



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

In the matter of the application of:

Knife River Corp/Mountain West – CU2025-0011

The Canyon County Planning and Zoning Commission considers the following:

The applicant, Knife River Corp. – Mountain West, represented by Megan Winter & Joseph Smith, is requesting a Conditional Use Permit to allow a long-term mineral extraction permit to include stockpiling, crushing, staging, and hauling the sand and gravel off the site on approximately 59.55 acres in an "A" (Agricultural) zone for a period not to exceed twenty (20) years. The proposed general hours of operation are 7:00 a.m. to 5:00 p.m., Monday through Saturday. Hauling of materials may take place 24 hours a day, seven days a week, to support construction activities that require nighttime operations.

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 CU2025-0011.
 - 1. All exhibits are located in the case staff report dated November 20, 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)), Canyon County Code §07-14 (Use Standards) and Idaho Code §67-6512 (Special Use Permits, Conditions, and Procedures).
 - 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 – Mineral Extraction Long Term: (1) If a conditional use permit is required, the following standards shall apply: A. Setbacks: Front 30', Side 30', Rear 30' Corner 30'; 1. Front and corner setbacks shall be measured from the greatest of either the property line, right-of-way line, or road easement line of any local or private street. 2. When making a decision for a conditional use permit for the use, the decision making body shall consider the following: (A) The uses of the surrounding properties in the determination of the compatibility of the proposed application with such uses; (B) Duration of the proposed use; (C) Setbacks from surrounding uses; (D) Reclamation plan as approved by Idaho Department of Lands; (E) The locations of all proposed pits and any accessory uses; and (F) Recommendations from applicable government agencies. *See* CCCO §07-14-19.
2. The commission shall have those powers and perform those duties assigned by the board that are provided for in the local land use planning act, Idaho Code, title 67, chapter 65, and county ordinances. CCCO §07-03-01, 07-07-01.
3. There are no mandates in the Local Planning Act as to when conditional permits may or may not be granted, aside from non-compliance with the community master plan. I.C. § 67-6512. Chambers v. Kootenai Cnty. Bd. of Comm'rs, 125 Idaho 115, 117, 867 P.2d 989, 991 (1994).
4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.
5. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.
6. The County's hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCCO 07-05-03(1)(I).

The application, CU2025-0011, was presented at a public hearing before the Canyon County Planning and Zoning Commission on November 20, 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? The proposed use, mineral extraction (long term), is permitted in the "A" (Agricultural) zone subject to conditional use permit approval pursuant to CCCO §07-10-27. Analysis According to CCCO §07-02-03, mineral extraction is defined as <i>"the various activities associated with the extraction of mineral resources, including, but not limited to, gravel, from the ground."</i> Per CCCO §07-07-03, the applicant submitted a conditional use permit application on May 6, 2025 (Staff Report Exhibit A).
			07-07-05(2) What is the nature of the request? Analysis The nature of the request involves operating a sand and gravel pit on Parcels R35968010, consisting of approximately thirty (30) acres, and R35973010,

				consisting of approximately twenty-eight (28) acres, in the “A” (Agricultural) zone for a maximum of twenty (20) years (Staff Report Exhibits A2 and A7). • The activities on site include mining sand and aggregate to be crushed, screened, washed, and stockpiled within the boundary of the subject parcels. • There are no additional signage, improvements, or structures proposed within the boundaries of the conditional use permit, except for truck scales for monitoring weight. • The mining operation will take place in two (2) phases and is planned to begin in the Northwest corner of the site. Phase one (1) will consist of the plant area and soil/aggregate stockpiles on approximately twenty (20) acres. A portion of the salvaged soil will be used to create a berm around the mining operations. Phase two (2) will result in approximately thirty (30) acres of disturbance (Staff Report Exhibit A2). • According to the letter of intent (Staff Report Exhibit A2), the site will be mined to a minimum elevation of 2,280 feet, with a maximum depth of twenty (20) feet from the surface elevation. The operational slopes on the mine walls will be between 1:1 and 3:1. • Proposed hours of operation for mining are 7 a.m. – 5 p.m., Monday through Saturday. However, loading and hauling of material may take place 24 hours a day, seven (7) days a week to support construction activities. In the letter of intent, the applicant states that they will send a notice to the neighbors 10 days prior to starting a 24-hour operation. <i>See condition of approval number 2b to mitigate disturbances outside of the operation hours</i> (Staff Report Exhibits A2 and A3). • There is expected to be one (1) to ten (10) employees on site at any given time (Staff Report Exhibit A2). • Four (4) foot berms along the eastern and southern shared property lines are proposed (Staff Report Exhibits A2 and A8). The applicant is proposing a topsoil berm, stabilized with grass or rock, to be placed around the site as mining progresses to serve as the perimeter of the mining area. The berms will be graded and seeded to control stormwater runoff. <i>See condition of approval number 4.</i> The topsoil will be removed and reclaimed during the reclamation process. • There will be a 30-foot setback from the subject property boundaries in accordance with CCCO §07-14-19 (Staff Report Exhibits A2 and A7). <i>See the condition of approval number 2d for the rock crusher’s designated area.</i> • A Reclamation Plan has been approved by the Idaho Department of Lands. The applicant proposes to create a 50-acre water feature due to the depth of mining. The remainder will be sold as agricultural land or residential development (Staff Report Exhibit A7).
☒	☐	☐	07-07-05(3)	Is the proposed use consistent with the comprehensive plan?
			Analysis	As conditioned, the proposed use is consistent with the 2030 Canyon County Comprehensive Plan. The 2030 Canyon County Comprehensive Plan

