



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

In the matter of the application of:

**Smith/Sol Invictus – Case #CU2023-0018**

The Canyon County Planning and Zoning Commission considers the following:

A Conditional Use Permit for a Special Event facility on Parcel R33774015, approximately ten (9.98) acres, in an “A” (Agricultural) zone. The venue is proposed to operate seven (7) days per week with hours of operation from 9:00 a.m. to 10:00 p.m. The proposed use will host events with up to 250 guests.

The subject property is located at 6394 Schmidt Ln, Star, ID 83669; also referenced as a portion of the NE ¼ NW ¼ of Section 1, Township 4N, Range 2W; 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 CU2023-0018.

**Applicable Law**

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

- (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, CU2023-0018, was presented at a public hearing before the Canyon County Planning and Zoning Commission on July 18, 2024 (the hearing was continued) September 5, 2024 (the hearing was continued again), and October 17, 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 decided 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, a Special Events Facility is an allowed use in the “A” (Agricultural) zone by Conditional Use Permit (CUP).
- Findings:**
- (1) The subject property, parcel R33774015, containing approximately 9.98 acres is zoned “A” (Agricultural) (Staff Report Exhibit 1)
  - (2) Special Events are defined as “Any temporary event including, but not limited to, weddings, picnics, barbecues, holiday events, and parties, dances, concerts, footraces, and walks, bazaars, and harvest festivals.” (CCZO §07-02-03)
  - (3) CCZO §07-10-27 Land Use Regulations (Matrix) provides for Special Events facility by conditional use permit in the agricultural zone.
  - (4) A conditional use permit was submitted on August 28, 2023, with additional information submitted in April and May of 2024, including an email outlining what types of events will be held at the special events facility on April 9, 2024, an updated letter of intent on May 14, 2024, an email expanding on club membership on May 30, 2024, a parking and circulation plan approved by Star Fire Protection District on May 15, 2024, and a private road/driveway engineer’s certification on May 23, 2024, and an email expanding on club membership on May 30, 2024 (Staff Report Exhibits 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, and 2I).
  - (5) In accordance with CCZO §07-01-15 the applicant provided evidence that a neighborhood meeting was conducted on August 4, 2023 at 7 p.m. having provided notice to property owners within 600 feet of the subject property and having met the minimum 10-day notification period. The sign-in sheet indicates seven (7) people were in attendance. (Staff Report Exhibit 2C).

- (6) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0018.

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

**Conclusion:** Scott and Denise Smith are requesting a conditional use permit to allow a Special Events Facility use within an “A” (Agricultural) zoning district (Staff Report Exhibit 1 and 2A). The requested use includes a variety of events throughout the year, such as weddings, vow renewals, catered dinners, graduation celebrations, birthday parties, anniversary parties, celebrations of life, backyard barbecues, neighborhood get-togethers, holiday gatherings, concerts, corporate events, and annual events hosted by the winery (Staff Report Exhibit 2G). The special events facility is to be located on a five (5) acre portion of a ten (10) acre agricultural parcel. Hours of operation shall be 9:00 a.m. -10:00 p.m. 7 days a week (Monday to Sunday). There will be no more than 19 employees. The facility will include signage, not illuminated. The property owners are requesting to have no more than twelve (12) large events (151-250 guests) annually (with four (4) of these events being ticketed music events). They are also requesting to have small (less than 50 guests) to medium events (50-150 guests) throughout the year (no limit). The applicants give examples of what might take place during their large, medium, and small events in their amended letter of intent. The applicants also state they have three hundred (300) club memberships in 2023 and have not increased them in 2024 (Staff Report Exhibit 2A). According to an email from the applicant on May 30, 2024, club members receive three (3) shipments of four (4) bottles of wine each calendar year (March, June, and September) and state that with approval of a conditional use permit, they plan on holding the wine release over multiple days (rather than just the weekend), which would allow the owners to facilitate an organized, structured approach that reduces the number of club members picking up at any one time (Staff Report Exhibit 2H). The applicants are proposing multiple structures on the property to support the special events facility as shown on the site plan. The applicants currently have a 3,000’ square feet building consisting of the wine tasting facility and production area, a 900 square feet concrete pad with pergola (12’x 18’), 2,000 square feet open grass area with a 250 square feet patio space with pergola and 1,400 square feet deck with railing. The applicants plan on expanding the existing deck and/or building a new deck (east of the existing structure) to augment customer wine-tasting operations. They also state they may expand the grass area to the west and may allow limiting camping within existing property boundaries (Staff Report Exhibits 2A and 2B) The applicants have a parking and circulation plan showing 20 marked parking spaces, 1 handicapped spot, and 55 additional parking spaces on the property. Star Fire Protection District has approved the applicant’s parking and circulation plan (Staff Report Exhibits 2I).

