



**Planning & Zoning Commission**  
**Hearing Date: November 7, 2024**  
*Canyon County Development Services Department*

**PLANNING DIVISION STAFF REPORT**

**CASE NUMER:** CU2023-0011  
**APPLICANT/REPRESENTATIVE:** Edward Padlo  
**PROPERTY OWNER:** Padlo 2020 Trust (Edward L. Padlo & Kathleen M. Padlo)

**APPLICATION:** Conditional use permit

**LOCATION:** Parcel R30200011 (12040 Alamo Lane, Nampa ID 83686)

**ANALYST:** Madelyn Vander Veen, Associate Planner  
**REVIEWED BY:** Carl Anderson, Planning Supervisor

**REQUEST:**

The applicant, Edward Padlo, requests a conditional use permit for a contractor shop, staging area, and farm implement service for a welding business in the "A" (Agricultural) zone.

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**PUBLIC NOTIFICATION:**

**Neighborhood meeting conducted on:** April 15, 2023  
**Neighbor notification within 600 feet mailed on:** October 4, 2024  
**Newspaper notice published on:** October 4, 2024  
**Notice posted on site on:** October 8, 2024

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**1. BACKGROUND:**

The applicant, Edward Padlo is requesting a Conditional Use Permit for a contractor shop, staging area, and farm implement service for a welding business in the "A" (Agricultural) zone. The welding business is proposed to operate Monday through Saturday from 7 am to 5 pm with metal deliveries 1-2 times per month. The business has two owners and two employees.

**2. HEARING BODY ACTION:**

Pursuant to Canyon County Ordinance Article 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 (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 (07-07-19).

#### OPTIONAL MOTIONS:

**Approval of the Application:** "I move to approve CU2023-0011, Padlo, finding the application **does** meet the criteria for approval under Article 07.07.05 of Canyon County Zoning Regulations, **with the conditions listed in the staff report, finding that;** [Cite reasons for approval & insert any additional conditions of approval].

**Denial of the Application:** "I move to deny CU2023-0011, Padlo, finding the application **does not** meet the criteria for approval under Article 07.07.05 of Canyon County Zoning Regulations, **finding that;** [Cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5))].

**Table the Application:** "I move to continue CU2023-0011, Padlo, to a [date certain or uncertain].

### 3. HEARING CRITERIA

**Table 1. Conditional Use Permit Review Criteria Analysis**

<b>HEARING CRITERIA (07-07-05):</b> The presiding party shall consider each conditional use permit application by finding adequate evidence to answer the following questions in its FCOs:				
<b>Compliant</b>			<b>County Ordinance and Staff Review</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Code Section</b>	<b>Analysis</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>07-07-05(1)</b>	<b>Is the proposed use permitted in the zone by conditional use permit;</b>
			<b>Staff Analysis</b>	The proposed use is permitted in the zone by conditional use permit, pursuant to County Ordinance 07-10-27. The proposed use consists of a contractor shop, staging area, and farm implement service for a welding business in the "A" (Agricultural) zone. See project description analysis contained in Section 07-07-05(2) detailing the nature of the request.
			<b>07-07-05(2)</b>	<b>What is the nature of the request;</b>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Staff Analysis</b>	The nature of the request consists of a contractor shop, staging area, and farm implement service for a welding business in the “A” (Agricultural) zone. The welding business is proposed to operate Monday through Saturday from 7 am to 5 pm with metal deliveries 1-2 times per month. The business has two owners and two employees.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>07-07-05(3)</b>	<b>Is the proposed use consistent with the comprehensive plan;</b>	
			<b>Staff Analysis</b>	The proposed use is consistent with the 2030 Canyon County Comprehensive Plan.	
			<b>Goal/Policy/Action</b>	<b>Analysis</b>	
			<b>G1.01.00</b>	<b>Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.</b>	Allowing this use would not obstruct property rights.
			A1.01.00a	Require properties to conform to the zoning code before receiving additional zoning approvals.	The property is conforming to the zoning code.
			P1.01.01	No person should be deprived of private property without due process of law.	This application/hearing is the due process.
			P1.01.03	Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures on development approvals.	The conditions have been found to be necessary to mitigate potential issues with the proposal and have been reviewed by the applicant.
			<b>G2.02.00</b>	<b>Promote housing, business, and service types needed to meet the demand of the future and existing population.</b>	The property owner's business meets a need for commercial and agricultural welding services.
			<b>G3.04.00</b>	<b>Increase agricultural-based and supportive businesses.</b>	This is a supportive business to agriculture since it is partly welding for farm equipment.
			<b>G3.05.00</b>	<b>Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability.</b>	This is a commercial use and is a part of the overall economic stability of Canyon County.
			P4.01.02	Planning, zoning, and land-use decisions should balance the community’s interests and protect private property rights.	There has been no public comment to indicate that the business is not in the community's interest, and allowing the business promotes the property rights of the owner.

				<table><tr><td>P4.03.03</td><td>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.</td><td>This business is compatible with agricultural uses in the vicinity as conditioned.</td></tr><tr><td><b>G4.05.00</b></td><td><b>Support a diversity of agricultural uses to sustain the agricultural and agriculturally related economy.</b></td><td>The business is partly in the agriculturally-related economy.</td></tr><tr><td>P4.05.01</td><td>Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators.</td><td>This land-use decision is not anticipated to create hardship for farmers or agricultural operators.</td></tr><tr><td>P4.05.02</td><td>Consider development on poor soils (Class 4 or higher) that will not interfere with viable agricultural operations in the area.</td><td>The parcel contains Class 3, 5, and 8 soils, and the business use is not on the Class 3 part of the property.</td></tr><tr><td>P4.05.03</td><td>Encourage uses on agricultural parcels to be planned and placed to limit interference with farming operations, which may include clustering of residences and other structures, placement near existing utilities and infrastructure, and placement to minimize conflicts with allowed agricultural uses on the proposed site and adjacent lands.</td><td>The location of the business along Rim Road and the Mora Canal somewhat clustered near to other houses, and close to a gravel pit suggests that the business will have minimal impact to agricultural uses.</td></tr><tr><td><b>G5.06.00</b></td><td><b>Encourage downward-facing lighting to improve public safety.</b></td><td>Downward-facing lighting is proposed as a condition of approval.</td></tr></table>	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.	This business is compatible with agricultural uses in the vicinity as conditioned.	<b>G4.05.00</b>	<b>Support a diversity of agricultural uses to sustain the agricultural and agriculturally related economy.</b>	The business is partly in the agriculturally-related economy.	P4.05.01	Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators.	This land-use decision is not anticipated to create hardship for farmers or agricultural operators.	P4.05.02	Consider development on poor soils (Class 4 or higher) that will not interfere with viable agricultural operations in the area.	The parcel contains Class 3, 5, and 8 soils, and the business use is not on the Class 3 part of the property.	P4.05.03	Encourage uses on agricultural parcels to be planned and placed to limit interference with farming operations, which may include clustering of residences and other structures, placement near existing utilities and infrastructure, and placement to minimize conflicts with allowed agricultural uses on the proposed site and adjacent lands.	The location of the business along Rim Road and the Mora Canal somewhat clustered near to other houses, and close to a gravel pit suggests that the business will have minimal impact to agricultural uses.	<b>G5.06.00</b>	<b>Encourage downward-facing lighting to improve public safety.</b>	Downward-facing lighting is proposed as a condition of approval.
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				<table><tr><th>Direction</th><th>Existing Use</th><th>Primary Zone</th><th>Other Zone</th></tr><tr><td>N</td><td>Agricultural</td><td>A</td><td>--</td></tr><tr><td>S</td><td>Gravel pit/Agricultural</td><td>A</td><td>--</td></tr><tr><td>E</td><td>Residential/Agricultural</td><td>A</td><td>--</td></tr><tr><td>W</td><td>Residential/Agricultural</td><td>A</td><td>--</td></tr></table> <p>"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)</p> <p><b>Surrounding Land Use Cases:</b> There have been no land use cases within 1 mile of the subject property in the last 5 years. The last land use case was a conditional use permit approved in 2005 for a building permit for a single-family residence on a 10.28-acre parcel approximately a quarter mile east of the subject property.</p> <p><b>Character of the Area:</b> The area is primarily open space consisting of agriculture, a gravel pit, and some houses and accessory/agricultural structures on large lots. The Mora Canal and Brooks Lateral run adjacent to the subject parcel through some elevation changes.</p>	Direction	Existing Use	Primary Zone	Other Zone	N	Agricultural	A	--	S	Gravel pit/Agricultural	A	--	E	Residential/Agricultural	A	--	W	Residential/Agricultural	A	--
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<div>07-07-05(5)</div> <div>Staff Analysis</div>	<p><b>Will adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems be provided to accommodate the use;</b></p> <p>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.</p> <p><b>Water:</b> The use does not require water.</p> <p><b>Sewer:</b> There is not a bathroom in the shop, although in a pre-application meeting with Southwest District Health, the applicant indicated that one may be installed in the future (<b>Exhibit A6</b>). There is a restroom in the house connected to a septic system. Southwest District Health did not cite any concerns with this.</p> <p><b>Irrigation:</b> The use does not require irrigation.</p> <p><b>Drainage:</b> The use does not require or affect drainage on the property.</p> <p><b>Stormwater drainage facilities:</b> The shop being used for the use is existing. The use is not anticipated to affect stormwater drainage on the property.</p> <p><b>Utility Systems:</b> The property already has power. It is anticipated that the property owner will be able to work with Idaho Power and other utility providers to gain any additional utilities needed.</p>																				

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>07-07-05(6)</b>	<b>Does legal access to the subject property for the development exist or will it exist at the time of development;</b>
			<b>Staff Analysis</b>	<p>The subject property does have legal access for the development.</p> <p>The property is accessed via Alamo Lane, a private road, which comes off of Rim Road, a public road. The portion of Alamo Lane west of Rim Road is within a 28' easement and has a recorded road users' maintenance agreement (Inst. No. 2020-028717).</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>07-07-05(7)</b>	<b>Will there be undue interference with existing or future traffic patterns; and</b>
			<b>Staff Analysis</b>	<p>There will not be undue interference with the existing or future traffic patterns.</p> <p>The business has a two (2) owners who live on site and two (2) employees. Work is done on and off site. Metal is delivered 1-2 times per month. Overall, traffic patterns are not expected to change significantly as a result of the business.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>07-07-05(8)</b>	<b>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? (Ord. 16-001, 1-8-2016)</b>
			<b>Staff Analysis</b>	<p>Essential services will be provided to accommodate the use including, but not limited to school facilities, police and fire protection, emergency medical services, 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.</p> <p><b>School Facilities:</b> Not applicable. The proposed use is not anticipated to require additional accommodations from the Nampa School District. Nampa School District was notified of the application and did not comment.</p> <p><b>Police and Fire protection:</b> Police and fire protection are provided to the property. Canyon County Sheriff, Upper Deer Flat Fire Protection District, and the State Fire Marshal were notified of the application and did not respond. The applicant provided a letter from Upper Deer Flat Fire Protection District along with the Agency Acknowledgement signature (<b>Exhibit A6</b>). The district is in support of the application subject to two conditions, which are included as conditions 3a and 3b. The use is not anticipated to be significant enough to cause a negative impact or require additional public funding.</p> <p><b>Emergency Medical Services:</b> Emergency Medical Services are provided to the property. Canyon County Paramedics/EMT and the Emergency Management Coordinator were notified of</p>

				<p>the application and did not comment. The use is not anticipated to be significant enough to cause a negative impact or require additional public funding.</p> <p><b>Irrigation Facilities:</b>  The use does not require irrigation. Boise-Kuna Irrigation District and Boise Project Board of Control were notified of the application and did not comment. The Mora Canal and Brooks Lateral border the property but given that the shop is in the middle of the parcel and not near the irrigation facilities and that Alamo Lane is separated from the Mora Canal and its ditch road, no impacts are anticipated to the facilities.</p>
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**Table 2. Article 14 Use Standards Criteria Analysis  
- Contractor Shop -**

<b>USE STANDARDS 07-14-03(1):</b> 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). (Ord. 16-001, 1-8-2016)				
<b>Compliant</b>			<b>County Ordinance and Staff Review</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Code Section</b>	<b>Analysis</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>07-14-09(1)</b>	<b>Contractor Shop: (1) The use shall be contained within a building or behind a sight obscuring fence. (Ord.16-0001, 1-8-1026)</b>
			<b>Staff Analysis</b>	Per the letter of intent ( <b>Exhibit A5</b> ), all work on site is done within the shop building, other than storage of equipment which falls under the staging area portion of the application (Table 3).

**Table 3. Article 14 Use Standards Criteria Analysis  
- Staging Area -**

<b>USE STANDARDS 07-14-03(1):</b> 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). (Ord. 16-001, 1-8-2016)				
<b>Compliant</b>			<b>County Ordinance and Staff Review</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Code Section</b>	<b>Analysis</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>07-14-29(1)</b>	<b>All work shall be conducted off site.</b>
			<b>Staff Analysis</b>	Per the letter of intent ( <b>Exhibit A2</b> ), most work is done off site but some equipment and work vehicles are stored/parked on site. The work that is done on site is done within the shop building and falls under the contractor shop portion of the application (Table 2).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>07-14-29(2)</b>	<b>Business vehicles shall be operable and parked on site, not on a public or private road.</b>
			<b>Staff Analysis</b>	There are three parking spaces according to the land use worksheet ( <b>Exhibit A5</b> ) and plenty of space for more parking if needed. Per <b>Condition 11</b> , business vehicles shall be operable and parked according to this criteria.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>07-14-29(3)</b>	<b>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.</b>
			<b>Staff Analysis</b>	The above may occur.
			<b>07-14-29(4)</b>	<b>Employees may meet on the premises to share rides to and from job sites.</b>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Staff Analysis</b>	The above may occur.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>07-14-29(5)</b>	<b>Employees' vehicles shall be parked on site and not on a public or private road. (Ord. 16-001, 1-8-2016)</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Staff Analysis</b>	There are three parking spaces according to the land use worksheet ( <b>Exhibit A5</b> ) and plenty of space for more parking if needed. Per <b>Condition 11</b> , employees' vehicles shall be parked according to this criterion.