designates the subject parcels as “agriculture” with an “Intensive Agriculture Overlay” on the future land use map (**Staff Report Exhibit B2.16**). This area primarily consists of agricultural uses (primarily livestock and grazing, with some crop production), feed lots, and limited residential uses (**Staff Report Exhibits B2.6, B2.7, and B2.9**).

With recommended conditions, the request aligns with the following goals and policies of the 2030 Canyon County Comprehensive Plan:

- **Chapter 1 - Property Rights:**
 - Property Rights G1.01.00: “Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.”
 - Property Rights G1.02.00: “Acknowledge the responsibilities of each property owner as a steward of the land, use their property wisely, maintain it in good condition, and preserve it for future generations without becoming a public nuisance.”
- **Chapter 2 – Population:**
 - Population G2.02.00: “Promote housing, business, and service types needed to meet the demand of the future and existing population.”
- **Chapter 3 – Economic Development:**
 - Economic Development G3.01.00: “Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations.”
 - Economic Development P3.01.02: “Support suitable sites for economic growth and expansion compatible with the surrounding area.”
 - Economic Development 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.”
- **Chapter 4 – Land Use and Community Design**
 - Land Use P4.02.01: “Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses.”
 - Land Use P4.03.03: “Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility.”
- **Chapter 5 – Natural Resources and Hazardous Areas**
 - Natural Resources P5.01.01: Protect and enhance waterways, groundwater, wetlands, wildlife habitat, air, soils, and other natural resources.
 - Natural Resources G5.02.00: “Recognize the importance of air quality and address air pollution in accordance with applicable regulations.”

