



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

In the matter of the application of:

CU2024-0003 – Garman

The Canyon County Planning and Zoning Commission considers the following:

- 1) Case No. CU2024-0003: Kris Garman requests a conditional use permit for a special events facility of approximately 16.15 acres (“the subject property”) in the “A” Agricultural Zone. The subject property is located at 26117 Lower Pleasant Ridge Rd, Wilder ID 83676 also referenced as Parcels R37158, R37157010, and R37157010D and as a portion of the Northeast Quarter of Section 27, T4N, R5W, 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 CU2024-0003.

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code §01-17 (Land Use/Land Division Hearing Procedures), Canyon County Code §07-05 (Notice, Hearing and Appeal Procedures), Canyon County Code §07-07 (Conditional Use Permits), Canyon County Code §07-02-03 (Definitions), Canyon County Code §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6512 (Special Use Permits, Conditions, and Procedures), and Canyon County Code §09-17-23 (Area of City Impact Agreement).
 - a. Notice of the public hearing was provided pursuant to CCCO §07-05-01, Idaho Code §67-6509 and 67-6512.
 - b. A special use permit may be granted to an applicant if the proposed use is conditionally permitted by the terms of the ordinance, subject to conditions pursuant to specific provisions of the ordinance, subject to the ability of political subdivisions, including school districts, to provide services for the proposed use, and when it is not in conflict with the plan. Idaho Code §67-6512.
 - c. Every use which requires the granting of a conditional use permit is declared to possess characteristics which require review and appraisal by the commission to determine whether or not the use would cause any damage, hazard, nuisance or other detriment to persons or property in the vicinity. *See* CCCO §07-07-01.
 - d. Upon the granting of a special use permit, conditions may be attached to a special use permit including, but not limited to, those: (1) Minimizing adverse impact on other development; (2) Controlling the sequence and timing of development; (3) Controlling the duration of development; (4) Assuring that development is maintained properly; (5) Designating the exact location and nature of development;(6) Requiring the provision for on-site or off-site public facilities or services; (7) Requiring more restrictive standards than those generally required in an ordinance; (8) Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction. *See* Idaho Code §67-6512, CCCO §07-07-17, and 07-07-19.
2. The commission shall have those powers and perform those duties assigned by the board that are provided for in the local land use planning act, Idaho Code, title 67, chapter 65, and county ordinances. CCCO §07-03-01, 07-07-01.

3. There are no mandates in the Local Planning Act as to when conditional permits may or may not be granted, aside from non-compliance with the community master plan. I.C. § 67-6512. Chambers v. Kootenai Cnty. Bd. of Comm'rs, 125 Idaho 115, 117, 867 P.2d 989, 991 (1994).
4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.
5. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.
6. The County's hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCCO 07-05-03(1)(I).

The application (CU2024-0003) was presented at a public hearing before the Canyon County Planning and Zoning Commission on March 20, 2025. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Canyon County Planning and Zoning Commission decides as follows:

CONDITIONAL USE PERMIT HEARING CRITERIA – CCCO §07-07-05

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

Conclusion: Yes, the proposed use, a special events facility, is permitted in the "A" (Agricultural) zone by conditional use permit, pursuant to Canyon County's Code of Ordinances (CCCO) §07-10-27.

- Findings:**
- (1) The subject property, also referenced as Parcels R37158, R37157010, and R37157010D, containing approximately 16.15 acres is zoned "A" (Agricultural) (**Staff Report Exhibit B1**).
 - (2) The proposed use consists of a special events facility in the "A" (Agricultural) zone. See project description analysis contained in Section 07-07-05(2) detailing the nature of the request.
 - (3) Special Events Facility is 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." (CCCO §07-02-03)
 - (4) CCCO 07-10-27 Land Use Regulations (Matrix) provides for a Special Events Facility by conditional use permit in the agricultural zone
 - (5) A conditional use permit was submitted on January 19, 2024, with additional information submitted in November-February 2025 (**Staff Report Exhibits A1-A7**).
 - (6) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0003.
 - (7) 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 using the subject property of approximately 16.5 acres for a special events facility to host events such as weddings and wedding-related activities, picnics, BBQs, religious services, holiday celebrations, weekly/community gatherings, class/family reunions, harvest festivals, corporate sponsored events, exercise/yoga classes, charity events/fundraisers, farm-to-fork dinners, and other agriculture-related events. The applicant is proposing no more than 59 days per year with special events with up to 600 guests on site for any event/wedding. Additionally, the applicant states no more than 4 days with special events per week would occur from November to March and no more than 5 days with special events per week would occur from April to October (**Staff Report Exhibits A2 and A2.2**). Days and hours of operation are proposed to be 8:00 a.m. to

