



BOARD OF COUNTY COMMISSIONS
FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:

[RANSOM SPECIAL EVENT FACILITY] – [Case #CU2021-0016-APL]

The Canyon County Board of Commissioners considers the appeal of the Planning and Zoning Commission's decision of denial for the following request:

Jeff Ransom is requesting a Conditional Use Permit for a Special Event facility on parcel R37880011, approximately ten (10.74) acres, in an "A" (Agricultural) zone. The venue is proposed to operate five (5) days per week-Wednesday - Sunday with hours of operation from 9:00 a.m. to 10:00 p.m., Thursday – Saturday and 9:00 a.m. to 6:00 p.m. Sundays. No events to be conducted in January. They propose to host events with up to 150 guests. The subject property is located at 16480 Goodson Road, Caldwell; also referenced as a portion of the SE ¼ SW ¼ of Section 17, Township 5N, Range 3W; 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 CU2021-0016 and CU2021-0016-APL.
 - B. The Planning and Zoning Commission heard Case No. CU2024-0016 on May 2, 2024 and denied the request for a CUP for a special event facility. The Findings, Conclusions and Order (FCOs) were signed May 20, 2024.
 - C. The appellants, Jeff and Christy Ransom, filed an appeal of the Planning and Zoning Commission decision denying the CUP on June 4, 2024 in accordance with CCZO §07-05-05.
 - D. The Board of County Commissioners conducted a public hearing on November 14, 2024 taking oral testimony, closed public testimony and considering the record voted unanimously to deny the appeal and uphold the Planning and Zoning Commission decision. Due to time constraints with scheduling conflict, the Board continued the hearing to a date uncertain to complete the hearing procedures including any revisions to the Findings of Fact, Conclusions of Law and Order and also to complete procedural items related to this case. The BOCC noted that the parties would be notified of the new date and time.
 - E. The continuance was scheduled for December 2, 2024 at 1:30 p.m. The applicant, representatives, and all property owners of record within 600 feet were notified by mail on November 15, 2024 of the date, time and location for the continuance-noting that the public testimony portion of the hearing was closed. Emails with the notification letter were also sent to all emails of record for this case on November 15, 2024.

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 for CU2024-0046 was provided pursuant to CCZO §07-05-01, Idaho Code §67-6509 and 67-6512. Agencies were notified 10-25-22, 3-15-24 and 3-30-24, Property Owners were notified 03-20-24, the site was posted 03-24-24, publication to the newspaper on 03-23-24.
 - b. Notice of the public hearing for CU2024-0046-APL was provided pursuant to CCZO §07-05-01, Idaho Code §67-6509 and 67-6512. Agencies were notified 9/10/24 & 10/4/24, Property Owners were notified 8/30/24 and 10/4/24, the site was posted 9/30/24 (handbills modified for revised date), and publication to the newspaper on 9/24/24 and 10/8/24. The hearing date was rescheduled from 10/24/24 to 11/14/24. The hearing schedule change was posted to the Canyon County Land Hearings website on 9/23/24.
 - c. 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.
 - d. 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.
 - e. 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.
 - f. In accordance with CCZO §07-01-15 The applicant conducted a neighborhood meeting on June 14, 2021 at 11 a.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 six people were in attendance. (Exhibit 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, CU2021-0016-APL, was presented at a public hearing before the Canyon County Board of Commissioners. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval if any and project plans, the Canyon County Board of Commissioners concur with the findings and conclusions of the Planning and Zoning Commission and 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: Yes. The proposed use, a Special Event Facility is an allowed use in the “A” (Agricultural) zone by Conditional Use Permit (CUP).

- Findings:**
- (1) The subject property, parcel R37880011, containing approximately 10.74 acres is zoned “A” (Agricultural) see Exhibit 2 and 14.
 - (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) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2021-0016 and CU2021-0016-APL.

2. What is the nature of the request?

Conclusion: Jeff Ransom is requesting a conditional use permit to allow a Special Event Facility use within an “A” (Agricultural) zoning district. The requested use includes primarily weddings but he does not desire to limit the uses. Canyon County Code defines Special Events as follows: “Any temporary event including, but not limited to, weddings, picnics, barbecues, holiday events and parties, dances, concerts, footraces and walks, bazaars, and harvest festivals.” The subject property is located at 16480 Goodson Road, Caldwell (parcel R37880011); also referenced as a portion of the SE ¼ SW ¼ of Section 17, Township 5N, Range 3W; BM; Canyon County, Idaho. The Board acknowledges that the applicant proposed to further reduce the days of operation to Thursday through Sunday and conducting no events in the month of January.

