



PLANNING AND ZONING COMMISSION

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:

Lanum – CU2024-0011

The Canyon County Planning and Zoning Commission considers the following:

Case No. CU2024-0011: The applicant, Betty Lanum, is requesting a Conditional Use Permit for a special events facility of approximately 6.72 acres in an “A” (Agricultural) zone. With a maximum number of 150 guests including staff. The applicant is proposing to be open during the spring, summer and fall months with the hours of operation being Monday – Sunday, 10am – 11pm. The subject property is located at 22306 Upper Pleasant Ridge Rd, Caldwell, also referenced as Parcel R36485010, a portion of the SE quarter of Section 23, T4N, R4W, 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 CU2024-0011.

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code §01-17 (Land Use/Land Division Hearing Procedures), Canyon County Code §07-05 (Notice, Hearing and Appeal Procedures), Canyon County Code §07-07 (Conditional Use Permits), Canyon County Code §07-02-03 (Definitions), Canyon County Code §07-10-27 (Land Use Regulations (Matrix)), Canyon County Code §07-07 (Conditional Use Permits), Idaho Code §67-6512 (Special Use Permits, Conditions, and Procedures), and 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 CU2024-0011 was presented at a public hearing before the Canyon County Planning and Zoning Commission on May 15, 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 decide as follows:

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

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

Conclusion: The proposed use, a Special Events Facility is an allowed use in the “A” (Agricultural) zone by Conditional Use Permit (CUP).

- Findings:**
- (1) The subject property, parcel R36485010, containing approximately 6.72 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 April 30, 2024, with additional information submitted in December 19, 2024 and February 13, 2025, via emails. (Staff Report Exhibits A1, A2, A2.1, A2.2).
 - (5) In accordance with CCZO §07-01-15 the applicant provided evidence that a neighborhood meeting was conducted on March 3, 2024 at 11:00 am. 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 five (5) people were in attendance. (Staff Report Exhibit A6).
 - (6) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0011.
 - (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 6.72-acres for a special events facility to host weddings, reunions and other special events year-round, although it is not anticipated to have any events during the winter months. The applicant is proposing a maximum of 150 people on site, which includes guests and staff (Staff Report Exhibit A2.1). There will be three designated lawn areas for the events. Days and hours of operation proposed are Monday – Sunday, 10:00 am – 11:00 pm, with the majority of the events being conducted on the weekends. (Staff Report Exhibits A2, A3 and A4). The music will be shut off by 11:00 pm and no outdoor lighting is proposed. There will be an acre to the east of the primary residence designated for parking that is anticipated to fit approximately 75-100 parking spaces. The applicant is proposing one to two porta potties depending on the size of the event and number of guests (Staff Report Exhibit A2). The guests would be responsible for any catering and alcohol. The facility will include a permanent illuminated sign at the events entrance/residence driveway. The sign is proposed to be four (4) feet in height, five (5) feet in width (Staff Report Exhibit A4). The applicant is not proposing any new structures. There is a secondary residence on the property that is unpermitted, the applicant is proposing to use the structure for the guests to get ready and dressed for the events. (Staff Report Exhibit A2.2).

- 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 April 30, 2024, with additional information submitted in December 19, 2024 and February 13, 2025, via emails. (Staff Report Exhibits A1, A2, A2.1, A2.2).
 - (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0011.
 - (5) Evidence includes associated findings and evidence supported within this document.

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 “Agriculture” (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: G1.01.00: *“Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.”* P1.01.01: *“No person should be deprived of private property without due process of law.”* P1.01.03: *“Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals.”* G1.02.00: *“Acknowledge the responsibilities of each property owner as a steward of the land, use their property wisely, maintain it in good condition and preserve it for future generations without becoming a public nuisance.”*
 - Population Component Policy and Goal: G2.02.00: *“Promote housing, business, and service types needed to meet the demand of the future and existing population.”*
 - Economic Development Goal and Policy: G3.0100: *“Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable*

locations.” P3.01.02: “Supportive suitable sites for economic growth and expansion compatible with the surrounding area.”

- Land Use Policy and Goals: P4.02.01: *“Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses. P4.03.03: “Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility.”*

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

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

Conclusion: The Commission finds and concludes that the proposed special events facility will change the essential character of the area and will be injurious to the other properties in the vicinity of the area. There was oral testimony that the noise of the special events facility would disrupt the farmers in the area due to the hours of operation and the fact that the trees on the property create an amphitheater. Traffic was also a concern during oral testimony, there is an approved special events facility in close proximity to the subject property, the concern is having two special events facilities could create three hundred vehicles in the area at one time.

- Findings:**
- (1) The proposed use of a special events facility will adversely affect the agricultural way of life and the active production of agriculture in the area. Evidence by public comments and oral testimony.
 - (2) The subject property is not compliant. Per CCZO §07-01-05 the property must be in compliance. Conditions are not available to gain compliance for the subject property only to make it “more in compliant”.
 - (3) The applicant has a history of having known code violations without bringing the property into compliance. The property is currently in a state of non-compliance. Allowing for additional uses could be more injurious to the surrounding properties.
 - (4) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on December 27, 2024 and April 10, 2025. JEPA notice was provided on December 27, 2024. Property owners within 1000’ were notified by mail on April 10, 2025. Newspaper notice was published on April 15, 2025. The property was posted on April 15, 2025.
 - (5) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0011.
 - (6) Evidence includes associated findings and evidence supported within this document.