11:00 p.m. on Monday-Thursday with music off by 10:00 p.m., 8:00 a.m. to 12:00 a.m. on Friday and Saturday with music off by 11:00 p.m., and 8:00 a.m. to 10:00 p.m. on Sunday with music off by 9:00 p.m. (**Staff Report Exhibits A2 and A4**). Some events will be ticketed depending on the type of event and potential attendance. The applicant states regarding the hours of operation, "The access hours would vary in between my stated 8-11 or 12 based on type of event and day of week. Actual hours of said event could be much less hours on stated date. The ending access time is more for situations where we are tearing down and clearing the event of vendors which is why I state 11pm. Depending on the set up, I could see where we'd be folding chairs and emptying trash at that hour. The events would end one hour earlier and guests would be gone. It's the vendor access that may have someone leaving at 11pm and 12am respectively. To clarify, those hours are more of a definition of access hours and not necessarily the actual event." There will be approximately three (3) employees or volunteers to serve (when needed) as parking lot attendants and to assist with venue maintenance and event preparation and tear-down (**Staff Report Exhibit A2 and A4**). The applicant says specifically for "...weddings, most if not all set-up and tear-down is done by Lessee or appointee. Vendors will have access during non-event days and may require additional delivery and shipping. In these types of events, most often Garman Hill will simply be providing the land for the event" (**Staff Report Exhibit A2**). All alcohol will be served by a licensed alcohol provider. The applicant plans to research further on applying for her own alcohol license in the future (**Staff Report Exhibit A2**). The facility will include temporary signage and flags at the primary gravel road entrance and a permanent illuminated sign at the secondary event entrance/residence driveway (See **Staff Report Exhibits A2 and A3** for proposed accesses and **Staff Report Exhibit A3.2** for the proposed permanent entrance sign). If the sign is over six feet (6') in height and permanently affixed to the ground, a building permit may be required (**Staff Report Exhibit D1**). The applicant is proposing to use a 1500 square feet daylight basement (found in the single-family residence on Parcel R37158) and the outdoor pool for a bridal suite, overnight rental, and event space. "Houston's Saloon-style shop" is to be used for a Groom Suite, Farm to Fork Dinners, event catering, and bar service (**Staff Report Exhibit A2**). Canyon County's Building Department states all proposed and existing structures (historic buildings, bridal suites) that will be used for the special events facility will require a commercial building permit and/or change of occupancy permit. A code analysis will also be required to be submitted with plans provided by a licensed architect/engineer (**Staff Report Exhibit D1**). The applicant says no employees, lessees or patrons will use the buildings until such time they are permitted for the change of the use by the Canyon County Building Department (**Staff Report Exhibit A2**).

- Findings:**
- (1) The subject property, also referenced as Parcels R37158, R37157010, and R37157010D containing approximately 16.15 acres is zoned "A" (Agricultural) (**Staff Report Exhibit B1**).
 - (2) Per CCCO §07-10-27 - Land Use Matrix, the applicant may operate a special events facility with an approved CUP in the agricultural zone.
 - (3) To verify compliance with building and signage requirements, the applicant shall obtain all necessary building permits and certificate of occupancies for all existing structures (such as those identified in **Staff Report Exhibit D1**) prior to commencement of the use on the subject property and any future structures/improvements. Evidence shall be an approval document from the Canyon County Building Department and Wilder Rural Fire Protection District. Additionally, signage shall meet the requirements of CCCO §07-10-13 and shall not exceed 32 square feet or as provided for by approval of a separate application for a Director's Administrative decision for a sign permit. Applicant must comply with CCCO §07-10-13 and dependent upon the location of the signage with The Idaho Administrative Procedures Act (IDAPA) 39.3.60 governing advertising along the State Highway System. See conditions #8 and #12.
 - (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0003.
 - (5) Evidence includes associated findings and evidence supported within this document.

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

Conclusion: Yes. 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 “Agricultural” (**Staff Report Exhibits B1 and B2.4**).
- (2) The proposed use is consistent with multiple goals and policies of the 2030 Canyon County Comprehensive Plan including but not limited to:
- i. 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.”*
 - ii. 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.”*
 - iii. 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.”*
 - iv. 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.” Policy No. 4: “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.” Goal No. 6: “Development design should improve the area’s character and be compatible with the community’s visual appearance and the natural environment.”*
- (3) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0003.
- (4) 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 as the proposed conditions of approval #1-28 will mitigate the negative effects to the agricultural character of the area.

