable: 1- Existing

3. **IRRIGATION WATER PROVIDED VIA:**
   ☑ Surface ☐ Irrigation Well ☐ None existing

4. **IF IRRIGATED, PROPOSED IRRIGATION:**
   ☑ Pressurized ☐ Gravity existing

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: 5' barb wire cattle fence existing Height: 5'

8. **STORMWATER:** ☑ Retained on site existing ☐ Swales ☐ Ponds ☐ Borrow Ditches
   ☐ Other: _____

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

RESIDENTIAL USES

1. **NUMBER OF LOTS REQUESTED:** 5.35 Acres

☑ Residential 1 existing ☐ Commercial _____ ☐ Industrial _____

☐ Common _____ ☐ Non-Buildable _____

2. **FIRE SUPPRESSION:**

☐ Water supply source: existing Pond

3. **INCLUDED IN YOUR PROPOSED PLAN?**

☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☑ None

NON-RESIDENTIAL USES

1. **SPECIFIC USE:** Employees meet on site, leave for the day + return end of day Storage + staging

2. **DAYS AND HOURS OF OPERATION:**

☑ Monday 7:AM to 5:PM.

☑ Tuesday 7:AM to 5:00 P.M

☑ Wednesday 7 AM to 5 PM

☑ Thursday 7 AM to 5 PM.

☐ Friday _____ to _____

☐ Saturday _____ to _____

☐ Sunday _____ to _____

3. **WILL YOU HAVE EMPLOYEES?** ☑ Yes If so, how many? 6-including myself ☐ No

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

Height: _____ ft Width: _____ ft. Height above ground: _____ ft

What type of sign: _____Wall _____ Freestanding _____ Other

5. **PARKING AND LOADING:**

How many parking spaces? NA gravel lot

Is there is a loading or unloading area? NO

ANIMAL CARE-RELATED USES

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

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

☐ Building ☐ Kennel ☐ Individual Housing ☐ Other NA

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

☐ Building ☐ Enclosure ☐ Barrier/Berm ☐ Bark Collars NA

4. **ANIMAL WASTE DISPOSAL**

☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System

☐ Other: NA

Exhibit A4:

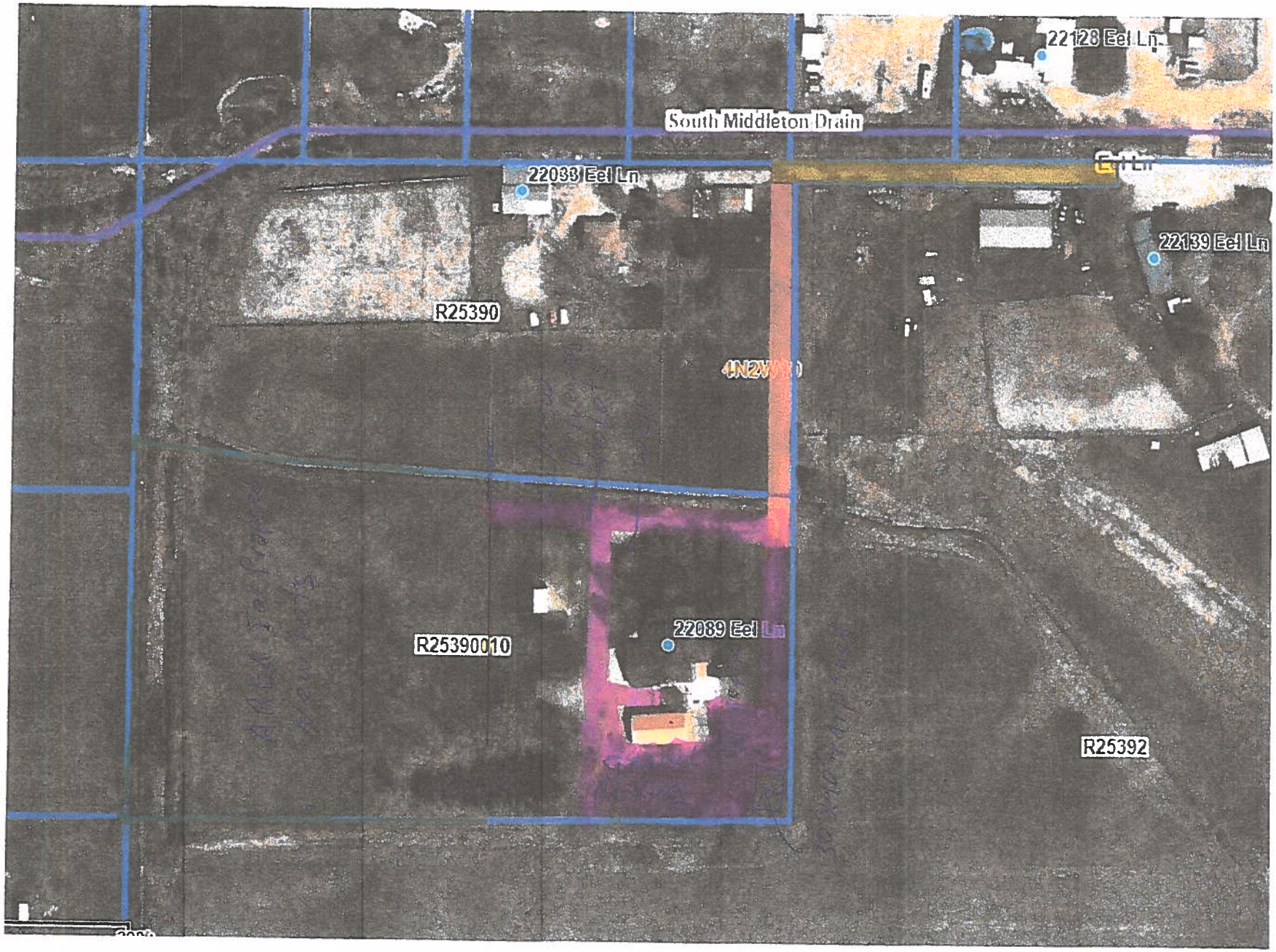

22128 Eel Ln
South Middleton Drain
22033 Eel Ln
22139 Eel Ln
R25390
R25390010
22089 Eel Ln
R25392

Exhibit A5:

Notice of Neighborhood Meeting

Pre-application requirement for a Public Hearing

April 24, 2025

Dear Neighbor,

We are in the process of presenting an application to Canyon County Development Services for a conditional use permit. On 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: Saturday May 10th 2025

Time: 1:00pm

Location: 22089 Eel Ln Middleton, ID 83644

Property description: This is at our personal residence

The project is summarized below: We wish to be able to run our construction business from our home utilizing the office in the shop, gravel lot to park vehicles, equipment and materials as staging area. No manufacturing will be done on site.

Total Acreage: Approximately 1 acre will be used for this purpose.

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 the meeting or our application as this meeting is a PRE-APPLICATION requirements; we have not submitted the application to the county for consideration at this time.

Feel free to contact me at [redacted]

We look forward to meeting you!

Duane and Kathy Barnes

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: 22089 Eel Ln.	Parcel Number: R25390010	
City: Middleton	State: I D.	ZIP Code: 83644
Notices Mailed Date: April 24, 2025	Number of Acres: 5.35	Current Zoning: Ag

Description of the Request: Office, Storage + staging Area to opporate Our general construction Company from

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Duane BARNES		
Company Name: BARNES CONSTRUCTION LLC		
Current address: 22089 Eel Ln.		
City: Middleton	State: ID.	ZIP Code: 836441
Phone: [redacted]	Cell: Same	Fax: NA
Email: [redacted]		

MEETING INFORMATION

DATE OF MEETING: May 10th	MEETING LOCATION: 22089 Eel Ln, Middleton
MEETING START TIME: 1:00	MEETING END TIME: 2:07 P.M.

ATTENDEES:

NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. Pat Fowler	Pat Fowler	22139 eel Ln,
2. Rebecca Smith	Rebecca Smith	11
3. John Kerr		
4. Katy Vilhen	Katy Vilhen	8826 Petra
5. SHANE VILHEN		8826 PETRA LN
6.		
7.		
8.		
9.		

10.
11.

12.
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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):

Duane Barnes

APPLICANT/REPRESENTATIVE (Signature): Duane Barnes

DATE: 5 / 10 / 2025

Exhibit A6:

AGENCY ACKNOWLEDGMENT

Date: 5/21/25
Applicant: Duane Barnes
Parcel Number: R25390010
Site Address: 22089 Eel Ln, Middleton, ID 83644

OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

Southwest District Health:
☒ Applicant submitted/met for official review.
Date: 05/28/2025 Signed: Anthony Lee
Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District: District: STAR Fire Dist
☒ Applicant submitted/met for official review.
Date: 5/27/25 Signed:
Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District: District:
☒ Applicant submitted/met for official review.
Date: 5/21/25 Signed:
Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District: District:
☐ Applicant submitted/met for official review.
Date: 5/21/25 Signed: Dawn Foster, Secretary
Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact: City: Middleton
☒ Applicant submitted/met for official review.
Date: 5/21/2025 Signed:
Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

Received by Canyon County Development Services:

Date: _____ Signed: _____
Canyon County Development Services Staff

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

Exhibit A7:

Location for Sight Obscuring Fence:




Exhibit A8:
Exibit A
N
W
E
S


Exibit B
N
W
E
S


Exibit C
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Exhibit D
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Exhibit B

Exhibit B:

EXHIBIT B

Supplemental Documents

Planning & Zoning Commission

Case #: CU2025-0012

Hearing date: December 4, 2025

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

Exhibit B1:

R25390010 PARCEL INFORMATION REPORT

11/4/2025 3:34:01 PM

PARCEL NUMBER:	R25390010
OWNER NAME:	BARNES DUANE AND KATHY BARNES REVOCABLE LIVING TRUST
CO-OWNER:	
MAILING ADDRESS:	22089 EEL LN MIDDLETON ID 83644
SITE ADDRESS:	22089 EEL LN
TAX CODE:	1090000
TWP:	4N **RNG:** 2W **SEC:** 10 **QUARTER:** SW
ACRES:	5.35
HOME OWNERS EXEMPTION:	Yes
AG-EXEMPT:	No
DRAIN DISTRICT:	DD2
ZONING DESCRIPTION:	AG / AGRICULTURE
HIGHWAY DISTRICT:	HIGHWAY DISTRICT #4
FIRE DISTRICT:	STAR FIRE
SCHOOL DISTRICT:	MIDDLETON SCHOOL DIST #134
IMPACT AREA:	MIDDLETON
FUTURE LAND USE 2011-2022 :	AG
FLU Overlay Zone Desc 2030:	
FLU RR Zone Desc 2030:	RURAL RESIDENTIAL
FUTURE LAND USE 2030:	AGRICULTURE
IRRIGATION DISTRICT:	CANYON COUNTY WATER CO LTD
FEMA FLOOD ZONE:	AE **FLOODWAY:** NOT In FLOODWAY **FIRM PANEL:** 16027C0254G
WETLAND:	NOT In WETLAND
NITRATE PRIORITY:	NO Nitrate Prio
FUNCTIONAL Classification:	NOT In COLLECTOR
INSTRUMENT NO. :	2024038279
SCENIC BYWAY:	NOT In Scenic Byway
LEGAL DESCRIPTION:	10-4N-2W SW PERKEL ACREAGE TX 06372 IN LT 11
PLATTED SUBDIVISION:	PERKEL ACREAGE
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 B2:

Archived: Tuesday, November 4, 2025 3:45:39 PM
From: Amber Lewter
To: 'duane@barnesconstructionllc.com'
Subject: CU2025-0012 Scheduling
Importance: Normal
Sensitivity: None
Attachments:
Applicant Schedule letter - Final.pdf

Hello Duane,

Case CU2025-0012 for the staging area and contractor shop has been scheduled for December 4, 2025. The information can be seen in the attached letter. Staff is recommending approval with conditions. Please review the conditions and let me know if you have any concerns about them. Please keep in mind that the conditions are a draft at this point and are subject to change.

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. A change of occupancy from residential to commercial occupancy, fire district permits, and approval for a Certificate of Occupancy for the 30x55 shop, 30x40 tarp shed, and the business office. All appropriate building permits shall be obtained within **180 days from the approval of the Conditional Use Permit**.

3. The applicant shall comply with the applicable highway district's access requirements. The applicant shall obtain a permit prior to commencement of use.

    a. Provided at the time of building permit, the applicant shall coordinate with Highway District No. 4 and obtain the necessary approvals for the intended use. Evidence shall be an approved approach permit from the subject highway district.

4. All exterior lighting, if installed, shall be downward-facing and directed away from surrounding properties. Compliance shall be demonstrated in the building plans submitted as part of the building permit submittal via an exterior lighting plan. Review and approval by DSD shall be completed before building permit issuance.

5. The applicant shall not impede, disrupt, or otherwise disturb the existing irrigation structures on and adjacent to the subject property without written approval from the irrigation district with jurisdiction.

6. Signage shall meet CCCO §07-10-13 requirements, and shall not exceed 32 sq. feet and 10 feet in height unless an additional sign permit is applied for and approved by the Director. If it exceeds 6 ft in height, a building permit is required.

7. The proposed development shall be in general conformance with the applicant's site plan and letter of intent (**Exhibits** _____).

    a. The hours of operation shall be Monday – Thursday, 7:00 am – 5:00 pm, as outlined in the applicant's land use worksheet (**Exhibit** __).

    b. Employees' vehicles shall be parked on-site and not on a public or private road. Business vehicles shall be operable and parked on site, not on a public or private road.

8. This conditional use permit must follow land use time limitation as stated in CCCO 07-07-23: "When a conditional use permit is granted, the land use or construction of its facility proposed in the application must have commenced within three (3) years of the date of the final decision by the presiding party or a court of appropriate jurisdiction. The improvements for the approved use must be completed within five (5) years of the same date.

    a. Commencement shall be the date zoning compliance is issued for a change of occupancy for the 30x55 shop, the 30x40 tarp shed, and the business office.

9. A dust mitigation plan shall be provided at the time of building permit to the Development Services Department. Dust shall be controlled per applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to operations, including but not limited to nuisance regulations (Canyon County Code of Ordinances Chapter 2 Article 1: Public Nuisances) and shall be consistent with Idaho Department of Environmental Quality (DEQ) requirements.

10. A sight-obscuring fence shall be constructed on the east and west boundaries south of the house on the proposed 1-acre portion located on the 5.35-acre parcel within 6 months of the approved conditional use permit. The placement of fencing shall take into consideration any easements that may be in place. Proof shall be submitted to the Development Services Department for review and approval.

11. The applicant shall meet all applicable Southwest District Health (SWDH) requirements for the proposed uses. Evidence shall be a letter of review and approval from SWDH provided at the time of building permit.

Let me know if you have any questions.

Thank you,

Amber Lewter

Associate Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-6631

Email: amber.lewter@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Development Services Department (DSD)

Public office hours

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Ave., Ste. 310, Caldwell, ID 83605 | Office: 208-402-4164
https://www.canyoncounty.id.gov/elected-officials/commissioners/development-services/

HEARING SCHEDULE

Date: October 21, 2025

Re: **Conditional Use Permit – Barnes – CU2025-0012**

To the applicant on file:

The above-referenced application has been scheduled for a public hearing. The meeting schedule and materials deadline are listed below:

Planning & Zoning Commission – Public Hearing: December 4, 2025; 6:30 pm
Location: Public Meeting Room
(1st floor of Canyon County Administration Building, 111 N. 11th Ave., Caldwell, ID 83605)

The staff report and exhibits will be posted on the Land Hearings website (https://www.canyoncounty.id.gov/land-hearings/) approximately 7 days prior to the subject hearing.

Materials Deadline: November 24, 2025

The term "materials" broadly refers to any written comments, documents, exhibits, visual presentations, or similar items that are to be transmitted to the presiding party as evidence for review, regardless of format.

In accordance with Canyon County Ordinance §01-17-07(2) all materials to be transmitted to the Presiding Party to be relied on as part of the record must be received by the materials deadline, which shall be at a minimum of ten (10) days prior to the public hearing. Materials received by the deadline will be automatically made a part of the record. This deadline is to provide ample time for inclusion in the staff report packet, hearing body review, full transparency, and access for the public. The submission of late documents or other materials does not allow all parties time to address the material or allow sufficient time for public review.

Presentation:
You should come prepared to present your request before the hearing body and stand for questions. A presentation (PowerPoint, PDF, reference board) brought on the day of the meeting will not be accepted and must be submitted by the aforementioned materials deadline.

As the applicant or representative, you will be presenting your application to the hearing body prior to staff and public testimony. In order to testify you will need to sign in prior to the start of the hearing. Generally, you will be allotted ten minutes to present your application and after all testimony is received, you will be allotted an additional five minutes for rebuttal.

Sincerely,

Amber Lewter

Associate Planner

Canyon County Development Services Department

Exhibit B3:

Archived: Wednesday, November 5, 2025 8:41:04 AM
From: Duane Barnes
Mail received time: Tue, 4 Nov 2025 20:46:29
Sent: Tue, 4 Nov 2025 13:46:08
To: Amber Lewter
Subject: [External] Re: 11.4.25 Conversation
Importance: Normal
Sensitivity: None
Attachments:
image001.png;

That sounds correct. Thank you!

Duane Barnes
Barnes Construction LLC
208-573-3940

On Tue, Nov 4, 2025, 1:43 PM Amber Lewter <Amber.Lewter@canyoncounty.id.gov> wrote:

> Hello Mr. Barnes,
>
> Thank you for speaking to me today about the proposed conditions. Below is a recap of our conversation:
>
> You would prefer not to have the sight-obscuring fence condition. I explained that it is part of the criteria for a contractor shop within the code, and I offered to work with you to have the same intent of being sight-obscuring. You explained your concerns that it is obscuring your view of the rural surroundings that you moved there for, that there are no residential properties, only pasture, and the cost involved. It was explained that you could speak to the Commissioners at the hearing to ask for that condition to be removed and that I would make a statement in my presentation of your request.
>
> There was also concern that the change of occupancy condition made it sound like you were going to be building new structures. The word pre-existing was added to the condition to better clarify that the proposal is not for new structures.
>
> I also addressed the RVs on the property. You explained the residence on the property is currently multi-generational, and the RVs on the property are owned by the residents of the home; they are not occupied.
>
> Please let me know if I missed anything, and reach out with any future questions or concerns.
>
> Thank you,
>
> **Amber Lewter**
>
> Associate Planner
>
> Canyon County Development Services Department

Exhibit B4:

EXHIBIT B4

Case Maps/Reports

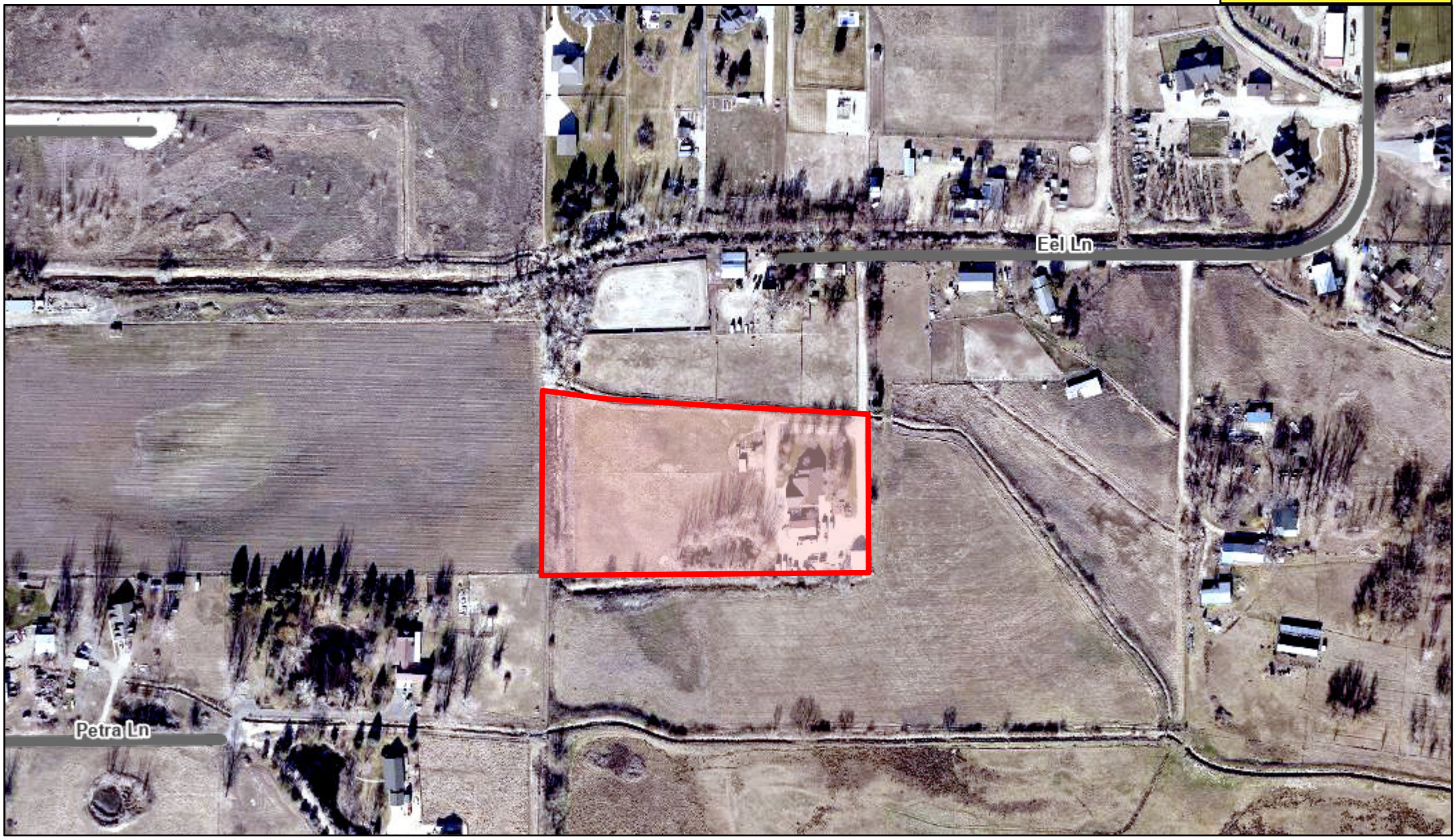
Planning & Zoning Commission

Case #: CU2025-0012

Hearing date: December 4, 2025

Canyon County, ID Web Map

Exhibit B4.1:



6/3/2025, 9:19:39 AM

Multiple Parcel Search _Query result

CC_PrivateRoads

CanyonCountyRoads

Roads

Imagery_2025_3in

Red: Band_1

Green: Band_2

Blue: Band_3

1:4,514

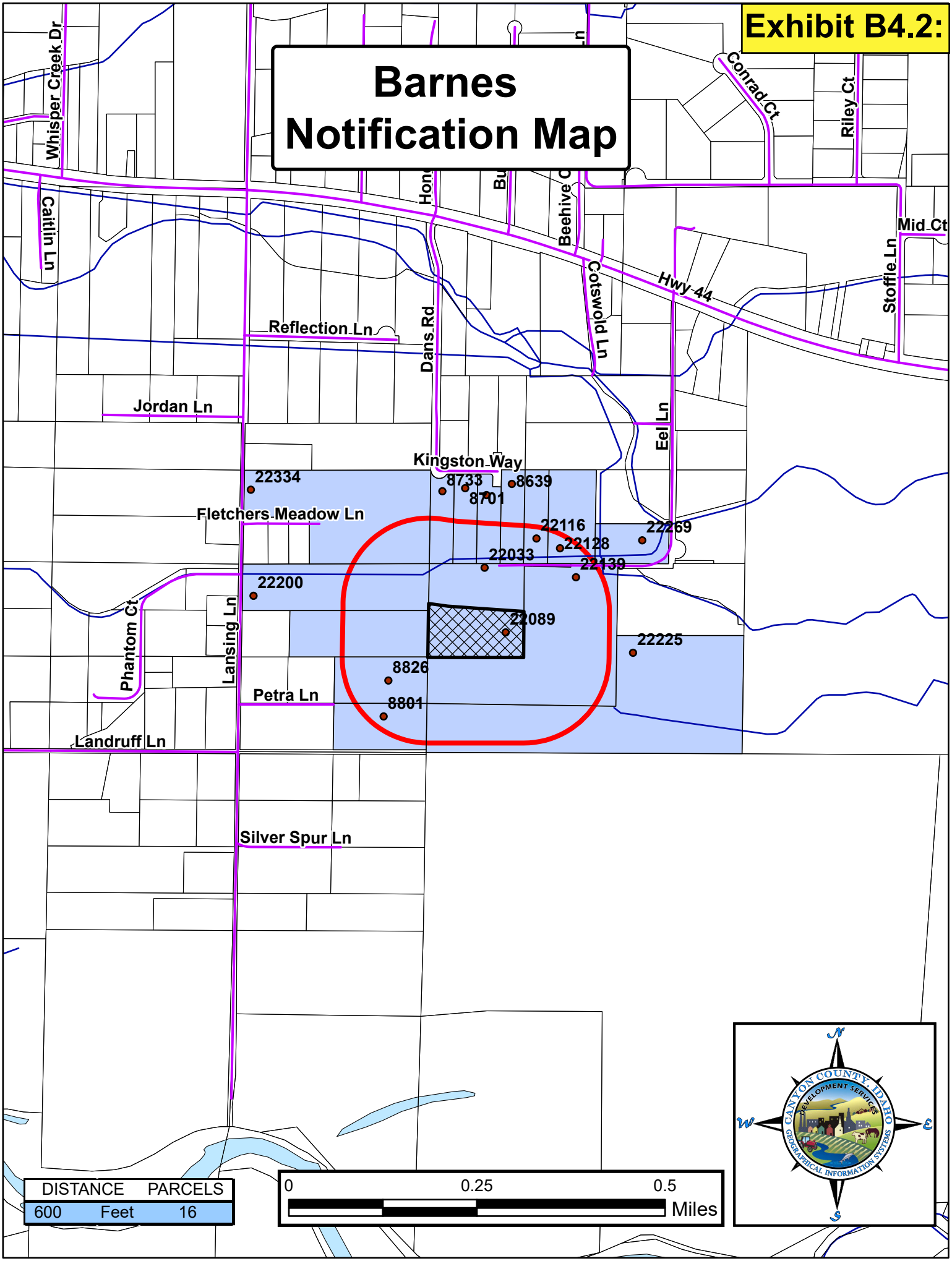
0 0.03 0.06 0.11 mi

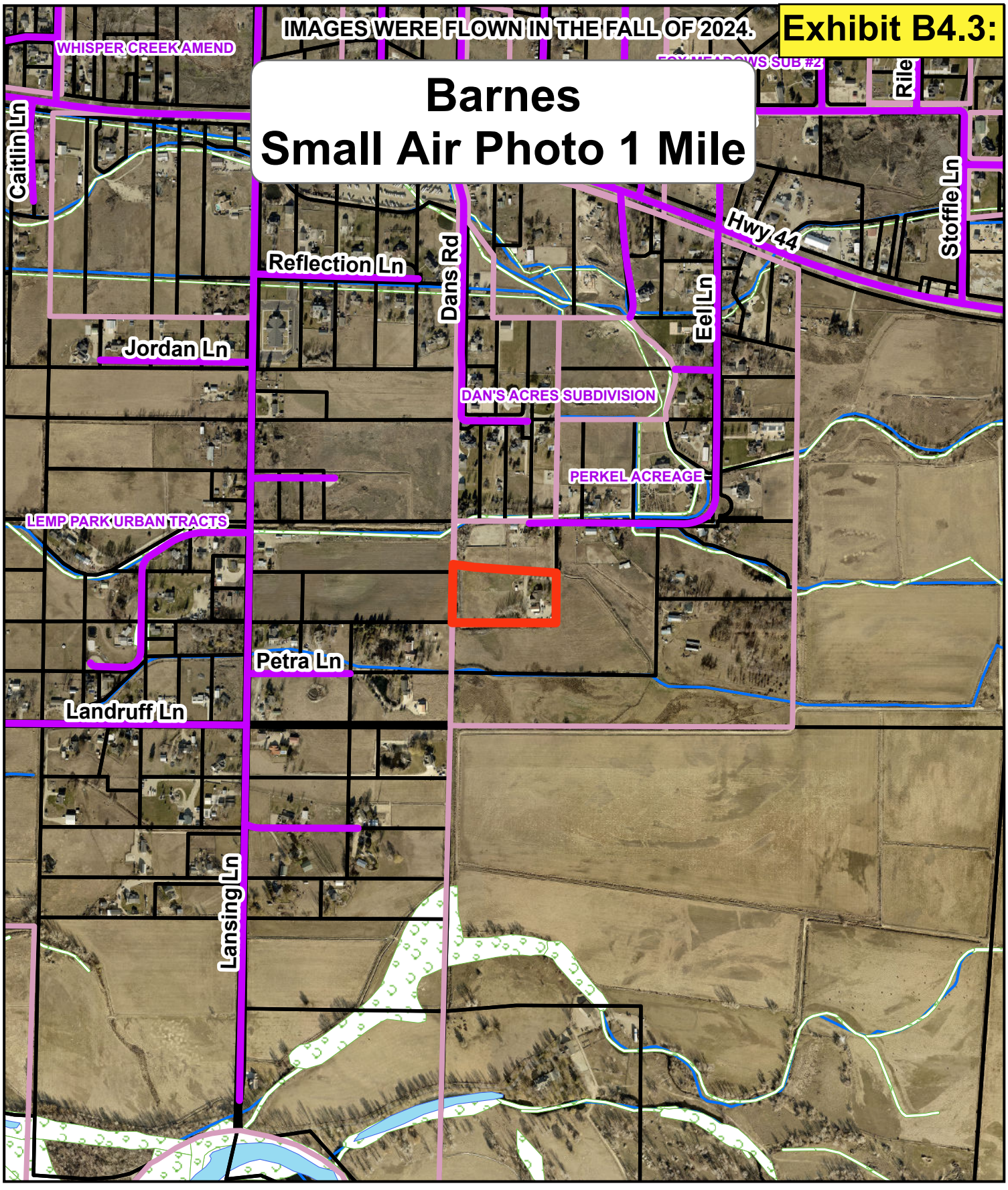
0 0.04 0.09 0.17 km

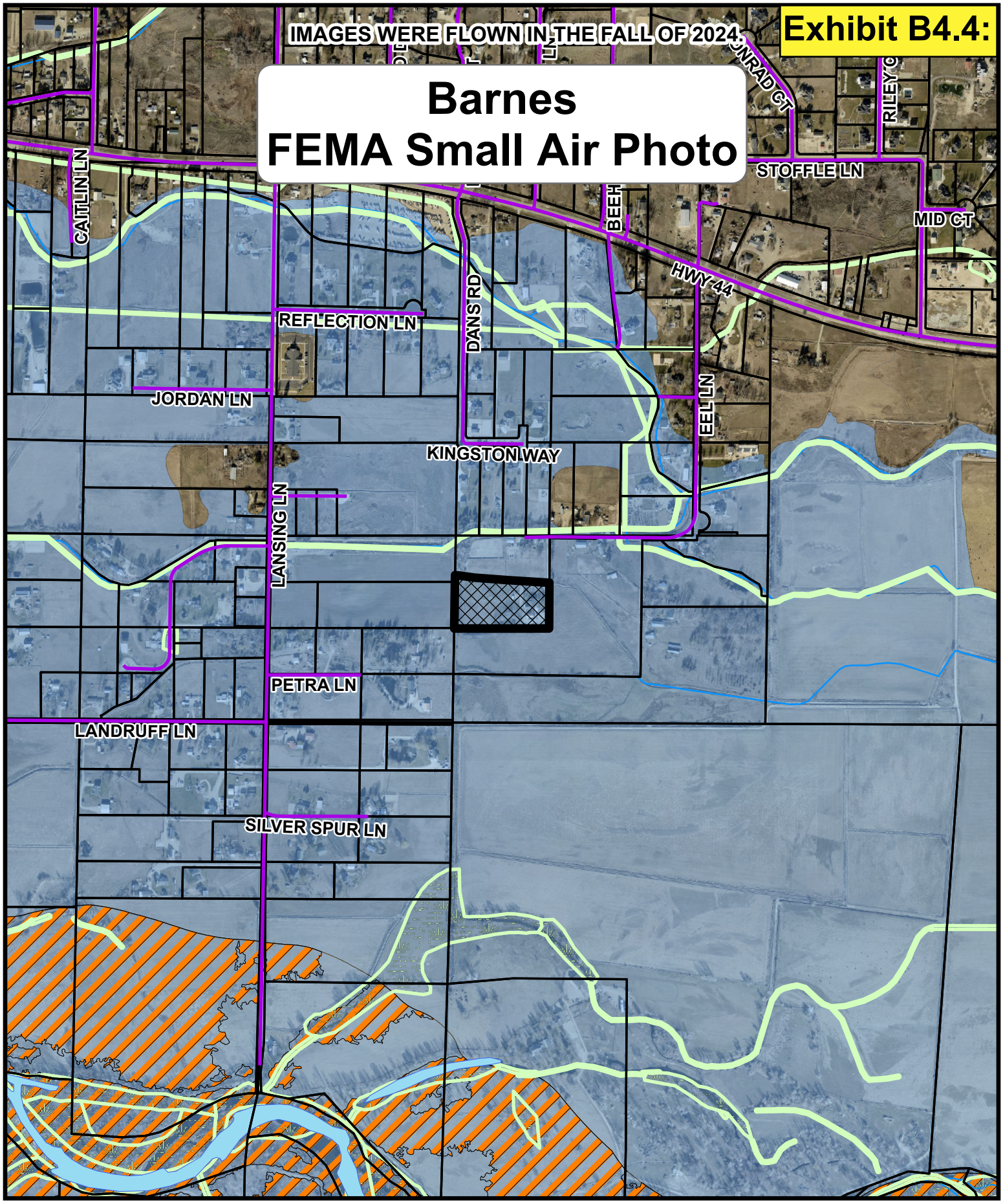
Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

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 |


Exhibit B4.2:
Barnes
Notification Map
Whisper Creek Dr
Caitlin Ln
Conrad Ct
Riley Ct
Mid Ct
Stoffle Ln
Hwy 44
Cotswold Ln
Beehive Ct
Dans Rd
Reflection Ln
Jordan Ln
Eel Ln
Kingston Way
22334
8733
8639
8701
Fletchers Meadow Ln
22116
22269
22128
22033
22139
22200
22089
22225
8826
8801
Phantom Ct
Lansing Ln
Petra Ln
Landruff Ln
Silver Spur Ln
DISTANCE PARCELS
600 Feet 16
0 0.25 0.5
Miles
CANYON COUNTY, IDAHO
DEVELOPMENT SERVICES
GEOGRAPHICAL INFORMATION SYSTEMS
N
W
E
S


IMAGES WERE FLOWN IN THE FALL OF 2024.
Exhibit B4.3:
Barnes
Small Air Photo 1 Mile
WHISPER CREEK AMEND
FOX MEADOWS SUB #2
Caitlin Ln
Rile
Stoffle Ln
Hwy 44
Reflection Ln
Dans Rd
Eel Ln
Jordan Ln
DAN'S ACRES SUBDIVISION
PERKEL ACREAGE
LEMP PARK URBAN TRACTS
Petra Ln
Landruff Ln
Lansing Ln
City_Limits
Wetlands
0
0.25
0.5
Miles


IMAGES WERE FLOWN IN THE FALL OF 2024
Exhibit B4.4:
Barnes
FEMA Small Air Photo
CAITLIN LN
STOFFLE LN
MID CT
HWY 44
REFLECTION LN
DANS RD
JORDAN LN
EEL LN
KINGSTON WAY
LANSING LN
PETRA LN
LANDRUFF LN
SILVER SPUR LN
Legend
SUBJECT_PROPERTY
TAXLOTS
WETLANDS
A
AE
X
400 0 400
Feet

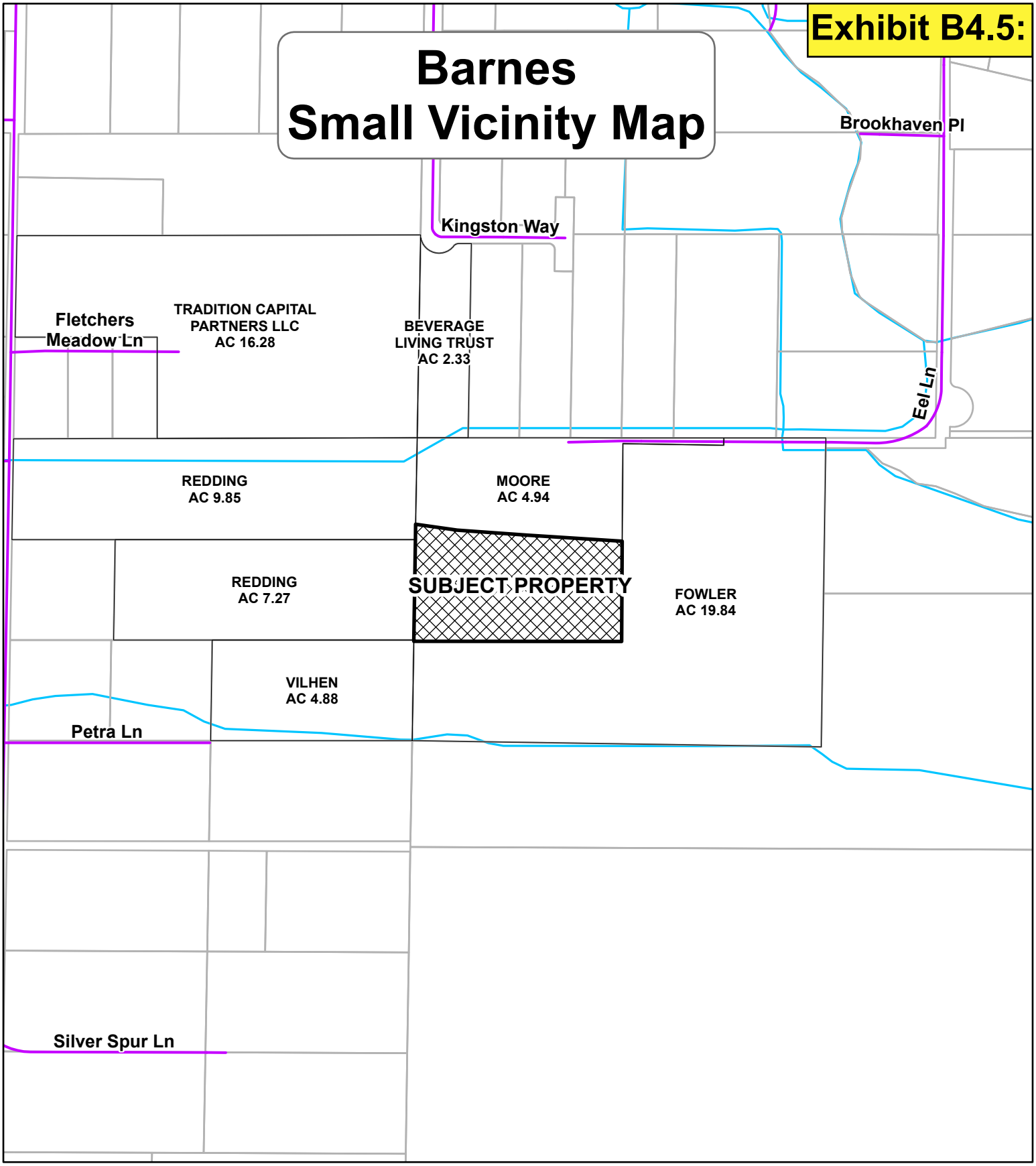
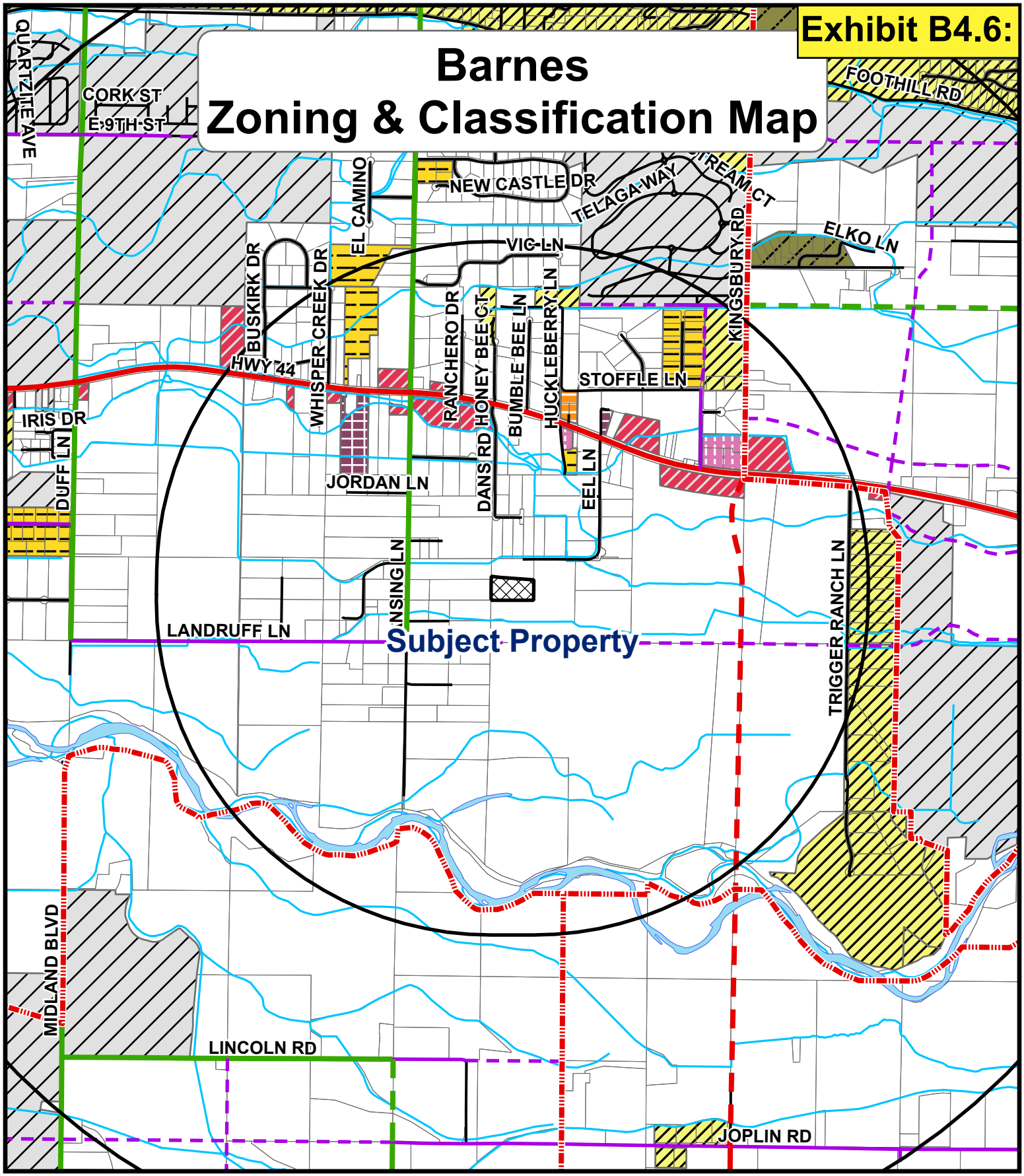
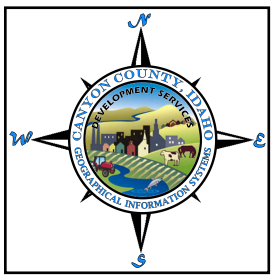