#### 4. AGENCY COMMENTS:

Agencies including the Canyon County Sheriff's Office, Canyon County Emergency Management Coordinator, Canyon County Paramedics/EMT, Upper Deer Flat Fire Protection District, the State Fire Marshal, Boise-Kuna Irrigation District, Boise Project Board of Control, Nampa Highway District, Nampa School District, Canyon County Building Department, Idaho Department of Water Resources (Water Rights), and Southwest District Health, were notified of the subject application.

Staff received agency comments from Southwest District Health and the Development Services Department Engineering Division. All agency comments received by the aforementioned materials deadline are located in Exhibit D. Upper Deer Flat Fire Protection District also provided a letter with their signature on the Agency Acknowledgement form (**Exhibit A6**). The Development Services Department Building Division provided an email after the materials deadline which staff is prepared to read into the record.

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 no written public comments by the materials deadline of October 28, 2024.

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.

2. A change of occupancy from residential accessory to commercial occupancy, fire district permit and approval for Certificate of Occupancy, and a new address is required for the shop building use for the business. All appropriate building permits shall be obtained prior to the commencement of use.
3. The applicant shall comply with applicable Upper Deer Flat Fire District requirements. The applicant shall obtain a fire district permit to be provided at the time of building permit submittal.
  - a. ABC chemical fire extinguishers must be appropriately placed as required by Upper Deer Flat Fire Protection District.
  - b. Premise addressing must be displayed with 6 inch numerals as required by Upper Deer Flat Fire Protection District.
4. The applicant shall comply with applicable Nampa Highway District access requirements. The applicant shall obtain a permit to be provided at the time of building permit submittal.
5. 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.
6. 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.
7. Signage shall meet CCZO §07-10-13 requirements, and shall not exceed 32 sq. feet and 10 ft 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.
8. The hours of operation shall be 7 a.m. to 5 p.m. Monday through Saturday, as proposed in the applicant's land use worksheet (**Exhibit A5**).
9. The proposed development shall be in general conformance with the applicant's site plan and Letter of Intent (**Exhibit A2**).
10. 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).
11. 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.
12. This conditional use permit must follow land use time limitation as stated in CCZO 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 a zoning compliance is issued for a change of occupancy for the shop building used for the business.

## **7. EXHIBITS:**

- A. **Application Packet & Supporting Materials**
  1. Master Application
  2. Letter of Intent
  3. Site Plan(s)

4. Neighborhood Meeting
5. Land Use Worksheet
6. Agency Acknowledgement
7. Deed
8. Additional Communication

**B. Supplemental Documents**

1. Parcel Tool
2. Cases Maps/Reports
  - 2.1. Aerial
  - 2.2. Vicinity
  - 2.3. Zoning
  - 2.4. Cases
  - 2.5. Subdivisions
  - 2.6. Dairies, Feedlots, & Gravel Pits
  - 2.7. Lot Classification
  - 2.8. Soil Suitability
  - 2.9. Prime Farmland
  - 2.10. Soil & Farmland Report
  - 2.11. Nitrate Priority & Wells
  - 2.12. Future Land Use

**C. Site Visit Photos: October 17, 2024**

1. Photo 1

**D. Agency Comments Received by: October 28, 2024**

1. SOUTHWEST DISTRICT HEALTH; Received: August 7, 2024
  - 1.1. Follow-up
2. DEVELOPMENT SERVICES DEPARTMENT ENGINEERING DIVISION; Received: October 22, 2024

**E. Draft—Findings of Fact, Conclusions of Law & Order (FCOs)**

**EXHIBIT A**

**Application Packet & Supporting Materials**

Planning & Zoning Commission

Case# CU2023-0011

Hearing date: November 7, 2024



## CONDITIONAL USE PERMIT PUBLIC HEARING - APPLICATION

<b>PROPERTY OWNER</b>	OWNER NAME: Edward Padlo	
	MAILING ADDRESS: 12040 Alamo Ln, Nampa, ID 83686	
	PHONE: 209-202-6373	EMAIL: edwardpadlo@gmail.com
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: <u>Edward Padlo</u> Date: <u>05/18/2023</u>		

<b>APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER</b>	APPLICANT NAME:	
	COMPANY NAME:	
	MAILING ADDRESS:	
	PHONE:	EMAIL:

<b>SITE INFO</b>	STREET ADDRESS: 12040 Alamo Ln, Nampa, ID 83686	
	PARCEL NUMBER: 302000110	
	PARCEL SIZE: 4.6 ac	
	REQUESTED USE: farm implement service, contractor shop and staging area	
	FLOOD ZONE (YES/NO) no	ZONING DISTRICT:

### FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER	<u>W2023-0011</u>	DATE RECEIVED:	<u>6/6/23</u>
RECEIVED BY:	<u>Madelyn Vander Veen</u>	APPLICATION FEE:	<u>\$950</u> CK MO <u>CC</u> CASH



# Conditional Use Permit

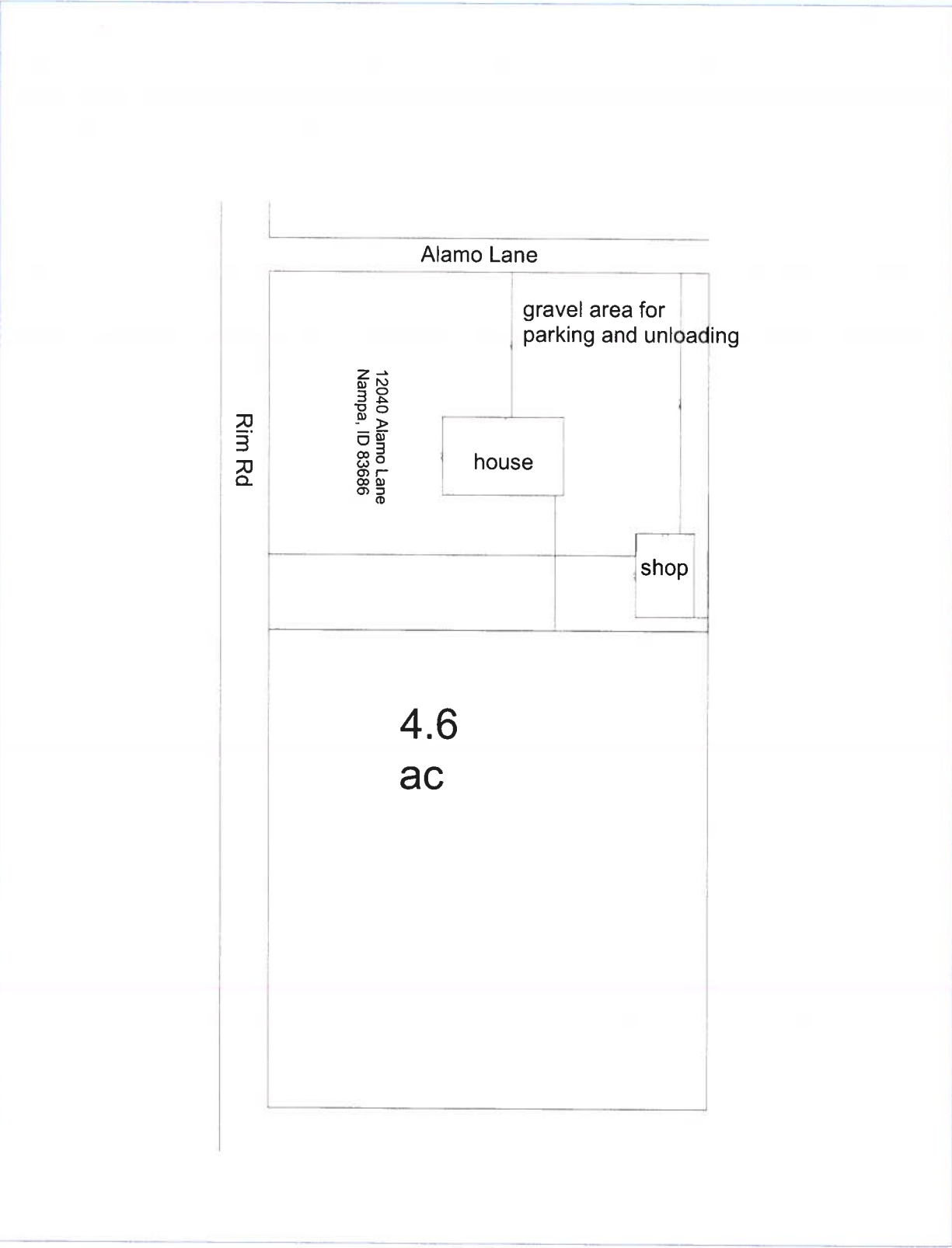
## Letter of Intent

I am requesting a Conditional Use Permit for my business, Steel Works Welding Assembly, Inc., on my property located at 12040 Alamo Lane, Nampa, ID.

We plan on operating an agricultural welding repair business out of our shop located on the property. We also do commercial welding and plan on using our shop as a contractor's shop and staging area for our business. All work onsite is performed in the shop. We are a family owned business with four employees. We will be open from 7am to 5pm Mon-Sat. We do not have a store front as most of our work is performed off site. We do receive occasional metal deliveries 1 or 2 times a month which we off load with our forklift onsite.

Our business has minimal impact on the immediate vicinity. We have access to our property off of Alamo Lane and do not anticipate any significant changes to existing or future traffic patterns, or any essential services such as schools, irrigation facilities and emergency services.

General Notes:		<table border="1"> <tr> <td>No.</td> <td>Revisions/Date</td> <td>Date</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>		No.	Revisions/Date	Date				<table border="1"> <tr> <td colspan="2">Project Name and Address</td> </tr> <tr> <td colspan="2"> </td> </tr> </table>	Project Name and Address				<table border="1"> <tr> <td colspan="2">Project Name and Address</td> </tr> <tr> <td colspan="2"> </td> </tr> </table>	Project Name and Address				<table border="1"> <tr> <td>1</td> <td>2</td> <td>3</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	1	2	3			
No.	Revisions/Date	Date																								
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1	2	3																								



## NEIGHBORHOOD MEETING SIGN-UP

### CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11<sup>th</sup> Avenue, #310, Caldwell, ID 83605

[zoninginfo@canyoncounty.id.gov](mailto:zoninginfo@canyoncounty.id.gov)

Phone: 208-454-7458

Fax: 208-454-6633



## 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: 12040 Alamo Ln	Parcel Number: 302000110	
City: Nampa	State: ID	ZIP Code: 83686
Notices Mailed Date:	Number of Acres: 4.64	Current Zoning: Ag
Description of the Request: Conditional Use Permit		

#### APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Edward Padlo		
Company Name: Steel Works Welding Assembly, Inc.		
Current address: 12040 Alamo Ln		
City: Nampa	State: ID	ZIP Code: 83686
Phone: 209-202-6373	Cell: 209-202-6373	Fax:
Email: edwardpadlo@gmail.com		

#### MEETING INFORMATION

DATE OF MEETING: 04/15/2023	MEETING LOCATION: 12040 Alamo Ln	
MEETING START TIME: 2:00 p.m.	MEETING END TIME: 3:00 p.m.	
ATTENDEES:		
NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		

10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.

**NEIGHBORHOOD MEETING CERTIFICATION:**

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

APPLICANT/REPRESENTATIVE (Please print):

Edward Padlo

---

APPLICANT/REPRESENTATIVE (Signature): Edward Padlo

DATE: 04 / 15 / 2023

# 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? \_\_\_\_\_

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

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

3. **IRRIGATION WATER PROVIDED VIA:**

☒ Surface ☐ Irrigation Well ☐ None

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

☐ Pressurized ☒ Gravity

5. **ACCESS:**

☒ Frontage ☐ Easement Easement width \_\_\_\_\_ Inst. # \_\_\_\_\_

6. **INTERNAL ROADS:**

☐ Public ☒ Private Road User's Maintenance Agreement Inst # \_\_\_\_\_

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

Type: \_\_\_\_\_ Height: \_\_\_\_\_

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

☐ Other: \_\_\_\_\_

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

### RESIDENTIAL USES

**1. NUMBER OF LOTS REQUESTED:**

- ☐ Residential \_\_\_\_\_ ☐ Commercial \_\_\_\_\_ ☐ Industrial \_\_\_\_\_  
☐ Common \_\_\_\_\_ ☐ Non-Buildable \_\_\_\_\_

**2. FIRE SUPPRESSION:**

- ☐ Water supply source: \_\_\_\_\_

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

- ☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☒ None

### NON-RESIDENTIAL USES

**1. SPECIFIC USE:** \_\_\_\_\_

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

- ☒ Monday 7:00 a.m. \_\_\_\_\_ to 5:00 p.m. \_\_\_\_\_  
☒ Tuesday 7:00 a.m. \_\_\_\_\_ to 5:00 p.m. \_\_\_\_\_  
☒ Wednesday 7:00 a.m. \_\_\_\_\_ to 5:00 p.m. \_\_\_\_\_  
☒ Thursday 7:00 a.m. \_\_\_\_\_ to 5:00 p.m. \_\_\_\_\_  
☒ Friday 7:00 a.m. \_\_\_\_\_ to 5:00 p.m. \_\_\_\_\_  
☒ Saturday 7:00 a.m. \_\_\_\_\_ to 5:00 p.m. \_\_\_\_\_  
☐ Sunday \_\_\_\_\_ to \_\_\_\_\_

**3. WILL YOU HAVE EMPLOYEES?** ☒ Yes If so, how many? 2 ☐ No

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

Height: 1.5 ft Width: 8 ft Height above ground: 14 ft

What type of sign: X Wall \_\_\_\_\_ Freestanding \_\_\_\_\_ Other \_\_\_\_\_

**5. PARKING AND LOADING:**

How many parking spaces? 3

Is there is a loading or unloading area? yes

**ANIMAL CARE-RELATED USES**

**1. MAXIMUM NUMBER OF ANIMALS:** \_\_\_\_\_

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

☐ Building    ☐ Kennel    ☐ Individual Housing    ☐ Other \_\_\_\_\_

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

☐ Building    ☐ Enclosure    ☐ Barrier/Berm    ☐ Bark Collars

**4. ANIMAL WASTE DISPOSAL**

☐ Individual Domestic Septic System    ☐ Animal Waste Only Septic System

☐ Other: \_\_\_\_\_



## AGENCY ACKNOWLEDGMENT

Date: 05/18/2023

Applicant: Edward Padlo

Parcel Number: 302000110

Site Address: 12040 Alamo Ln, Nampa, ID 83686

### OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

#### Southwest District Health:

☒ Applicant reviewed the project with staff.