Findings:

- (1) The subject property is zoned “A” (Agricultural) (Exhibits 1 and 14)
- (2) In accordance with CCZO §07-10-27 Land Use Regulations the applicant may operate a special event facility with an approved CUP in the agricultural zone.
- (3) The applicant is proposing to utilize the 10.74-acre property inclusive of portions of the existing residential facility, landscaped areas, ponds, and existing accessory structures for the commercial operations. The Commission finds that the structures inclusive of the converted shop and the small shed to the south of the house are currently non-compliant structures not permitted in accordance with the Canyon County building and zoning code requirements as evidenced in the staff report. The Board concurs with the findings of the Planning and Zoning Commission.
- (4) The applicant requested daily operations from 9:00 a.m. to 11:00 p.m. in the original application as reviewed in the staff report.
- (5) The applicant indicated within their Operations Plan (Exhibit 5) a small event having up to 50 people in attendance and a large event being 60 to 120 people. Proposed is no more than three (3) events per week with attendance exceeding 50 people and no more than six (6) events per week total.
- (6) The applicant anticipates that large events up to 120 attendees would require approximately 60 parking spaces for vehicles (Exhibits 5 and 6).
- (7) The applicant Operations Plan (Exhibit 5) indicates that there would be no loud music outdoors. There would be no outdoor amplified sound of any kind after 9:00 p.m. on Sunday – Thursday or after 10:00 p.m. on Friday and Saturday nights.
- (8) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case Nos. CU2021-0016 and CU2021-0016-APL.
- (9) The applicant, during oral testimony at the PZ hearing, provided for a reduction in the number of days (no events on Mondays and Tuesdays) and proposed to reduce the hours of operation on Wednesday through Saturday to 9:00 a.m. to 10:00 p.m. and Sunday 9:00 a.m. to 6:00 p.m. The applicant also proposed an increase from 120 total patrons to 150 total patrons at an event. The applicant indicated that support staff, caterers, vendors, etc. are not included in the proposed 150 guests count. Additional items such as noise, lighting and traffic were discussed within the presentation slides (Exhibit 28) and oral testimony.
- (10) The Board of County Commissioners (BOCC) discussed the proposed parking and the parking requirements for a commercial facility hosting up to 150 guests with additional parking requirements for vendors, staff, and ancillary vehicles. Additional information and analysis would be required to establish the parking requirements for the proposed facility.
- (11) The BOCC finds that the applicant proposed further reductions in the days of operation, also eliminating operations on Wednesdays and proposing to not conduct operations on the facility during the month of January to help mitigate driving safety concerns (Exhibit I.c.1 and hearing audio). Therefore; as proposed, events could be conducted daily, Thursday through Sunday, February through December.

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

Conclusion: No, the Board of County Commissioners find that the proposed use and conditional use application for a special events facility is not consistent with the 2020 Canyon County Comprehensive Plan (the Plan). The Plan contains the planning Components as required by I.C. § 67-6508. The commission and/or board need not examine each goal and policy but consider the Plan as a whole. The applicable plan, the 2020 Comprehensive Plan, designates the proposed special event facility application area as ‘Residential’.

The Board when reviewing the Plan as a whole, finds and concludes that the use and application is not consistent with the Plan based on the evidence and review of the Plan components. The Plan directs the hearing body to utilize measures, like the conditional use permit and/or a development agreement, to mitigate potential interference with existing uses in the area. Although mitigating conditions could potentially provide for alignment with the Plan, the proposed facility is in an area of residential growth and development surrounded by intensive agricultural operations providing for potential conflicts with other permitted uses in the area. The Commission found and the Board concurs that as presented in the application materials, the potential impacts to the local community, agricultural uses, and residential land uses; that the impacts of the special event facility cannot be effectively mitigated by conditions and therefore the proposed facility does not align with Property Rights Policy #11 & #12, Population Goal #3, Economic Development Policy No. 2, and Agriculture Goal #3 of the Plan.

The Board discussed the future land use plans of the 2020 Plan designating the property residential and the 2030 Plan designating the property agricultural are conflicting. However, the Board found that the area is trending toward residential with recent decisions approving Kimber Ridge Subdivisions 1 and 2, and pending preliminary residential subdivisions including The Stadium Subdivision replat and Hornet Cove Subdivision. These developments are zoned residential including R1 (Single Family Residential) and CR-RR (Conditionally zoned Rural Residential) (Exhibit IV PZ Staff Report Exh. #14, 16, & 17).