Exhibit B4.5:
Barnes
Small Vicinity Map
Brookhaven Pl
Kingston Way
Fletchers Meadow Ln
TRADITION CAPITAL PARTNERS LLC AC 16.28
BEVERAGE LIVING TRUST AC 2.33
Eel Ln
REDDING AC 9.85
MOORE AC 4.94
REDDING AC 7.27
SUBJECT PROPERTY
FOWLER AC 19.84
VILHEN AC 4.88
Petra Ln
Silver Spur Ln
N
W
E
S
CANYON COUNTY, IDAHO
DEVELOPMENT SERVICES
GEOGRAPHICAL INFORMATION SYSTEMS
0
0.13
0.25
Miles

Exhibit B4.6:

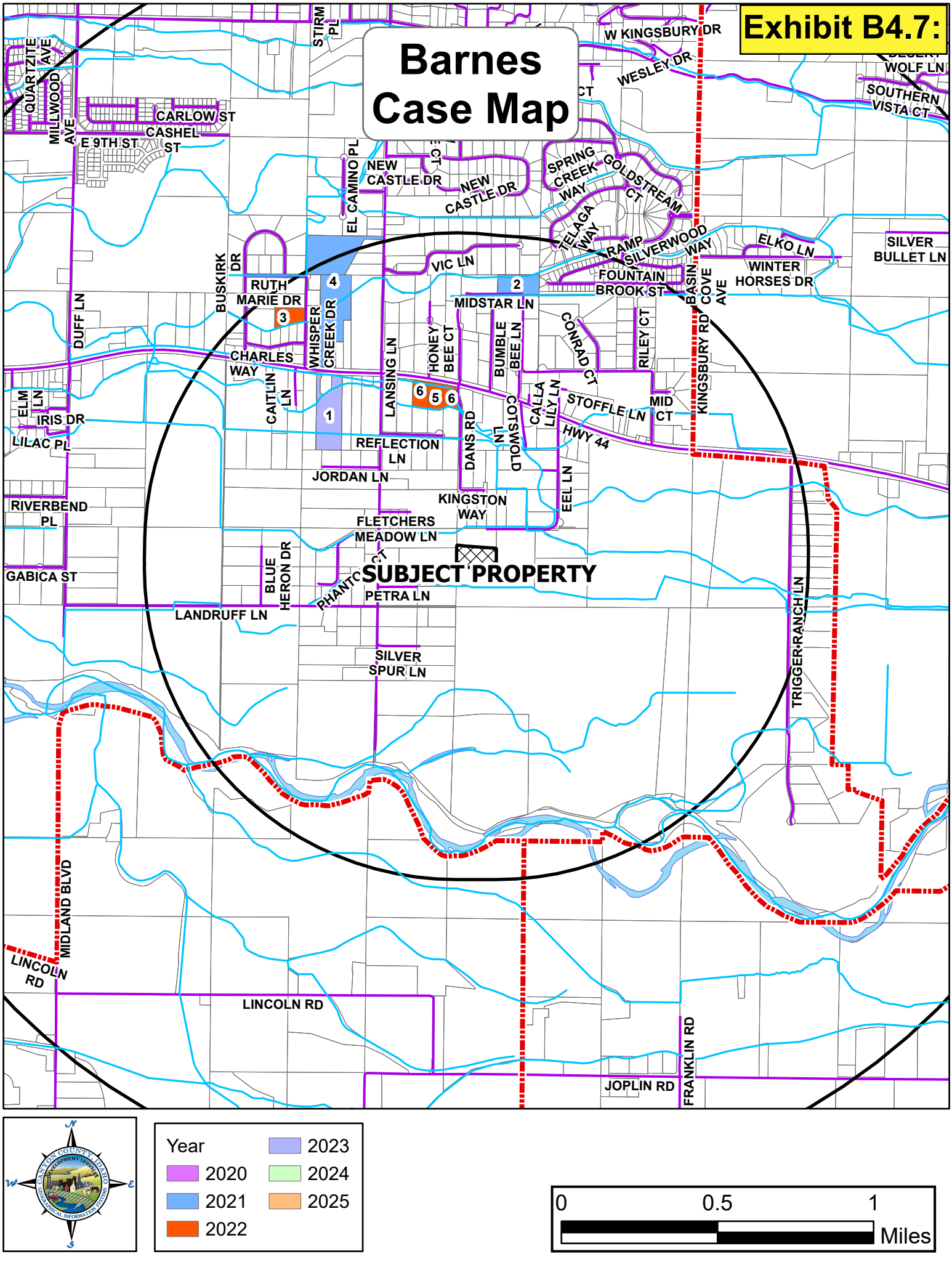
Barnes
Zoning & Classification Map





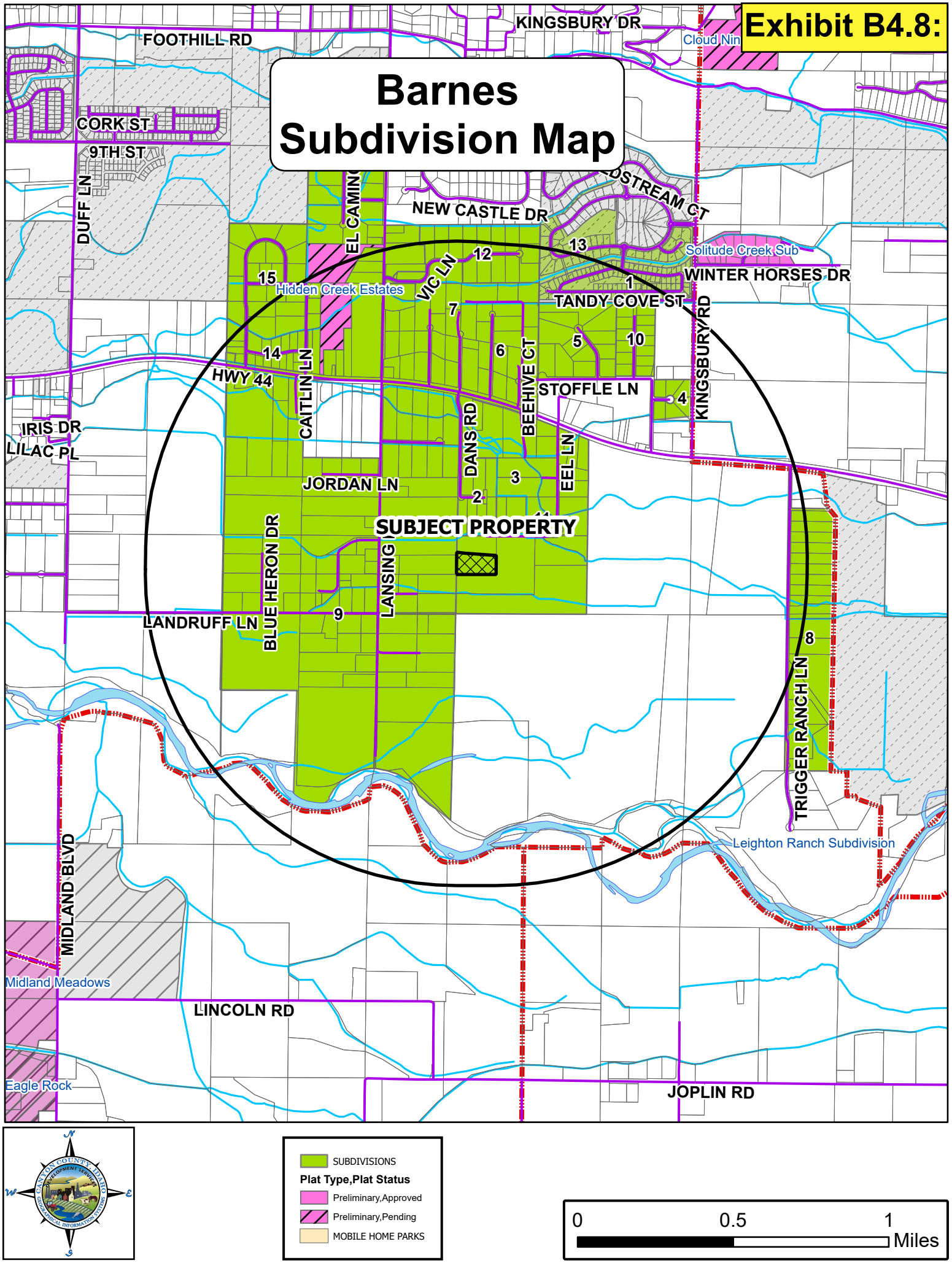
- RR
- CR-RR
- R1
- CR-R1
- R2
- C
- C1
- CR-C1
- C2
- CR-C2
- M1
- CR-M1
- M2
- AG
- INTERSTATE
- OTHER FREEWAY/ EXPRESSWAY
- PROPOSED OTHER FREEWAY/ EXPRESSWAY
- PRINCIPAL ARTERIAL
- PROPOSED PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- PROPOSED MINOR ARTERIAL
- COLLECTOR
- PROPOSED COLLECTOR

0 0.25 0.5 Miles


Exhibit B4.7:
Barnes Case Map
SUBJECT PROPERTY
W KINGSBURY DR
WESLEY DR
WOLF LN
SOUTHERN VISTA CT
STIRM PL
QUARTZITE AVE
MILLWOOD AVE
CARLOW ST
CASHEL ST
E 9TH ST
EL CAMINO PL
NEW CASTLE DR
SPRING CREEK WAY
GOLDSTREAM CT
TELAGA WAY
RAMP
SILVERWOOD WAY
ELKO LN
SILVER BULLET LN
WINTER HORSES DR
VIC LN
FOUNTAIN BROOK ST
BASIN COVE AVE
BUSKIRK DR
RUTH MARIE DR
WHISPER CREEK DR
MIDSTAR LN
DUFF LN
CHARLES WAY
HONEY BEE CT
BUMBLE BEE LN
CONRAD CT
RILEY CT
KINGSBURY RD
CAITLIN LN
LANSING LN
ELM LN
IRIS DR
LILAC PL
REFLECTION LN
JORDAN LN
DANS RD
COTSWOLD LN
CALLA LILY LN
STOFFLE LN
MID CT
HWY 44
EEL LN
KINGSTON WAY
RIVERBEND PL
FLETCHERS MEADOW LN
GABICA ST
BLUE HERON DR
PHANTOM CT
PETRA LN
LANDRUFF LN
SILVER SPUR LN
TRIGGER RANCH LN
MIDLAND BLVD
LINCOLN RD
LINCOLN RD
FRANKLIN RD
JOPLIN RD
Year
2020
2021
2022
2023
2024
2025
0
0.5
1
Miles

CASE SUMMARY

ID	CASENUM	REQUEST	CASENAME	FINALDECIS
1	RZ2021-0061	AG to CR-C2	AG Development LLC	APPROVED
2	RZ2020-0016	Rezone AG to RR	Jensen	APPROVED
3	CU2022-0039	Small Animal Facility	May Calins Slaughter	APPROVED
4	RZ2020-0027	Rezone AG to R1	Schatzel	APPROVED
5	CU2022-0028	Expand RV Storage	Wyatt Legacy LLC	APPROVED
6	CU2022-0028	Expand RV Storage	Wyatt Legacy LLC	APPROVED


Exhibit B4.8:
Barnes Subdivision Map
KINGSBURY DR
FOOTHILL RD
Cloud Nin
CORK ST
9TH ST
DUFF LN
NEW CASTLE DR
DSTREAM CT
Solitude Creek Sub
WINTER HORSES DR
TANDY COVE ST
KINGSBURY RD
Hidden Creek Estates
VIC LN
HWY 44
CAITLIN LN
BEEHIVE CT
STOFFLE LN
IRIS DR
LILAC PL
DANS RD
EEL LN
JORDAN LN
SUBJECT PROPERTY
BLUE HERON DR
LANSING
LANDRUFF LN
TRIGGER RANCH LN
Leighton Ranch Subdivision
MIDLAND BLVD
Midland Meadows
LINCOLN RD
Eagle Rock
JOPLIN RD
1
2
3
4
5
6
7
8
9
10
12
13
14
15
SUBDIVISIONS
Plat Type,Plat Status
Preliminary,Approved
Preliminary,Pending
MOBILE HOME PARKS
0
0.5
1
Miles

SUBDIVISION & LOT REPORT

NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
15	1510.47	417	3.62

NUMBER OF SUBS IN PLATTING	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
1	26.38	17	1.55

NUMBER OF LOTS NOTIFIED	AVERAGE	MEDIAN	MINIMUM	MAXIMUM
16	7.55	4.91	2.26	27.21

NUMBER OF MOBILE HOME PARKS	ACRES IN MHP	NUMBER OF SITES	AVG HOMES PER ACRE	MAXIMUM
0				

PLATTED SUBDIVISIONS

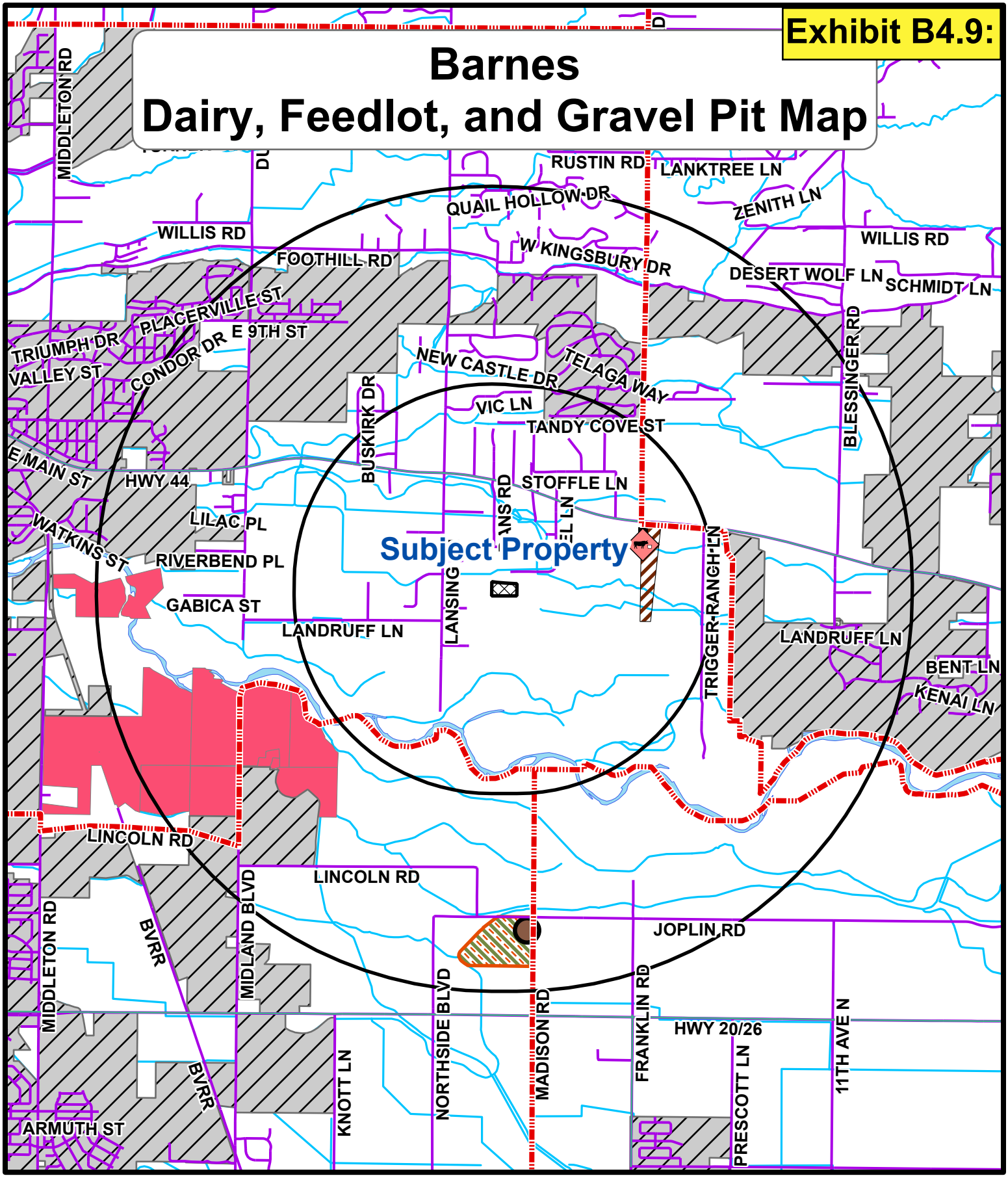
SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF...	Year
CRESCENT LAKES SUBDIVISION	1	4N2W03	32.15	107	0.30	MIDDLETON	2021
DAN'S ACRES SUBDIVISION	2	4N2W10	23.51	10	2.35	COUNTY (Canyon)	2005
EEL LANE ESTATES - VACATED with Inst. # 2012013741	3	4N2W10	10.15	5	2.03	COUNTY (Canyon)	2008
FOX MEADOWS SUB	4	4N2W10	8.70	6	1.45	COUNTY (Canyon)	2004
FOX MEADOWS SUB #2	5	4N2W10	39.68	13	3.05	COUNTY (Canyon)	2004
GREENVIEW ACRES	6	4N2W10	61.59	20	3.08	COUNTY (Canyon)	1988
HONEY BEE ACRES SUBDIVISION	7	4N2W10	5.25	2	2.63	COUNTY (Canyon)	2018
LEIGHTON LAKE ESTATES SUBDIVISION	8	4N2W11&14	82.09	20	4.10	COUNTY (Canyon)	2020
LEMP PARK URBAN TRACTS	9	4N2W09	916.60	87	10.54	COUNTY (Canyon)	1913
LINFIELD ESTATES SUBDIVISION	10	4N2W10	18.92	13	1.46	COUNTY (Canyon)	2020
PERKEL ACREAGE	11	4N2W10	147.76	39	3.79	COUNTY (Canyon)	1911
SCHREINER ESTATES	12	4N2W03	49.40	20	2.47	COUNTY (Canyon)	1998
THE LAKES SUBDIVISION PH. 1	13	4N2W03	40.46	36	1.12	MIDDLETON	2015
WHISPER CREEK AMEND	14	4N2W09	18.47	19	0.97	COUNTY (Canyon)	1994
WHISPER CREEK ESTATES PH 2 AND 3	15	4N2W04	55.74	20	2.79	COUNTY (Canyon)	1995