- Findings:** (1) The subject property is zone “A” (Agricultural) (**Staff Report Exhibit B1**) and the average lot size within a 1-mile radius is 11.37 acres (**Staff Report Exhibit B2.7**). The general character of the area is agricultural (many parcels in the immediate vicinity are in active agricultural

production). There are also agricultural residential uses (meaning the properties are zoned agricultural but have residential uses), residential uses (there few scatted residential subdivisions) in the area, and some limited industrial uses near City of Wilder and along Highway 95. There are twelve (12) subdivisions with 186 lots located within 1-mile of the subject property. There no subdivisions in platting in this area (**Staff Report Exhibit B2.7**). Although there are some varied uses and zones in the area, the character of the area largely remains agricultural in nature (**Staff Report Exhibits B2.2 and B2.3**).

- (2) As conditioned, the special events facility should not increase the sound levels in the immediate vicinity. The applicant's property is near Highway 95, which may help muffle some of the noise associated with a special events facility (**Staff Report Exhibit B2.2**). As conditioned, all amplified sounds shall be directed away from adjacent residences. There shall be no amplified sound of any kind after 9:00 p.m. on Sunday, Monday, Tuesday, Wednesday, and Thursday nights, or after 10:00 p.m. on Friday and Saturday nights. See Condition #16.
- (3) As proposed, the parking area contains grass to park on and the gravel driveway guests will be using to access the property should not significantly increase dust levels in the vicinity. The applicant states that dust should be mitigated more once the gravel driveway is completed and there is an all-terrain vehicle (ATV) with a 50-gallon tank that can be used to spray the driveway to mitigate dust as needed (**Staff Report Exhibit A2.2**). As conditioned, a dust mitigation plan shall be turned in and approved by DSD prior to commencement of use. The approved dust mitigation plan shall be followed by the property owner at all times. Dust shall be controlled per applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to operations including but not limited to nuisance regulations (CCCO Chapter 2 Article 1: Public Nuisances) and shall be consistent with Idaho Department of Environmental Quality (DEQ) and Environmental Protection Agency (EPA) requirements. See Condition #13.
- (4) Per correspondence with the applicant, there is one (1) large outdoor light on the Saloon with security cameras and motion activated lights. The applicant also states that renters commonly add string lights. As conditioned, all exterior lighting shall be fully cut off and fully shielded, and placed to direct the light source down and inside the property lines of the facility. All direct glare from the lights shall be contained within the facility area. No light source may be placed greater than fifteen (15') feet in height. See Condition #9.
- (5) The general character of the area does not appear to be significantly affected by the special events facility. As proposed and conditioned, there will be no more than 59 days with an event held per calendar year with an attendance exceeding 25 people (which averages out to approximately 5 events per month within a calendar year). Additionally, subject to meeting condition #18, there shall be no more than five (5) days with special events per week (Sunday to Saturday) from April through October and no more than four (4) days with special events per week from November to March (**Staff Report Exhibits A2.1 and A2.2**). No more than 450 guests shall be on site per scheduled event to limit effects to the surrounding area. The hours of operation shall be 8:00 a.m. to 10:00 p.m. on Sundays, 8:00 am. to 11:00 p.m. on Mondays, Tuesdays, Wednesdays, and Thursdays, and 8:00 a.m. to 11:59 p.m. on Fridays and Saturdays as proposed in the applicant's letter of intent (**Staff Report Exhibit A2**). The applicant will be required to have rental agreements in place with each event holder that limit them to the same conditions of approval as this conditional use permit, the template of the rental agreement will need to be provided to the Development Services Department prior to commencement of use, and the applicant or their designee has to be made available at all times during the events to enforce rental agreements and the conditions of approval. Ticketing shall also be required for events with 400 guests or more. See Conditions #17, #18, #19, #20, #21, #22, #23, and #24.
- (6) Notice of the public hearing was provided per CCCO §07-05-01. Affected agencies were noticed on November 21, 2024 and February 14, 2025. Newspaper notice was published on February 18, 2025. Property owners within 600' were notified by mail on February 14, 2025. The property was posted on February 14, 2025.