**Findings:**

- (1) The subject property is zoned “A” (Agricultural) (Staff Report Exhibit 1)
- (2) Per CCZO §07-10-27 - Land Use Matrix, the applicant may operate a special events facility with an approved CUP in the agricultural zone.
- (3) A conditional use permit was submitted on August 28, 2023, with additional information submitted in April and May of 2024, including an email outlining what types of events will be held at the special events facility on April 9, 2024, an updated letter of intent on May 14, 2024, an email expanding on club membership on May 30, 2024, a parking and circulation plan approved by Star Fire Protection District on May 15, 2024, and a private road/driveway engineer’s certification on May 23, 2024, and an email expanding on club membership on May 30, 2024 (Staff Report Exhibits 2A,, 2B, 2C, 2D, 2E, 2F, 2G, 2H, and 2I).

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

**Conclusion:** The Planning and Zoning Commission finds that the proposed use and conditional use application for a special events facility is consistent with the 2030 Canyon County Comprehensive Plan (the Plan).

- Findings:**
- (1) The 2030 Canyon County Comprehensive Plan designates the future use of the parcel as “residential” (Staff Report Exhibit 1).
  - (2) The proposed use is consistent with multiple goals and policies of the 2030 Canyon County Comprehensive Plan including but not limited to
    - Property Rights Policies and Goals: *Goal No. 1: “Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.” Policy No. 1: “No person shall be deprived of private property without due process of law.” Policy No. 3: “Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals.” Goal No. 2: “Acknowledge the responsibilities of each property owner as a steward of the land, use their property wisely, maintain it in good condition and preserve it for future generations without becoming a public nuisance.”*
    - Population Component Policy and Goal: *Policy No. 1: “Plan for anticipated population and households that the community can support with adequate services and amenities.” Goal No. 2: “Promote housing, business, and service types needed to meet the demand of the future and existing population.”*
    - Economic Development Goal and Policy: *Goal No. 1: “Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations.” Policy No. 2: “Supportive suitable sites for economic growth and expansion compatible with the surrounding area.”*
    - Land Use Policy and Goals: *Policy No. 2: “Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses. Goal No. 3: “Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning.” Goal No. 2: “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.”*
  - (3) See Findings of Evidence in Criteria 4 through 8 for evidence that supports this criterion.
  - (4) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0018

### 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 Commission finds and concludes that the proposed Special Events facility operating seven (7) days a week with hours of operation from 9:00 a.m. -10:00 p.m. will change the essential character of the area and will be injurious to the other properties in the vicinity of the area.

- Findings:**
- (1) The property is located in an “A” (Agricultural) zone (Staff Report Exhibit 1). The character of the area is predominantly residential with some agricultural production and the immediate vicinity is trending to primarily to residential development as evidenced by the residential zoning in the area and platted subdivisions (Staff Report Exhibits 3F, 3J, 3L, and 3M).