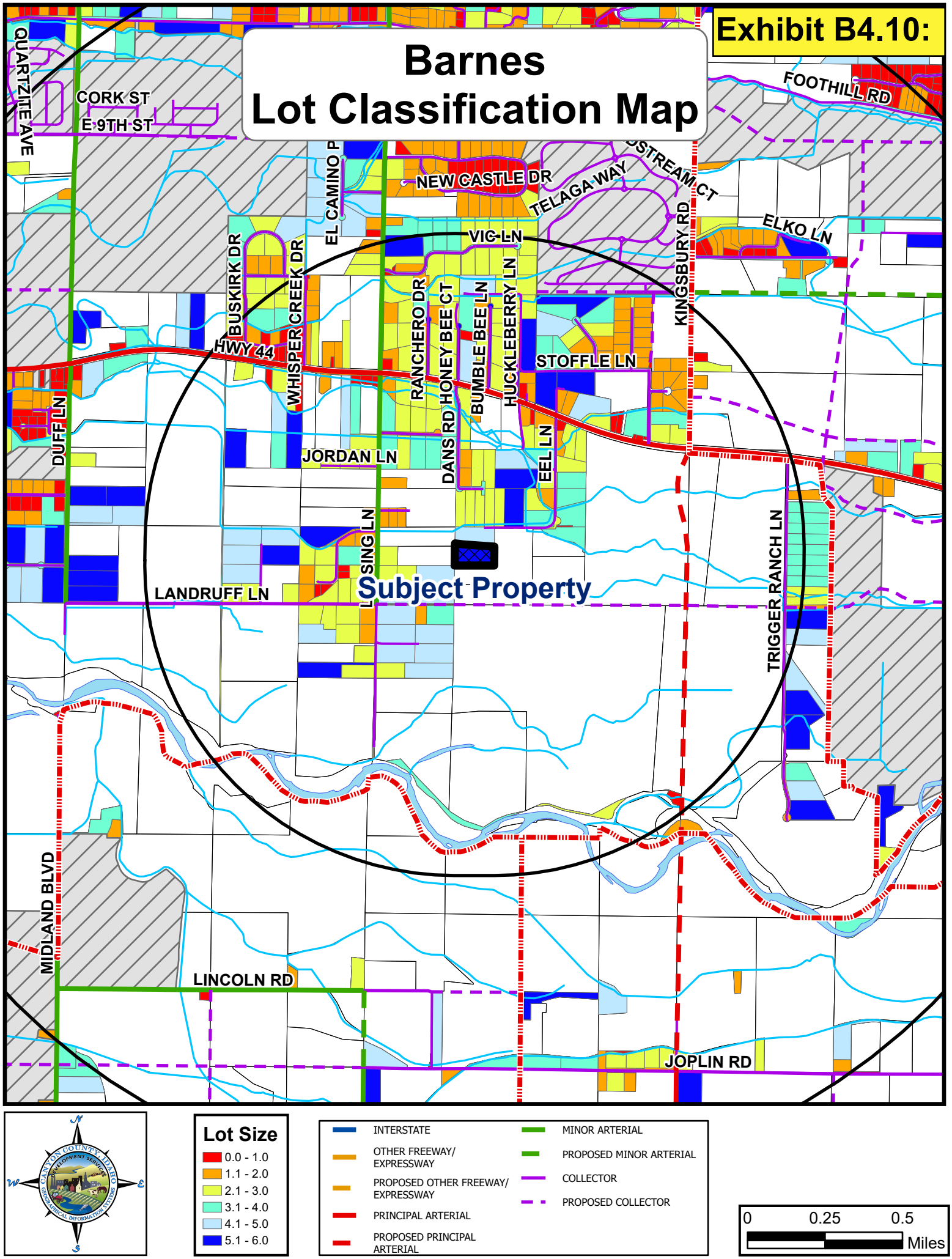
SUBDIVISIONS IN PLATTING

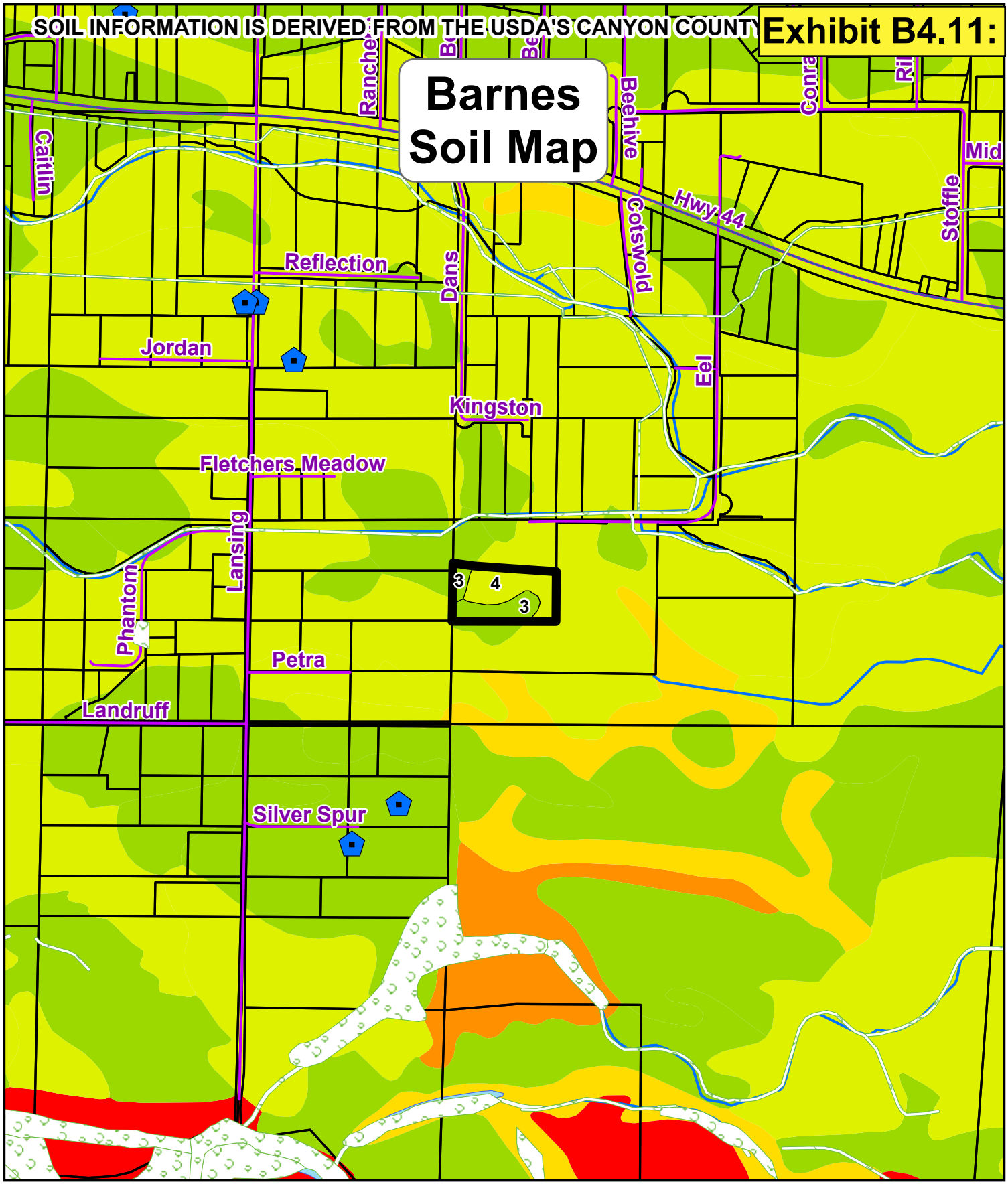
SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE
Hidden Creek Estates	26.38	17	1.55

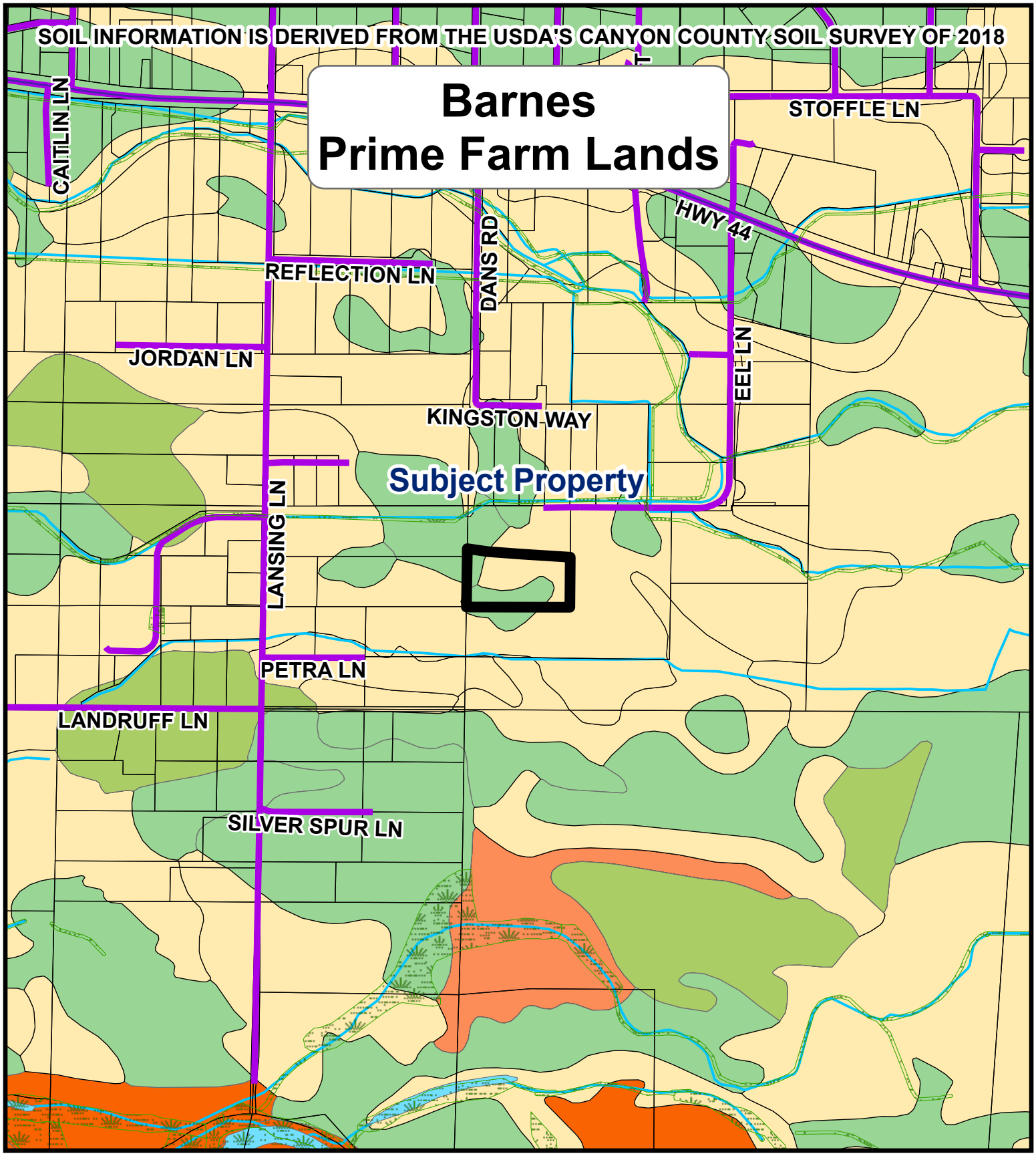
MOBILE HOME & RV PARKS

SUBDIVISION NAME	SITE ADDRESS	ACRES	NO. OF SPACES	UNITS PER ACRE	CITY OF...


Exhibit B4.9:
Barnes
Dairy, Feedlot, and Gravel Pit Map
MIDDLETON RD
RUSTIN RD
LANKTREE LN
QUAIL HOLLOW DR
ZENITH LN
WILLIS RD
FOOTHILL RD
W KINGSBURY DR
DESERT WOLF LN
SCHMIDT LN
PLACERVILLE ST
TRIUMPH DR
VALLEY ST
CONDOR DR
E 9TH ST
NEW CASTLE DR
TELAGA WAY
VIC LN
TANDY COVE ST
BLESSINGER RD
BUSKIRK DR
E MAIN ST
HWY 44
STOFFLE LN
LILAC PL
WATKINS ST
RIVERBEND PL
Subject Property
TRIGGER RANCH LN
GABICA ST
LANDRUFF LN
LANSING
BENT LN
KENAI LN
LINCOLN RD
MIDLAND BLVD
BVRR
JOPLIN RD
NORTHSIDE BLVD
MADISON RD
FRANKLIN RD
HWY 20/26
11TH AVE N
KNOTT LN
PRESCOTT LN
ARMUTH ST
FEEDLOTS
DAIRIES
GRAVELPITS
0
1
2
Miles


Exhibit B4.10:
Barnes
Lot Classification Map
QUARTZITE AVE
CORK ST
E 9TH ST
FOOTHILL RD
EL CAMINO P
NEW CASTLE DR
TELAGA WAY
OSTREAM CT
KINGSBURY RD
ELKO LN
VIC LN
BUSKIRK DR
WHISPER CREEK DR
RANCHERO DR
HONEY BEE CT
BUMBLE BEE LN
HUCKLEBERRY LN
HWY 44
STOFFLE LN
DUFF LN
JORDAN LN
DANS RD
EEL LN
SING LN
Subject Property
LANDRUFF LN
TRIGGER RANCH LN
MIDLAND BLVD
LINCOLN RD
JOPLIN RD
Lot Size
0.0 - 1.0
1.1 - 2.0
2.1 - 3.0
3.1 - 4.0
4.1 - 5.0
5.1 - 6.0
INTERSTATE
OTHER FREEWAY/ EXPRESSWAY
PROPOSED OTHER FREEWAY/ EXPRESSWAY
PRINCIPAL ARTERIAL
PROPOSED PRINCIPAL ARTERIAL
MINOR ARTERIAL
PROPOSED MINOR ARTERIAL
COLLECTOR
PROPOSED COLLECTOR
0
0.25
0.5
Miles


SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY
Exhibit B4.11:
Barnes
Soil Map
Caitlin
Ranche
Beehive
Cotswold
Hwy 44
Stoffle
Mid
Reflection
Dans
Jordan
Eel
Kingston
Fletchers Meadow
Lansing
Phantom
3
4
3
Petra
Landruff
Silver Spur
Nitrate Priority Wells
0.005000 - 2.000000
2.000001 - 5.000000
5.000001 - 10.000000
10.000001 - 49.800000
IDWR_2C_Geothermal_
Wetlands
0
0.25
0.5
Miles


SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018
Barnes
Prime Farm Lands
CAITLIN LN
STOFFLE LN
HWY 44
REFLECTION LN
DANS RD
JORDAN LN
EEL LN
KINGSTON WAY
Subject Property
LANSING LN
PETRA LN
LANDRUFF LN
SILVER SPUR LN
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
0
0.125
0.25
Miles

SOIL REPORT

SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
3	MODERATELY SUITED SOIL	23397.92	0.54	10.04%
4	MODERATELY SUITED SOIL	134435.73	3.09	57.68%
3	MODERATELY SUITED SOIL	75253.43	1.73	32.29%
		233087.08	5.35	100%

FARMLAND REPORT

SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
FaA	Prime farmland if irrigated	23397.92	0.54	10.04%
MtA	Prime farmland if irrigated and drained	134435.73	3.09	57.68%
No	Prime farmland if irrigated	75253.43	1.73	32.29%
		233087.08	5.35	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

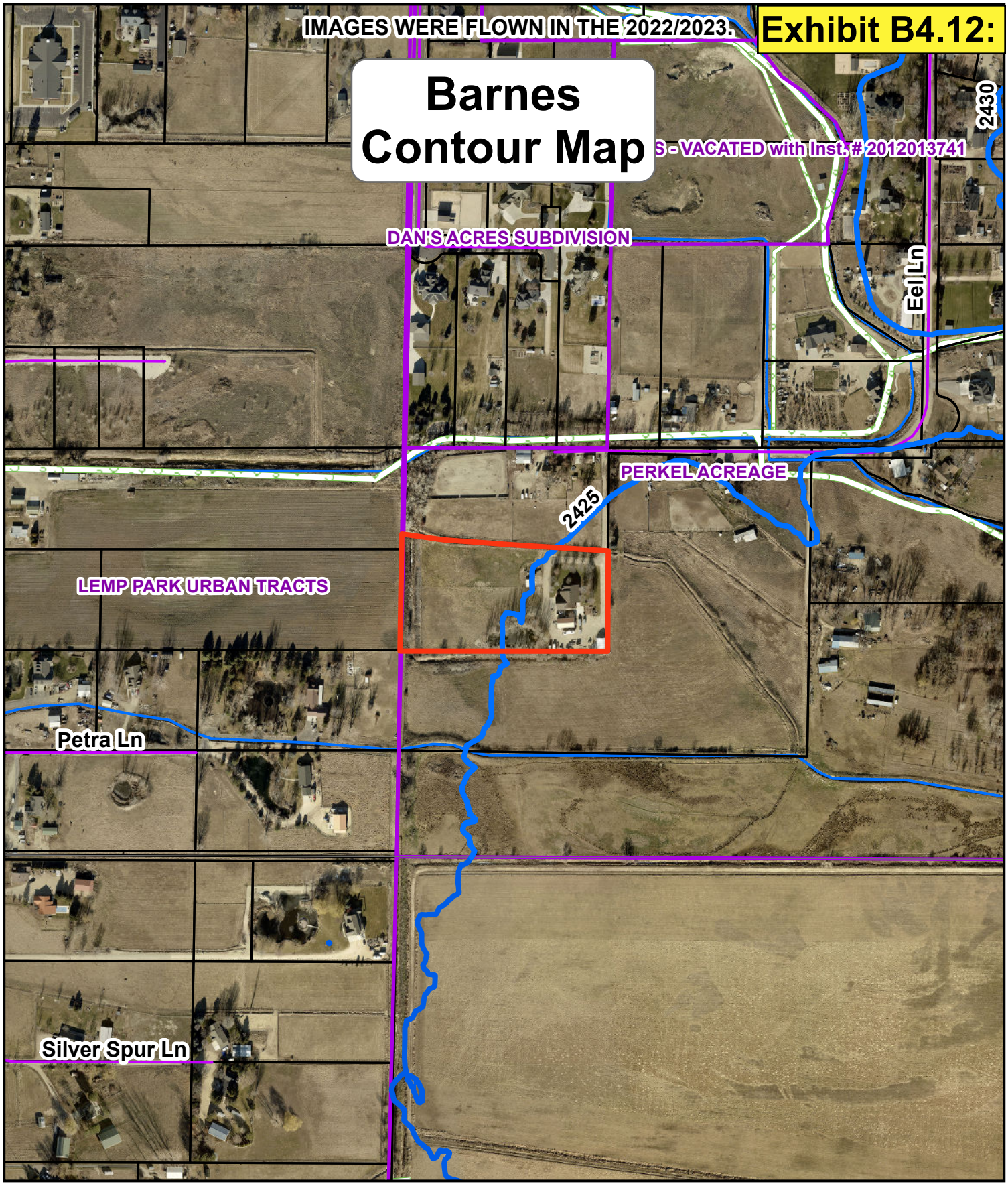
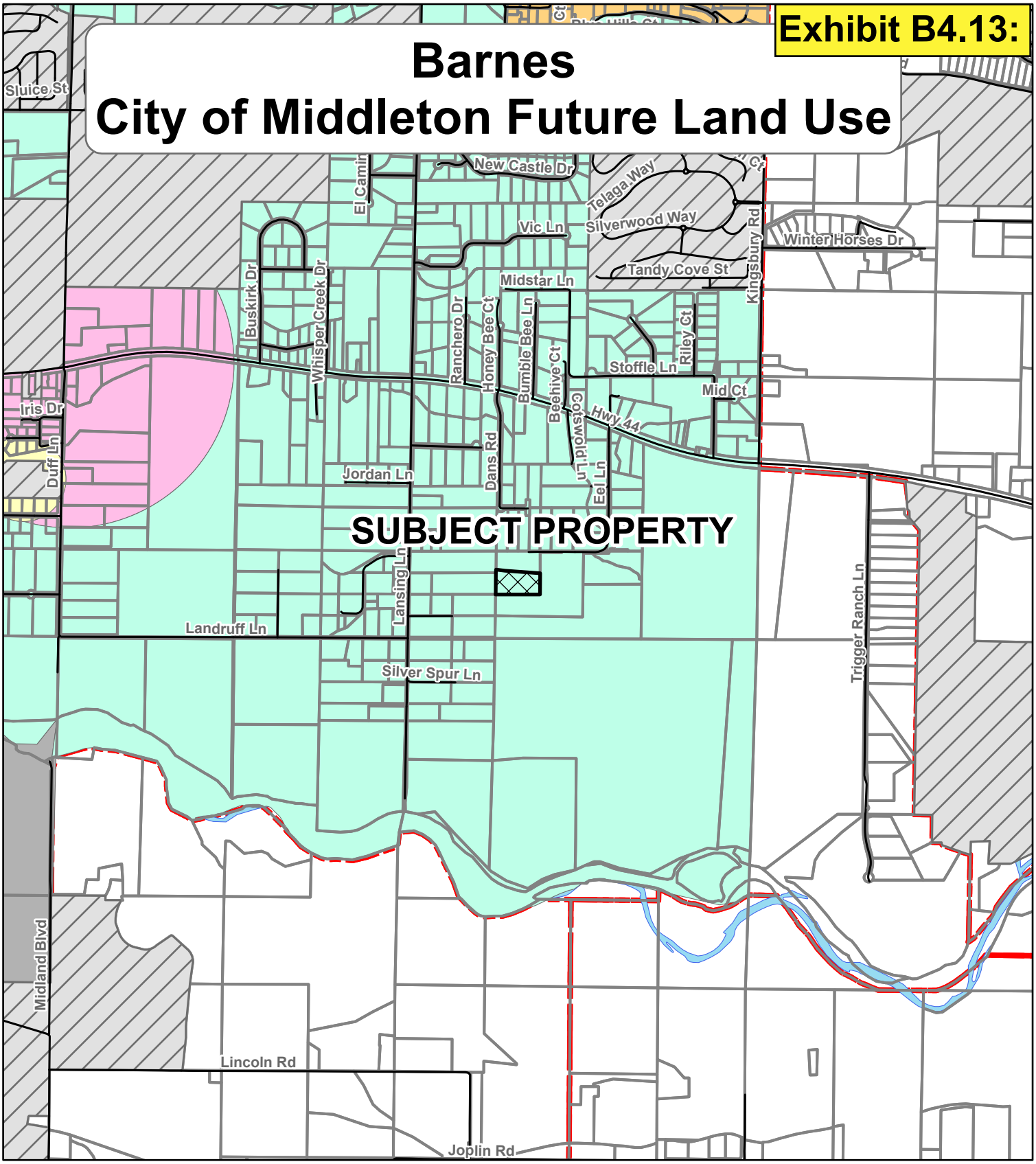
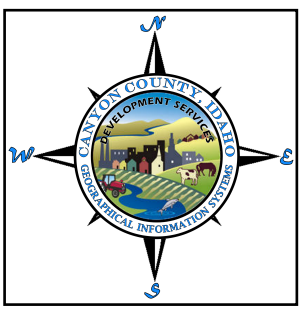