				○ <u>Natural Resources G5.03.00</u>: "Support the conservation of productive mineral lands and discourage incompatible uses upon or adjacent to these lands." ○ <u>Natural Resources P5.03.01</u>: "Sand and gravel mining operations should be located to avoid adverse impacts on the river channel and promote compatibility with adjacent uses." ○ <u>Natural Resources G5.07.00</u>: "Protect the quality and quantity of aquifers and protect and enhance the capability of groundwater." recharge areas for the present and future water supply of the County." <i>See all case analyses within the Staff Report for supporting evidence. See conditions of approval.</i>																				
			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? The proposed use will be injurious to other property in the immediate vicinity and will negatively change the essential character of the area.. Adjacent Existing Conditions: <table border="1"> <thead> <tr> <th>Direction</th> <th>Existing Use</th> <th>Primary Zone</th> <th>Other Zone</th> </tr> </thead> <tbody> <tr> <td>N</td> <td>Agricultural with Primary Residence</td> <td>A</td> <td>CR-RR</td> </tr> <tr> <td>S</td> <td>Agricultural with Primary Residence</td> <td>A</td> <td>-</td> </tr> <tr> <td>E</td> <td>Agricultural Operation</td> <td>A</td> <td>-</td> </tr> <tr> <td>W</td> <td>Agricultural Operation</td> <td>A</td> <td>-</td> </tr> </tbody> </table> "A" (Agricultural), "R-R" (Rural Residential), "R-1" (Single-Family Residential), "C-1" (Neighborhood Commercial), "C-2" (Service Commercial), "M-1" (Light Industrial), "CR" (Conditional Rezone) Surrounding Land Use Cases (Staff Report Exhibit B2.7): Within the past 5 years, the following conditional use permits have been approved within 1 mile of the property: • CU2020-0005 – Mineral Extraction - Idaho Materials and Construction • CU2024-0009 – Mineral Extraction - Sunroc Corporation The following conditional use permits have been approved this year within 2 miles of the property: • CU2023-0019 – Mineral Extraction – Nampa Paving • CU2024-0007 – Mineral Extraction – JMAC Resources • CU2024-0014 – Mineral Extraction – Nampa Paving Character of the Area: The subject properties are zoned "A" (Agricultural) (Staff Report Exhibit B1), with the surrounding zoning also "A" (Agricultural). The 2030 future land use designation of the area is "A" Agricultural with an intensive agricultural overlay (Staff Report Exhibit B1). There are no subdivisions located nearby. Within 1,000 feet of the subject property, there are 21 parcels (Staff Report Exhibit B2.2). The character of the area consists of livestock grazing, feed lots, mineral extraction operations, and some residences (Staff Report Exhibits B2.6, B2.7, and B2.9).	Direction	Existing Use	Primary Zone	Other Zone	N	Agricultural with Primary Residence	A	CR-RR	S	Agricultural with Primary Residence	A	-	E	Agricultural Operation	A	-	W	Agricultural Operation	A	-
Direction	Existing Use	Primary Zone	Other Zone																					
N	Agricultural with Primary Residence	A	CR-RR																					
S	Agricultural with Primary Residence	A	-																					
E	Agricultural Operation	A	-																					
W	Agricultural Operation	A	-																					

Within a 2-mile radius, there are several approved gravel pits to the northeast and southeast of the subject parcels and three (3) feedlots to the southeast, west, and northwest of the subject parcels (**Staff Report Exhibit B2.9**).

Public testimony by Shaw Holdings stated that they move their cattle on the road that the proposed use would use. Verbal testimony on November 20, 2025, stated that the character of the area, along with the subject properties, is productive agriculture.

Canyon County Soil Conservation District comments in the Staff Report Exhibit D3 state that they do not recommend a land use change due to the soil classifications.

The Commissioners found that, based on the evidence provided, a gravel pit would be injurious to agricultural operations and alter the character of the area.

Impacts:

The long-term mineral extraction use will impact the surrounding area, due to an increase in dust, noise, lighting, and traffic related to the use.

DUST: The applicant states in the letter of intent that they are proposing watering of roads and stockpiles to mitigate dust concerns. Dust control water will be applied to high-traffic areas during the summer months using processed water via water trucks (**Staff Report Exhibit A2**). According to the applicants' Reclamation Plan, water for dust control will be applied to the crusher and screens to prevent excessive dust at the process equipment (**Staff Report Exhibit A7**).

NOISE: Although a batch plant will not be located on Parcels R35968010 and R35973010, noise levels may increase in the immediate vicinity due to the mining activities and rock crushing that are proposed to take place on site (**Staff Report Exhibit A2**). The berms surrounding the mining activities will act as a noise barrier to decrease noise pollution. The hours of operation proposed are Monday through Saturday, 7:00 a.m. through 5:00 p.m., with the operation closed on Sundays and traditional legal holidays (unless an emergency occurs). There was discussion for the rock crusher to be limited to an area away from the nearby residence (**Staff Report Exhibit A9**), and a 10-foot high topsoil berm constructed along the northern and western property boundaries (**Staff Report Exhibit A8**), it was found by public testimony from the neighbors that would be impacted by the noise that putting these conditions would not mitigate the impact. The neighbor located at parcel R35968010B is in the middle of both proposed parcels R35968010 and R35973010 works in the healthcare profession and does not have a set schedule.