- (7) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0003.
- (8) 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: Yes, 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) There is an individual domestic well on site (**Staff Report Exhibit A4**). In Southwest District Health’s pre-development notes they stated: “There may be the potential the venue could meet the criteria for becoming a public water system. Applicant would need to verify whether the facility needs to be regulated as a Public Water System prior to approval” (**Staff Report Exhibit D4.1**). The applicant reached out to Southwest District Health on the public water system requirement and stated due to the requirement, they will adjust the application down to 59 days with an event per year thereby falling below the threshold for a public water system (**Staff Report Exhibit A2.1**). DSD staff reached out to Southwest District Health (SWDH) on if 59 events per year would meet public water system requirements and SWDH stated Idaho Department of Environmental Quality (DEQ) would be authority to decide on if 59 days with special events per year would constitute requiring a public water system (**Staff Report Exhibit D4.2**). DSD staff reached out to DEQ on the project and DEQ staff stated they would need more information from the property owner on their project and sent a general comment letter (as they do not send comment letters on a project-specific basis) (**Staff Report Exhibit D7**). The applicant stated she discussed the public water system requirement with DEQ on February 12, 2025 and stated her intention is to not skirt any rules or regulations and further described what would count towards the 59 days with an event per year (**Staff Report Exhibit A2.2**). Southwest District Health sent an additional email on March 20, 2025 (received after the materials deadline) which outlined that if there are more than 25 people served in a single day, it would be considered one of the 60 days that count towards the public water system designation and the public water system rule is not an average number of people served. They also had public health concerns about the changes to the applicant’s proposals based on the public water system requirement. As conditioned, a public water system shall be required unless waived by Idaho Department of Environmental Quality. See Condition #6.
 - (2) There is an individual septic located on site to support the residence and will be used by the guests using the daylight basement as a bridal suite or for overnight stays (**Staff Report Exhibit A4**). According to the applicant, porta potties will be provided for the events in compliance with Southwest District Health standards for max expected event attendance (**Staff Report Exhibit A2**). Per Southwest District Health, the applicant needs to verify a licensed pumper is servicing the porta potties and there is sufficient holding capacity to handle the events (**Staff Report Exhibit D4.1**). Additionally, Southwest District Health sent an additional email on March 19, 2025 received after the materials deadline which stated that the existing septic system does not accommodate wastewater flows for the proposed bridal suite and overnight accommodations in the basement of the primary house. They also stated there was a concern from Department of Environmental Quality that there would be a lot of porta potty pumping needed and that it is an unwise way to have events as frequently as they are planning. Therefore, pumping of the porta potties should be required after each event. As conditioned, the applicant shall meet Southwest District Health (SWDH) requirements for the proposed uses, including public water system requirements (if this is deemed to be required) as evidenced by the applicant providing Development Services a letter of review and approval from SWDH prior to commencement of the use on the subject property. The number of portable restrooms, frequency of pumping, and maintenance shall be as recommended by Southwest District Health (**Staff Report Exhibits D4, D4.1 and D4.2**). See Condition #5.

- (3) Per the land use matrix, surface irrigation water is provided to the property and is delivered by a gravity ditch system to a pressurized sprinkler system. No changes are proposed to this irrigation system as a result of this project (**Staff Report Exhibit A4**). Boise Project Board of Control sent a letter in November of 2024 which stated that the property does possess a valid water right, but no Boise Project or Wilder Irrigation District facilities are located on the above-mentioned property. Boise Project also stated “Per Idaho Statutes, Title 42, local irrigation/drainage ditches that cross this property, to serve neighboring properties, must remain unobstructed and protected by an appropriate easement by the landowner, developer, and contractors. Storm Drainage and/or Street Runoff must be retained on site” (**Staff Report Exhibit D2**). As conditioned, the applicant shall not impede or disrupt existing irrigation structures, i.e. drains, laterals, or supply ditches, on and adjacent to the subject property. See Condition #11.
- (4) It appears the use does not require of affect drainage on the property (**Staff Report Exhibit A2**). Per the land use matrix, stormwater drainage is proposed to be retained on site and in borrow ditches (**Staff Report Exhibit A4**).
- (5) Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziplly were notified of the application on November 21, 2024 and February 14, 2025. No agency comments were provided by those services at the time the staff report was written. It is anticipated that the applicant will be able to work with utility providers to gain any additional utilities needed.
- (6) Notice of the public hearing was provided per CCCO §07-05-01. Affected agencies were noticed on November 21, 2024 and February 14, 2025. Newspaper notice was published on February 18, 2025. Property owners within 600’ were notified by mail on February 14, 2025. The property was posted on February 14, 2025.
- (7) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0003.
- (8) 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: Yes, the subject property does have legal access via two (2) existing approaches off of Lower Pleasant Ridge Road for the development per Golden Gate Highway District No. 3.