IMAGES WERE FLOWN IN THE 2022/2023.
Exhibit B4.12:
Barnes
Contour Map
S - VACATED with Inst.# 2012013741
2430
DAN'S ACRES SUBDIVISION
Eel Ln
PERKEL ACREAGE
2425
LEMP PARK URBAN TRACTS
Petra Ln
Silver Spur Ln
Legend
SUBJECT_PROPERTY
TaxParcels
SectionContours
Wetlands
0 200 400 600
Feet

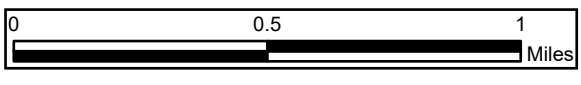
Exhibit B4.13:

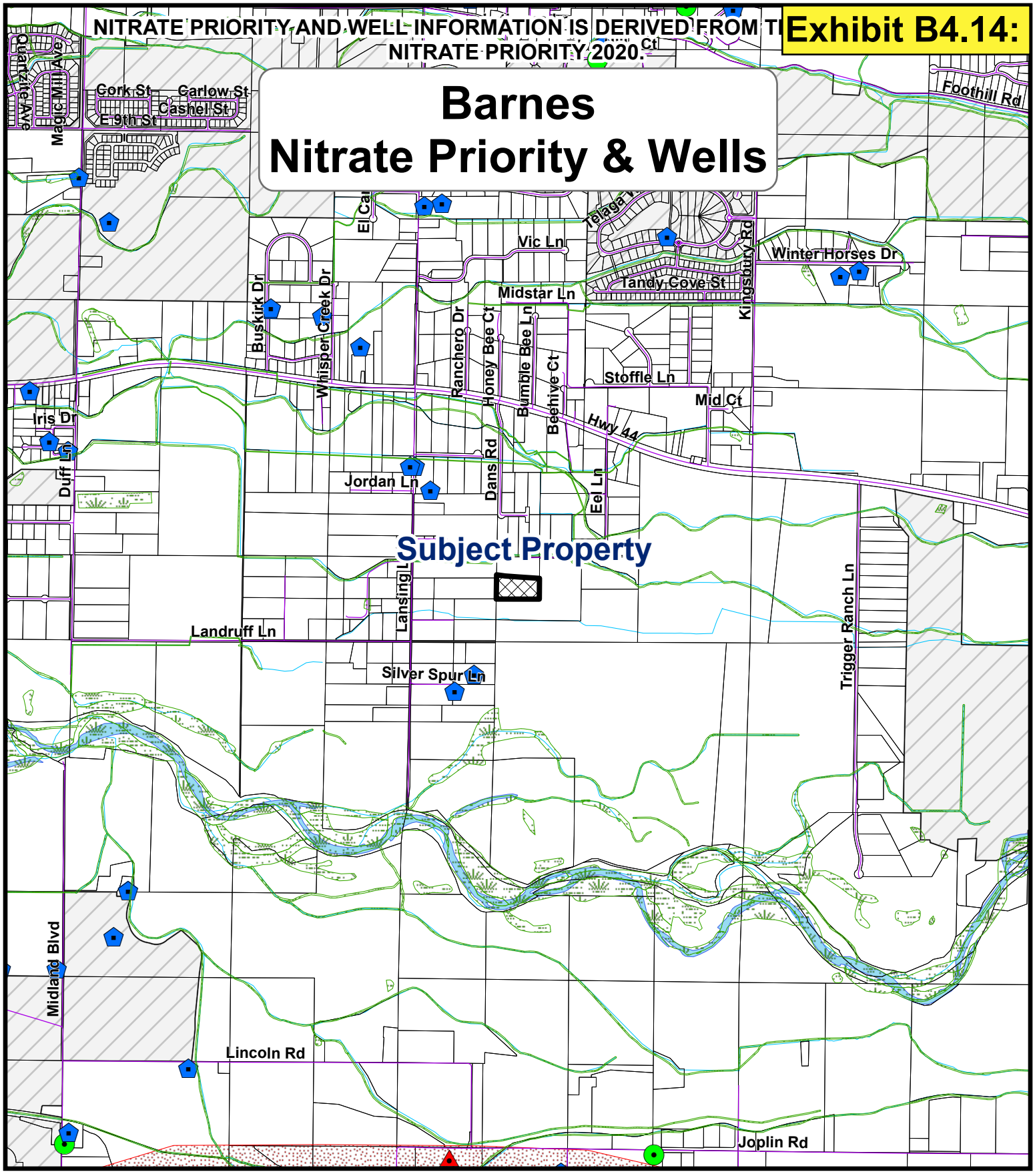
Barnes
City of Middleton Future Land Use

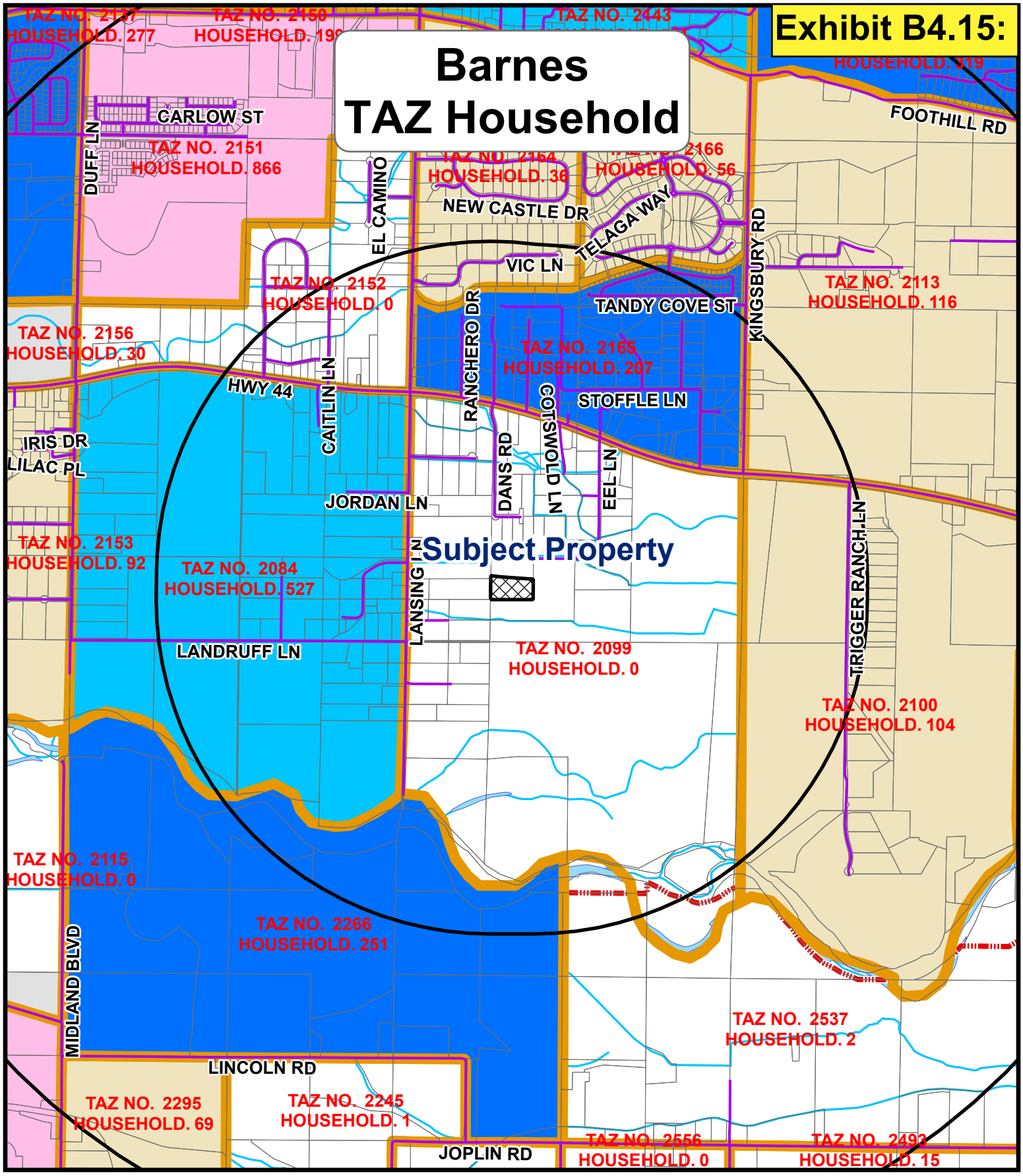


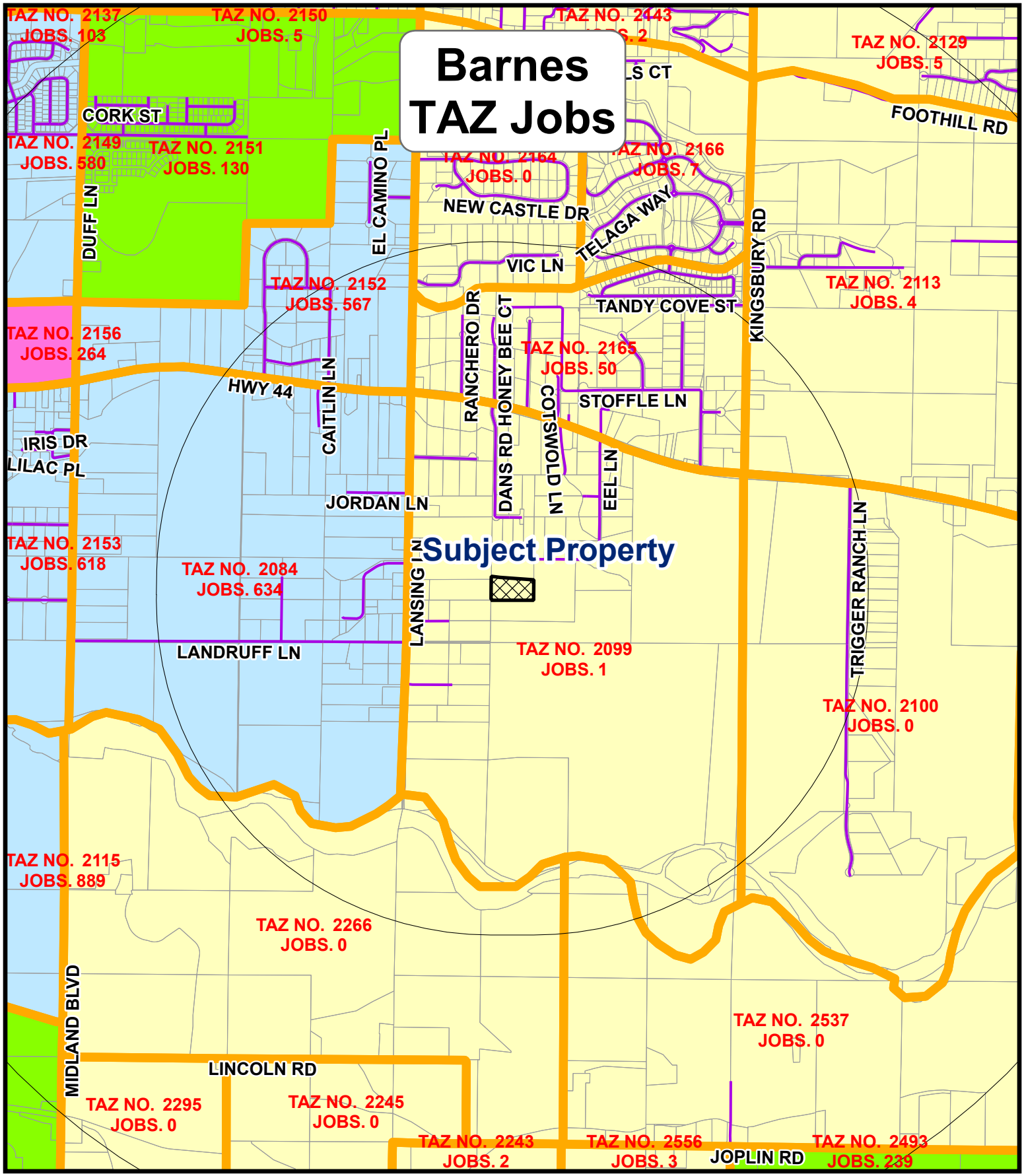


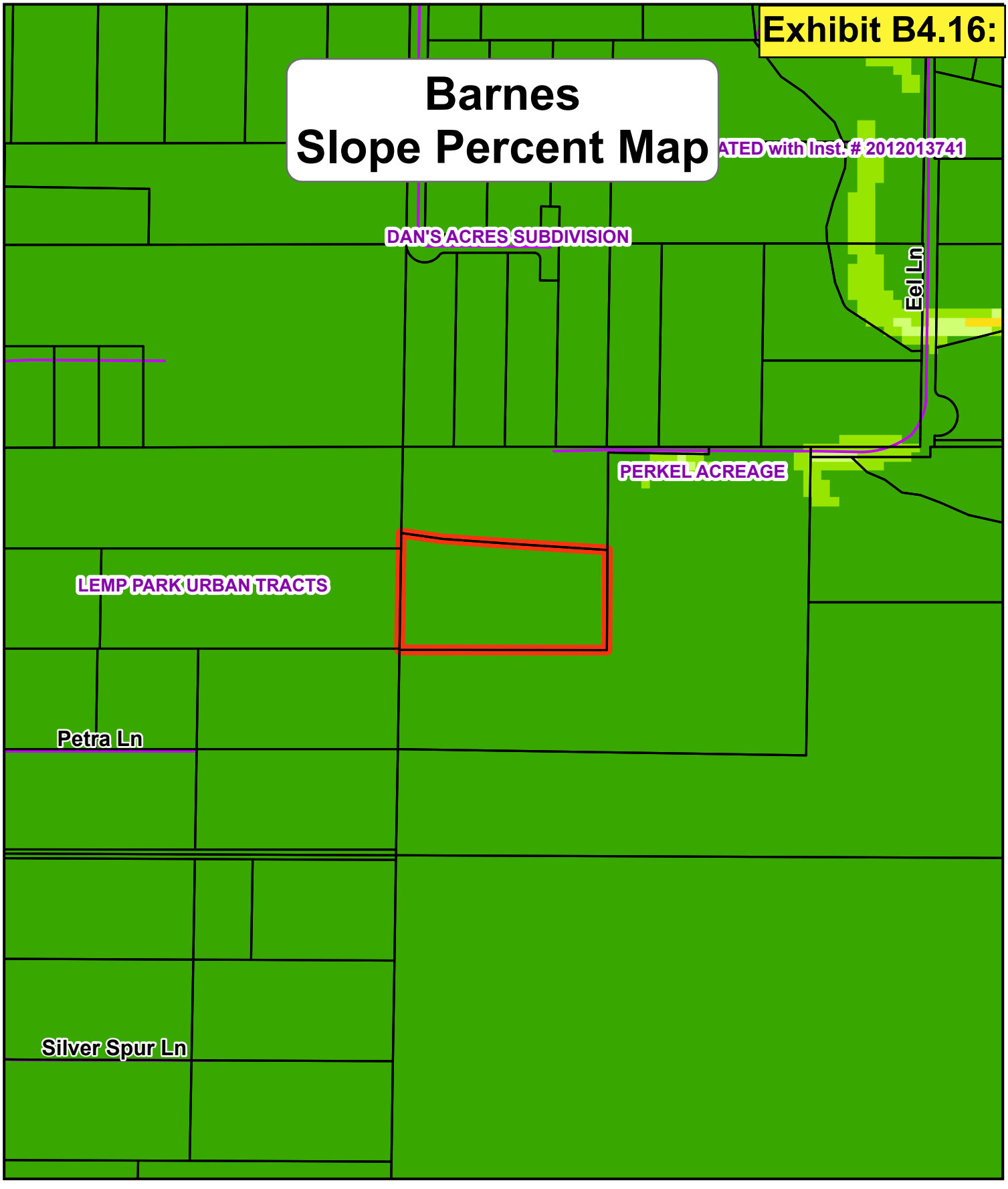
MiddletonCompPlan
- Commercial
- Industrial
- Mixed Use
- Public
- Residential
- Residential Special Areas
- Transit Oriented




NITRATE PRIORITY AND WELL INFORMATION IS DERIVED FROM TH
NITRATE PRIORITY 2020.
Exhibit B4.14:
Barnes
Nitrate Priority & Wells
Quartzite Ave
Magic Mill Ave
Gork St
Carlow St
Cashel St
E 9th St
Foothill Rd
Vic Ln
Telaga
Winter Horses Dr
Tandy Cove St
Midstar Ln
Kingsbury Rd
Buskirk Dr
Whisper Creek Dr
Ranchero Dr
Honey Bee Ct
Bumble Bee Ln
Beehive Ct
Stoffle Ln
Mid Ct
Hwy 44
Iris Dr
Duff Ln
Jordan Ln
Dans Rd
Eel Ln
Subject Property
Lansing L
Landruff Ln
Silver Spur Ln
Trigger Ranch Ln
Midland Blvd
Lincoln Rd
Joplin Rd
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
0
0.5
1
Miles


Exhibit B4.15:
Barnes
TAZ Household
TAZ NO. 2137
HOUSEHOLD. 277
TAZ NO. 2150
TAZ NO. 2443
HOUSEHOLD. 319
FOOTHILL RD
CARLOW ST
DUFF LN
TAZ NO. 2151
HOUSEHOLD. 866
EL CAMINO
TAZ NO. 2164
HOUSEHOLD. 36
TAZ NO. 2166
HOUSEHOLD. 56
NEW CASTLE DR
TELAGA WAY
VIC LN
KINGSBURY RD
TAZ NO. 2152
HOUSEHOLD. 0
TAZ NO. 2113
HOUSEHOLD. 116
TANDY COVE ST
TAZ NO. 2156
HOUSEHOLD. 30
RANCHERO DR
TAZ NO. 2165
HOUSEHOLD. 207
HWY 44
CAITLIN LN
COTSWOLD LN
STOFFLE LN
IRIS DR
LILAC PL
DANS RD
EEL LN
JORDAN LN
TAZ NO. 2153
HOUSEHOLD. 92
Subject Property
TAZ NO. 2084
HOUSEHOLD. 527
LANSING LN
TRIGGER RANCH LN
LANDRUFF LN
TAZ NO. 2099
HOUSEHOLD. 0
TAZ NO. 2100
HOUSEHOLD. 104
TAZ NO. 2115
HOUSEHOLD. 0
TAZ NO. 2266
HOUSEHOLD. 251
MIDLAND BLVD
TAZ NO. 2537
HOUSEHOLD. 2
LINCOLN RD
TAZ NO. 2295
HOUSEHOLD. 69
TAZ NO. 2245
HOUSEHOLD. 1
TAZ NO. 2556
HOUSEHOLD. 0
TAZ NO. 2493
HOUSEHOLD. 15
JOPLIN RD
House Hold 2025-2050
-4 - 50
51 - 150
151 - 250
251 - 500
501 - 750
751 - 1263
0
0.5
1
Miles