- Findings:**
- (1) The application for a special event center in an “A” (Agricultural) zone with a future land use designation of ‘Residential’ providing for activities February through December for up to 150 total patrons on Thursday through Saturday from 9:00 a.m. to 10:00 p.m. and Sunday 9:00 a.m. to 6:00 p.m. is not consistent with the 2020 Plan Component Goals and Policies inclusive of Property Rights Policy Nos. 11 which states, *“Property owners shall not use their property in a manner that negatively impacts upon the surrounding neighbors and neighborhoods and Policy No. 12 which states, “Property owners acknowledge and expect that Canyon County will preserve private property rights and values by enforcing regulations that will ensure against incompatible and detrimental neighboring land uses.”*
 - (2) The application for a special event facility in an “A” (Agricultural) zone would provide for up to 150 non-local residents travelling into an intensive productive agricultural region of the county multiple times per week, providing for potential conflicts between local property owners, farmers, and event facility patrons. Due to the potential for conflict, the proposal is not consistent with Agricultural Component and more specifically Agricultural Goal No. 3 which states, *“Protect agricultural lands and land uses from incompatible development”* and

Agriculture Policy No. 3 which states, “*Protect agricultural operations and facilities from land use conflicts or undue interference created by existing or proposed residential, commercial or industrial development.*”

- (3) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2021-0016 and CU2021-0016-APL.

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: Yes, the Board finds and concludes that the proposed Special Event facility operating four (4) days per week, Thursday through Saturday from 9:00 a.m. to 10:00 p.m. and Sunday 9:00 a.m. to 6:00 p.m., for up to 150 patrons will negatively change the character of the area and will be injurious to properties in the immediate vicinity. The Commission acknowledged and the Board concurs that the property will remain substantially similar to its current configuration and appearance. The property is 10.74 acres and has residential development to the north, south and west. The proposed commercial special event facility on the currently agriculturally zoned single family residential property has the potential to affect the existing residents with commercial noise, lighting and vehicle trip/volume that does not currently exist in the rural agricultural environment today. The Commission also acknowledges that the facility is situated on a segment of Goodson Road, a local public road, that dead-ends at the Interstate. The road is a narrow local road, is not marked with lane designations or speed limit controls, and contains blind-spots or areas of low visibility creating the potential for life safety conflicts between existing residential traffic, residential accesses, as well as, agricultural farm equipment, animals, and related uses.

- Findings:**
- (1) The property is located in an “A” (Agricultural) zone (Exhibit 2 and 14). The character of the area is predominantly agricultural and the immediate vicinity is trending to primarily rural residential development as evidenced by the platted subdivisions and those in the preliminary development process (Exhibits 15 and 16) inclusive of rezones and conditional rezones. There is existing residential development located along the road frontage of this dead-end segment of Goodson Road (Exhibit 13). CCZO §07-10-27 does not provide for special event facilities in residential zoning districts.
 - (2) Nineteen (19) property owners with properties within 600 feet of the subject property were notified of the application. The nearest constructed residence is located approximately 620 feet north of the subject property in Butterfly Ridge Subdivision. (Exhibit 13)
 - (3) For the Planning and Zoning Commission hearing, letters in opposition to the facility were received from five property owners citing concerns regarding noise, light pollution, safety of children, pets, and livestock, as well as concerns regarding the dead-end local road having unmarked traffic lanes, limited visibility and road safety/maintenance concerns. Additional concerns were related to the unlimited nature of the request including seven days per week operations and the specific type of activity. (Exhibits 22-25 and 27) Additional public testimony in opposition was taken at the May 2, 2024 hearing.
 - (4) The Commission found and the Board concurs that conditions to potentially mitigate noise, lighting, hours of operation, days of operation, limiting the nature of the activities, and size/number of patrons may not effectively mitigate the impact to the character of the area

and the potential conflicts with neighboring properties and the surrounding agricultural area.

- (5) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2021-0016 and CU2021-0016-APL.
- (6) The applicant, during oral testimony at the PZ hearing, provided for modified hours and days of operation; reducing the number of days and shortening the hours of operation. Closed Monday and Tuesday, Wednesday through Saturday 9:00 a.m. to 10:00 p.m., and Sunday hours 9:00 a.m. to 6:00 p.m. The number of patrons proposed was increased from 120 total to not exceed 150 people (see slide presentation set Exhibit 28).
- (7) The Board considered the additional reduction in the number of days of operation, limiting events to four (4) days per week including Thursday through Sunday. They also noted that the applicant proposed to not conduct events during the month of January to help reduce road safety concerns during inclement weather (Exhibit I.c.1.).
- (8) The Board noted concerns regarding the proposed traffic circulation plan. The proposed plan includes a portion of road that as shown does not meet current ordinance requirements for private roads and driveways; depicted as a fifteen (15) foot wide easement across the Kreiman property. The Board also notes that the existence of a legal easement is unclear and should be resolved through civil action. The Board found that the proposed plan would negatively impact the adjoining properties that the proposed traffic accessing the event facility would traverse through or around. Mr. McHenry's property located to the south of the proposed event facility would be an island between the proposed ingress/egress roads.