- Findings:**
- (1) The property has frontage on Lower Pleasant Ridge Road (**Staff Report Exhibit B2.1**). Per the letter of intent and site plan, there will be one (1) approximately 24’ main gravel access with two-lanes as shown on the site plan for both entering and exiting the special events facility and a secondary asphalt exit/entrance that will primarily be used by the property owner to access her residence on site (**Staff Report Exhibits A2 and A3**).
 - (2) Golden Gate Highway District No. 3 indicated that legal access currently exists for the subject property via two (2) existing approaches off of Lower Pleasant Ridge Rd. and these two (2) accesses are required to be reconstructed in accordance with Standard Drawing ACCHD-106 – Commercial & Multiple Residential Approach of the ACCHD Standards (**Staff Report Exhibit D5**). As proposed, the applicant shall comply with applicable Golden Gate Highway District No. 3 requirements, including reconstructing the existing accesses in accordance with Standard Drawing ACCHD-106 – Commercial & Multiple Residential Approach of the ACCHD Standards as evidenced by the applicant providing Development Services with an approved highway district letter indicating the completion of improvements prior to commencement of the use on the subject property. See Condition #3.

- (3) Notice of the public hearing was provided per CCCO §07-05-01. Affected agencies were noticed on November 21, 2024 and February 14, 2025. Newspaper notice was published on February 18, 2025. Property owners within 600' were notified by mail on February 14, 2025. The property was posted on February 14, 2025.
- (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0003.
- (5) Evidence includes associated findings and evidence supported within this document.

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

Conclusion: No, there will not be undue interference with the existing or future traffic patterns per Golden Gate Highway District No. 3 and Idaho Transportation Department.

- Findings:**
- (1) Per the applicant's letter of intent and site plan, guests will enter and exit off an approximately 24' two-lane gravel access nearest to Highway 95 to proceed to the parking area. The applicant plans to have a sign and flags to guide people to the entrance when they enter and exit the parking area. Per the applicant's site plan, there will be a designated parking area on grass (which complies with Canyon County's definition of hard-surfaced) with 201 spaces and an additional overflow parking area for larger events as needed. Per a conversation with the applicant, she said the overflow parking area should hold more than the event parking area that is designated on the site plan and she will have a parking attendant to guide people to the parking area as needed. There is a second access located on the property for the property owner to access her home (western most access), but the applicant states this secondary entrance will be roped off when people arrive with "bright yellow saw horses" so there is no confusion on where to enter the property for special events (**Staff Report Exhibits A2, A2.2, and A3**). As conditioned, no parking shall occur on the public right of way. Additionally, all parking spaces shall meet all applicable off-street parking requirements (CCCO §07-13-01 and §07-13-03) and temporary signage shall be provided during all events to assist with traffic flow patterns. A parking and circulation plan drawn to scale must be submitted and obtain any necessary fire district and highway district approvals. The parking and circulation plan must be compliant with Canyon County's off-street parking requirements (CCCO 07-13-01 and 07-13-03). Evidence of consistency shall be turned into Canyon County DSD prior to commencement of the use on the subject property. See Conditions #14 and #15.
 - (2) Per Golden Gate Highway District No. 3., "Section 3110.010 Traffic Impact Studies of the 2022 Association of Canyon County Highway Districts Highway Standards & Development Procedures (ACCHD Standards) states a Traffic Impact Study (TIS) is required for rural developments if the Peak Hours Trips and Average Annual Daily Trips exceed 50 and 500, respectively. If a project has special circumstances associated with it, the District may require a TIS even if the aforementioned criteria are not met. Based on the proposed uses for a special event/wedding facility and data provided, a TIS is not warranted" (**Staff Report Exhibit D5**). As proposed, the applicant shall comply with applicable Golden Gate Highway District No. 3 requirements, including reconstructing the existing accesses in accordance with Standard Drawing ACCHD-106 – Commercial & Multiple Residential Approach of the ACCHD Standards as evidenced by the applicant providing Development Services with an approved highway district letter indicating the completion of improvements prior to commencement of the use on the subject property. See Condition #3.
 - (3) Idaho Transportation Department (ITD) initially did not have comments or concerns (**Staff Report Exhibit D3**), but later changed their comment to state: "ITD would highly recommend and encourage the main access/entrance to the facility to be the western approach. ITD will not recommend an eastern approach to the property to be used as an entrance, as stacking on US-95 can be anticipated, which is not safe for the state highway, especially at that location. If the eastern access to that parcel remains the applicants desired location, ITD will require a left turn lane which will include widening US-95 and dedication of right of way." (**Staff Report**