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

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

- Findings:**
- (1) The application for the special events facility proposes an individual septic and well with porta potties provided for the events. No additional wells are proposed to service the special events facility (Staff Report Exhibit B2.6).
 - (2) Southwest District Health states that the application does not require a Nutrient Pathogen Study if porta potties are provided for the event (Staff Report Exhibit D4) in compliance

with Southwest District Health's metric for number of units per hour and number of guests.

- (3) Stormwater is to be retained on-site and within a pond per the applicant's land use worksheet (Staff Report Exhibit A4).
- (4) Irrigation water is provided to the subject property by a pressurized irrigation and gravity according to the land use worksheet (Staff Report Exhibit A4). Boise Project Board of Control comments in Staff Report Exhibit D6 it is state that the United States Deer Flat Lowline Canal is within the boundary of the subject parcel and has a 65-foot easement to the south and north of the canal's centerline.
- (5) 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.
- (6) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on December 27, 2024 and April 10, 2025. JEPA notice was provided on December 27, 2024. Property owners within 1000' were notified by mail on April 10, 2025. Newspaper notice was published on April 15, 2025. The property was posted on April 15, 2025.
- (7) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0011.
- (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: The Commission finds and concludes that the subject property has legal access off of Upper Pleasant Ridge Road.

- Findings:**
- (1) Golden Gate Highway District No. 3 provided comment advising if the applicant would like to get a second approach off of Upper Pleasant Ridge Road an approach permit application would be required (Staff Report Exhibit D2).
 - (2) The access points for the facility are shown on the documents provided by the applicant (Staff Report Exhibit A1.1).
 - (3) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on December 27, 2024 and April 10, 2025. JEPA notice was provided on December 27, 2024. Property owners within 1000' were notified by mail on April 10, 2025. Newspaper notice was published on April 15, 2025. The property was posted on April 15, 2025.
 - (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0011.
 - (5) 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 and concludes that the application as proposed will not cause undue interference with the existing and/or future traffic patterns. However, there was oral testimony expressing concerns for traffic. If the special events facility were to be approved there would be two special events facilities in close proximity increasing traffic to the area.

- Findings:**
- (1) Idaho Transportation Department provided comments noting that a Traffic Impact Study is not required and the proposal does not pose safety concerns (Staff Report Exhibit D7).
 - (2) Golden Gate Highway District No. 3 comments stated that a Traffic Impact Study was not warranted (Staff Report Exhibit D2).
 - (3) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on December 27, 2024 and April 10, 2025. JEPA notice was provided on December 27, 2024. Property owners within 1000' were notified by mail on April 10, 2025. Newspaper notice was published on April 15, 2025. The property was posted on April 15, 2025.
 - (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0011.
 - (5) 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) Wilder Fire District comments received on April 10, 2025 stated that a permit application will need to be completed for the Special Events (Staff Report Exhibit D8).
 - (3) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on December 27, 2024 and April 10, 2025. JEPA notice was provided on December 27, 2024. Property owners within 1000' were notified by mail on April 10, 2025. Newspaper notice was published on April 15, 2025. The property was posted on April 15, 2025.
 - (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0011.
 - (5) Evidence includes associated findings and evidence supported within this document.

Canyon County Code §09-03-07, (Area of City Impact Agreement) - AREA OF CITY IMPACT AGREEMENT ORDINANCE

Conclusion: The property is located within the Greenleaf Area of City Impact. A notice was sent to the City of Greenleaf per Canyon County Code Section 09-03-07. Conditions applied require future development to work with the City of Greenleaf.

- Findings:**
- (1) The Commission finds and concludes that the proposed use is not anticipated to negatively impact the City of Greenleaf.
 - (2) The City of Greenleaf's JEPA notice was sent out on December 27, 2024. No comments were received.
 - (3) The subject property is designated as Agricultural in the City of Greenleaf's land use map (Staff Report Exhibit B2.12).

- (4) Affected agencies were noticed on December 27, 2024 and April 10, 2025. JEPA notice was provided on December 27, 2024. Property owners within 1000' were notified by mail on April 10, 2025. Newspaper notice was published on April 15, 2025. The property was posted on April 15, 2025.
- (5) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0011.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission **denies** Case # CU2024-0011, a conditional use permit for a special events facility in the "A" (Agricultural) zone on parcel R36485010 located at 22306 Upper Pleasant Ridge Rd, Caldwell, ID 83607.

For denial:

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

1. The applicant shall bring the property into full compliance with County codes.
2. Should the applicant desire to reapply, concerns with outdoor noise, traffic and operational plans should be clearly addressed.

DATED this 12 day of June, 2025.

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


Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this 12th day of June, in the year 2025, before me CAITLIN ROSS, a notary public, personally appeared Robert Sturgill, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.



Notary: Caitlin Ross

My Commission Expires: 5/7/2031