- (2) There are approximately forty-two (42) subdivisions located within one mile of the subject property (Canyon County has nineteen (19) platted subdivisions and Ada County has twenty-three (23) platted subdivisions within one mile of the subject property). There are currently 728 residences within one mile of the property (Canyon County has 247 residences and Ada County has 481 residences within one mile of the subject property). (Staff Report Exhibits 3L and 3M).
- (3) There is an approved conditional use permit for a special events facility and arena (commercial) with ancillary uses including R.V. (horse trailer) parking (overnight camping), animal hospital, and horse boarding about 1,000 feet to the north of the property (CU2011-12) and a conditional use permit for a go-kart racetrack about 3,400 feet to the north of the property (CU2022-0044).
- (4) The special events facility has the potential to increase noise levels in the immediate vicinity. The applicants have identified that to the south and east there are vineyards and native vegetation and structures to the north and west property boundaries that aid in noise buffering (Exhibit 2A).
- (5) The special events facility has the potential to increase dust levels in the immediate vicinity. According to the applicant's letter of intent they plan on using dust palliatives to surfaces that will generate dust from use of the special events facility (Staff Report Exhibit 2A). The applicants also stated in their letter of intent that they plan on paving the gravel driveway and gravel parking sometime in the future, which will assist with dust mitigation as well. (Staff Report Exhibit 2A).
- (6) The special events facility has the potential to increase lighting levels in the immediate vicinity. According to a conversation with the applicant, the lighting on the property is downward-facing.
- (7) The special events facility has the potential to be injurious to other properties in the area if guests do not follow the applicant's parking and circulation plan and if off-street parking occurs (on either Schmidt Lane or Foothill Road). The applicants have a parking and circulation plan showing 20 marked parking spaces, 1 handicapped spot, and 55 additional parking spaces on the property. Star Fire Protection District has approved the applicant's parking and circulation plan (Staff Report Exhibit 2I). They have stated they will provide traffic control for large and ticketed events, which may include using golf carts to enable them to quickly engage with incoming/outgoing traffic to control the number of vehicles, and turn away vehicles when the traffic exceeds available parking spaces. (Staff Report Exhibit 2A).
- (8) The special events facility will change the character of the area due to the days of operation being 7 days a week, hours of operation being 9:00 a.m. to 10:00 p.m., the nature of activities (weddings, concerts, annual events, corporate events, etc.), and the size of events (up to 250 guests). The property owners are requesting to have no more than twelve (12) large events (151-250 guests) with only four (4) of these large events being ticketed music events annually. They are also requesting to have small (less than 50 guests) to medium events (50-150 guests) throughout the year (no limit). The applicants give examples of what might take place during their large, medium, and small events in their letter of intent. (See Staff Report Exhibit 2A and 2G).
- (9) The special events facility will change the character of the area and be injurious to nearby by properties due to the increase in traffic.

(10) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0018.

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

**Conclusion:** The Commission finds and concludes that adequate facilities and systems for the use will be provided.

**Findings:**

- (1) The application for the special events facility proposes an individual septic that supports an average of 50 people per day, 7 days a week, located in the 30' x 100' commercial building (approved by commercial building permit with number BP2019-0141) and additional portable restrooms as needed to serve the facility. The applicant states in the tasting room the well water is purified with a Culligan drinking water filtration system for guest consumption and that bottled water will be provided to support guest water consumption. (Staff Report Exhibit 2A).
- (2) Southwest District Health states that the applicant had a pre-development meeting with SWDH on 08/01/2023 (See Staff Report Exhibit 4H for Pre-Development Notes) and letter of intended use was submitted on 10/10/2023. A permit was issued to expand the current septic system on 10/13/2023. Southwest District Health has not heard anything back on the status of the Public Water System, a final inspection of the expanded system has not been conducted and/or approved, and the proposed production facility was not calculated in the design of the septic system. They further state they may need to schedule a meeting with the applicant to discuss any additional items (such as discuss the use of porta potties during peak times) (Staff Report Exhibit 4G).
- (3) Stormwater is to be retained on site per the applicant's land use worksheet and letter of intent (Staff Report Exhibit 2A and 2F).
- (4) There are no additional wells proposed to service the special events facility.
- (5) Irrigation water is provided to the subject property by an irrigation well according to the applicant's land use worksheet (Staff Report 2F). Farmer Cooperative Ditch Co. did not respond to Development Services' staff request for comment.
- (6) Utility agencies including Idaho Power, CenturyLink, Intermountain Gas, and Ziply were sent agency requests for comment on March 18, 2024 and June 11, 2024. Comments specific to the requested use were not submitted by the notified agencies. Adequate services currently exist.
- (7) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0018.