Exhibit D3.1). After discussions with the applicant, ITD again changed their comment letter on March 11, 2025 to state: “1. The project abuts the state highway system. 2. ITD withdraws any objection to this application if the following conditions are met: a. The eastern gravel access on Lower Pleasant Ridge Road [must]... accommodate two (2) lanes of ingress. This will eliminate vehicles queuing (stacking) onto US-95. ITD wishes to thank Mrs. Garman for her coordination with ITD. Her willingness to address the Department’s concerns shows her dedication to keeping her community’s safety a priority during the growth of her business.” This comment letter was received after the materials deadline, which is why it is not included as a staff report exhibit. As conditioned, the applicant shall comply with Idaho Transportation Department’s requirements, including constructing the eastern gravel access on Lower Pleasant Ridge Road to be able to accommodate two (2) lanes of ingress to limit vehicles stacking onto US-95 as evidenced by the applicant providing Development Services with an approved transportation department letter indicating the completion of improvements prior to commencement of the use on the subject property. See Condition #4.

- (4) Notice of the public hearing was provided per CCCO §07-05-01. Affected agencies were noticed on November 21, 2024 and February 14, 2025. Newspaper notice was published on February 18, 2025. Property owners within 600’ were notified by mail on February 14, 2025. The property was posted on February 14, 2025.
- (5) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0003.
- (6) 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: Yes, 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, and/or require additional public funding in order to meet the needs created by the requested use.

- Findings:**
- (1) The subject property is serviced by Wilder School District No. 133, it is not anticipated at any impacts or accommodations will be needed for the special events facility. Agency comments were sent out November 21, 2024 and February 14, 2025 and no comments were received by the school district.
 - (2) The subject property is under the jurisdiction of Canyon County Sheriff’s Office. Canyon County Sheriff’s Office is required to provide services to the property. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency notice was sent November 21, 2024 and February 14, 2025 and no comments were received by the Sheriff’s Office.
 - (3) The subject property is under the jurisdiction of Wilder Rural Fire Protection District. Wilder Rural Fire Protection District sent a comment letter on December 30, 2024 and stated the following:
 - “Following are the items Wilder Fire discussed with Kris Garman concerning the subject case:
Driveway to Parking Lot needs an Emergency Parking Spot- Completed.
Driveway to the Residence must include turnaround capability for emergency apparatus and needs to be maintained at all times. There will be no parking on the residential driveway.
Roadway needs road mix over the existing pit run.

Roadway needs to be maintained at all times.

Fire Extinguisher needs to be updated to a Class ABC, 5-pound Fire Extinguisher installed on the wall next to the main entrance.

Smoke Detectors need to be updated to include: one in each bedroom, one in the hallway and one in the Living Space area with a CO Detector.

There will be no cooking or smoking in any area of the Daylight Basement (Bridal Suite). Sliding/Farm style doors installed in the residence area are acceptable” (**Staff Report Exhibit D6**).

As conditioned, the applicant shall comply with all Fire District requirements per State adopted IFC and as evidenced by review and approval documentation from the applicable fire district (including approval of the private road and driveways) prior to issuance of a certificate of occupancy and prior to commencement of the use on the subject property. See Condition #7.

- (4) Emergency Medical Services are provided to the property. Canyon County Paramedics/EMT and Canyon County’s Emergency Management Coordinator were notified of the application on November 21, 2024 and February 14, 2025 and no comments were received. As conditioned, the applicant shall develop an emergency response plan to include an evacuation plan and have it on file with Canyon County’s Emergency Management Coordinator. The evacuation plan shall be posted on site during events. See condition #28.
- (5) The subject property is under Boise Project Board of Control/Wilder Irrigation District’s jurisdiction. See Criteria #5 and Finding #3 and **Staff Report Exhibit D2** for information related to Boise Project Board of Controls’ comments on the conditional use permit.
- (6) Notice of the public hearing was provided per CCCO §07-05-01. Affected agencies were noticed on November 21, 2024 and February 14, 2025. Newspaper notice was published on February 18, 2025. Property owners within 600’ were notified by mail on February 14, 2025. The property was posted on February 14, 2025.
- (7) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0003.
- (8) Evidence includes associated findings and evidence supported within this document.