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

Conclusion: Yes, the Board finds and concludes that adequate facilities and systems for the use will be provided as regulated and conditioned.

- Findings:**
- (1) The application for the special event facility proposes individual septic and wells to serve the facility. As conditioned to comply with the requirements of local, state, and federal jurisdictional agencies--adequate water and sewer will be provided to the facility.
 - (2) The Board discussed the potential need for requiring a public drinking water system. This is regulated by Southwest District Health and DEQ. A condition could be placed to specifically address the concerns regarding the requirement of a public drinking water system.
 - (3) Stormwater is conditioned to be retained on site. The site plan does not indicate significant areas of impervious surface for the ten (10.74) acre site (Exhibit 3)
 - (4) Irrigation water is provided to the subject property by sub-surface ground water according to the applicant. Black Canyon Irrigation District indicated that they had no concerns with the project as long as their facilities along the western boundary were not impacted (Exhibit 9).

- (5) Utility agencies including Idaho Power and Intermountain Gas were sent agency request for comment on 10-25-22, 3-15-24 and 3-30-24. Comments specific to the requested use were not submitted by the notified agencies. Adequate services currently exist and will exist at the time of building permit completion (change of use) and facility operation commencement.
- (6) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2021-0016 and CU2021-0016-APL.

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

Conclusion: No, The Board finds and concludes that it is unable to determine whether legal access will exist for access on the west side of the property at the time of development. The subject property has road frontage along Goodson Road, a local public road. Notus Parma Highway District (NPHD) in Exhibits 7-8A indicated that the proposed access points are sufficient and will be required to meet commercial approach requirements for both the east and west approaches. However, the west approach does not currently meet the requirements of CCZO §07-10-03 Private Road and Driveway Requirements.

- Findings:**
- (1) The property has frontage on Goodson Road (Exhibit 13). The access points for the facility are shown on the site plan at the termination point of Goodson Road adjacent to Interstate 84 right-of-way and approximately 690 feet west of the east access point (Exhibit 3). However, the west access point, is noted as a 15 foot easement which does not comply with CCZO §07-10-03 Private Road and Driveway Requirements. The Board noted that it is unclear if there is an access easement at the west access point which would satisfy the current ordinance requirements.
 - (2) NPHD reviewed the application proposal and provided comment with conditions requiring that the approaches meet commercial approach standards (Exhibit 7-8A). NPHD indicated that they had also replaced the 'Dead End' sign, but were not intending to reduce the speeds. There is a yellow 'cattle' warning sign in one location indicating a suggested speed of 25 mph. NPHD Director of Highways, Lynn Troxel, indicated that for Goodson Road the speed limit is not posted. The ACCHD manual 3040.060 A. indicates that for rural local roads the design speed is 35 mph.
 - (3) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2021-0016 and CU2021-0016-APL.
 - (4) Evidence includes associated findings and evidence supported within this document.

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

Conclusion: Yes, the Board finds and concludes that the application as proposed for the special event facility has the potential to negatively impact the existing residents with non-local traffic that does not currently exist in the rural environment today and due to existing conditions on Goodson Road could pose a public safety risk. The facility is situated on Goodson Road, a

local public road, that dead-ends at the Interstate. The road is narrow and is not marked with lane designations and contains blind-spots or areas of low visibility due to rolling hill topography creating the potential for conflict between existing residential traffic, residential accesses, as well as, agricultural farm equipment, animals, and related uses. The Board acknowledges that the local highway district, Notus Parma Highway District (NPHD) reviewed the application and provided comment that they have installed a new “Dead End” sign and they do not have any additional concerns with traffic, access, and signage, however, the highway district having jurisdiction in accordance with operating standards is not willing to make improvements to the existing roadway including striping of lanes and posting of speed limit signage on this local road segment of Goodson Road. Additionally, the Board noted that event traffic is anticipated to impact existing traffic patterns related to scheduled event start and completion times loading the traffic grid in the area.