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

**Conclusion:** The Commission finds and concludes that the subject property has legal access through an easement with Instrument No. 9124753 as evidenced by Exhibit G to the Staff Report Addendum Dated October 9, 2024. (Staff Report Addendum Exhibit G).

**Findings:**

- (1) Per Highway District No. 4, the property does not have frontage on any public roadway and takes access to the public highway system via the existing Schmidt Lane (private) approach to Foothill Road. Foothill Rd. is classified as a major collector, and operates as a local road with a 35-mph posted speed and moderate residential access. The existing road is winding

and narrow due to constraints with the steep slope on the north side and regular residential development along both the south and north sides (Staff Report Exhibit 4A)

- (2) Highway District No. 4 indicated that the access to the existing winery operation is considered by the highway district to be the Schmidt Lane approach to Foothill Rd, located approximately ½ mile east of Blessinger Rd. The Schmidt Lane approach was improved by the applicants with a paved apron in 2019 and is considered to have been improved to the greatest reasonable extent practical by the highway district. It continues to have poor intersection geometry, with a skew angle approaching 45°, and is located along the outsides of a curve (Staff Report Exhibit 4A). Highway District No. 4 further states the existing Schmidt Lane approach appears to be acceptable to serve the proposed expansion of winery operations to include regular events. Highway District No. 4 (HD4) is requiring that an access permit to document the use change (Staff Report Exhibit 4A).
- (3) The access points for the facility are shown on the parking and circulation plan and site plan which shows one (1) ingress/egress point to the facility approximately 120 feet from Foothill Road and one (1) emergency access point approximately 340 feet from Foothill Road (Staff Report Exhibit 2B and 2I).
- (4) As evidenced by the applicant’s attorney’s letter dated October 4, 2024, the parcel has legal access on Parcel R33774016 via Instrument No. 9124753 as evidenced by Exhibit G to the Staff Report Addendum Dated October 9, 2024. (Staff Report Addendum Exhibit G).
- (5) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0018.
- (6) Evidence includes associated findings and evidence supported within this document.

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

**Conclusion:** The Commission finds that the application as proposed has the potential to impact traffic. The Commission acknowledges that the local highway district reviewed the application and provided comment that traffic volumes are below the threshold of 500 trips/day which would require a traffic impact study

**Findings:**

- (1) Highway District No. 4 (HD4) reviewed the application proposal and provided comment that traffic impacts on the regional transportation system from the proposed change in use will be mitigated by collection of impact fees (Staff Report Exhibit 4A).
- (2) The total volume of traffic proposed by the use does not meet the threshold of 500 trips/day which would require a traffic impact study (Staff Report Exhibit 4A).
- (3) The Highway District No. 4 stated in their comment letter that “Traffic volumes estimated by the applicants are 150 visitors per day, or approximately 68 vehicle trips (2.2 visitors per average vehicle), with bi-monthly events anticipated to have up to 250 visitors or 113 vehicle trips per event. Traffic from the event center use is projected by the applicants to be between 68 and 113 trips per event...If all 113 trips were to occur during the peak hour (unlikely), intersection capacity utilization would still be only 7%. The Schmidt Lane approach appears to have adequate capacity to accommodate the proposed event traffic.” (see Staff Report Exhibit 4A for more detailed information on Highway District’s comments on traffic).
- (4) Idaho Transportation Department provided an email stating that the Department has no comments or concerns to make at this time. ITD acknowledges events up to 250 people

have the potential to add substantial traffic to local traffic, especially at the intersection of private(s), Foothill Road Schmidt Ln, however, due to this location being greater than 3 miles west of SH-16 and 2 miles north of SH-44, traffic should distribute efficiently enough not to cause a large impact to state facilities (Staff Report Exhibit 4B).