Barnes
TAZ Jobs
TAZ NO. 2137
JOBS. 103
TAZ NO. 2150
JOBS. 5
TAZ NO. 2443
TAZ NO. 2129
JOBS. 5
CORK ST
FOOTHILL RD
TAZ NO. 2149
JOBS. 580
TAZ NO. 2151
JOBS. 130
TAZ NO. 2164
JOBS. 0
TAZ NO. 2166
JOBS. 7
NEW CASTLE DR
TELAGA WAY
DUFF LN
EL CAMINO PL
VIC LN
KINGSBURY RD
TAZ NO. 2152
JOBS. 567
TAZ NO. 2113
JOBS. 4
TANDY COVE ST
TAZ NO. 2156
JOBS. 264
RANCHERO DR
HONEY BEE CT
TAZ NO. 2165
JOBS. 50
HWY 44
CAITLIN LN
COTSWOLD LN
STOFFLE LN
IRIS DR
LILAC PL
DANS RD
EEL LN
JORDAN LN
TRIGGER RANCH LN
TAZ NO. 2153
JOBS. 618
Subject Property
TAZ NO. 2084
JOBS. 634
LANSING LN
LANDRUFF LN
TAZ NO. 2099
JOBS. 1
TAZ NO. 2100
JOBS. 0
TAZ NO. 2115
JOBS. 889
TAZ NO. 2266
JOBS. 0
MIDLAND BLVD
TAZ NO. 2537
JOBS. 0
LINCOLN RD
TAZ NO. 2295
JOBS. 0
TAZ NO. 2245
JOBS. 0
TAZ NO. 2243
JOBS. 2
TAZ NO. 2556
JOBS. 3
JOPLIN RD
TAZ NO. 2493
JOBS. 239
N
W
E
S
CANYON COUNTY, IDAHO
DEVELOPMENT SERVICES
GEOGRAPHICAL INFORMATION SYSTEMS
Jobs 2025-2050
-1
0 - 100
101 - 250
251 - 500
501 - 1000
1001 - 2148
0
0.5
1
Miles


Exhibit B4.16:
Barnes
Slope Percent Map
ATED with Inst. # 2012013741
DAN'S ACRES SUBDIVISION
Eel Ln
PERKEL ACREAGE
LEMP PARK URBAN TRACTS
Petra Ln
Silver Spur Ln
Slope Percent
0.001 - 3
3.001 - 6
6.001 - 9
9.001 - 12
12.001 - 14.999
15 - 202.718
0
200
400
600
Feet

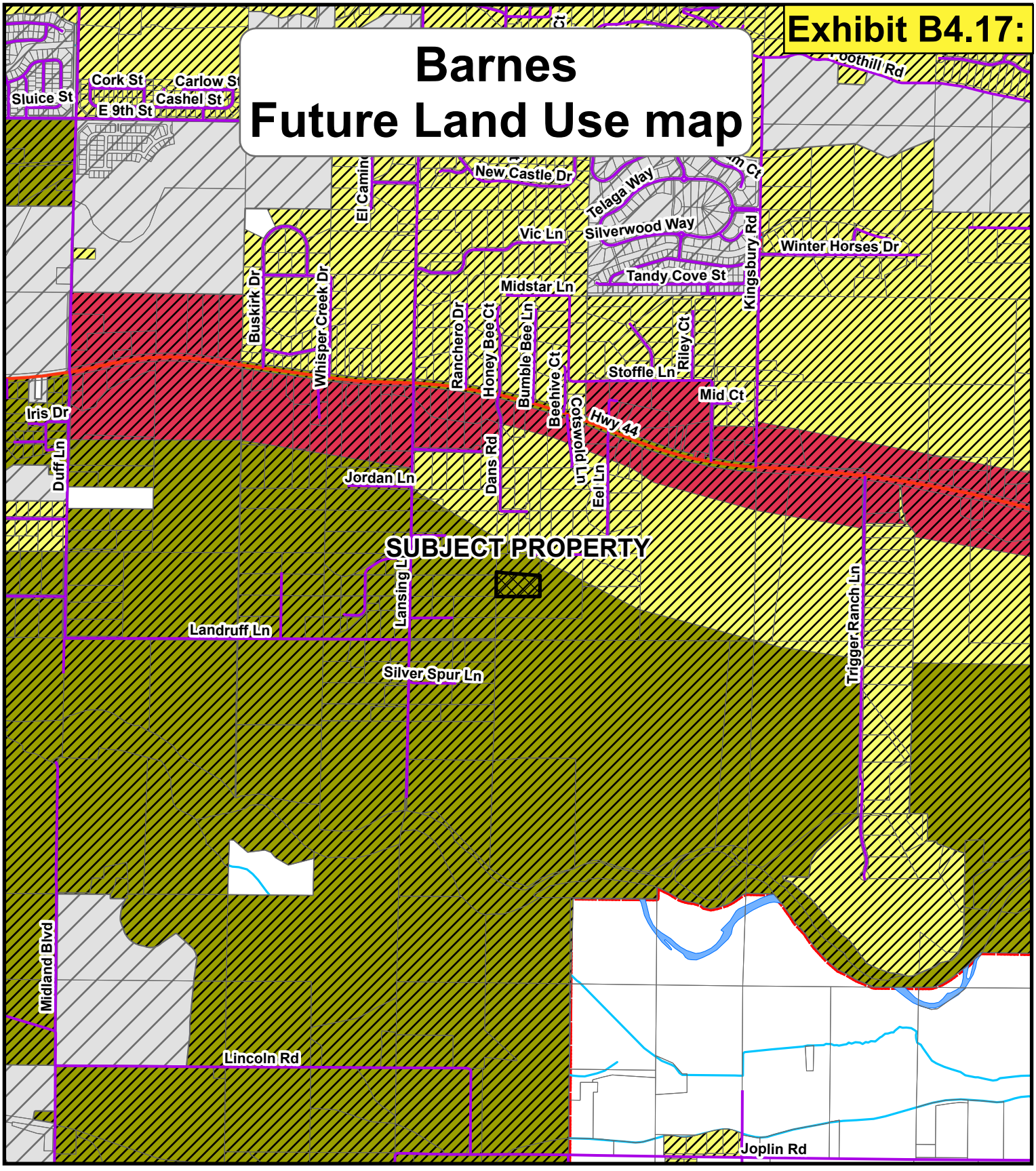

Exhibit B4.17:
Barnes
Future Land Use map
Sluice St
Cork St
Carlow St
Cashel St
E 9th St
Foothill Rd
New Castle Dr
Telaga Way
Silverwood Way
Vic Ln
Winter Horses Dr
Tandy Cove St
Kingsbury Rd
Midstar Ln
Buskirk Dr
Whisper Creek Dr
Ranchero Dr
Honey Bee Ct
Bumble Bee Ln
Beehive Ct
Cotswold Ln
Riley Ct
Stoffle Ln
Mid Ct
Hwy 44
Iris Dr
Duff Ln
Jordan Ln
Dans Rd
Eel Ln
SUBJECT PROPERTY
Lansing L
Landruff Ln
Silver Spur Ln
Trigger Ranch Ln
Midland Blvd
Lincoln Rd
Joplin Rd
Future Land Use 2030
COMMERCIAL
INDUSTRIAL
RESIDENTIAL
RURAL RESIDENTIAL
0
0.5
1
Miles

Exhibit C:

EXHIBIT C

Site Visit Photos: September 5, 2025

Planning & Zoning Commission

Case #: CU2025-0012

Hearing date: December 4, 2025

Site Photos: Taken September 5, 2025



Photo 1:
Taken on the parcels approach facing south towards the staging area & contractor shop.





Photo 2:
Taken on the parcels approach facing west towards the residence.





Photo 3:
Taken on the parcels approach facing north towards Eel Lane.





Photo 4:
Taken on the parcels approach facing east.





Photo 5:
Taken on the subject property facing south towards the 30x40 tarp shed.





Photo 6:
Taken on the subject property, looking into the 30x40 tarp shed.





Photo 7:
Taken on the subject property facing west towards the 30x55 shop.





Photo 8:
Taken on the subject property facing west towards the proposed staging area and contractor shop.





Photo 9:
Taken on the subject property facing northwest towards the 30x55 shop.





Photo 10:
Taken on the subject property facing southwest.





Photo 11:
Taken on the subject property facing northwest towards the 30x55 shop.



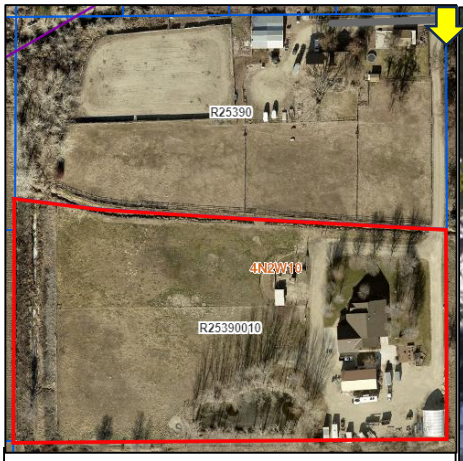


Photo 13:
Taken on Eel Lane facing south towards the subject property.





Photo 13:
Taken on Eel Lane facing west.





Photo 14:
Taken on Eel Lane facing east.



Exhibit D:

EXHIBIT D

Agency Comments Received by: November 24, 2025

Planning & Zoning Commission

Case #: CU2025-0012

Hearing date: December 4, 2025

Exhibit D1:

Archived: Wednesday, November 5, 2025 9:02:34 AM
From: Anthony Lee
Mail received time: Tue, 15 Jul 2025 15:18:43
Sent: Tue, 15 Jul 2025 21:18:22
To: Amber Lewter Amber Lewter
Cc: Mitch Kiester
Subject: [External] RE: Agency Notice CU2025-0012 / Barnes
Importance: Normal
Sensitivity: None
Attachments:
Pre.Development.Notes.Signed.05.28.2025.pdf

Hi Amber,

1. Will a Nutrient Pathogen Study be required? **This project does not require a Nutrient Pathogen Study.**
2. Will adequate sanitary systems be provided to accommodate the use? **Subsurface sewage disposal systems were not proposed for his project.**
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 the nearby city? **There are no concerns with the use or request for rezoning if the applicant meets all SWDH requirements.**

See the attached pre-development notes.

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
Sent: Tuesday, July 15, 2025 8:27 AM
To: 'lgrooms@msd134.org' ; 'mgee@msd134.org' ; 'permits@starfirerescue.org' ; 'knute.sandahl@doi.idaho.gov' ; 'chopper@hwydistrict4.org' ; 'brandy.walker@centurylink.com' ; 'eingram@idahopower.com' ; 'easements@idahopower.com' ; 'arobins@idahopower.com' ; 'monica.taylor@intgas.com' ; 'jessica.mansell@intgas.com' ;

Exhibit D1.1:

SOUTHWEST DISTRICT HEALTH

Pre-Development Meeting

Name of Development: Barnes Construction
Applicant: Dwayne Barnes
P.E./P.G.:
All others in Attendance:

EHS#035 Date 05/28/2025

Number of Lots or Flow: N/A Acreage of Proposed Development:
Location of Development: 22089 Eel Ln
Middleton, ID 83644
R25390010

Project in Area of Concern: Not in a NP Area Groundwater/Rock <10' Unknown
Level 1 NP Necessary for N: No

LSAS/CSS Proposed: No
BRO meeting for P or above: No
Proposed Drinking Water: Individual ■, City ☐, Community ☐, Public Water Supply ☐
BRO meeting for PWS, Com: No

Information Distributed: SER ☐, NP Guidance ☐, Non-Domestic WW ap. ☐

Additional Comments: The applicant consulted with SWDH regarding a proposal to utilize the 5.35 acre parcel as a staging area for a general contractor business. The operation currently employes six individuals who arrive at the site to up company vehicles in the morning and return them after hours. No employees remain on-site during the workday, and there are no anticipate changes to the use of the restroom facilities or other sources of wastewater generation. Therefore, no increase in wastewater flow to the exisiting septic system is expected at this time. The applicant also indicated potential plans to divide the parcel into 3 separate lots. Priorto any land division, the applicant is required to contact SWDH to review & evaluate the proposal with respect to wastewater disposal. If the county initiates or requests a rezoning of the property to commerical use, the existing septic system may no longer meet sizing or design requirements under IDAPA 58.01.03. In such case, a site evaluation is necessary.

Attach conceptual plan, if provided, or any other correspondence, and create a file for this information. The information will be helpful when responding to the county about permitting requirements and should be maintained with the subdivision file or commercial permit file when completed, for a complete written history of the project and SWDH involvement.

Exhibit D2:

Archived: Wednesday, November 5, 2025 9:02:45 AM
From: Caitlin Ross
Mail received time: Wed, 23 Jul 2025 09:55:56
Sent: Wed, 23 Jul 2025 09:55:55
To: Amber Lewter
Subject: FW: [External] RE: Agency Notice CU2025-0012 / Barnes
Importance: Normal
Sensitivity: None

FYI – thanks!

Caitlin

From: D3 Development Services
Sent: Wednesday, July 23, 2025 9:52 AM
To: Caitlin Ross
Subject: [External] RE: Agency Notice CU2025-0012 / Barnes

Hello,

After careful review of the transmittal submitted to ITD on July 15, 2025 regarding, CU2025-0012/Barnes, the Department has no comments or concerns to make at this time. If you have any questions please contact Niki Benyakhlef at (208) 334-8337/ Niki.Benyakhlef@itd.idaho.gov.

Thank you

Mila Kinakh

D3 Planning and Development

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Tuesday, July 15, 2025 8:27 AM
To: 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'chopper@hwydistrict4.org' <chopper@hwydistrict4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.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>; '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>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Lucy Ostyn <lucy.ostyn@canyoncounty.id.gov>; Tom Crosby

Exhibit D3:

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

TELEPHONE 208.454.8135
FAX 208.454.2008

August 7, 2025

Canyon County Commissioners, P&Z Commission, & Development Services
111 N. 11th Ave Suite 140
Caldwell, Idaho 83605
Attention: Amber Lewter, Planner

RE: CU2025-0012 Duane Barnes- Contractor Shop and Staging Area
Canyon County Parcel R25390010 aka 22089 Eel Lane

Dear Commissioners:

Highway District No. 4 (HD4) has reviewed the application for a conditional use of the above described parcel for purposes of establishing a contractor shop and staging area within an Agricultural zone. The subject property is located south of Eel Lane in the SW ¼ Section 10 T4N R2W. HD4 offers the following comments on the proposed use:

General
The subject property consists of one parcel, totaling approximately 5.3 acres. The subject property does not appear to have frontage on any public roadway, and takes access to the west end of Eel Lane through the adjacent parcel (R23590 aka 22033 Eel Lane).

Public road improvements for Eel Lane end at the paved turnaround near the residence at 22139 Eel Lane. Eel Lane is classified as a local road, and has a prescriptive right-of-way measuring 25-feet each side of road centerline.

Access
The subject property is served via a shared access to Eel Lane at the west end of public improvements near 22139 Eel Lane.

This access is suitable for the proposed contractor yard and staging area subject to the following conditions:

1. An access permit from HD4 is required to document the change in land use.
2. The existing approach has a paved apron and is generally in compliance with ACCHD standards for a commercial approach.

Transportation Impacts
The conditional use application provided by the applicants indicates portions of the property will be used to support a contractor shop and staging area for a small construction business. A total of 6 employees are predicted to use this area during a typical day. Traffic impacts from development projects are typically estimated using the ITE Trip Generation Manual (11th Edition). The categories below are the best available in that reference to compare the proposed use:

Use	ITE Code	Units	# of Units Proposed	PM Peak Trips	Daily Trips
Specialty Trade Contractor	180	Employees	6	5	22

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	2.5	x	1.0	x	2.8	x	0.317	=	**$6,397**

Peak hour trips can be estimated from the ITE code 180 (Specialty Trade Contractor) most closely equivalent to the proposed use, 5 peak hour trips, and counting each trip as having two ends, 2.5 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 2.8 miles assumes that the majority of trip will begin/end outside of the service area (75% reduction from average trip length). 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)

This preliminary impact fee assessment is based on the information provided by the applicant regarding the size and intended use of the proposed new development at the time of this report. The final impact fee assessment will be based on the traffic impacts determined to be generated by the proposed development at the time of access permit issuance. The final impact fee may be different from the estimate provided above if the size of the development changes, the type of use changes, or adjustments based on an Individual Assessment are determined to affect the proportionate share of traffic impacts from the development.

Base Impact Fee:	**$ 6,397**
Right-of-Way Dedication-	
No adjacent CIP Projects	
CIP Right-of-Way Credit:	$0
System Frontage Improvements Credit	
None Required	$0
Offsite System Improvements Credit	
No Improvements Required	$0
Total Estimated Impact Fee:	**$6,397**

For comparative purposes, this is equivalent to the impact fee for 122% of a single family residence. 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,

Chris Hopper, P.E.
District Engineer

File: Eel Lane- CU2025-0012 Barnes Contractor Shop

Exhibit D4:

Archived: Wednesday, November 5, 2025 9:02:56 AM
From: Lucy Ostyn
Mail received time: Thu, 30 Oct 2025 12:16:20
Sent: Thu, 30 Oct 2025 12:16:19
To: Amber Lewter
Cc: Tom Crosby
Subject: FW: Agency Notice CU2025-0012 / Barnes
Importance: Normal
Sensitivity: None
Attachments:
30 day AGENCY notice PZ hearing.pdf

Amber,

Just want to point out that this structure appeared on the property sometime between 2023-2024 without a permit. May need to be addressed or conditioned in your report.

And of course require new permits for the new structures.

CC'ing Tom if he feels it is necessary to chime in.



Thank you,

Exhibit D5:

Archived: Tuesday, November 25, 2025 12:13:56 PM
From: Madelyn Vander Veen
Sent: Wed, 19 Nov 2025 23:57:44
To: Amber Lewter
Subject: Agency Notice CU2025-0012 / Barnes
Importance: Normal
Sensitivity: None

Hello Amber,

Regarding case CU2025-0012 / Barnes, if the case is approved, the applicant may receive an address(es) for structures being used for the business and regularly occupied by employees by either submitting an "Address Request Application" to Development Services OR by submitting a building permit (for example, if a change of occupancy is required). An approach permit will be required for both of these options. An address is recommended for uses that involve employees working on site so that emergency services can quickly and accurately locate the site in an emergency situation.

Thanks,

Madelyn Vander Veen

GIS Analyst, Canyon County Development Services

madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

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Exhibit D6:

Archived: Tuesday, November 25, 2025 12:14:11 PM
From: Dianne Secretary
Mail received time: Mon, 24 Nov 2025 16:31:14
Sent: Mon, 24 Nov 2025 09:30:33
To: Amber Lewter
Subject: [External] Re: CU2025-0012
Importance: Normal
Sensitivity: None
Attachments:
image001.png

Amber -

Please add the highlighted bold words to case CU2025-0012

1. The applicant shall not impede, disrupt, or otherwise disturb the existing irrigation structures on and adjacent to the subject property **and easement** without written approval from the irrigation district with jurisdiction.

Unfortunately, I will be leaving the office about 10 am this morning and will not be back until tomorrow morning. Adding these two words is ALL we request.

Thank-you,
Dianne Foster, Secretary
Canyon County Water Company

On Thu, Nov 20, 2025 at 3:59 PM Amber Lewter <Amber.Lewter@canyoncounty.id.gov> wrote:

> Hello,
>
> Thank you for calling me today to discuss case CU2025-0012. Below what staff is proposing for a condition of approval. Please let me know if you would like any adjustments by November 24, 2025.
>
> 1. The applicant shall not impede, disrupt, or otherwise disturb the existing irrigation structures on and adjacent to the subject property without written approval from the irrigation district with jurisdiction.
>
> Thank you,
>
> 
>
> **Amber Lewter**
>
> Associate Planner
>
> Canyon County Development Services Department
>
> 111 N. 11th Ave., #310, Caldwell, ID 83605

Exhibit E:

EXHIBIT E

Public Comments Received by: November 24, 2025

Planning & Zoning Commission

Case #: CU2025-0012

Hearing date: December 4, 2025

Exhibit E1:

Archived: Wednesday, November 5, 2025 9:11:06 AM
From: Becky Smith
Mail received time: Tue, 28 Oct 2025 11:01:49
Sent: Tue, 28 Oct 2025 17:01:33
To: Amber Lewter
Subject: [External] Barnes - CU2025-0012 application
Importance: Normal
Sensitivity: None

My husband, Pat Fowler, and I have owned the property at 22139 Eel lane since 1988. We are opposed to the Barnes' conditional use permit being granted.