TRAFFIC: An impact on traffic would occur due to the large heavy equipment and the multiple gravel pits that have been approved in the area and that have yet to make the road improvements. Golden Gate Highway District provided comment on October 1, 2025, requesting a traffic impact study to be performed and combined with case CU2025-0009 (**Staff Report Exhibit D5**). On November 7, 2025, the Idaho Transportation Department (ITD)

				provided a comment requesting a westbound right-turn lane at SH-19 and Notus Road. See criterion number 7 for a full analysis of the traffic impact. <u>OTHER IMPACTS:</u> According to the letter of intent, during the neighborhood meeting, there were concerns expressed for obstructing the neighbors' views to the valley, road safety, noxious weeds, impacts to the culverts and ditches, and potential impact to the neighboring wells. The applicant has offered conditions to mitigate the concerns. These mitigations include lowering the berms to four feet along the eastern and southern shared property lines (Staff Report Exhibit A8), the truck loads to be covered before leaving the pit, a speed limit of 25 miles per hour on Centerpoint Road, monitoring and treating for noxious weeds in accordance with Idaho Surface Mining Act and Administrative Rules, if the accessibility or functionality of the culverts and ditches become impacted, including the drainage pipe under Centerpoint Road, north of the proposed site entrance, the onsite team will correct the impact, and if operations effect the domestic water wells on the adjoining properties then the applicant will fix or replace the wells. Most of these conditions put in place by the applicant are not enforceable by the County; therefore, conditions could not be made to mitigate these impacts.
☒	☐	☐	07-07-05(5)	Will adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems be provided to accommodate the use? 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: Per the land use matrix, there is no well proposed for the use (Staff Report Exhibit A3). Sewer: No septic tank or drain field is proposed, as portable toilets will be provided for employees on site (Staff Report Exhibit A3). Southwest District Health was notified of the request on June 5, 2025, and on October 16, 2025. Comments were received on June 6, 2025, stating that a nutrient pathogen study and a septic system are not required (Staff Report Exhibit D1). Irrigation: According to the land use worksheet, the applicant is not proposing to use irrigation water (Staff Report Exhibit A3). Eureka Irrigation District was notified of the request on June 5, 2025, and on October 16, 2025. Eureka Irrigation District provided comment on November 10, 2025, stating that no water is allowed to be discharged into the Eureka Ditch or any of its laterals or sub laterals (Staff Report Exhibit D8). Drainage/Stormwater: Stormwater shall be retained onsite per the applicant's letter of intent and land use worksheet (Staff Report Exhibits A2 and A3). The stormwater shall be retained onsite in the proposed settling ponds within the pit. The stormwater will be used for dewatering. The stormwater will be controlled on the site through site grading, permanent or temporary ditches, and berms. Stockpile berms will be seeded for stabilization to act as the first
			Analysis	

				control for runoff. Stormwater will be allowed to pond inside the pits. Stormwater will then be channeled into the lower parts of the pit throughout the mining operations. Discharging/ Dewatering into Irrigation Facilities: According to the letter of intent, dewatering will occur by pumping groundwater and stormwater from the ponds. Discharging of water will be done into an irrigation ditch. The applicant states they will send a Notice of Intent to discharge stormwater associated with Industrial Activity under the IDEQ National Pollutant Discharge Elimination System Multi-Sector General Permit. Staff spoke with Drainage District 6 over the phone on November 10, 2025 (Staff Report Exhibit D9). Drainage District 6 requested that drainage occur in the irrigation canal during the summer months. Eureka Irrigation District's comment on November 10, 2025 (Staff Report Exhibit D8), advised that Eureka Irrigation District does not grant access for any operations to discharge into Eureka. Utility Systems: Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on June 5, 2025, and October 16, 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 only site access point will be located near the northeast corner of the site, adjacent to Centerpoint Road (Staff Report Exhibit A2). Golden Gate Highway District was notified of the request on June 5, 2025, and on October 16, 2025. Golden Gate Highway District provided comment on October 1, 2025, advising that an approach permit application is required for the access proposed (Staff Report Exhibit D5).
☐	☒	☐	07-07-05(7)	Will there be undue interference with existing or future traffic patterns?
			Analysis	There will be undue interference with the existing and/or future traffic patterns primarily because there are several approved gravel pits in the area that have yet to improve the roads, adding another gravel pit to the area would further add to the interference. The subject parcels are located on the northwest corner of the Centerpoint Road and Howe Road intersection. Centerpoint Road and Howe Road are under the jurisdiction of the Golden Gate Highway District and are classified as Local Road and Minor Collector, according to the Golden Gate Highway District's comment (Staff Report Exhibit D5). A Traffic Impact Study (TIS) is required per the Golden Gate Highway District to determine the impacts of the existing and future traffic patterns. Golden Gate Highway District states that a pavement analysis and improvement recommendation is required for Centerpoint Road from Boise River Road to Howe Road. Due to the proximity of case CU2025-0009 heard on November 6, 2025, Golden Gate Highway District would like to see the traffic impact study and pavement