Date: 05/24/2023 Signed: Anthony Lee  
Authorized Southwest District Health Representative

#### Fire District:

District: \_\_\_\_\_

☐ Applicant submitted/met for official review.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Authorized Fire District Representative

#### Highway District:

District: \_\_\_\_\_

☐ Applicant submitted/met for official review.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Authorized Highway District Representative

#### Irrigation District:

District: \_\_\_\_\_

☐ Applicant submitted/met for official review.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Authorized Irrigation Representative

#### Area of City Impact:

City: \_\_\_\_\_

☐ Applicant submitted/met for official review.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Authorized AOCI Representative

#### *Copy of completed for 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 A6 -  
Agency Acknowledgment





## Pre-Development Meeting

Name of Development: Steel Works Welding, Inc.  
Applicant: Edward Padlo  
P.E./P.G.: \_\_\_\_\_  
All others in Attendance: \_\_\_\_\_

EHS#035 Date 05/24/2023

Number of Lots or Flow: 1 Acreage of Proposed Development: 4.60  
Location of Development: 12040 Alamo Ln, Nampa ID 83686

Project in Area of Concern: No 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 for Planning & Zoning: The applicant discussed with SWDH the request for approval of a conditional use permit for a dry steel works shop at 12040 Alamo Ln in Nampa. There is existing house with a septic system. In the future, a bathroom may be installed in the shop that would require connecting to the existing septic system if it is feasible. SWDH has no concerns with the issuance of a conditional use permit.

*Anthony Lee*

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 sl commercial permit file when completed, for a complete written history of th



Anthony Lee REHS/RS  
Environmental Health Specialist

Anthony.Lee@phd3.idaho.gov  
Phone: 208.455.5384  
Cell: 208.899.1285

www.swdh.org  
13307 Miami Lane  
Caldwell, ID 83607

**Healthier Together**

# UPPER DEER FLAT FIRE DEPT.



9500 Missouri Ave. • Nampa, ID 83686 • (208) 466-0670

**DATE:** 06/04/2023

**From:** Upper Deer Flat Fire District

**Regarding:** CUP Application for farm equipment repair and fab shop  
At 12040 Alamo Ln Nampa ID Parcel ID R3020001

**Agency Comments:** Please accept this letter as supporting the CUP application for above  
Address as long as the following conditions are met.

1. Appropriately placed ABC chemical fire extinguishers.
2. Premise addressing is displayed with 6 inch numerals.

Regards,  
Fire Chief

Upper Deer Flat Fire Protection District



**Dale Jeffers**  
Fire Chief

(208) 880-1888 Cellular

9500 Missouri Avenue  
Nampa, Idaho 83686

jeffersd8@gmail.com



## AGENCY ACKNOWLEDGMENT

Date: 05/18/2023

Applicant: Edward Padlo

Parcel Number: 302000110

Site Address: 12040 Alamo Ln, Nampa, ID 83686

### OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

#### Southwest District Health:

☐ Applicant reviewed the project with staff.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Authorized Southwest District Health Representative

#### Fire District:

District: \_\_\_\_\_

☐ Applicant submitted/met for official review.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Authorized Fire District Representative

#### Highway District:

District: Nampa

☒ Applicant submitted/met for <sup>informed</sup>~~official~~ review.

Date: 5-23-23 Signed: Edward Padlo  
Authorized Highway District Representative

#### Irrigation District:

District: \_\_\_\_\_

☐ Applicant submitted/met for official review.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Authorized Irrigation Representative

#### Area of City Impact:

City: \_\_\_\_\_

☐ Applicant submitted/met for official review.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Authorized AOCI Representative

### Copy of completed for 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





*Paved apron already in place*





## AGENCY ACKNOWLEDGMENT

Date: 05/18/2023  
Applicant: Edward Padlo  
Parcel Number: 302000110  
Site Address: 12040 Alamo Ln, Nampa, ID 83686

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☐ Applicant reviewed the project with staff.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Authorized Southwest District Health Representative

#### Fire District:

District: \_\_\_\_\_

☐ Applicant submitted/met for official review.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Authorized Fire District Representative

#### Highway District:

District: \_\_\_\_\_

☐ Applicant submitted/met for official review.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Authorized Highway District Representative

#### Irrigation District:

District: Boise-Kuna Irrigation District  
Account # 663D

☒ Applicant submitted/met for official review.

Date: 5-22-2023 Signed: [Signature]  
Authorized Irrigation Representative

Boise Project needs to review with their letter of instruction by Thomas Rittshaler 208-344-1141  
trithaler@Boiseproject.org

#### Area of City Impact:

City: \_\_\_\_\_

☐ Applicant submitted/met for official review.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Authorized AOCI Representative

#### **Copy of completed for received by Canyon County Development Services:**

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
Canyon County Development Services Staff

2023-006434

RECORDED

03/01/2023 01:11 PM

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=3 TYOUREN

\$15.00

TYPE: DEED

EMPIRE TITLE, LLC. AN IDAHO LIMITED

ELECTRONICALLY RECORDED

EMPIRE  
TITLE & ESCROW

WARRANTY DEED

FOR VALUE RECEIVED

Buddy G. Miller and Gisele R. Miller, husband and wife

GRANTOR(s) does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto:

Edward Louis Padlo and Kathleen Marie Padlo, husband and wife

GRANTEE(s), whose current address is: 12040 Alamo Lane, Nampa, ID 83686 the following described real property in Canyon County, State of ID more particularly described as follows, to wit:

SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee(s), and Grantee(s) heirs and assigns forever. And Grantor(s) does(do) hereby covenant to and with said Grantee(s) that Grantor(s) is/are the owner(s) in fee simple of said premises, that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, if any, of record, and general taxes and assessments. (including irrigation and utility assessments, if any) for the current year which are not yet due and payable and the Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated this 02/17/2023

*Buddy G. Miller*  
Buddy G. Miller

*Gisele R. Miller*  
Gisele R. Miller

State of Idaho  
County Canyon

On this 23 day of February, in the year of 2023, before me the undersigned Notary Public in and for said State, personally appeared Buddy G. Miller, known or identified to me as the person whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Notary Public for State of Idaho  
Residing at Wildcat, ID  
My Commission Expires: 9/21/2026

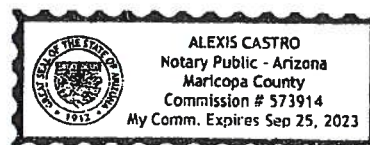
JESSICA FRAZIER  
COMMISSION #20203345  
NOTARY PUBLIC  
STATE OF IDAHO  
MY COMMISSION EXPIRES 09/21/2026

State of Arizona  
County Maricopa

On this 17<sup>th</sup> day of February, in the year of 2023, before me the undersigned  
Notary Public in and for said State, personally appeared Gisele R. Miller, known or identified to me as  
the person whose name(s) is/are subscribed to the within instrument, and acknowledged to me that  
he/she/they executed the same.

A. Castro

Notary Public for Maricopa  
Residing at: 64 E Pecos Rd  
My Commission Expires: 09/25/2023



**EXHIBIT "A"**

This parcel is a portion of the Northeast Quarter of the Southeast Quarter of Section 25, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

**BEGINNING** at the Southeast corner of said Northeast Quarter of the Southeast Quarter; thence South 89° 58' 15" West along the South boundary of said Northeast Quarter of the Southeast Quarter a distance of 319.64 feet; thence North 00° 00' 12" West parallel with the East boundary of said Northeast Quarter of the Southeast Quarter a distance of 628.62 feet; thence North 87° 34' 24" East a distance of 319.93 feet to a point on the East boundary of said Northeast Quarter of the Southeast Quarter; thence South 00° 00' 12" East along said East boundary a distance of 642.00 feet to the **POINT OF BEGINNING**.

This parcel is subject to and includes the use of a 28.00 foot wide ingress-egress and utility easement, more particularly described as follows:

**COMMENCING** at the Southeast corner of said Northeast Quarter of the Southeast Quarter; thence North 00° 00' 12" West along the East boundary of said Northeast Quarter of the Southeast Quarter a distance of 32.07 feet to the **TRUE POINT OF BEGINNING**; thence North 88° 49' 52" West a distance of 230.83 feet thence North 85° 50' 21" West a distance of 89.09 feet; thence North 00° 00' 12" West parallel with the East boundary of said Northeast Quarter of the Southeast Quarter a distance of 28.05 feet; thence South 85° 47' 48" East a distance of 88.74 feet; thence South 88° 49' 52" East a distance of 231.18 feet to a point on the East boundary of said Northeast Quarter of the Southeast Quarter; thence South 00° 00' 12" East along said East boundary a distance of 28.01 feet to the **TRUE POINT OF BEGINNING**.



## Madelyn Vander Veen

---

**From:** Edward Padlo <edwardpadlo@gmail.com>  
**Sent:** Saturday, July 27, 2024 8:15 AM  
**To:** Madelyn Vander Veen  
**Subject:** [External] Re: Conditional Use Permit CU2023-0011

Hi Madelyn,

Thanks for reaching out. Our company has two employees ( my two sons) and two owners ( my wife and myself). She runs the office and I work in the shop with my sons. We do not store materials outside, but we do park my work truck, two trailers, and a scissor lift outside.

Thanks,

Ed

On Fri, Jul 26, 2024 at 11:52 AM Madelyn Vander Veen <[Madelyn.VanderVeen@canyoncounty.id.gov](mailto:Madelyn.VanderVeen@canyoncounty.id.gov)> wrote:

Hi Edward,

I am the planner assigned to your conditional use permit case for the welding business at 12040 Alamo Lane. Hoping to get it to hearing in the next couple months. I do have a couple questions on your application – How many employees will be working on the property? Your letter of intent says four and the land use worksheet says two. Also, what kind of materials/equipment/vehicles will you be storing outside?

Let me know if you have any questions for me as well.

Thanks,

Madelyn Vander Veen

Associate Planner, [Canyon County Development Services](https://www.canyoncountyid.gov/development-services)

[madelyn.vanderveen@canyoncounty.id.gov](mailto:madelyn.vanderveen@canyoncounty.id.gov) | Direct: 208-455-6035

**DSD public office hours:**

Monday, Tuesday, Thursday and Friday: 8am – 5pm

Wednesday: 1pm – 5pm

**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.

--

**Edward Padlo**  
**Steel Works Welding Assembly, Inc.**  
(208) 249-9111 office  
(209) 202-6373 cell  
[edwardpadlo@gmail.com](mailto:edwardpadlo@gmail.com)

**EXHIBIT B**

**Supplemental Documents**

Planning & Zoning Commission

Case# CU2023-0011

Hearing date: November 7, 2024

# R30200011 PARCEL INFORMATION REPORT

10/24/2024 9:39:28 AM

PARCEL NUMBER: **R30200011**

OWNER NAME: **PADLO 2020 TRUST**

CO-OWNER: **PADLO KATHLEEN M TRUSTEE**

MAILING ADDRESS: **12040 ALAMO LN NAMPA ID 83686**

SITE ADDRESS: **12040 ALAMO LN**

TAX CODE: **0160000**

TWP: **2N** RNG: **3W** SEC: **25** QUARTER: **SE**

ACRES: **4.66**

HOME OWNERS EXEMPTION: **No**

AG-EXEMPT: **No**

DRAIN DISTRICT: **NOT In Drain Dist**

ZONING DESCRIPTION: **AG / AGRICULTURAL**

HIGHWAY DISTRICT: **NAMPA HWY DIST #1**

FIRE DISTRICT: **UPPER DEER FLAT FIRE**

SCHOOL DISTRICT: **NAMPA SCHOOL DIST #131**

IMPACT AREA: **NOT In Impact Area**

FUTURE LAND USE 2011-2022 : **AG**

FLU Overlay Zone Desc 2030: **INTENSIVE AGRICULTURE OVERLAY**

FLU RR Zone Desc 2030:

FUTURE LAND USE 2030: **INTENSIVE AGRICULTURE OVERLAY \ AG**

IRRIGATION DISTRICT: **BOISE PROJECT BOARD OF CONTROL \ BOISE KUNA  
IRRIGATION DISTRICT**

FEMA FLOOD ZONE: **X** FLOODWAY: **NOT In FLOODWAY** FIRM PANEL: **16027C0475F**

WETLAND: **Riverine**

NITRATE PRIORITY: **ADA CANYON**

FUNCTIONAL Classification: **NOT In COLLECTOR**

INSTRUMENT NO. : **2023016890**

SCENIC BYWAY: **NOT In Scenic Byway**

LEGAL DESCRIPTION: **25-2N-3W SE TX 05030 IN NESE**

PLATTED SUBDIVISION:

SMALL CITY ZONING:

SMALL CITY ZONING TYPE:



## DISCLAIMER:

1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS. POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER.
2. THIS FORM DOES NOT CALCULATE DATA FOR PARCELS INSIDE CITY LIMITS SO WATCH YOURSELVES.
3. WETLANDS CLASSIFICATION WILL POPULATE IF "ANY" PORTION OF SAID PARCEL CONTAINS A DELINEATED WETLAND.
4. COLLECTORS AND ARTERIALS ARE BASED ON THE SHERIFFS 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 B1 -  
Parcel Tool

IMAGES WERE FLOWN IN THE FALL OF 2020.  
Missouri Ave

# Padlo

## Small Air Photo 1 Mile

Alamo Ln

Rim Rd



 City Limits  
 Wetlands

0 0.25 0.5  
Miles

Exhibit B2.1 -  
Case Maps - Aerial



# Padlo Small Vicinity Map

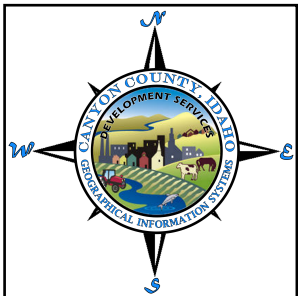
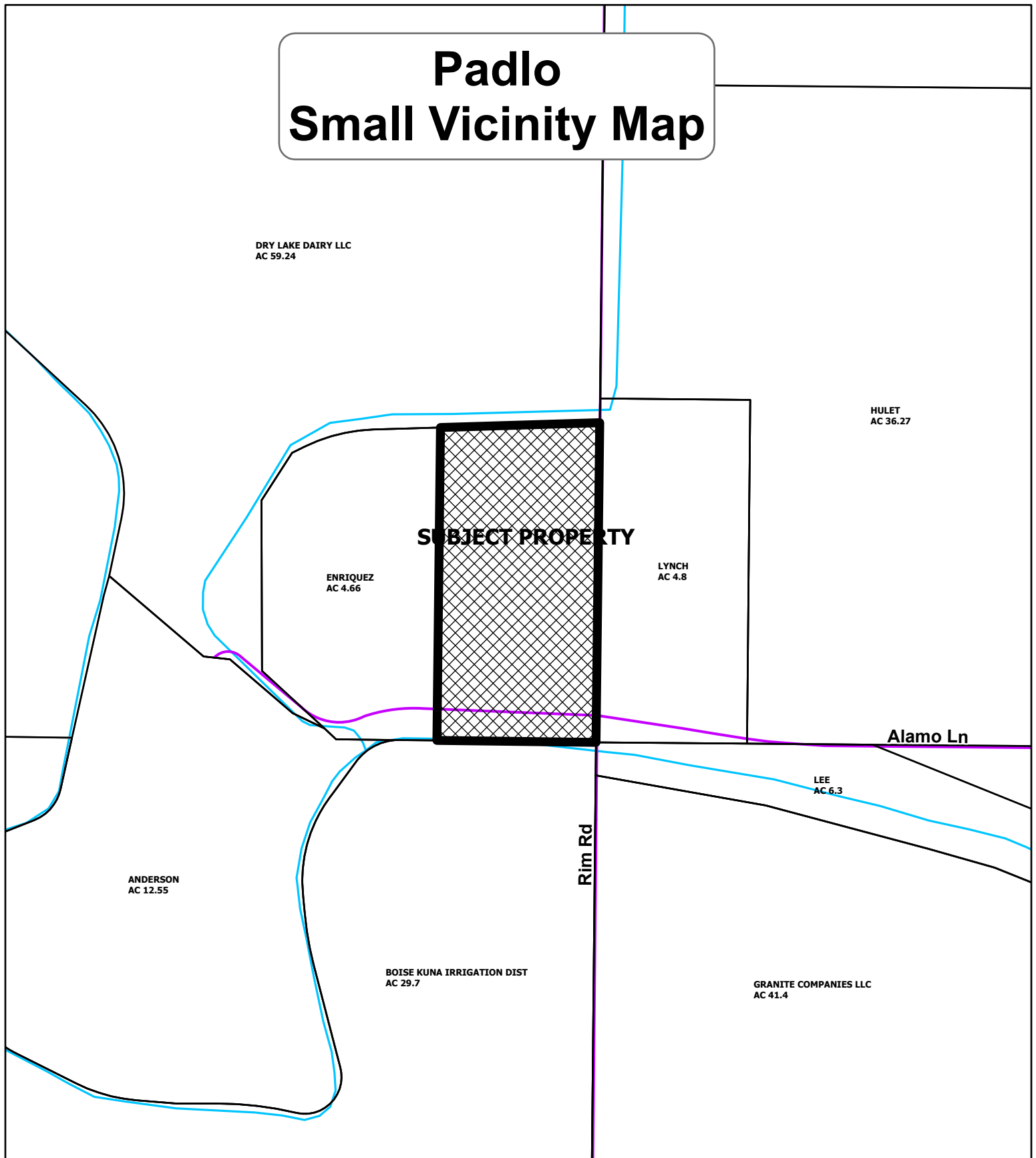
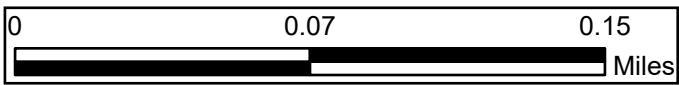
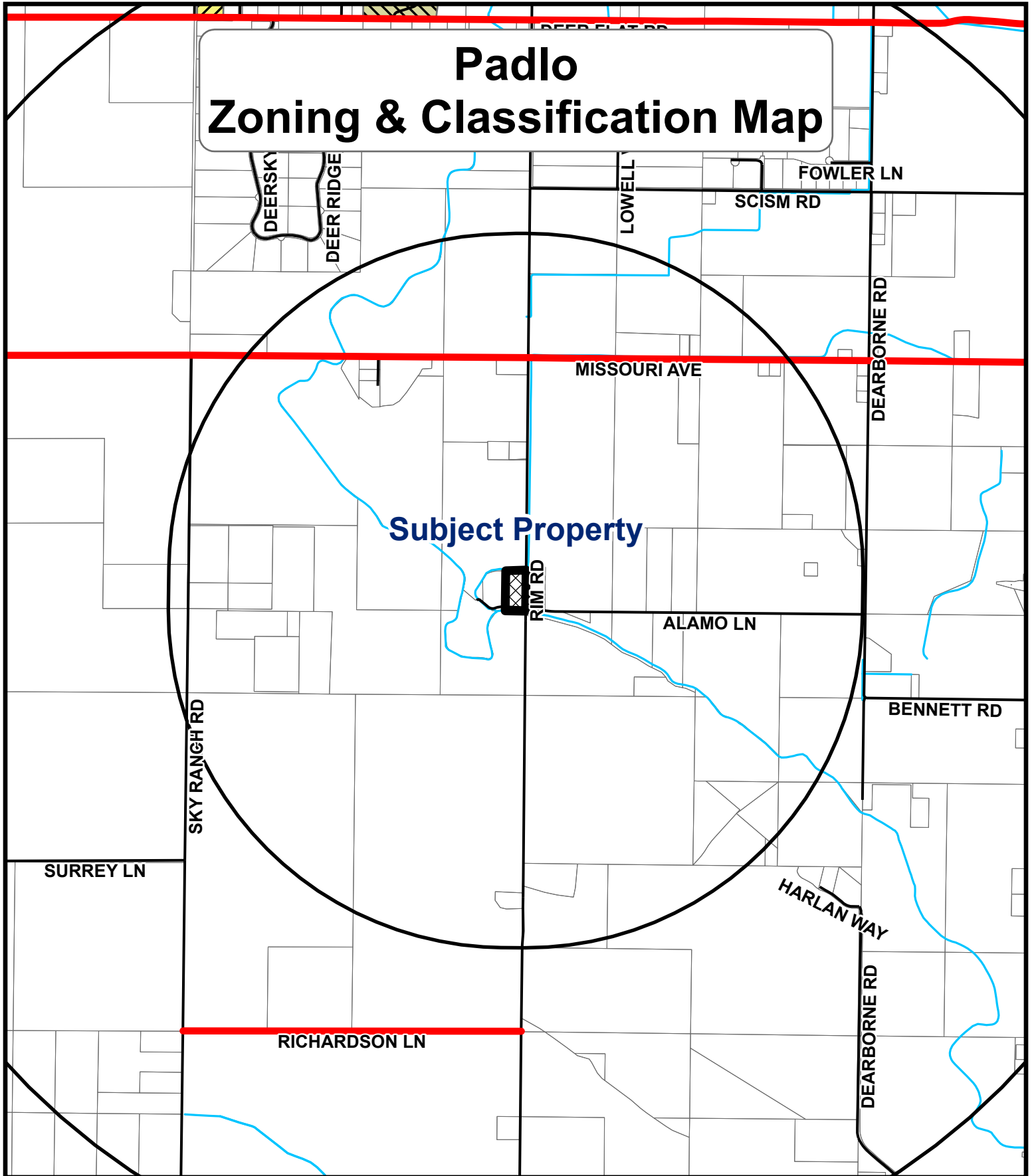


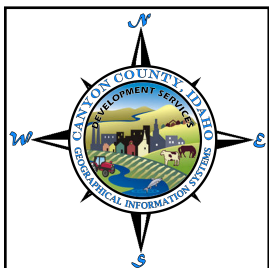
Exhibit B2.2 -  
Case Maps - Vicinity



# Padlo Zoning & Classification Map

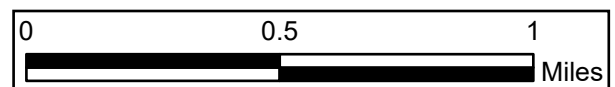


**Subject Property**



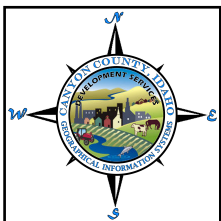
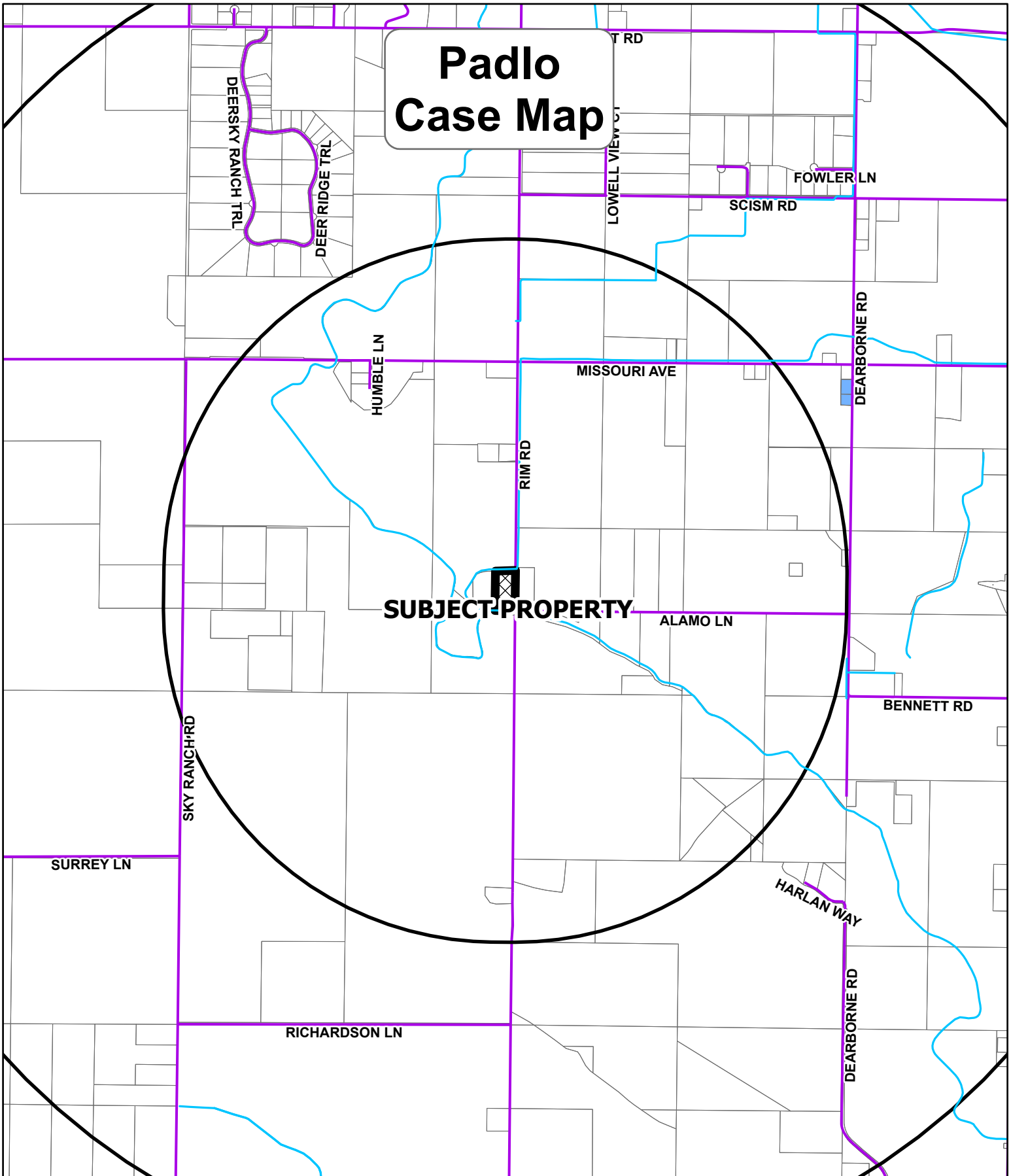
Current Zoning		ITD Functional Classification	
	RR		AG
	CR-RR		Interstate
	R1		Major Collector
	CR-R1		Minor Arterial
	R2		Minor Collector
	C		Other Principal Arterials
	C1		
	CR-C1		
	C2		
	CR-C2		
	M1		
	CR-M1		
	M2		