That one lane, dirt access, through our property to the Moore's and Barnes', is only a few feet from our house, barn and diesel tank. The traffic has greatly and steadily increased since they moved there. When they bought the property, Duane and Kathy Barnes talked us into letting him remove our NW corner post and fence of our arena, to create a curve so they could easily make the left turn off the driveway, onto the driveway to their property through the Moore's. He said it was for his 35 ft. RV and that it was just him and his wife going to live there. They also took out the trees at that corner and raised the canopy all along the driveway. They brought in a great many loads of gravel and widened the driveway as much as possible. Shortly after that, we started seeing their construction company trucks and trailers and their workers coming and going. The traffic just kept increasing, beginning in the early morning and their vehicles coming and going all day long, and especially at the end of their employees' workday. The traffic noise and lights shine right into our bedroom as they go by our house. Within a few months, they had put up a large, white tent, canopy, storage barn and then brought in two shipping containers. Then his 3 sons and their families moved in, bringing two more large RVs, trucks and trailers, boats, and equipment. Instead of a single, retired couple we now have 4 families living there and a construction business storage and staging area.

All of these families, including the employees, have to drive right by our house and barn on this dirt, one-vehicle driveway. Adding to the traffic is the daily Amazon, Fed Ex, and UPS vans delivering to their house. The dust is really bad, and I don't know how we could ever manage to repaint that side of our barn.

I am worried too about the increase in traffic down that dirt driveway, as it goes over a drain ditch to the canal. It was never more than a simple dirt driveway to one house. All three of the properties used to be one of course.

When the Moore's bought their property in 2005 and subdivided it, they somehow were able to acquire that strip of our land that part of the driveway is on. We never signed anything, and I believe it was part of them being able to subdivide and show that they had access to that section. We didn't even know that we had lost that land until a new property tax assessment came out.

We are afraid that if this conditional use permit for his construction business is granted, then he will reapply for rezoning as he wishes to split his property and build at least 2 more houses. The access lane cannot be widened to support more houses down that lane. When their house was built in 2006, we allowed the large semi-trucks and trailer loads of building material to go through our arena into our big field and took the fence down for them to get into that property to build that house. We absolutely will not do that again.

Please consider sending someone out here to meet with me and better understand this situation with this dirt access driveway and our property lines.

Sincerely,

Becky Smith
208-697-3897

Exhibit E1.1:

Amber Lewter

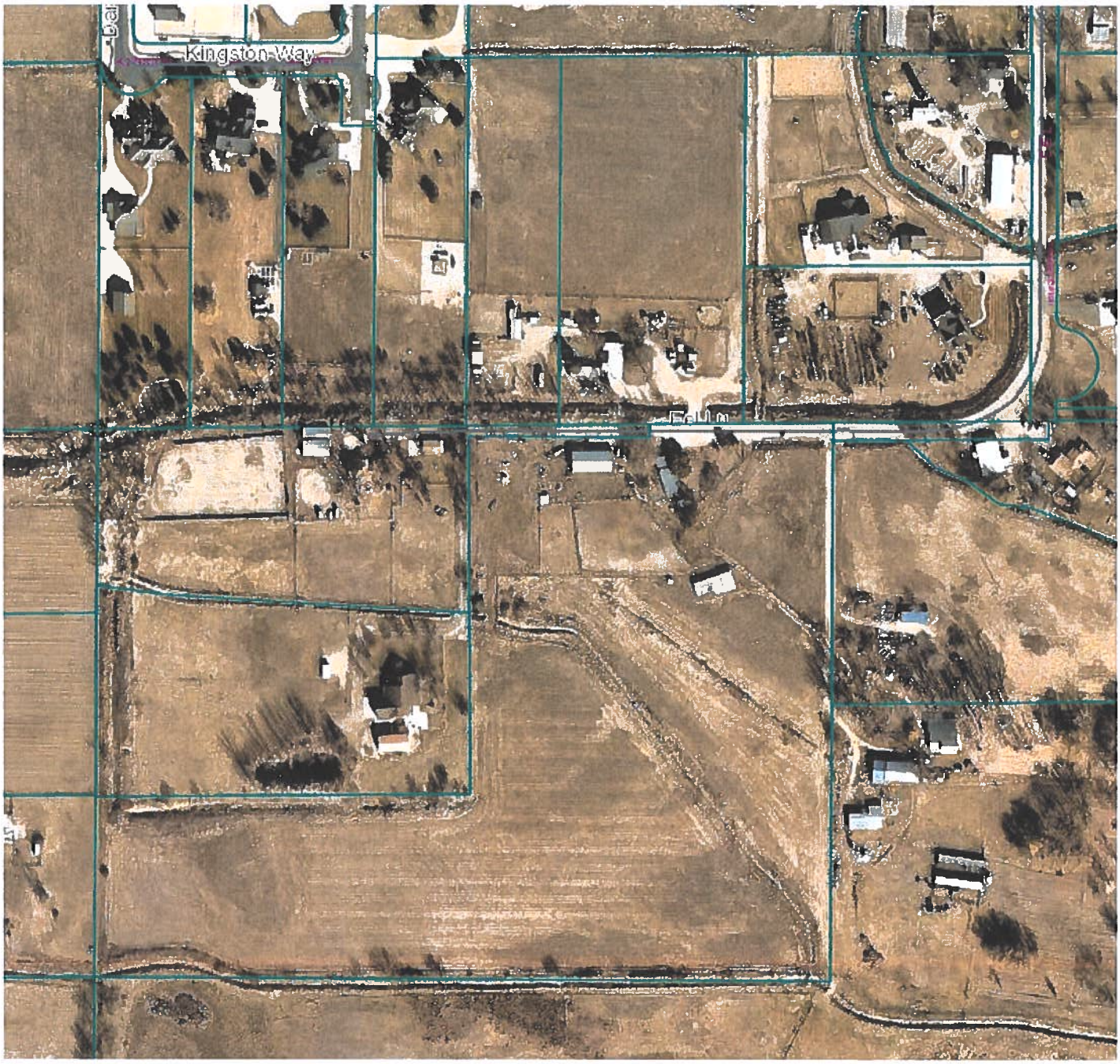
From: Becky Smith <bsmando@hotmail.com>
Sent: Monday, November 3, 2025 8:47 PM
To: Amber Lewter
Subject: [External] Barnes - CU2025-0012 application

Here are some photos to go along with my previous email. I realize that the commissioners are very busy with many cases and probably don't have the time to come down to our little lane.

Here's our neighborhood showing the properties at the end of Eel lane.
This is the current image available which looks like January or February 2025.



Next is the 2022 image from before the Barnes bought the property.



You can see how much gravel they brought in and widened the driveway, made a full gravel yard area around the house and added the storage barn in the corner. They have since brought in 2 storage containers and many more RVs.

Here's a photo I took today of the corner of their property through the fence.



Next is a series of photos showing the lane from our house and heading west down the dirt graveled driveway.







This photo shows turning into our driveway to the back of the barn and access into our fields, through the arena.



Then proceeding down the lane to the part that goes over the drain ditch. Our arena on the left and the canal on the right. My slow down signs do not work and there is no way to get some of the drivers to respect us.


CHEVROLET



Here's a photo (from August 26th) of the drainpipe that the road goes over right there.



We and all our neighbors are very concerned about the extra traffic and that our properties are losing resale value because of being next to a construction company down this dead-end lane. It is negatively affecting our quality of life here.

Thank you,
Becky Smith
208-697-3897

Exhibit E1.2:

Archived: Tuesday, November 25, 2025 12:16:52 PM
From: Becky Smith
Mail received time: Thu, 6 Nov 2025 23:33:06
Sent: Thu, 6 Nov 2025 23:32:45
To: Amber Lewter
Subject: Re: [External] Barnes case CU2025-0012 application street signage
Importance: Normal
Sensitivity: None

Okay, I drove to check . I had only seen the side with no flyer box.

Get Outlook for Android

From: Amber Lewter
Sent: Thursday, November 6, 2025 3:41:43 PM
To: 'Becky Smith'
Subject: RE: [External] Barnes case CU2025-0012 application street signage

Hello Becky,

I just got confirmation that when posting the signs, there were flyers in each posting. It is possible that they were all taken out. I am getting someone out there as soon as possible to include more flyers. I appreciate you keeping me informed.

Amber

From: Becky Smith
Sent: Thursday, November 6, 2025 3:36 PM
To: Amber Lewter
Subject: Re: [External] Barnes case CU2025-0012 application street signage

Thank you so much!

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Sent: Thursday, November 6, 2025 3:27 PM
To: 'Becky Smith' <bsmando@hotmail.com>
Subject: RE: [External] Barnes case CU2025-0012 application street signage

Hello Becky,

Thank you for bringing this to my attention. Flyers were intended to be put in both postings. I just notified the correct person to get this remedied.

Sincerely,

Amber Lewter

Associate Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-6631

Email: amber.lewter@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Development Services Department (DSD)

Public office hours

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

**We will not be closed during lunch hour **

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From: Becky Smith <bsmando@hotmail.com>
Sent: Thursday, November 6, 2025 3:24 PM
To: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Subject: [External] Barnes case CU2025-0012 application street signage

Hi Amber,

I am concerned that the notification for the hearing sign at the beginning of Eel lane does not have any flyers box on it. The one at the Barnes' property does, but no one goes down that driveway but their people. They are past the end of Eel lane.

I talked to some of our neighbors farther up on Eel lane and they still had no information. I gave them a flyer, but it would be nice if they were available up at the beginning of Eel lane.

Thank you,

Becky

PUBLIC HEARING NOTICE

CANYON COUNTY
PLANNING and ZONING

Development Service Dept.
111 N. 11th Ave., Ste. 310
Caldwell, Idaho 83605
Phone: 208-454-7458
Fax: 208-454-6633
www.canyoncounty.id.gov/land-hearings/

EEL LN
DEAD END

PUBLIC HEARING NOTICE

CANYON COUNTY IDAHO ·1892·

CANYON COUNTY
PLANNING and ZONING

TAKE ONE

Development Service Dept.
111 N. 11th Ave., Ste. 310
Caldwell, Idaho 83605
Phone: 208-454-7458
Fax: 208-454-6633
www.canyoncounty.id.gov/land-hearings/

Exhibit E2:

Archived: Tuesday, November 25, 2025 12:19:34 PM
From: Ranee Herrera
Mail received time: Fri, 21 Nov 2025 00:16:51
Sent: Fri, 21 Nov 2025 00:16:26
To: Amber Lewter
Subject: [External] Case No.CU2025-0012
Importance: Normal
Sensitivity: None

To whom it may concern: I have a couple concerns about the potential rezoning.

1- I'm not sure if anyone is aware that we have over 25 small children living on Eel street. Many of these children are catching the school bus at the end of the street. Barnes construction has 6 employees. And many commercial vehicles using this road. On several occasions they have been asked to slow down and respect the speed limits.
Barnes construction also has 3 generations of family members living on their property,adding to the traffic.

2- If this commercial rezoning passes, Barnes construction is also planning to build 2 new houses on their property which will also add construction traffic aswell. I am located at the end of Eel street and see the issues that this traffic is causing.
Thank you for your time.

Ranee Herrera
8419 Hwy 44
Middleton

Yahoo Mail: Search, Organize, Conquer

Exhibit E3:

Archived: Tuesday, November 25, 2025 12:19:43 PM
From: mjcfranch@aol.com
Mail received time: Sun, 23 Nov 2025 19:06:01
Sent: Sun, 23 Nov 2025 19:05:34
To: Amber Lewter
Subject: [External] Barnes CU2025-0012 application
Importance: Normal
Sensitivity: None

Morning Amber, I am contacting you again about the Barnes above application. I had sent you previously when this first started.
I have owned the 2 parcels, 22128 Eel Lane & 22116 Eel Lane since believe was 1981. Was originally with my parents.
We purchased out here on a dead end street in the country for the piece and quiet and the serenity of the country!!!
The easement that the Barnes are using was Barely an access for a car let alone for all the rigs and equipment that they now start moving in an out at 5:30- 6:00 AM every morning which wakes up the entire neighborhood, us especially. Then all day long and then at night, the rigs that return, then all the employees back out at night. It's crazy!!! He conveniently got on his tractor and bladed the easement wider encroaching on our neighbors property without permission. As you can imagine Becky & Pat are furious about the entire matter. Our road, actual road is posted, 1 sign, 20 miles per hour. Your police department could write tickets everyday, for the at least!!!, quadrupled traffic that is now transpiring down Eel Lane, into the easement to their place. From what was supposed to be just one couple, to now all the cars, trucks, equipment, people, big delivery trucks, it's anything but quiet. Let alone now all the construction building to store things and the fact that they also want to build 2- 3? Additional houses on what is zoned as farming property.
I am very STRONGLY opposed to the application !!!!
Please let me know you receive this.
Will be attending the December meeting.
Thank you.

Mary Jo (MJ) Christophersen
208-585-3376

Sent from AOL on Android

Exhibit E4:

Justin Walker
22504 Eel Lane
Middleton, ID 83644
(907)978-4313
justinwalkerj@gmail.com

23rd October 2025

To Whom It May Concern,

I am writing this letter concerning the proposed zoning changes for Eel Lane, Middleton, ID, for the convening meeting on 4 Dec, 2025.

I purchased land at 22504 Eel Lane approximately one year ago with the intent to retire in a nice, quiet, SAFE neighborhood. After 21 years of active duty military service as a military police officer, my family and I were ready to put down roots.

Daily for approximately 6 months now, both morning and night, 5 days a week I have seen double the traffic, double the speeding, and long and dangerous delays on Eel Lane. More importantly trying to pull out into the never ending traffic on Hwy 44. My family has thought about this zoning change with an open mind for months now. It's hard to remain open to these traffic changes with large trucks and trailers, who with their loud diesel trucks speed by. In regards to the speeding, the ONLY thing that seems to get them to slow down, is by standing out next to the pavement in front of my house and motioning with my arm. Only to have them slow down as they drive past my property and then rev their engines and go even faster as soon as they pass me or my children.

Another larger primary concern is the number of children who live on Eel Lane. These kids (approximately 13 - not counting the 5 online/homeschooled students) are expected to walk the length of this street twice a day to catch their bus to school. These children need to be able to walk the bus, walk their pets, and visit their friends SAFELY.

We have written this letter in hopes of saving our neighborhood's values and safety for our families. The following pages are a breakdown of the violations of criteria of 07-07-05.

The following is according to **07-07-05: HEARING CRITERIA:,** that we have concerns about.

(4) Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area;

Eel Lane will no longer remain a small neighborhood with an already to narrow dead end street with no commercial vehicle traffic. It will no longer be **QUIET**, **CLEAN**, or **SAFE** for our families. According to this proposal, they want to make this property a staging area. How can it NOT negatively affect the neighborhood's character? Examples: moving trailers to different trucks, cross loading equipment and supplies, working on trucks and/or trailers.

(7) Will there be undue interference with existing or future traffic patterns; and

Eel Lane is already a very narrow road and anyone who is pulling a trailer has to stop, pull over as much as possible to allow a single midsized car by. Then, the majority of the time if two trucks with trailers meet, one of the vehicles will have to back up or pull onto the grass of someone's private property. Currently there is no place for a 1 ton truck to even turn around without driving onto private property. I know this because I drive a 2007 Tundra with a 29' gooseneck camper.

As you already know, Hwy 44 has seriously increased traffic with accidents and fatalities regularly in this area. There is no doubt that this extra traffic on Eel lane with or without the trailers is a ticking time bomb waiting to happen.

07-14-29: STAGING AREA:

(1) All work shall be conducted off site.

This is absolutely impossible for this type of business to have 100% of their business conducted off site. Examples: moving trailers to different trucks, cross loading/unloading equipment and supplies, working on trucks and/or trailers. This property is literally the prep area for the business. According to this criteria, this would all have to be done on a separate parking lot, mitigating the need for this proposal.

The remaining points of this "staging area" request conflicts with the very first statement of their proposal **(1) All work shall be conducted off site.**

(2) Business vehicles shall be operable and parked on site, not on a public or private road.

With this business there are multiple vehicles, trailers, and equipment that need to be parked in working order. How is all of this supposed to never be fixed or worked on,kbv on site? Things break. This equipment (including skid steers, rocks, chains and diesel trucks, and so on...) will have to be maintained.

(3) Persons not employed on the premises may visit the premises for the purpose of picking up equipment and materials to be used elsewhere, including trucks offloading or transferring equipment and/or materials to other vehicles.

This is part of the WORK of the business, directly violating their first statement.

In closing, thank you for your consideration on this important matter. I plan on speaking at the upcoming meeting on 4 Dec 2025.

Sincerely,

Justin Walker

Exhibit E5:

November 24, 2025

Re: Case No CU2025-0012

To Whom it May Concern;

I am submitting my observations regarding the conditional use permit application for a staging area and contractor shop on 5.35 acres at 22089 Eel Lane, Middleton, Idaho. My residence is situated directly north of the proposed site, with the access road running parallel to our property boundary. We have lived in our home for over 20 years and chose to purchase our property because of the peace and quiet and the overall landscape. The surrounding area consists of mature trees, a live creek, and extensive open space, along with an abundance of wildlife. While I understand the rationale for establishing a construction business near one's home, the current environment appears unsuitable for commercial operations. The access road was not constructed to accommodate frequent or heavy traffic and lacks the necessary infrastructure for large construction vehicles. If we choose to sell our property in the future, increased commercial activity may adversely affect both its marketability and value. Furthermore, early morning operations and regular traffic have led to significant dust during summer months and persistent road erosion throughout winter. Most homes along Eel Lane are large acreages and are home to families with children. With an increase in the number of vehicles and an increase in large construction vehicles, there is a safety concern for families with small children. I encourage you to vote against granting a conditional use permit for the reasons stated.

Thank you,

Cheri Moore
22033 Eel Lane
Middleton, Id 83644

Exhibit F:

EXHIBIT F

DRAFT – Findings of Fact, Conclusions of Law & Order (FCOs)

Planning & Zoning Commission

Case #: CU2025-0012

Hearing date: December 4, 2025

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

In the matter of the application of:
Barnes – CU2025-0012

The Canyon County Planning and Zoning Commission considers the following:

The applicant, Duane and Katherine Barnes, requests a conditional use permit for a staging area and contractor shop on approximately 1 acre of the 5.35 acres in an "A" (Agricultural) zone for their business, Barnes Construction, LLC. The applicant proposes to use two pre-existing shops on the property to store tools and materials, as well as an office. There will be 6 employees and parking for them on-site. The hours of operation are Monday through Thursday, 7:00 am – 5:00 pm.

Summary of the Record

1. The record is comprised of the following:

   A. The record includes all testimony, the staff report, exhibits, and documents in Case File CU2025-0012.
      1. All exhibits are located in the case staff report dated December 4, 2025

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code §01-17 (Land Use/Land Division Hearing Procedures), Canyon County Code §07-05 (Notice, Hearing and Appeal Procedures), Canyon County Code §07-07 (Conditional Use Permits), Canyon County Code §07-02-03 (Definitions), Canyon County Code §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6512 (Special Use Permits, Conditions, and Procedures), and 09-09-17 (Area of City Impact Agreement).

   a. Notice of the public hearing was provided pursuant to CCCO §07-05-01, Idaho Code §67-6509 and 67-6512.

   b. A special use permit may be granted to an applicant if the proposed use is conditionally permitted by the terms of the ordinance, subject to conditions pursuant to specific provisions of the ordinance, subject to the ability of political subdivisions, including school districts, to provide services for the proposed use, and when it is not in conflict with the plan. Idaho Code §67-6512.

   c. Every use which requires the granting of a conditional use permit is declared to possess characteristics which require review and appraisal by the commission to determine whether or not the use would cause any damage, hazard, nuisance or other detriment to persons or property in the vicinity. *See* CCCO §07-07-01.

   d. Upon the granting of a special use permit, conditions may be attached to a special use permit including, but not limited to, those: (1) Minimizing adverse impact on other development; (2) Controlling the sequence and timing of development; (3) Controlling the duration of development; (4) Assuring that development is maintained properly; (5) Designating the exact location and nature of development;(6) Requiring the provision for on-site or off-site public facilities or services; (7) Requiring more restrictive standards than those generally required in an ordinance; (8) Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction. *See* Idaho Code §67-6512, CCCO §07-07-17, and 07-07-19.

   e. Use Standards – Contractor's Shop: The use shall be contained within a building or behind a sight obscuring fence. *See* CCCO §07-14-09.

f. Use Standards – Staging Area: (1) All work shall be conducted off site. (2) Business vehicles shall be operable and parked on site, not on a public or private road. (3) Persons not employed on the premises may visit the premises for the purpose of picking up equipment and materials to be used elsewhere, including trucks offloading or transferring equipment and/or materials to other vehicles. (4) Employees may meet on the premises to share rides to and from job sites. (5) Employees' vehicles shall be parked on site and not on a public or private road. *See* CCCO §07-14-29.

2. The commission shall have those powers and perform those duties assigned by the board that are provided for in the local land use planning act, Idaho Code, title 67, chapter 65, and county ordinances. CCCO §07-03-01, 07-07-01.