- (5) The applicants have stated that they consistently monitor Schmidt Lane and Foothill Road to ensure no winery guests are parked on these roads and to protect neighbors with unobstructed access to and from their homes. The applicants further state they have added five (5) metal traffic signs to deter guests from proceeding down Schmidt Lane. They plan to provide traffic control for large and ticketed events, which may include using golf carts to enable them to quickly engage with incoming/outgoing traffic control the number of vehicles and turn away vehicles when the traffic exceeds available parking spaces. (Staff Report Exhibit 2A).
- (6) The applicants plan on building a gravel turnaround alongside Schmidt Lane (within the current property boundaries) approximately 500 feet (within the current property boundaries) from the current winery entrance. This would be designed to enable drivers who missed the entrance to the winery sufficient space to turn around and not proceed further down Schmidt Lane. The applicants further state they have added five (5) metal traffic signs to deter guests from proceeding down Schmidt Lane. The applicants are also agreeable to sharing the cost of a gate installation on Schmidt Lane near the turnaround if the majority of the residents beyond their property are in favor of a gated entrance. (Staff Report Exhibit 2A).
- (7) Star Fire Protection District appears to have not signed off on the construction of the driveways and private roads in writing. The applicant has provided driveway and private road engineer's certification (Staff Report Exhibit 2D).
- (8) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0018.
- (9) 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:** The Commission finds and concludes that essential services will be provided and this application will not negatively impact existing services or require additional public funding.

- Findings:**
- (1) The proposed special event facility is not anticipated to impact schools, police, or fire districts as there is not expected to be a significant increased need for additional police, fire, or ambulance response to the facility.
  - (2) The Canyon County Sheriff, Farmers Cooperative Ditch Co., Middleton School District, and the Canyon County Paramedics/EMT were notified of the request on March 18, 2024 and June 11, 2024. These agencies did not respond to the DSD's staff request for comments.
  - (3) Star Fire Protection District provided an email indicating that the application for the conditional use permit (CUP) will not have any negative impact on Fire Protection Services. The property would be serviced by Station 51 located at 11665 W. State St., Star, ID 83669, and is 2.8 miles from the property listed above with an estimated 5-minute travel time under



normal driving conditions (Staff Report Exhibit 4D). Star Fire Protection District has reviewed the applicant's parking and circulation plan and approved it as submitted on May 15, 2024 (Staff Report Exhibit 2I).

- (4) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0018.

**Canyon County Code §09-19-12 (Area of City Impact Agreement) – STAR AREA OF CITY IMPACT AGREEMENT ORDINANCE**

**Conclusion:** The property is located within the Star Area of City Impact. The city designates the area as “Low Density Residential maximum 1 unit per acre.”

- Findings:**
- (1) Pursuant to Canyon County Code Section 09-19-12(1) of the Star Area of City Impact Agreement, a notice was provided to the City of Star on March 18, 2024 and June 11, 2024. The City of Star provided the following comments, as summarized:
  - (2) In April 2024, the City of Star reviewed the application packet and has no specific issues with the proposed use. They support the expansion of wineries and uses similar to these City Limits and Impact Areas (Staff Report Exhibit 4C). They did not suggest any conditions of approval. In June 2024, the City of Star sent in a letter of support for Sol Invictus Vineyard where they state the property is located with City of Star's Impact Area and its use is a great asset to the community and they requested that Canyon County's Planning and Zoning Commission allow them to continue their current and proposed operations (Staff Report Exhibit 4E).
  - (3) Affected agencies were noticed on March 18, 2024 and June 11, 2024. Newspaper notice was published on June 18, 2024, August 6, 2024. Property owners within 1000' were notified by mail on June 11, 2024. The property was posted on June 17, 2024.
  - (4) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-00018.

**Order**

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission DENIES Case # CU2023-0018, a conditional use permit of a Special Events Facility in the “A” (Agricultural) zone on Parcel R33774015 located on 6394 Schmidt Lane Star, ID 83669.

The Commission finds that there are no ways to condition the impacts to the character of the area, noise, and traffic due to the effects the special events facility's commercial nature will have on the residential properties in the area.

DATED this 7 day of November, 2024.

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

  
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Rob Sturgill, Chairman

State of Idaho )

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County of Canyon County )

On this 7 day of November, in the year 2024, before me Amber Lewter, a notary public, personally appeared Rob Sturgill, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.



Notary: Amber Lewter

My Commission Expires: 10/20/2029