Exhibit B2.3 -  
Case Maps - Zoning



# Padlo Case Map

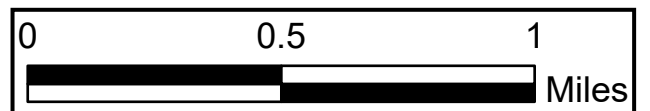
**SUBJECT PROPERTY**



## YEAR

2023	2020
2022	2019
2021	2018

Exhibit B2.4 -  
Case Maps - Cases





# Padlo Subdivision Map

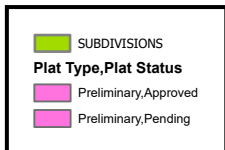
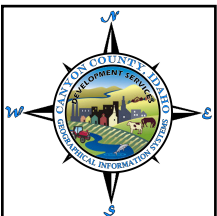
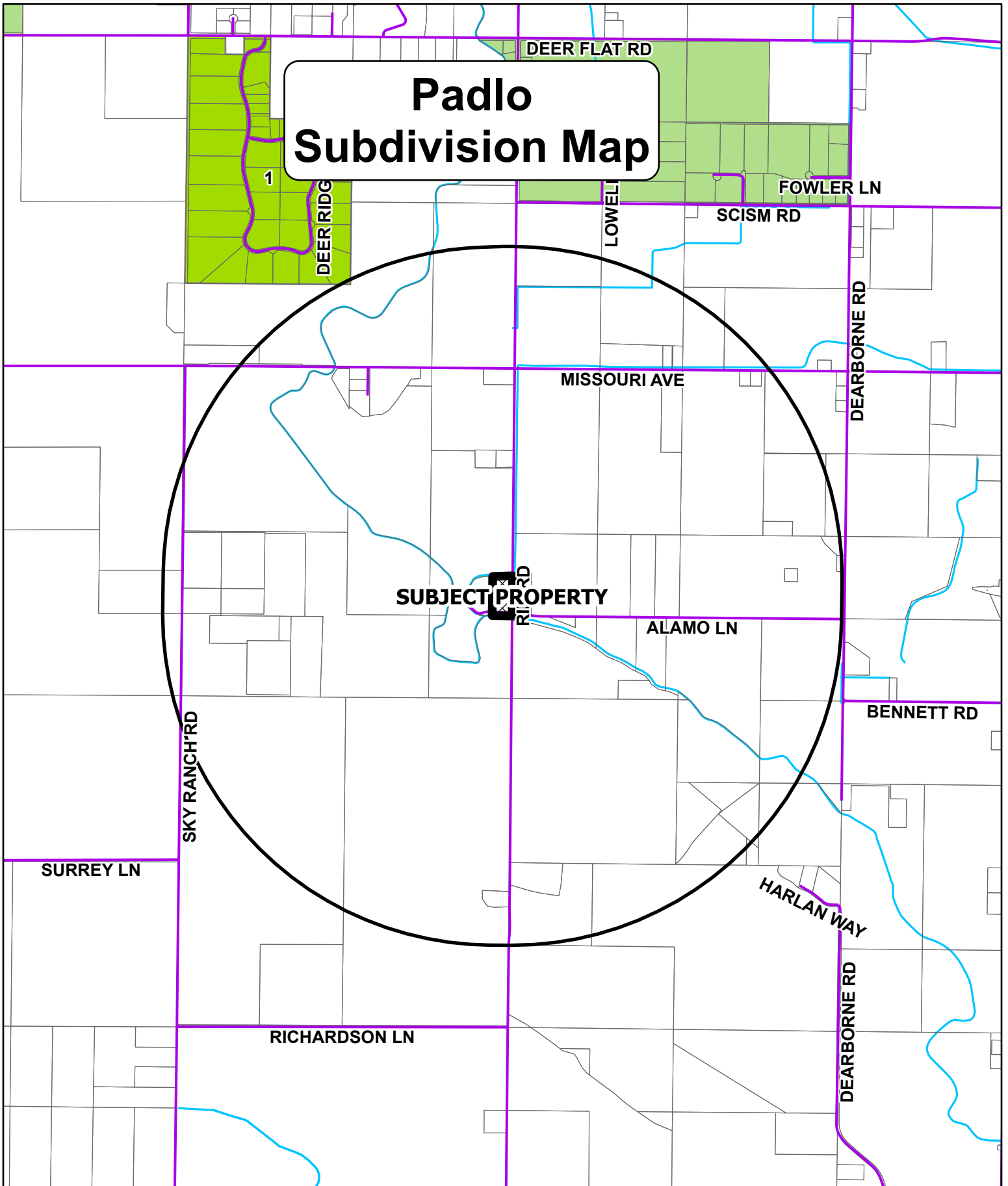
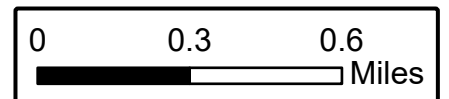
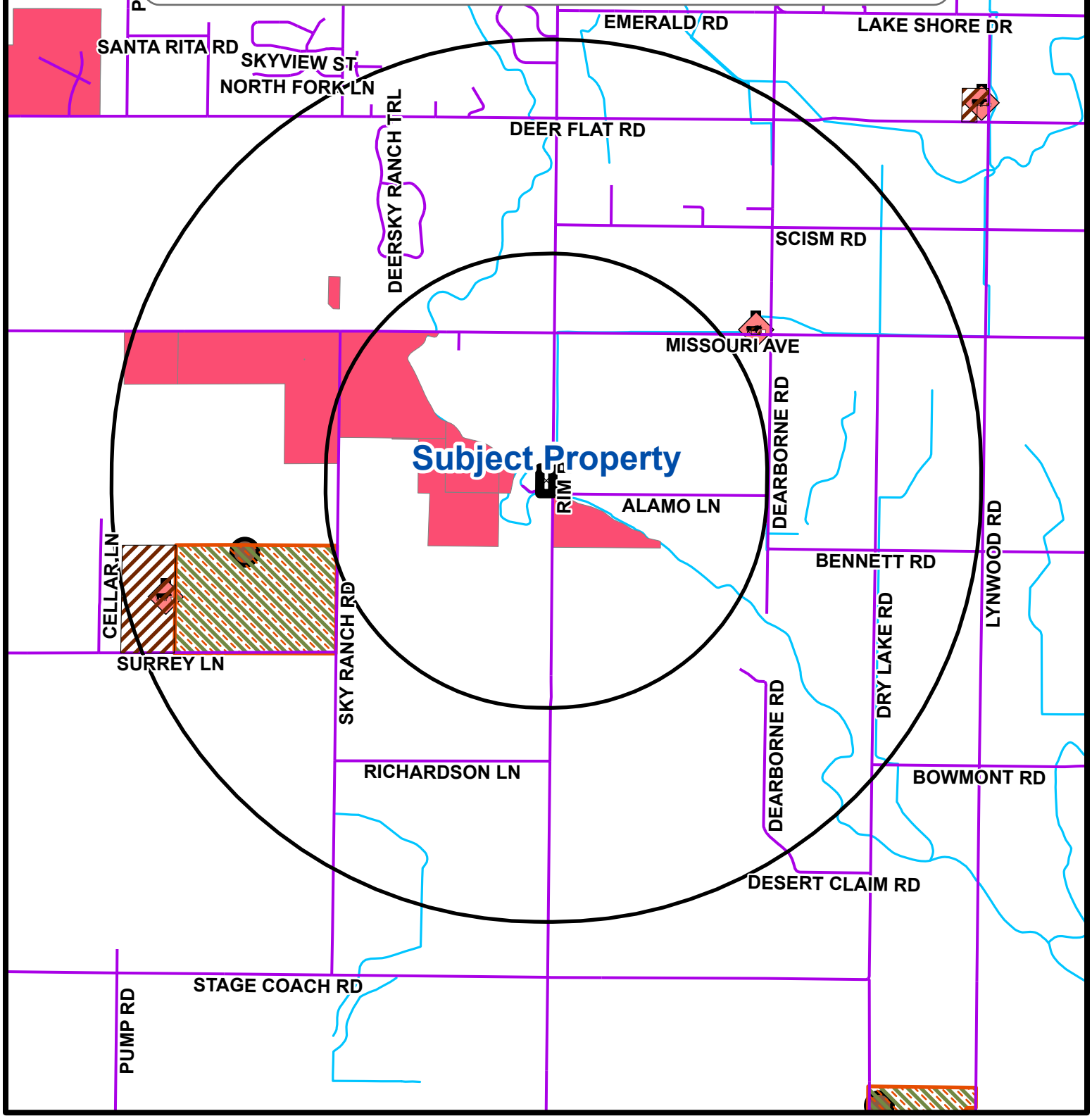


Exhibit B2.5 -  
Case Maps - Subdivisions



# Padlo Dairy, Feedlot, and Gravel Pit Map



	FEEDLOTS
	DAIRIES
	GRAVELPITS

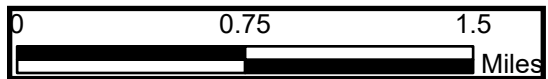
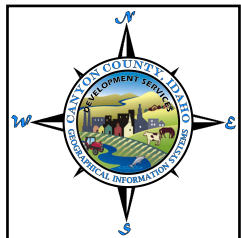
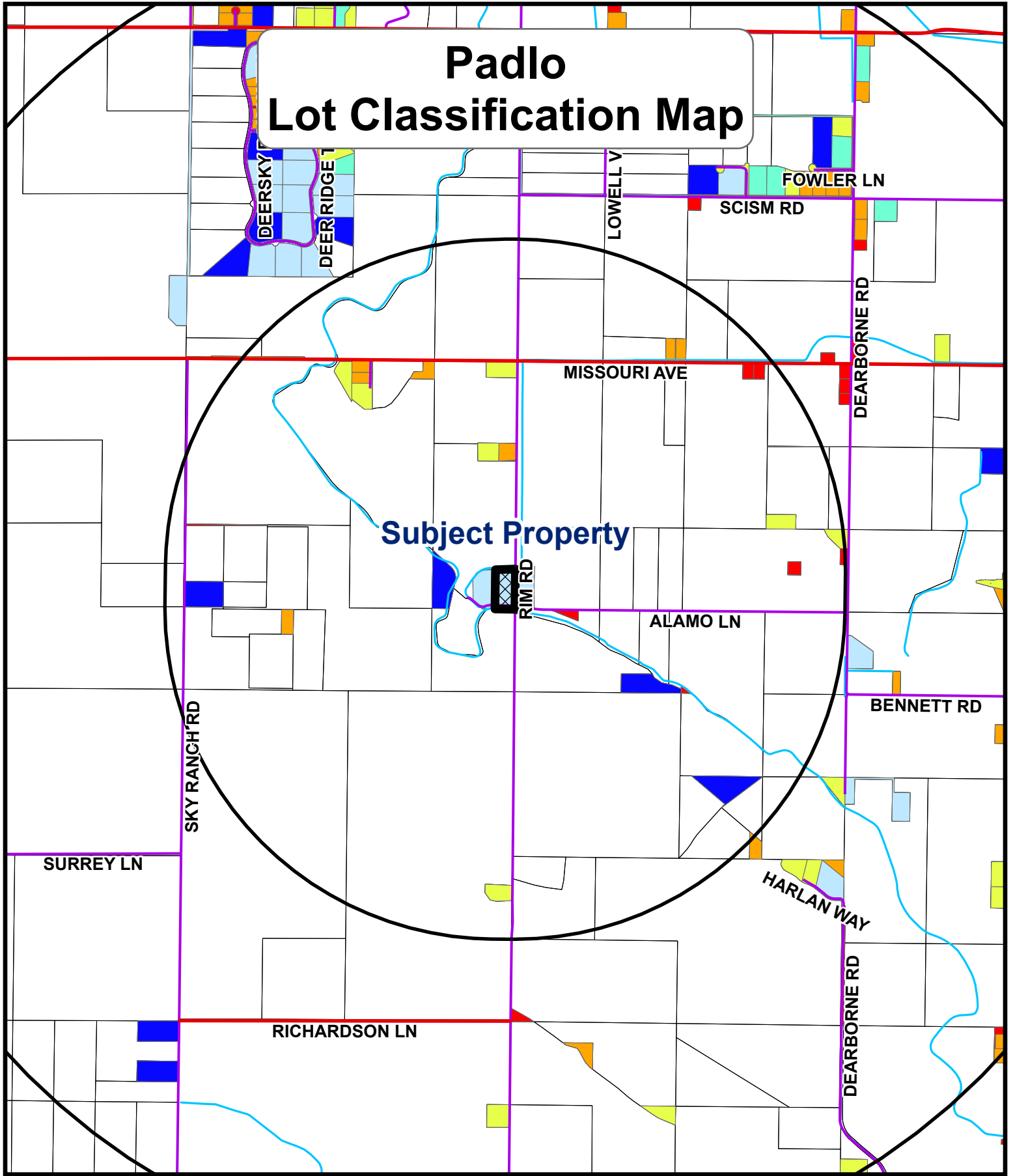