3. There are no mandates in the Local Planning Act as to when conditional permits may or may not be granted, aside from non-compliance with the community master plan. I.C. § 67-6512. Chambers v. Kootenai Cnty. Bd. of Comm'rs, 125 Idaho 115, 117, 867 P.2d 989, 991 (1994).

4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.

5. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.

6. The County's hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCCO 07-05-03(1)(I).

The application, CU2025-0012, was presented at a public hearing before the Canyon County Planning and Zoning Commission on December 4, 2025. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Canyon County Planning and Zoning Commission decides as follows:

Table 1. Conditional Use Permit Review Criteria Analysis

HEARING CRITERIA CCCO §07-07-05: The presiding party shall consider each conditional use permit application by finding adequate evidence to answer the following questions in its FCOs:				
Compliant			**County Ordinance and Staff Review**	
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☒	☐	☐	**07-07-05(1)**	**Is the proposed use permitted in the zone by conditional use permit?**
			Analysis	A staging area and contractor shop are permitted in the "A" (Agricultural) zone by Conditional Use Permit, pursuant to Canyon County Code of Ordinances (CCCO) §07-10-27. The applicant submitted a conditional use permit for a staging area and contractor shop on *May 30, 2025*. See **Staff Report Exhibit A** for the application and submitted materials. • *CCCO §07-02-03 defines a staging area as "An area where equipment and/or materials are stored for use conducted entirely off-site."* • *CCCO §07-02-03 defines a contractor shop as "May include, but not limited to, a building where a contractor conducts his business, including offices and parking of equipment and employee parking."*
☒	☐	☐	**07-07-05(2)**	**What is the nature of the request?**
			Analysis	The applicants, Duane and Kathy Barnes, request a conditional use permit to establish a staging area and contractor shop for their business, Barnes Construction LLC, on approximately 1 acre of the 5.35-acre parcel, designated as R25390010.

				• Use: The nature of the request consists of using 1 acre of the subject property to store equipment for the applicants' general contractor business, Barnes Construction LLC, such as vehicles, trailers, tools, and miscellaneous materials (**Staff Report Exhibit A2.1**)**.** Company vehicles are stored on-site, and when not in use, employee vehicles are also stored on-site. The request includes a pre-existing 30x55 shop with an office inside and a 30x40 tarp shed (**Staff Report Exhibit A2**). • Number of Employees: The applicant is proposing to have six (6) employees. The employees come on-site to load and unload the needed supplies; the work is conducted off-site (**Staff Report Exhibit A3**). • Customers: There are no customers who come on-site. • Hours of Operation: The hours of operation proposed are Monday through Thursday, 7:00 am – 5:00 pm per the land use worksheet (**Staff Report Exhibit A3**). • Parking: The proposal includes parking for six (6) employee vehicles and the applicant's company vehicles (**Staff Report Exhibit A2**). • Restrooms: There is currently an individual septic tank servicing the residence on site. The Pre-Development Notes with Southwest District Health state "*that no employees remain on-site during the workday, and there are no anticipated changes to the use of the restroom facilities or other sources of wastewater generation. Therefore, no increase in wastewater flow to the existing septic system is expected at this time*" (**Staff Report Exhibit D1.1**).
☒	☐	☐	**07-07-05(3)**	**Is the proposed use consistent with the comprehensive plan?**
			Analysis	As conditioned, the proposed use is consistent with the Comprehensive Plan. The 2030 Canyon County Comprehensive Plan designates the subject parcel as "Rural Residential" (**Staff Report Exhibit B4.17**). However, approximately 0.35 miles north of the subject property, there is a future commercial land use designation, approximately 0.88 miles south of the subject property is zoned agricultural, and approximately 1.75 miles west of the subject property, there is a future industrial land use designation. The future land use is trending towards a mixed use of residential, commercial, and agricultural. As conditioned, the proposed use is aligned with but not limited to the following goals and policies of the 2030 Comprehensive Plan: • Property Rights Goal: o G1.01.00: *"Protect the integrity of individual property rights while safeguarding public health, safety, and welfare."* Canyon County values the applicants' and surrounding applicants' private property rights and may support the applicants' project and the surrounding applicants' rights by adding mitigating conditions to the proposed conditional use permit (CCCO Section 07-07-17). *See the conditions on page 9.* • Population Goal: o G2.01.00: "Incorporate *population growth trends and projections when making land use decisions."*

				Property owners have the "right to enjoy the property for its intended use without creating nuisances. Zoning categorizes land uses based on compatibility, such as agriculture, residential, commercial, and industrial. Each category has characteristics that might not be compatible with other zoning categories (Pg. 10, Comprehensive Plan 2030)." See section 07-07-05(4) for analysis on land use compatibility and consistency. • Economic Development Goal: o 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."* Canyon County supports retaining, expanding, and recruiting businesses and economic growth and expansion, but this must be done in a way that is compatible with the surrounding area, which may include adding mitigation conditions to this conditional use permit that address the community's concerns (noise, traffic, dust, etc.). *See the conditions on page 9.* • Land Use Policies: o P4.01.01: *"Maintain a balance between residential growth and agriculture that protects the rural character."* o *P4.01.02: "Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights."* Canyon County supports growth and development as long as it is compatible with the surrounding area and appropriate conditions are added to mitigate adverse impacts that affect other land uses and the surrounding community. *See the conditions on page 9.*
☒	☐	☐	**07-07-05(4)**	**Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?**
			Analysis	As conditioned, the proposed use is not anticipated to be injurious to other property in the immediate vicinity and will not negatively change the essential character of the area. **Summary:** The surrounding land uses, as reviewed within a one- and two-mile radius, as well as the current zoning and classification map, indicate that land uses in the area are a combination of residential, commercial, and agricultural uses as seen in **Staff Report Exhibits B4.6, B4.7, and B4.8.** There are agricultural operations adjacent to the subject property on all sides. A staging area and contractor shop are allowed in an agricultural zone with a conditional use permit. As conditioned, the proposed use is not anticipated to be injurious to other property within the immediate vicinity, nor negatively change the essential character of the area. **Adjacent Existing Conditions:**

Direction	Existing Use	Primary Zone	Other Zone
N	**Agricultural with Primary Residence**	**A**	**C-1**
S	**Agricultural with Primary Residence**	**A**	**-**
E	**Agricultural with Primary Residence**	**A**	**R-R & City of Star**
W	**Agricultural Operation**	**A**	**-**

				"A" (Agricultural), "R-R" (Rural Residential), "R-1" (Single-Family Residential), "C-1" (Neighborhood Commercial), "C-2" (Service Commercial), "M-1" (Light Industrial), "CR" (Conditional Rezone) **Surrounding Land Use Cases:** Within a 1-mile radius of the property, there have been six (6) land use cases approved. One (1) conditional rezone to a commercial zone, two (2) rezones to a residential zone, one (1) conditional use permit for a small animal facility, and two (2) conditional use permits for RV storage (**Staff Report Exhibit B4.7**). There have been fifteen (15) subdivisions approved (**Staff Report Exhibit B4.8**) in a 1-mile radius from the subject property. Within a 2-mile radius of the subject property, there are two (2) gravel pits, one (1) feedlot, and one (1) dairy (**Staff Report Exhibit B4.9**). **Character of the Area:** The area is characterized by a mix of uses ranging from residential, commercial, and agricultural. The subject property is adjacent to agricultural operations on the east, south, and west sides. Within 600 feet of the subject property, there are 12 residential properties, all located in the agricultural zone. Located approximately 0.43 miles to the north is "C1" (Neighborhood Commercial) zoning, approximately 0.48 miles to the northwest is "CR-C2" (Service Commercial – Conditional Rezone) zoning, and approximately 0.47 miles to the northeast is "C1" (Neighborhood Commercial) zoning. Located to the east, approximately 0.95 miles from the subject property, is zoned RR (Rural Residential), and approximately 1.26 miles to the west is zoned "R1" (Single Family Residential). **Potential Impacts:** The staging area and contractor shop may impact the surrounding area due to the increase in noise, dust, increased traffic, and lighting related to the use. Staff have proposed conditions to aid in mitigating these potential effects. See the recommended conditions on page 10. The applicant is proposing the hours of operation to be Monday through Thursday, 7:00 am – 5:00 pm. See **Condition # 7a**. The proposed use may increase the dust levels in the immediate vicinity due to the access to the subject property and parking areas is gravel. As conditioned, dust shall be controlled per applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to operations, including but not limited to nuisance regulations (CCCO Chapter 2 Article 1: Public Nuisances) and shall be consistent with Idaho Department of Environmental Quality (DEQ)requirements. To mitigate the potential for dust, the applicant shall submit a dust mitigation plan for staff's review and approval prior to commencement. See **Condition # 9**. See further analysis under section 07-07-05(06 & 07) for discussion and recommended conditions. In order to obscure the business operations, staff recommends that a condition be added to add a sight-obscuring fence to the property. See **Condition # 10.** The applicant has not indicated that they plan to install lighting for the associated use. As conditioned, all exterior lighting, if installed, shall be downward-facing and directed away from surrounding properties. Compliance shall be demonstrated in the building plans submitted as part of the building permit submittal. Review and approval by DSD shall be completed before building permit issuance. See **Condition # 4**.

				See CCCO §07-07-05(7) for potential traffic impact analysis.
☒	☐	☐	**07-07-05(5)**	**Will adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems be provided to accommodate the use?**
			Analysis	The project will have adequate water, sewer, irrigation, drainage, and stormwater drainage facilities, and utility systems to accommodate the proposed use based on the analysis contained herein. **Water:** The property appears to have adequate water via an individual well. There are no additional wells proposed to serve the proposed staging area and contractor shop (**Staff Report Exhibit A3**). The existing water uses are anticipated to provide adequate water for the proposed use. **Sewer:** There are no proposed septic tanks for this project. There is currently an individual septic tank servicing the residence on site. Southwest District Health provided comment on July 15, 2025, and there were no concerns raised (**Staff Report Exhibit D1**). The Pre-Development Notes with Southwest District Health state "*that no employees remain on-site during the workday, and there are no anticipated changes to the use of the restroom facilities or other sources of wastewater generation. Therefore, no increase in wastewater flow to the existing septic system is expected at this time*" (**Staff Report Exhibit D1.1**). As conditioned, the applicant shall meet Southwest District Health (SWDH) requirements for the proposed uses on the property. See **Condition # 11**. **Irrigation:** The applicant has pressurized irrigation (**Staff Report Exhibit A3**). Agency notice was sent out to Farmer Cooperative Ditch Co. on July 15, 2025, and October 30, 2025. No comments were received. It's not anticipated that the irrigation system will be impacted by the proposed use. **Condition # 5** ensures the applicant shall not impede, disrupt, or disturb the existing irrigation structure without approval from the irrigation district. **Stormwater drainage facilities:** According to the land use worksheet, stormwater drainage on the subject property will be retained on-site. It appears the use does not require or affect stormwater drainage on the property (**Staff Report Exhibit A3**). **Utility Systems:** Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on July 15, 2025, and October 30, 2025. No agency comments were provided by those services at the time the staff report was written. It is anticipated that the applicant will be able to work with utility providers to gain any additional utilities needed.
☒	☐	☐	**07-07-05(6)**	**Does legal access to the subject property for the development exist or will it exist at the time of development?**
			Analysis	The subject property does have legal access for the development and will exist at the time of the development. The subject parcel takes access off of a shared access to Eel Lane. According to the comment received from Highway District No. 4 in **Staff Report Exhibit D3**, Eel Lane is classified as a Local Road. Highway District No. 4's comment provided conditions of approval, such as the applicant obtaining an access permit and obtaining a commercial approach. See **Condition # 3a**.

☒	☐	☐	**07-07-05(7)**	**Will there be undue interference with existing or future traffic patterns?**
			Analysis	There will not be undue interference with the existing or future traffic patterns as conditioned. It's anticipated that there will be a total of six (6) employees, most of whom will be coming to pick up materials and leave at the beginning of their shift, and at the end of their shift, they will come to drop off the materials. There are no customers who come onsite. The comment received from Highway District No. 4 on August 7, 2025, stated that HD4 does not oppose the requested land use changes. The ITE Trip Generation Manual estimates there to be 22 daily trips, and HD4 requests an impact fee of approximately $6,397 (**Staff Report Exhibit D3**).
☒	☐	☐	**07-07-05(8)**	**Will essential services be provided to accommodate the use including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use?**
			Analysis	Essential services will be provided to accommodate the use, including, but not limited to, school facilities, police and fire protection, emergency medical services, and irrigation facilities. The services will not be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use. **School Facilities:** Parcel R25390010 is serviced by the Middleton School District. It is not anticipated that any impacts or accommodations will be needed for the proposed use. Agency comments were sent out on July 15, 2025, and October 30, 2025. No comments were received by the school district. **Police and Fire protection:** Parcel R25390010 is under the jurisdiction of the Star Fire District. Star Fire District is required to provide services to the parcel. As conditioned, the applicant shall comply with all Fire District requirements per State adopted IFC, and as evidenced by review and approval documentation from the applicable fire district prior to issuance of a certification of occupancy and commencement of activities on the site. All development shall comply with the 2018 International Fire Code and codes set forth by Canyon County. See **Condition # 2**. Agency notice was sent on July 15, 2025, and October 30, 2025. No comment was received by the materials deadline. No comment was received from the Canyon County Sheriff's Department. **Emergency Medical Services:** Emergency Medical Services are provided to the property. Canyon County Paramedics/EMT and Canyon County's Emergency Management were notified of the application on July 15, 2025, and October 30, 2025. No comments were received. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. **Irrigation Facilities:** The proposed use is not anticipated to impact the irrigation facilities. Agency notice was sent out to Farmer Cooperative Ditch Co. on July 15, 2025, and October 30, 2025. No comments were received. **Condition # 5** ensures the applicant shall not

				impede, disrupt, or disturb the existing irrigation structure without approval from the irrigation district.

Table 2. Article 14 Use Standards Criteria Analysis
- Contractor Shop & Staging Area-

USE STANDARDS CCCO §07-14-03(1): The provisions of this article apply to all properties where a use is listed as an allowed use, a conditional use, or a director's decision in section 07-10-27 of this chapter (land use matrix).				
Compliant			**County Ordinance and Staff Review**	
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☒	☐	☐	**07-14-09(1)**	**Contractor Shop: (1) The use shall be contained within a building or behind a sight-obscuring fence.**
			Analysis	There shall be a sight-obscuring fence that all vehicles and equipment will be contained behind. See **Condition # 10**. The applicant has a pre-existing 30x55 shop, of which the office is contained within, as well as a 30x40 tarp shed that is used to store equipment. All other work is done off-site.
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☒	☐	☐	**07-14-29(1)**	**All work shall be conducted off site.**
			Analysis	Per the applicant's land use worksheet and letter of intent, all work will be conducted off-site, with loading and unloading of supplies on-site, except what is allowed with the contractor shop criteria, which includes storing vehicles and equipment, which will either be in a building or located behind a site-obscuring fence (**Staff Report Exhibits A2 and A3).**
☒	☐	☐	**07-14-29(2)**	**Business vehicles shall be operable and parked on site, not on a public or private road.**
			Analysis	Per the applicant's land use worksheet, parking will be on-site (**Staff Report Exhibit A3).** No parking will take place on a public or private road (**Condition # 7b**). Based on the Planning Staff's site visit on September 5, 2025, there does not appear to be any inoperable business vehicles on the property (**Staff Report Exhibit C**).
☒	☐	☐	**07-14-29(3)**	**Persons not employed on the premises may visit the premises for the purpose of picking up equipment and materials to be used elsewhere, including trucks offloading or transferring equipment and/or materials to other vehicles.**
			Analysis	Per the land use worksheet, there will be approximately six (6) employees total who will visit the premises to pick up equipment to be used elsewhere (**Staff Report Exhibit A3**).
☒	☐	☐	**07-14-29(4)**	**Employees may meet on the premises to share rides to and from job sites.**
			Analysis	The above may occur (**Staff Report Exhibit A2**). There may be instances where multiple employees are needed at a job site; in this instance, the employees may ride in one company vehicle to the job site.
☒	☐	☐	**07-14-29(5)**	**Employees' vehicles shall be parked on site and not on a public or private road.**
			Analysis	There are ample parking spaces for employee vehicles, as seen during the site visit (**Staff Report Exhibit C**). There is space for more parking if needed. Per **Condition # 7b**, there shall be no parking on a public or private road.

Table 3. Area of City Impact

CCCO §09-09-17: Middleton Area of Impact – Application Procedures				
Compliant			**County Ordinance and Staff Review**	
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☒	☐	☐	**09-09-17(1)**	**Processing Applications: The following procedures shall be adhered to in processing applications within the area of city impact:** **A. Land Use Applications: All land use applications submitted to the county including, but not limited to, conditional use permits, variances and land**

				divisions requiring notification of a public hearing, shall be referred to the city in the same manner as provided for in subsection 09-09-11(3) of this article.
			Analysis	The subject parcel is in the City of Middleton's area of impact. The City of Middleton's Future Land Use Map designates the subject property and surrounding area as mixed-use (**Staff Report Exhibit B4.13**). The City of Middleton's future land use designation indicates that the proposed use will not negatively impact the City of Middleton. An agency notice was sent out to the City of Middleton on July 15, 2025, and on October 30, 2025. No comment was received by the materials deadline of November 24, 2025.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission **approves** Case # CU2025-0012, a conditional use permit of a Staging Area and Contractor Shop subject to the following conditions as enumerated:

Conditions of Approval

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
    a. The applicant shall comply with applicable Canyon County GIS Department requirements (**Exhibit D5).**
2. A change of occupancy from residential to commercial occupancy, fire district permits, and approval for a Certificate of Occupancy for the pre-existing 30x55 shop, 30x40 tarp shed, and the business office. All appropriate building permits shall be obtained within **180 days from the approval of the Conditional Use Permit**.
3. The applicant shall comply with the applicable highway district's access requirements. The applicant shall obtain a permit prior to commencement of use.
    a. Provided at the time of the change of occupancy permit, the applicant shall coordinate with Highway District No. 4 and obtain the necessary approvals for the intended use. Evidence shall be an approved approach permit from the subject highway district.
4. All exterior lighting, if installed, shall be downward-facing and directed away from surrounding properties. Compliance shall be demonstrated in the building plans submitted as part of the building permit submittal via an exterior lighting plan. Review and approval by DSD shall be completed before building permit issuance.
5. The applicant shall not impede, disrupt, or otherwise disturb the existing irrigation structures on and adjacent to the subject property and easement without written approval from the irrigation district with jurisdiction.
6. Signage shall meet CCCO §07-10-13 requirements, and shall not exceed 32 sq. feet and 10 feet in height unless an additional sign permit is applied for and approved by the Director. If it exceeds 6 ft in height, a building permit is required.
7. The proposed development shall be in general conformance with the applicant's site plan and letter of intent (**Exhibits A2, A2.1, and A4**).
    a. The hours of operation shall be Monday – Thursday, 7:00 am – 5:00 pm, as outlined in the applicant's land use worksheet (**Exhibit A3**).
    b. Employees' vehicles shall be parked on-site and not on a public or private road. Business vehicles shall be operable and parked on site, not on a public or private road.
8. This conditional use permit must follow land use time limitation as stated in CCCO 07-07-23: "When a conditional use permit is granted, the land use or construction of its facility proposed in the application must have commenced

within three (3) years of the date of the final decision by the presiding party or a court of appropriate jurisdiction. The improvements for the approved use must be completed within five (5) years of the same date.

a. Commencement shall be the date zoning compliance is issued for a change of occupancy for the pre-existing 30x55 shop, the 30x40 tarp shed, and the business office.

9. A dust mitigation plan shall be provided **180 days from the approval of the Conditional Use Permit** to the Development Services Department. Dust shall be controlled per applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to operations, including but not limited to nuisance regulations (Canyon County Code of Ordinances Chapter 2 Article 1: Public Nuisances) and shall be consistent with Idaho Department of Environmental Quality (DEQ) requirements.
10. A sight-obscuring fence shall be constructed on the east and south boundaries south of the house on the proposed 1-acre portion located on the 5.35-acre parcel, as seen in **Exhibit A7, within 6 months from the approval of the Conditional Use Permit**. The placement of fencing shall take into consideration any easements that may be in place. Proof shall be submitted to the Development Services Department for review and approval.
11. The applicant shall meet all applicable Southwest District Health (SWDH) requirements for the proposed uses. Evidence shall be a letter of review and approval from SWDH, provided **180 days from the approval of the Conditional Use Permit**.
12. The conditional use permit for a staging area and contractor shop shall be limited to Duane Barnes and family. Should ownership of parcel R25390010 change from Duane Barnes or an immediate family member, the conditional use permit for a staging area and contractor shop shall terminate.

DATED this _____ day of _____, 2025.

PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO

_____
Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this _____day of _____, in the year 2025, 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: _____