Canyon County Code §09-17-23 (Area of City Impact Agreement) - AREA OF CITY IMPACT AGREEMENT ORDINANCE

Conclusion: The property is located within the Wilder Area of City Impact. A notice was sent to the City of Wilder per Canyon County Code §09-17-23.

- Findings:**
- (1) Pursuant to Canyon County Code §09-17-23 of the Wilder Area of City Impact Agreement, a notice was provided to the City of Wilder on November 21, 2024 and February 14, 2025. No comments were received by the City of Wilder.
 - (2) The City of Wilder is located approximately 0.5 miles to the northeast. The City of Wilder designates the future land use of the subject property has “Low Density Residential” (**Staff Report Exhibit B2.5**).
 - (3) Notice of the public hearing was provided per CCCO §07-05-01. Affected agencies were noticed on November 21, 2024 and February 14, 2025. Newspaper notice was published on February 18, 2025. Property owners within 600’ were notified by mail on February 14, 2025. The property was posted on February 14, 2025.
 - (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0003.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission **approves** Case # CU2024-0003, a conditional use permit for a special events facility in the “A” (Agricultural) zone for Parcels R37158, R37157010, and R37157010D (approximately 16.5 acres) 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. This conditional use permit must follow the land use time limitation as stated in CCCO 07-07-23: “When a conditional use permit is granted, the land use or construction of its facility proposed in the application must have commenced within three (3) years of the date of the final decision by the presiding party or a court of appropriate jurisdiction. The improvements for the approved use must be completed within five (5) years of the same date.”
 - a. Commencement shall be date of the first special event.
3. The applicant shall comply with applicable Golden Gate Highway District No. 3 requirements, including reconstructing the existing accesses in accordance with Standard Drawing ACCHD-106 – Commercial & Multiple Residential Approach of the ACCHD Standards as evidenced by the applicant providing Development Services with an approved highway district letter indicating the completion of improvements prior to commencement of the use on the subject property (**Staff Report Exhibit D5**).
4. The applicant shall comply with Idaho Transportation Department’s requirements, including constructing the eastern gravel access on Lower Pleasant Ridge Road to be able to accommodate two (2) lanes of ingress to limit vehicles stacking onto US-95 as evidenced by the applicant providing Development Services with an approved transportation department letter indicating the completion of improvements prior to commencement of the use on the subject property.
5. The applicant shall meet Southwest District Health (SWDH) requirements for the proposed uses, including public water system requirements (if this is deemed to be required) as evidenced by the applicant providing Development Services a letter of review and approval from SWDH prior to commencement of the use on the subject property. The number of portable restrooms, frequency of pumping, and maintenance shall be as recommended by Southwest District Health (**Staff Report Exhibits D4, D4.1 and D4.2**).
6. A public water system shall be constructed and required unless waived by Idaho Department of Environmental Quality prior to commencement of the use on the subject property (**Staff Report Exhibit D7**).
7. Comply with all Fire District requirements per State adopted IFC and as evidenced by review and approval documentation from the applicable fire district (including approval of the private road and driveways) prior to issuance of a certificate of occupancy and prior to commencement of the use on the subject property (**Staff Report Exhibit D6**).
8. The applicant shall obtain all necessary building permits and certificate of occupancies for all existing structures (such as those identified in **Staff Report Exhibit D1**) prior to commencement of the use on the subject property and any future structures/improvements. Evidence shall be an approval document from the Canyon County Building Department and Wilder Rural Fire Protection District.
9. LIGHTING: All exterior lighting shall be fully cut off and fully shielded, and placed to direct the light source down and inside the property lines of the facility. All direct glare from the lights shall be contained within the facility area. No light source may be placed greater than fifteen (15’) feet in height.
10. The facility shall be maintained in compliance with CCCO Chapter 2 Article 1: Public Nuisances.
11. The applicant shall not impede or disrupt existing irrigation structures, i.e. drains, laterals, or supply ditches, on and adjacent to the subject property.
12. Signage shall meet the requirements of CCCO §07-10-13 and shall not exceed 32 square feet or as provided for by approval of a separate application for a Director’s Administrative decision for a sign permit. Applicant must

comply with CCCO §07-10-13 and dependent upon the location of the signage with The Idaho Administrative Procedures Act (IDAPA) 39.3.60 governing advertising along the State Highway System.