Exhibit B2.6 -  
Case Maps - Dairies,  
Feedlots, Gravel Pits

# Padlo Lot Classification Map



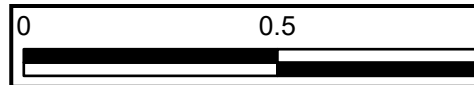
**Legend**

0.0 - 1.0
1.1 - 2.0
2.1 - 3.0
3.1 - 4.0
4.1 - 5.0
5.1 - 6.0

**ITD Functional Classification**

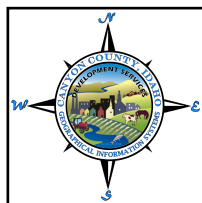
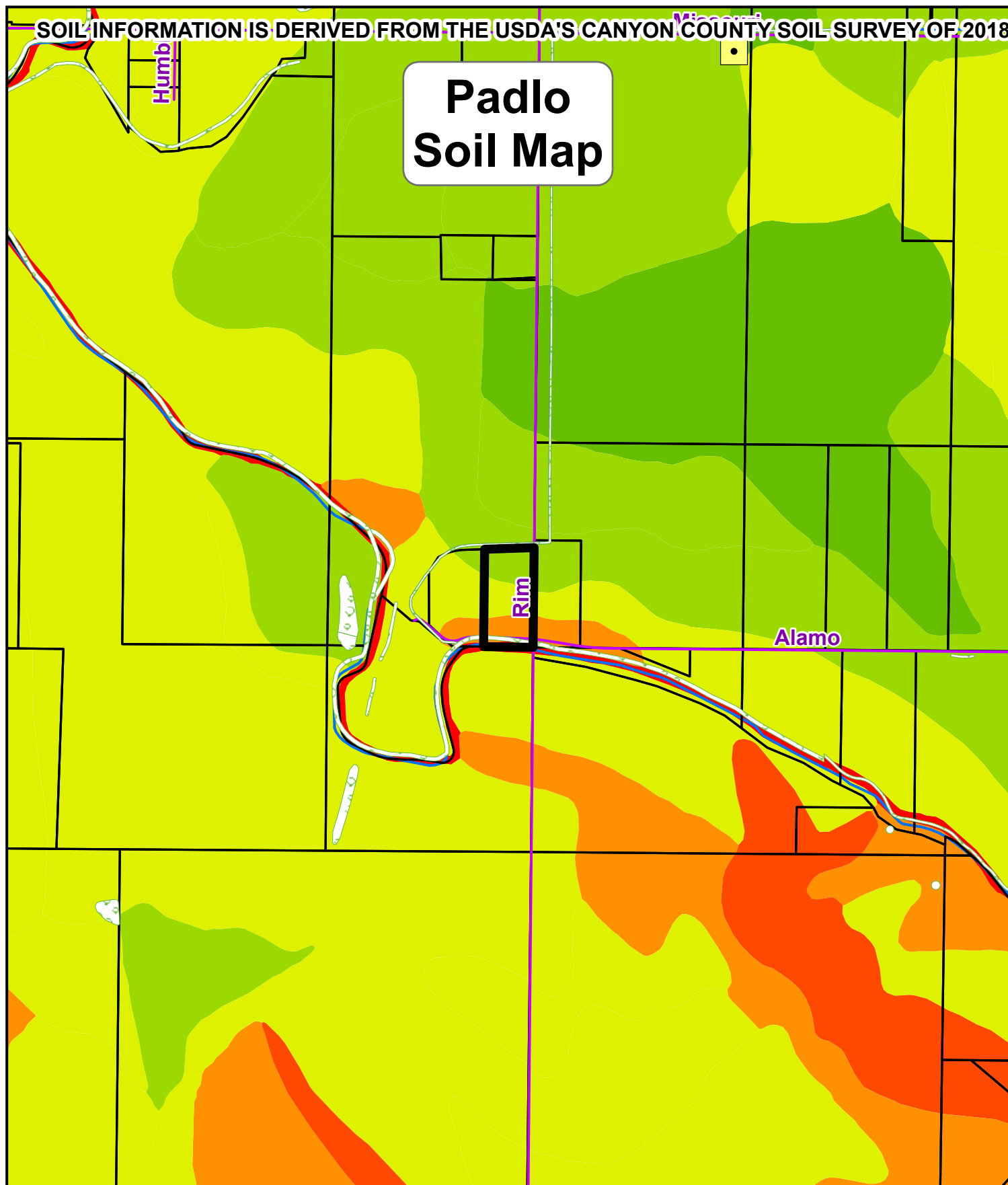
Interstate
Minor Arterial
Major Collector
Minor Collector
Other Principal Arterials

Exhibit B2.7 -  
Case Maps - Lot Classification



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

# Padlo Soil Map



## Nitrate Priority Wells

- 0.005000 - 2.000000
- 2.000001 - 5.000000
- 5.000001 - 10.000000
- 10.000001 - 49.800000



IDWR\_2C\_Geothermal\_



Wetlands

Exhibit B2.8 -  
Case Maps - Soil Suitability

0 0.25 0.5  
Miles

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

# Padlo Prime Farm Lands

Subject Property

RIM RD

ALAMO LN

## 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

- TAXLOTS
- City\_Limits
- WETLANDS
- 2C\_Hydro

Exhibit B2.9 -  
Case Maps - Prime  
Farmland

0 0.125 0.25  
Miles

## SOIL REPORT

SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
3	MODERATELY SUITED SOIL	72570.96	1.67	34.23%
4	MODERATELY SUITED SOIL	67082.40	1.54	31.64%
8	LEAST SUITED SOIL	8886.24	0.20	4.19%
6	LEAST SUITED SOIL	54580.68	1.25	25.74%
8	LEAST SUITED SOIL	8886.24	0.20	4.19%
		212006.52	4.87	100%

## FARMLAND REPORT

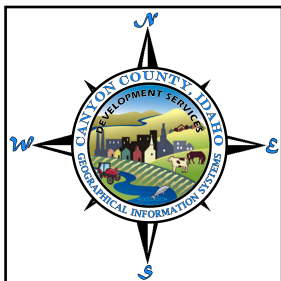
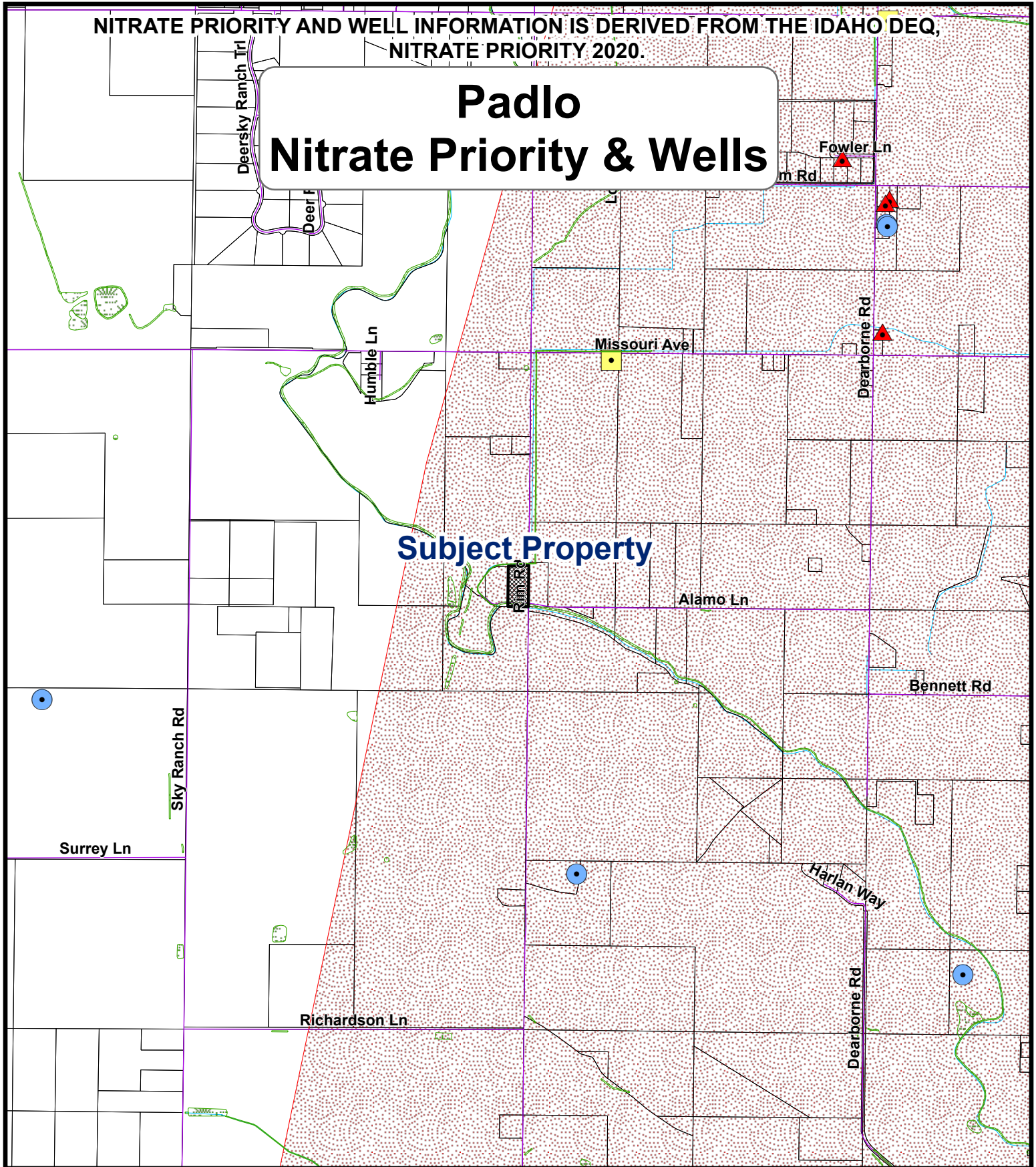
SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
PpB	Prime farmland if irrigated	72570.96	1.67	34.23%
MnC	Farmland of statewide importance, if irrigated	67082.40	1.54	31.64%
W	0	8886.24	0.20	4.19%
ScD	Not prime farmland	54580.68	1.25	25.74%
W	0	8886.24	0.20	4.19%
		212006.52	4.87	100%

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

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

# Padlo Nitrate Priority & Wells



GEO-THERMAL LOCATIONS



WETLANDS



NITRATE\_PRIORITY

DEQ WELLS  
N03\_MGL



0.005 - 2.00



2.000001 - 5.00

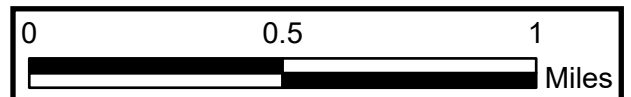


5.000001 - 10.00



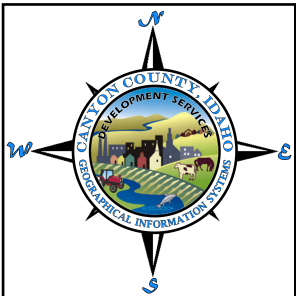
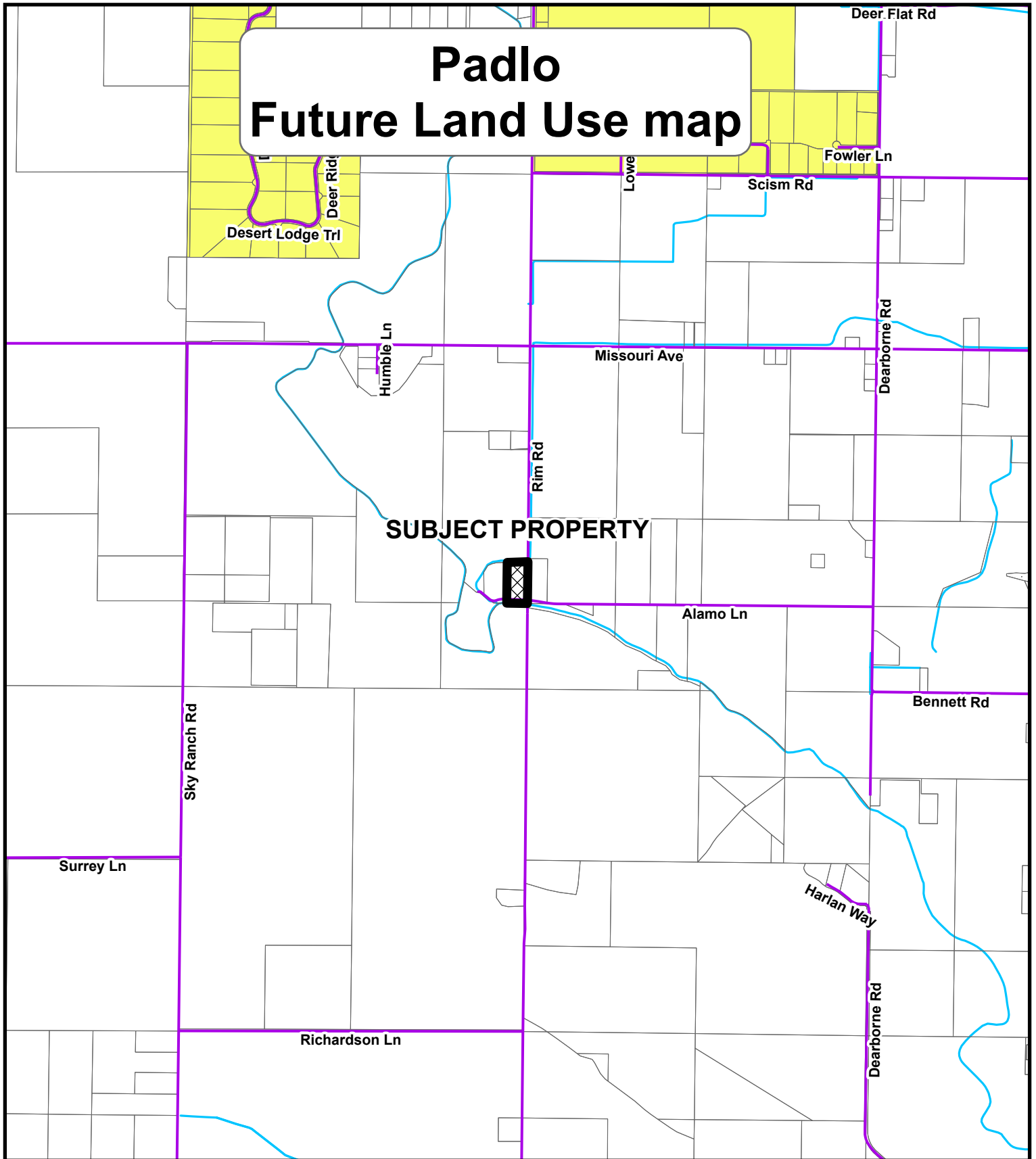
10.000001 - 49.80

Exhibit B2.11 -  
Case Maps - Nitrate  
Priority & Wells





# Padlo Future Land Use map

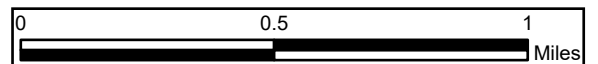


## Legend

Future Land Use 2011\_2022

- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL

Exhibit B2.12 -  
Case Maps - Future Land  
Use



**EXHIBIT C**

**Site Visit Photos: October 17, 2024**

Planning & Zoning Commission

Case# CU2023-0011

Hearing date: November 7, 2024

**Site Photos: Taken October 17, 2024**



Photo 1: Taken from intersection of Alamo Ln and Rim Rd facing northwest.