			analysis combined. See Staff Report Exhibit D5 for Golden Gate Highway District's comment letter. According to the Idaho Transportation Department's (ITD's) comment (Staff Report Exhibit D7), IMC, case numbers CU2024-0007 and CU2019-0018 were conditioned for a westbound right-turn lane at SH-19 and Notus Road. As of now, the improvement has not been made. ITD's comment recognizes that the improvement should not be the sole responsibility of the current applicant, but states that the turn lane must be installed for the highway to safely serve the increased traffic demand at this intersection. The applicant provided a proposed trucking route that is believed to have the least amount of impact on the existing or future traffic patterns (Staff Report Exhibit D10). Without the studies requested, such as the Traffic Impact Study for the surrounding area, the Commissioners find that, as of now, there is not enough evidence to suggest the proposed use will not interfere with the existing or future traffic patterns.
			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: The subject properties are serviced by the Notus School District. Agency comments were sent out on June 5, 2025, and October 16, 2025; no comments were received by the school district. The proposed use is not anticipated to impact the Notus School District. Police and Fire protection: The subject properties are under the jurisdiction of the Canyon County Sheriff's Office. The Canyon County Sheriff's Office is required to provide services to the property. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency notice was sent out on June 5, 2025, and October 16, 2025, and no comments were received by the Sheriff's Office. Wilder Rural Fire District serves the subject properties and sent a comment letter on September 25, 2025. The comment letter did not express any concerns about the proposed use (Staff Report Exhibit D4). It was advised that the average response time to the subject properties would be approximately 7-10 minutes. Emergency Medical Services: Emergency Medical Services are provided to the subject properties. Canyon County Paramedics/EMT and Canyon County's Emergency Management

			Coordinator were notified of the application on June 5, 2025, and October 16, 2025, and 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 subject properties are under the Eureka Irrigation District's jurisdiction. Eureka Irrigation District provided comment on November 10, 2025, stating that no water is allowed to be discharged into the Eureka Ditch or any of its laterals or sub laterals (Staff Report Exhibit D8). See CCCO 07-07-05(5) for information on irrigation.
--	--	--	---

**Table 2. Article 14 Use Standards Criteria Analysis
- Mineral Extraction Long Term –**

USE STANDARDS 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).																				
CCCO §07-14-19(1): If a conditional use permit is required, the following standards shall apply:																				
Compliant			County Ordinance and Staff Review																	
Yes	No	N/A	Code Section	Analysis																
☒	☐	☐	07-14-19(1)A	Setbacks: Required = 30'																
			Analysis	The proposed use will comply with the minimum required setbacks for a long-term mineral extraction facility. See further analysis contained below.																
				<table><tr><td>Setbacks</td><td>Front</td><td>Side</td><td>Rear</td><td>Corner</td></tr><tr><td>Required</td><td>30'</td><td>30'</td><td>30'</td><td>30'</td></tr><tr><td>Proposed</td><td>30'</td><td>30'</td><td>30'</td><td>30'</td></tr></table>		Setbacks	Front	Side	Rear	Corner	Required	30'	30'	30'	30'	Proposed	30'	30'	30'	30'
				Setbacks	Front	Side	Rear	Corner												
Required	30'	30'	30'	30'																
Proposed	30'	30'	30'	30'																
07-14-19(1) A.1. Front and corner setbacks shall be measured from the greatest of either the property line, right-of-way line, or road easement line of any local or private street.																				
According to the letter of intent (Staff Report Exhibit A2), the applicant is proposing to establish a 30' setback from the property lines.																				
CCCO 07-14-19(1)A.2 When making a decision for a conditional use permit for the use, the decision-making body shall consider the following:																				
☒	☐	☐	07-14-19(1) A.2 (A)	The uses of the surrounding properties in the determination of the compatibility of the proposed application with such uses.																
			Analysis	The surrounding property uses consist of agricultural practices, mineral extractions, feedlots, and residential uses (Staff Report Exhibits B2.6, B2.7, and B2.9). The subject properties are zoned "A" (Agricultural) (Staff Report Exhibit B1), with the surrounding zoning also "A" (Agricultural). Within 1,000 feet of the subject property, there are 21 parcels (Staff Report Exhibit B2.2). Within a 2-mile radius, there are several approved gravel pits to the northeast and southeast of the subject parcels and three (3) feedlots to the southeast, west, and northwest of the subject parcels (Staff Report Exhibit B2.9). Within a 2-mile radius, there are three (3) active conditional use permits for mineral extractions awaiting the public hearing process in this area. As conditioned, the proposed and existing uses are not anticipated to directly or indirectly interfere with or negatively impact one another.																