13. **DUST MITIGATION:** A dust mitigation plan shall be turned in and approved by DSD prior to commencement of use. The approved dust mitigation plan shall be followed by the property owner at all times. Dust shall be controlled per applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to operations including but not limited to nuisance regulations (CCCO Chapter 2 Article 1: Public Nuisances) and shall be consistent with Idaho Department of Environmental Quality (DEQ) and Environmental Protection Agency (EPA) requirements.
14. **OFF-STREET PARKING:** No parking shall occur on the public right of way.
15. **PARKING AND CIRCULATION PLAN:** All parking spaces shall meet all applicable off-street parking requirements (CCCO §07-13-01 and §07-13-03) and temporary signage shall be provided during all events to assist with traffic flow patterns. A parking and circulation plan drawn to scale must be submitted and obtain any necessary fire district and highway district approvals. The parking and circulation plan must be compliant with Canyon County's off-street parking requirements (CCCO 07-13-01 and 07-13-03). Evidence of consistency shall be turned into Canyon County DSD prior to commencement of the use on the subject property.
16. **MUSIC AND AMPLIFIED SOUND:** All amplified sounds shall be directed away from adjacent residences. There shall be no amplified sound of any kind after **9:00 p.m. on Sunday, Monday, Tuesday, Wednesday, and Thursday nights, or after 10:00 p.m. on Friday and Saturday nights.**
17. **HOURS OF OPERATION:** The hours of operation shall be 8:00 a.m. to 10:00 p.m. on Sundays, 8:00 am. to 11:00 p.m. on Mondays, Tuesdays, Wednesdays, and Thursdays, and 8:00 a.m. to 11:59 p.m. Friday and Saturday, as proposed in the applicant's letter of intent (**Exhibit A2**).
18. **NUMBER OF DAYS WITH AN EVENT:** There shall be no more than 59 days with an event held per calendar year with an attendance exceeding 25 people.
 - a. Events shall not include days wherein set up or tear down is only occurring for a special event. Events shall also not include the property owner renting out her daylight basement for overnight stays.
19. The proposed development shall be in general conformance with the applicant's site plan and Letter of Intent unless otherwise conditioned (**Staff Report Exhibits A2 and A3**).
20. **FREQUENCY OF EVENTS:** Subject to meeting the requirement for number of days with an event per calendar year (as stated in condition #18), there shall be no more than five (5) days with special events per week (Sunday to Monday) from April to October and no more than four (4) days with special events per week from November to March (**Staff Report Exhibit A2.2**).
21. **RENTAL AGREEMENTS:** Rental Agreements shall be in place with each event holder that limit them to the same conditions of approval as this conditional use permit. The template of the rental agreement will need to be provided to the Development Services Department prior to commencement of the use.
22. **ENFORCEMENT OF RENTAL AGREEMENTS:** The property owner or their designee shall be made available at all times during events to enforce the rental agreements and the conditions of approval.
23. **TICKETING:** Ticketing shall be required for events with 400 guests or more.
24. **NUMBER OF GUESTS:** No more than **450 guests** shall be on site per scheduled event to limit effects to the surrounding area.
25. **CATERING:** Special events shall be fully catered by a licensed caterer operating in compliance with the requirements of SWDH Food Establishment Licensing and Permitting.
26. **ALCOHOLIC BEVERAGE LICENSING:** Alcoholic beverages (inclusive of beer and wine) for special events at the facility shall be provided and distributed in strict compliance with Local, State, and Federal requirements for sales and distribution.
27. This conditional use permit for a Special Events Facility on the subject property (Parcels R37158, R37157010, and R37157010D) shall be limited to Kristina (Kris) Garman. Should ownership of the property change from Kristina (Kris) Garman, the conditional use permit for a Special Events Facility shall terminate—no further events shall be

conducted on the property. New owners/purchasers shall be required to obtain a new conditional use permit for a Special Events Facility subject to the zoning code requirements in affect at the time of application.

28. The applicant shall develop an emergency response plan which shall include an evacuation plan. The emergency response plan shall be on file with the Canyon County Emergency Manager and the evacuation plan shall be posted on the site during events.

DATED this 3 day of April, 2025.

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


Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this 3rd day of April, in the year 2025, before me Jennifer D Almeida, a notary public, personally appeared Robert Sturgill, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.

Notary: Jennifer D Almeida
My Commission Expires: 4/7/28