Photo 2: Taken from intersection of Alamo Ln and Rim Rd facing west.





Photo 3: Taken from intersection of Alamo Ln and Rim Rd facing north.



Photo 4: Taken from intersection of Alamo Ln and Rim Rd facing west.



Photo 5: Taken from intersection of Alamo Ln and Rim Rd facing south.





Photo 6: Taken from driveway on Alamo Ln facing north.



Photo 7: Taken from driveway on Alamo Ln facing east.



Photo 8: Taken from driveway on Alamo Ln facing south.





Photo 9: Taken from driveway on Alamo Ln facing west.



Photo 10: Taken from driveway facing west.



Photo 11: Taken from driveway on Alamo Ln facing northwest.

**EXHIBIT D**

**Agency Comments Received by: October 28, 2024**

Planning & Zoning Commission

Case# CU2023-0011

Hearing date: November 7, 2024

## Madelyn Vander Veen

---

**From:** Anthony Lee <Anthony.Lee@swdh.id.gov>  
**Sent:** Wednesday, August 7, 2024 11:05 AM  
**To:** Madelyn Vander Veen  
**Subject:** [External] RE: Initial Agency Notice CU2023-0011 Padlo

Hi Madelyn,

Request for comments:

**Will a Nutrient Pathogen Study be required?** The property is in a designated N-P area but may not meet the criteria to necessitate a Nutrient Pathogen Study.

**Will adequate sanitary systems be provided to accommodate the use?** Our records indicate there is an existing septic system connected to the 4-bedroom house. However, the existing shop does not appear to be on a separate septic system.

Applicant will need to reach out to SWDH and schedule a meeting to discuss the details of the project.

Let me know if you have any questions.

Thank you,



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](mailto:anthony.lee@swdh.id.gov) | [SWDH.org](http://SWDH.org)  
13307 Miami Ln., Caldwell, ID 83607

---

**From:** Amber Lewter <Amber.Lewter@canyoncounty.id.gov>  
**Sent:** Wednesday, August 7, 2024 9:12 AM  
**To:** 'cstauffer@nsd131.org' <cstauffer@nsd131.org>; 'dleon@nsd131.org' <dleon@nsd131.org>; 'eddy@heritagewifi.com' <eddy@heritagewifi.com>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'aflavel.bkirrdist@gmail.com' <aflavel.bkirrdist@gmail.com>; 'tritthaler@boiseproject.org' <tritthaler@boiseproject.org>; 'gashley@boiseproject.org' <gashley@boiseproject.org>; Mitch Kiester <Mitch.Kiester@swdh.id.gov>; Anthony Lee <Anthony.Lee@swdh.id.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; christine.wendelsdorf@canyoncounty.id.gov; Michael Stowell <mstowell@ccparamedics.com>  
**Subject:** Initial Agency Notice CU2023-0011 Padlo

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---

Please see the attached agency notice. You are invited to provide written testimony or comments by **September 6, 2024**, although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day. The deadline for written testimony or additional exhibits is to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

Please direct your comments or questions to Planner **Madelyn Vander Veen** at [madelyn.vanderveen@canyoncounty.id.gov](mailto:madelyn.vanderveen@canyoncounty.id.gov).

Thank you,



**Amber Lewter**

Hearing Specialist  
Canyon County Development Services Department  
111 N. 11<sup>th</sup> Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-6631

Fax: 208-454-6633

Email: [amber.lewter@canyoncounty.id.gov](mailto:amber.lewter@canyoncounty.id.gov)

Website: [www.canyoncounty.id.gov](http://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.**

## Madelyn Vander Veen

---

**From:** Edward Padlo <edwardpadlo@gmail.com>  
**Sent:** Monday, October 28, 2024 10:24 PM  
**To:** Madelyn Vander Veen  
**Subject:** Re: FW: FW: [External] RE: Initial Agency Notice CU2023-0011 Padlo

I did talk with him on the phone. He said we were good to go.

On Thu, Oct 24, 2024 at 11:40 AM Madelyn Vander Veen <[Madelyn.VanderVeen@canyoncounty.id.gov](mailto:Madelyn.VanderVeen@canyoncounty.id.gov)> wrote:

Hi Ed,

Did you ever hear back from Anthony or get ahold of anyone at Southwest District Health?

Thanks,

Madelyn Vander Veen

Associate Planner, [Canyon County Development Services](#)

[madelyn.vanderveen@canyoncounty.id.gov](mailto:madelyn.vanderveen@canyoncounty.id.gov) | Direct: 208-455-6035

**DSD public office hours:**

Monday, Tuesday, Thursday and Friday: 8am – 5pm

Wednesday: 1pm – 5pm

**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:** Madelyn Vander Veen  
**Sent:** Thursday, August 22, 2024 4:27 PM  
**To:** 'Edward Padlo' <[edwardpadlo@gmail.com](mailto:edwardpadlo@gmail.com)>  
**Subject:** RE: FW: FW: [External] RE: Initial Agency Notice CU2023-0011 Padlo

Hi Ed,

No, you're good for now. Thanks!

Madelyn Vander Veen

Associate Planner, [Canyon County Development Services](#)

[madelyn.vanderveen@canyoncounty.id.gov](mailto:madelyn.vanderveen@canyoncounty.id.gov) | Direct: 208-455-6035

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**From:** Edward Padlo <[edwardpadlo@gmail.com](mailto:edwardpadlo@gmail.com)>

**Sent:** Thursday, August 22, 2024 4:21 PM

**To:** Madelyn Vander Veen <[Madelyn.VanderVeen@canyoncounty.id.gov](mailto:Madelyn.VanderVeen@canyoncounty.id.gov)>

**Subject:** Re: FW: FW: [External] RE: Initial Agency Notice CU2023-0011 Padlo

Hi Madelyn,

I tried to call Anthony today. He did not pick up, so I left a message for him to call me. Do I need to do anything else?

Thank you ,

Ed

On Wed, Aug 21, 2024 at 4:54 PM Madelyn Vander Veen <[Madelyn.VanderVeen@canyoncounty.id.gov](mailto:Madelyn.VanderVeen@canyoncounty.id.gov)> wrote:

Hi Anthony,

See below - do you still want to have a meeting with the applicant if there is not a restroom in the shop?

Thanks,

Madelyn Vander Veen

Associate Planner, [Canyon County Development Services](#)

[madelyn.vanderveen@canyoncounty.id.gov](mailto:madelyn.vanderveen@canyoncounty.id.gov) | Direct: 208-455-6035

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Wednesday: 1pm – 5pm

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**From:** Edward Padlo <[edwardpadlo@gmail.com](mailto:edwardpadlo@gmail.com)>

**Sent:** Monday, August 19, 2024 12:45 PM

**To:** Madelyn Vander Veen <[Madelyn.VanderVeen@canyoncounty.id.gov](mailto:Madelyn.VanderVeen@canyoncounty.id.gov)>

**Subject:** Re: FW: [External] RE: Initial Agency Notice CU2023-0011 Padlo

Hi Madelyn,

We do not have a restroom in our shop. We might decide to put one in at a later date, but not for now.

Thanks,

Ed

On Fri, Aug 9, 2024 at 5:22 PM Madelyn Vander Veen <[Madelyn.VanderVeen@canyoncounty.id.gov](mailto:Madelyn.VanderVeen@canyoncounty.id.gov)> wrote:

Ed,

Please see the comment below from Southwest District Health. They are requesting that you schedule a meeting with them.

Thanks,

Madelyn Vander Veen

Associate Planner, [Canyon County Development Services](#)

[madelyn.vanderveen@canyoncounty.id.gov](mailto:madelyn.vanderveen@canyoncounty.id.gov) | Direct: 208-455-6035

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---

**From:** Anthony Lee <[Anthony.Lee@swdh.id.gov](mailto:Anthony.Lee@swdh.id.gov)>

**Sent:** Wednesday, August 7, 2024 11:05 AM

**To:** Madelyn Vander Veen <[Madelyn.VanderVeen@canyoncounty.id.gov](mailto:Madelyn.VanderVeen@canyoncounty.id.gov)>

**Subject:** [External] RE: Initial Agency Notice CU2023-0011 Padlo

Hi Madelyn,

Request for comments:

**Will a Nutrient Pathogen Study be required?** The property is in a designated N-P area but may not meet the criteria to necessitate a Nutrient Pathogen Study.

**Will adequate sanitary systems be provided to accommodate the use?** Our records indicate there is an existing septic system connected to the 4-bedroom house. However, the existing shop does not appear to be on a separate septic system.

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Let me know if you have any questions.

Thank you,



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](mailto:anthony.lee@swdh.id.gov) | [SWDH.org](http://SWDH.org)

13307 Miami Ln., Caldwell, ID 83607

---

**From:** Amber Lewter <[Amber.Lewter@canyoncounty.id.gov](mailto:Amber.Lewter@canyoncounty.id.gov)>

**Sent:** Wednesday, August 7, 2024 9:12 AM

**To:** '[cstauffer@nsd131.org](mailto:cstauffer@nsd131.org)' <[cstauffer@nsd131.org](mailto:cstauffer@nsd131.org)>; '[dleon@nsd131.org](mailto:dleon@nsd131.org)' <[dleon@nsd131.org](mailto:dleon@nsd131.org)>; '[eddy@heritagewifi.com](mailto:eddy@heritagewifi.com)' <[eddy@heritagewifi.com](mailto:eddy@heritagewifi.com)>; '[knute.sandahl@doi.idaho.gov](mailto:knute.sandahl@doi.idaho.gov)' <[knute.sandahl@doi.idaho.gov](mailto:knute.sandahl@doi.idaho.gov)>; '[aflavel.bkirrdist@gmail.com](mailto:aflavel.bkirrdist@gmail.com)' <[aflavel.bkirrdist@gmail.com](mailto:aflavel.bkirrdist@gmail.com)>; '[tritthaler@boiseproject.org](mailto:tritthaler@boiseproject.org)' <[tritthaler@boiseproject.org](mailto:tritthaler@boiseproject.org)>; '[gashley@boiseproject.org](mailto:gashley@boiseproject.org)' <[gashley@boiseproject.org](mailto:gashley@boiseproject.org)>;



Mitch Kiester <[Mitch.Kiester@swdh.id.gov](mailto:Mitch.Kiester@swdh.id.gov)>; Anthony Lee <[Anthony.Lee@swdh.id.gov](mailto:Anthony.Lee@swdh.id.gov)>; Brian Crawford <[Brian.Crawford@canyoncounty.id.gov](mailto:Brian.Crawford@canyoncounty.id.gov)>; [christine.wendelsdorf@canyoncounty.id.gov](mailto:christine.wendelsdorf@canyoncounty.id.gov); Michael Stowell <[mstowell@ccparamedics.com](mailto:mstowell@ccparamedics.com)>

**Subject:** Initial Agency Notice CU2023-0011 Padlo

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Please direct your comments or questions to Planner **Madelyn Vander Veen** at [madelyn.vanderveen@canyoncounty.id.gov](mailto:madelyn.vanderveen@canyoncounty.id.gov).

Thank you,



**Amber Lewter**

Hearing Specialist

Canyon County Development Services Department

111 N. 11<sup>th</sup> Ave., #310, Caldwell, ID 83605

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Fax: 208-454-6633

Email: [amber.lewter@canyoncounty.id.gov](mailto:amber.lewter@canyoncounty.id.gov)

Website: [www.canyoncounty.id.gov](http://www.canyoncounty.id.gov)

Development Services Department (DSD)

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Wednesday

1pm – 5pm

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--

**Edward Padlo**

**Steel Works Welding Assembly, Inc.**

(208) 249-9111 office

(209) 202-6373 cell

[edwardpadlo@gmail.com](mailto:edwardpadlo@gmail.com)

--

**Edward Padlo**

**Steel Works Welding Assembly, Inc.**

(208) 249-9111 office

(209) 202-6373 cell

[edwardpadlo@gmail.com](mailto:edwardpadlo@gmail.com)

--

**Edward Padlo**

**Steel Works Welding Assembly, Inc.**

(208) 249-9111 office

(209) 202-6373 cell

[edwardpadlo@gmail.com](mailto:edwardpadlo@gmail.com)



**Canyon County, 111 North 11<sup>th</sup> Avenue, #310, Caldwell, ID 83605**

**▪ Engineering Division ▪**

**October 22, 2024**

**Re: Agency Response for Case No. CU2023-0011: Conditional Use Permit Request for Contractor Shop, Staging Area, and Farm Implement Service for a Welding Business at 12040 Alamo Lane (Parcel R30200011)**

Dear Ms. Madelyn

After reviewing the application materials and assessing the proposed use, the following comments are provided for your consideration:

**1. Traffic & Access Considerations:**

- Given the nature of the business operations and expected deliveries (1-2 metal deliveries per month), the impact on traffic should be minimal. However, it is **recommended** that the applicant coordinate with Nampa Highway #1 to ensure safe and adequate access to Alamo Lane.
- If heavy equipment or larger trucks are anticipated, an assessment of road capacity and any necessary improvements should be considered to accommodate increased vehicle loads.