☒	☐	☐	07-14-19(1) A.2 (B)	Duration of the proposed use.
			Analysis	According to the Reclamation Plan (Staff Report Exhibit A7), the applicant is proposing to be in operation for a maximum of twenty (20) years.

☒	☐	☐	07-14-19(1) A.2 (C)	Setbacks from surrounding uses.
			Analysis	A minimum of a 30' setback is proposed along the property boundaries (Staff Report Exhibit A2). <i>See the condition of approval number 2c.</i>
☒	☐	☐	07-14-19(1) A.2 (D)	Reclamation plan as approved by Idaho Department of Lands.
			Analysis	A reclamation plan was approved by the Idaho Department of Lands on February 3, 2025, subject to conditions (Plan No. S603017, Staff Report Exhibit A7). The operation consists of two (2) phases. Phase one (1) will begin in the northwest corner of the site (Staff Report Exhibit A7). Phase one (1) will be approximately thirty (30) acres, and phase two (2) will be approximately twenty-eight (28) acres. The aggregate deposit will be mined using both dry and wet extraction techniques. The material will be crushed, screened, washed, and stockpiled at the mining site. As mining progresses, the pit floor will be smoothed and flattened. Once mining operations have completed, the site will be graded to establish a large pond. The post-mining land use plan for the property contains a large water feature due to the depth of mining. The perimeter berms created during the stripping process will be leveled into the water surface to reduce visual obstruction.
☒	☐	☐	07-14-19(1) A.2 (E)	The locations of all proposed pits and any accessory uses.
			Analysis	See Reclamation Plan (Staff Report Exhibit A7) for discussion of the location of the two (2) phases of the mineral extraction. Accessory uses include, but are not limited to, handling construction aggregate and overburden soil onsite, parking for the equipment and vehicles, and servicing the vehicles. The vehicles will be serviced with fuel and lubricating oil. Fuel will be kept on-site for the vehicles and crusher. All fuel tanks will be double-walled or installed in a second containment. Heavy equipment to be used for the operations includes hydraulic excavators, dozers, front-end loaders, and crushing and screening equipment (Staff Report Exhibit A2). The rocker crusher shall be located within the designated area in Staff Report Exhibit A9.
☒	☐	☐	07-14-19(1) A.2 (F)	Recommendations from applicable government agencies.
			Analysis	Southwest District Health provided comments on June 6, 2025; no recommendations or conditions were provided (Staff Report Exhibit D1). Idaho Department of Environmental Quality (DEQ) provided comments on June 9, 2025; general recommendations were provided (Staff Report Exhibit D2). Canyon County Soil Conservation District provided comments on June 10, 2025; a recommendation of not changing the land use was provided with no conditions to mitigate (Staff Report Exhibit D3). Wilder Rural Fire District provided comments on September 25, 2025; no recommendations or conditions were provided (Staff Report Exhibit D4).

				Golden Gate Highway District provided comments on October 1, 2025; proposed conditions were provided (Staff Report Exhibit D5). Canyon County GIS Department provided comments on November 6, 2025; proposed conditions were provided (Staff Report Exhibit D6). Idaho Transportation Department (ITD) provided comments on November 7, 2025; proposed conditions were provided (Staff Report Exhibit D7). Eureka Irrigation District provided comments on November 10, 2025; proposed conditions were provided (Staff Report Exhibit D8). Drainage District 6 had a phone conversation with staff on November 10, 2025; proposed conditions were provided (Staff Report Exhibit D9). See Staff Report Exhibit D for all agency recommendations and comments.
--	--	--	--	---

Order:

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission **denies** Case # CU2025-0011, a conditional use permit for a mineral extraction (long term).

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

1. A traffic impact study and pavement analysis of the truck's primary and secondary routes.
2. The Commission does not find that any actions can be taken at this time to mitigate the impact on the productive agricultural operations in the area.

DATED this 4 day of December, 2025.

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


Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this 4th day of December, in the year 2025, before me CAITLIN ROSS, a notary public, personally appeared Robert Sturgill, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.



Notary: Caitlin Ross

My Commission Expires: 5/7/2031