Findings:

- (1) NPHD (JUB Engineers and NPHD staff) reviewed the application proposal and provided comment with conditions requiring an approach permit and compliance with commercial approach standards and construction in accordance with ACCHD requirements Exhibits 7-8A.
- (2) The total volume of traffic proposed by the use does not meet the threshold of 50 peak hour trips or 500 annual daily trips and therefore a traffic impact study is not required (ACCHD 3120. Traffic Impact Studies).
- (3) The subject property has road frontage on and will have access to a public road, Goodson Road, as evidenced by NPHD (Exhibit 7) and the aerial map (Exhibit 3).
- (4) Letters in opposition to the facility were received from four property owners citing concerns regarding noise, light pollution, safety of children, pets, and livestock, as well as concerns regarding the dead-end local road having unmarked traffic lanes, limited visibility and road safety/maintenance concerns. Additional concerns were related to the unlimited nature of the request including seven days per week operations and the specific type of activity. (Exhibits 22-25)
- (5) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2021-0016 and CU2021-0016-APL.
- (6) Evidence includes associated findings and evidence supported within this document.
- (7) Based on oral testimony, exhibits and photographs the Board finds that the life safety concerns related to Goodson Road cannot be mitigated by the applicant. Goodson road is a public road under the jurisdiction of Notus Parma Highway District. Goodson Road is a local road with unmarked traffic lanes, unmarked speed limit, low visibility due to hills, and no shoulders for people, animals, or cars to get off of the road if necessary. During the winter months, plowing of roads is inconsistent, occurs later in the day and may be only one lane cleared.
- (8) The Board noted that testimony from applicant and staff indicated that although the applicant was willing to stripe the road and add speed limit signs--the highway district having jurisdiction was not willing to have improvements of striping and signage added to this local segment of roadway as the ongoing maintenance of the improvements would fall upon the highway district outside of their operations budget.

- (9) The Board discussed anticipated trips for residential traffic being an average of 9.5/10 trips per day but occurring at sporadic times during the 24 hour period. Event traffic is anticipated to be many cars arriving at one specific time period and exiting during a specific time period impacting or having the potential to significantly impact and cause undue interference with existing traffic.

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: Yes, the Board finds and concludes that essential services may be provided and this application is not anticipated to negatively impact existing services or require additional public funding. However, the Board did note that there are concerns regarding emergency service response times of 15 minutes or longer and potential disrupted response or availability of ambulance services to the area.

- Findings:**
- (1) The proposed special event facility is not anticipated to impact schools, police or fire district as there is not expected to be a significant increase residential development, or significant increased need for additional police, fire or ambulance response to the facility. Irrigation facilities will continue to be maintained and preserved on the subject property.
 - (2) The Canyon County Sheriff, Black Canyon Irrigation District, and the Canyon County Paramedics/EMT were notified of the request on 10-25-22, 3-15-24 and 3-30-24. Black Canyon Irrigation District provided comments but no opposition (Exhibit 9). Canyon County Sheriff and Paramedics/EMT did not respond to the notifications.
 - (3) Middleton Fire District provided an email indicating that the district was not opposed as long as the applicant met their conditions. Staff received additional letter on 4-18-24 indicating conditions of approval (Exhibit 12). The Middleton Fire Station in downtown Middleton is approximately 10.2 miles travel distance with an estimated 15-minute travel time under normal driving conditions from the proposed event center at 16480 Goodson Road. Conditions shall be applied to meet Middleton Fire District requirements for access, fire suppression, life safety and for the change of occupancy as required for the structures as evidenced by a letter of approval from the fire district provided to Development Services prior to commencement of the special event activities if the CUP is approved.
 - (4) Evidence includes the application, support materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2021-0016 and CU2021-0016-APL.

Order

Based upon the Findings of Fact, Conclusions of Law, and Order contained herein, the Board of County Commissioners **DENY** the appeal and uphold the Planning and Zoning Commission decision for Case #CU2021-0016, a conditional use permit request for a Special Event facility in the "A" (Agricultural) zone on parcel R37880011 aka 16480 Goodson Road, Caldwell, ID.

The applicant may reapply and provide an application with a more detailed plan that helps to limit the potential impacts to the surrounding area and its' residents. This could include limiting the days and hours of operation for the special event facility, identify the specific types of events to be allowed, limit the number of patrons, provide detailed plans for addressing noise, lighting, traffic, and how services are provided for the activities inclusive of food and amenities such as sanitary facilities. The applicant could also wait for development of the area to change the general nature and character of the rural agricultural community with road improvements, residential, and commercial developments.

APPEAL DENIED this 2 day of JANUARY, 2025.

**BOARD OF COUNTY COMMISSIONERS
CANYON COUNTY,**

Yes No Did Not Vote

Brad Holton X _____ _____
Commissioner Brad Holton

Zach Brooks X _____ _____
Commissioner Zach Brooks

Leslie Van Beek _____ _____ _____
Commissioner Leslie Van Beek

Attest: Rick Hogaboam, Clerk

By: Monica Reeves