**2. Noise & Environmental Considerations:**

- Since the proposed operation includes welding, there is the potential for noise impacts, particularly during early morning and evening hours. It is recommended that noise mitigation measures, such as sound barriers or limited operating hours, be considered to minimize disruption to neighboring properties. **Recommended** that the applicant coordinate with Idaho Department of Environmental Quality.

**3. Employee & Site Operations:**

- With two owners and two employees operating Monday through Saturday from 7 AM to 5 PM, the scale of the business appears manageable for the property. However, considerations for employee parking, equipment storage, and operational areas should be reviewed to ensure compliance with zoning and safety requirements.

We recommend that these considerations be included as conditions of approval.



**Canyon County, 111 North 11<sup>th</sup> Avenue, #310, Caldwell, ID 83605**

**▪ Engineering Division ▪**

Thank you for your time and attention to this matter. If you have any questions or require further clarification, please do not hesitate to contact me.

Sincerely,

Dalia Alnajjar  
Engineering Supervisor  
Canyon County

**EXHIBIT E**

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

Planning & Zoning Commission

Case# CU2023-0011

Hearing date: November 7, 2024





## PLANNING AND ZONING COMMISSION

### FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:

**CU2023-0011 – Padlo**

The Canyon County Planning and Zoning Commission considers the following:

- 1) Case No. CU2023-0011: The applicant, Edward Padlo is requesting a Conditional Use Permit for a contractor shop, staging area, and farm implement service for a welding business in the “A” (Agricultural) zone. The welding business is proposed to operate Monday through Saturday from 7 am to 5 pm with metal deliveries 1-2 times per month. The business has two owners and two employees. The subject property is located at 12040 Alamo Lane, also referenced as Parcel R30200011, a portion of the SE quarter of Section 25, T2N, R3W, BM, Canyon County, Idaho.

#### Summary of the Record

1. The record is comprised of the following:

A. The record includes all testimony, the staff report, exhibits, and documents in Case File CU2023-0011.

#### 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 CCZO §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* CCZO §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, CCZO §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* CCZO §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* CCZO §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. CCZO §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. CCZO §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. CCZO 07-05-03(1)(I).

**The application (CU2023-0011) was presented at a public hearing before the Canyon County Planning and Zoning Commission on November 7, 2024. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Canyon County Planning and Zoning Commission decide as follows:**

#### **CONDITIONAL USE PERMIT HEARING CRITERIA – CCZO §07-07-05**

##### **1. Is the proposed use permitted in the zone by conditional use permit?**

**Conclusion:** The proposed use is permitted in the zone by conditional use permit, pursuant to County Ordinance 07-10-27.

**Findings:** (1) The proposed use consists of a contractor shop, staging area, and farm implement service for a welding business in the “A” (Agricultural) zone. See project description analysis contained in Section 07-07-05(2) detailing the nature of the request.

(2) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0011.

(3) Evidence includes associated findings and evidence supported within this document.

##### **2. What is the nature of the request?**

**Conclusion:** The nature of the request consists of a contractor shop, staging area, and farm implement service for a welding business in the “A” (Agricultural) zone. The welding business is proposed to operate Monday through Saturday from 7 am to 5 pm with metal deliveries 1-2 times per month. The business has two owners and two employees.

- Findings:** (1) The welding business is proposed to operate Monday through Saturday from 7 am to 5 pm with metal deliveries 1-2 times per month. The business has two owners and two employees (**Exhibit A2, A8**).
- (2) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0011.
- (3) Evidence includes associated findings and evidence supported within this document.

### 3. Is the proposed use consistent with the comprehensive plan?

**Conclusion:** The proposed use is consistent with the 2030 Canyon County Comprehensive Plan.

**Findings:** (1) The use is consistent with the following goals, policies, and actions:

Goal/Policy/Action		Analysis
<b>G1.01.00</b>	<b>Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.</b>	Allowing this use would not obstruct property rights.
A1.01.00a	Require properties to conform to the zoning code before receiving additional zoning approvals.	The property is conforming to the zoning code.
P1.01.01	No person should be deprived of private property without due process of law.	This application/hearing is the due process.
P1.01.03	Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures on development approvals.	The conditions have been found to be necessary to mitigate potential issues with the proposal and have been reviewed by the applicant.
<b>G2.02.00</b>	<b>Promote housing, business, and service types needed to meet the demand of the future and existing population.</b>	The property owner's business meets a need for commercial and agricultural welding services.
<b>G3.04.00</b>	<b>Increase agricultural-based and supportive businesses.</b>	This is a supportive business to agriculture since it is partly welding for farm equipment.
<b>G3.05.00</b>	<b>Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability.</b>	This is a commercial use and is a part of the overall economic stability of Canyon County.
P4.01.02	Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights.	There has been no public comment to indicate that the business is not in the community's interest, and allowing the business promotes the property rights of the owner.

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.	This business is compatible with agricultural uses in the vicinity as conditioned.
<b>G4.05.00</b>	<b>Support a diversity of agricultural uses to sustain the agricultural and agriculturally related economy.</b>	The business is partly in the agriculturally-related economy.
P4.05.01	Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators.	This land-use decision is not anticipated to create hardship for farmers or agricultural operators.
P4.05.02	Consider development on poor soils (Class 4 or higher) that will not interfere with viable agricultural operations in the area.	The parcel contains Class 3, 5, and 8 soils, and the business use is not on the Class 3 part of the property.
P4.05.03	Encourage uses on agricultural parcels to be planned and placed to limit interference with farming operations, which may include clustering of residences and other structures, placement near existing utilities and infrastructure, and placement to minimize conflicts with allowed agricultural uses on the proposed site and adjacent lands.	The location of the business along Rim Road and the Mora Canal somewhat clustered near to other houses, and close to a gravel pit suggests that the business will have minimal impact to agricultural uses.
<b>G5.06.00</b>	<b>Encourage downward-facing lighting to improve public safety.</b>	Downward-facing lighting is proposed as a condition of approval.

(2) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0011.

(3) Evidence includes associated findings and evidence supported within this document.

**4. Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?**

**Conclusion:** The proposed use will not be injurious to other property in the immediate vicinity and will not negatively change the essential character of the area.

**Findings:** (1) According to the letter of intent and additional information, (**Exhibit A2, A8**), all work onsite is performed within the shop building and deliveries come only 1-2 times per month. It is a family business consisting of two owners and two employees. A work truck, two trailers, and a scissor lift are parked outside. If there are minor noise, traffic, or other impacts, there are not many residences in the immediate vicinity to experience them.

**Adjacent Existing Conditions:**

Direction	Existing Use	Primary Zone	Other Zone
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<b>N</b>	<b>Agricultural</b>	<b>A</b>	<b>--</b>
<b>S</b>	<b>Gravel pit/Agricultural</b>	<b>A</b>	<b>--</b>
<b>E</b>	<b>Residential/Agricultural</b>	<b>A</b>	<b>--</b>
<b>W</b>	<b>Residential/Agricultural</b>	<b>A</b>	<b>--</b>

“A” (Agricultural), “R-R” (Rural Residential), “R-1” (Single-Family Residential), “C-1” (Neighborhood Commercial), “C-2” (Service Commercial), “M-1” (Light Industrial), “CR” (Conditional Rezone)

#### **Surrounding Land Use Cases:**

There have been no land use cases within 1 mile of the subject property in the last 5 years. The last land use case was a conditional use permit approved in 2005 for a building permit for a single-family residence on a 10.28-acre parcel approximately a quarter mile east of the subject property.

#### **Character of the Area:**

The area is primarily open space consisting of agriculture, a gravel pit, and some houses and accessory/agricultural structures on large lots. The Mora Canal and Brooks Lateral run adjacent to the subject parcel through some elevation changes.

- (2) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on August 7, 2024 and October 4, 2024. Newspaper notice was published on October 4, 2024. Property owners within 600' were notified by mail on October 4, 2024. The property was posted on October 8, 2024.
- (3) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0011.
- (4) Evidence includes associated findings and evidence supported within this document.

#### **5. Will adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems be provided to accommodate the use?**

**Conclusion:** 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.

#### **Findings: (1) Water:**

The use does not require water.

#### **Sewer:**

There is not a bathroom in the shop, although in a pre-application meeting with Southwest District Health, the applicant indicated that one may be installed in the future (**Exhibit A6**). There is a restroom in the house which workers can use while on the property. Southwest District Health did not cite any concerns with this.

#### **Irrigation:**

The use does not require irrigation.

#### **Drainage:**

The use does not require or affect drainage on the property.

#### **Stormwater drainage facilities:**

The shop being used for the use is existing. The use is not anticipated to affect stormwater drainage on the property.

#### **Utility Systems:**

The property already has power. It is anticipated that the property owner will be able to work with Idaho Power and other utility providers to gain any additional utilities needed.

- (2) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on August 7, 2024 and October 4, 2024. Newspaper notice was published on October 4, 2024. Property owners within 600' were notified by mail on October 4, 2024. The property was posted on October 8, 2024.
- (3) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0011.
- (4) Evidence includes associated findings and evidence supported within this document.

**6. Does legal access to the subject property for the development exist or will it exist at the time of development?**

**Conclusion:** The subject property does have legal access for the development.

- Findings:**
- (1) The property is accessed via Alamo Lane, a private road, which comes off of Rim Road, a public road. The portion of Alamo Lane west of Rim Road is within a 28' easement and has a recorded road users' maintenance agreement (Inst. No. 2020-028717).
  - (2) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on August 7, 2024 and October 4, 2024. Newspaper notice was published on October 4, 2024. Property owners within 600' were notified by mail on October 4, 2024. The property was posted on October 8, 2024.
  - (3) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0011.
  - (4) Evidence includes associated findings and evidence supported within this document.

**7. Will there be undue interference with existing or future traffic patterns?**

**Conclusion:** There will not be undue interference with the existing or future traffic patterns.

- Findings:**
- (1) The business has a two (2) owners who live on site and two (2) employees. Work is done on and off site. Metal is delivered 1-2 times per month. Overall, traffic patterns are not expected to change significantly as a result of the business.
  - (2) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on August 7, 2024 and October 4, 2024. Newspaper notice was published on October 4, 2024. Property owners within 600' were notified by mail on October 4, 2024. The property was posted on October 8, 2024.
  - (3) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0011.
  - (4) Evidence includes associated findings and evidence supported within this document.

**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?**

**Conclusion:** Essential services will be provided to accommodate the use including, but not limited to school facilities, police and fire protection, emergency medical services, 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.

**Findings: (1) School Facilities:**

Not applicable. Nampa School District was notified of the application and did not comment.

**Police and Fire protection:**

Police and fire protection are provided to the property. Canyon County Sheriff, Upper Deer Flat Fire Protection District, and the State Fire Marshal were notified of the application and did not respond. The applicant provided a letter from Upper Deer Flat Fire Protection District along with the Agency Acknowledgement signature (Exhibit A6). The district is in support of the application subject to two conditions, which are included as conditions 3a and 3b. The use is not anticipated to be significant enough to cause a negative impact or require additional public funding.

**Emergency Medical Services:**

Emergency Medical Services are provided to the property. Canyon County Paramedics/EMT and the Emergency Management Coordinator were notified of the application and did not comment. The use is not anticipated to be significant enough to cause a negative impact or require additional public funding.

**Irrigation Facilities:**

The use does not require irrigation. Boise-Kuna Irrigation District and Boise Project Board of Control were notified of the application and did not comment. The Mora Canal and Brooks Lateral border the property but given that the shop is in the middle of the parcel and not near the irrigation facilities and that Alamo Lane is separated from the Mora Canal and its ditch road, no impacts are anticipated to the facilities.

- (2) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on August 7, 2024 and October 4, 2024. Newspaper notice was published on October 4, 2024. Property owners within 600' were notified by mail on October 4, 2024. The property was posted on October 8, 2024.
- (3) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0011.
- (4) Evidence includes associated findings and evidence supported within this document.

**Order**

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission **approves** Case # CU2023-0011, a conditional use permit for a contractor shop, staging area, and farm implement service for a welding business in the "A" (Agricultural) zone 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.
2. A change of occupancy from residential accessory to commercial occupancy, fire district permit and approval for Certificate of Occupancy, and a new address is required for the shop building use for the business. All appropriate building permits shall be obtained prior to the commencement of use.
3. The applicant shall comply with applicable Upper Deer Flat Fire District requirements. The applicant shall obtain a fire district permit to be provided at the time of building permit submittal.
  - a. ABC chemical fire extinguishers must be appropriately placed as required by Upper Deer Flat Fire Protection District.
  - b. Premise addressing must be displayed with 6 inch numerals as required by Upper Deer Flat Fire Protection District.



4. The applicant shall comply with applicable Nampa Highway District access requirements. The applicant shall obtain a permit to be provided at the time of building permit submittal.
5. 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.
6. 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.
7. Signage shall meet CCZO §07-10-13 requirements, and shall not exceed 32 sq. feet and 10 ft 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.
8. The hours of operation shall be 7 a.m. to 5 p.m. Monday through Saturday, as proposed in the applicant's land use worksheet (Exhibit A5).
9. The proposed development shall be in general conformance with the applicant's site plan and Letter of Intent (Exhibit A2).
10. 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).
11. 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.
12. This conditional use permit must follow land use time limitation as stated in CCZO 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 a zoning compliance is issued for a change of occupancy for the shop building used for the business.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**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 2024, 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: \_\_\_\_\_