



Planning and Zoning Commission
Hearing Date: July 17, 2025
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMER: CR2022-0030
APPLICANT/REPRESENTATIVE: Paul and Michelle Nay
PROPERTY OWNER: Paul and Michelle Nay

APPLICATION: A **Conditional Rezone** subject to a **Development Agreement** for parcel R30127 (42.40 acres). The conditional rezone from "A" (Agricultural) includes 24.76 acres to "CR-RR" (CR-Rural Residential and 17.62 acres to "CR-C1" (Neighborhood Commercial) zone.

LOCATION: The subject property is located at 14602 Deer Flat Rd, Nampa also referenced as, a portion of the SW quarter of Section 15, T2N, R3W, BM, Canyon County, Idaho.

ANALYST: Deb Root, Principal Planner

REQUEST:
Case No. CR2022-0030: The applicants, Paul and Michelle Nay, are requesting a Conditional Rezone of parcel R30127 (42.40 acres). The request for an amendment to the official zoning map is subject to a Development Agreement for the purpose of conditionally rezoning the subject property from "A" (Agricultural) to "CR-RR" (Rural Residential) for approximately 24.76 acres and "CR-C1" (Neighborhood Commercial) for approximately 17.62 acres. The applicant proposes to divide the residential portion of the property into three (3) parcels and to establish an approximate 370 unit RV Storage Lot on the proposed 17.62 acre commercial property. A conditional use permit will be required for the proposed RV Storage Lot should the conditional rezone for the commercial portion of the property be approved.

The application was filed prior to the Board of County Commissioners adopting the current 2030 Comprehensive Plan and therefore this application will be evaluated under the 2020 Comprehensive Plan.

PUBLIC NOTIFICATION:

Neighborhood meeting conducted on:	October 26, 2022
Neighbor notification within 600 feet mailed on:	October 11, 2022
Newspaper notice published on:	June 17, 2025
Notice posted on site on:	June 17, 2025

1. BACKGROUND:

The subject property, R30127, is currently a 42.40 acre parcel containing a residence and an expired mineral extraction site. There is a mobile home on the property that was used as an office/scale house but is not permitted through the building department and must be removed or legally permitted for its intended purpose. The scales have been removed but the concrete structures remain. PI2022-0034 and PLA2011-3, as amended, indicate that the subject property is an original parcel. The residential permit (BP2006-1266) on the property was approved through CU2004-519. The mineral extraction site was approved for a 15 year duration (expiration March 3, 2020) through CU2005-56 for approximately 10 acres of the 40 acre parcel. There is no mineral extraction currently occurring on the property and the Department of Lands released the bond and retired the reclamation plan as complete.

The subject property is designated residential in the 2020 Comprehensive Plan. The request for a conditional rezone to "CR-C1" (CR-Neighborhood Commercial) is not consistent with the comprehensive plan designation of Residential. The request for "CR-RR" (CR-Rural Residential) is consistent with the 2020 Comprehensive Plan designation of Residential. The applicant did not make application for a Comprehensive Plan amendment.

2. HEARING BODY ACTION:

Pursuant to Canyon County Ordinance Article 07-06-01 (3) requests for comprehensive plan changes and ordinance amendments may be consolidated for notice and hearing purposes. Although these procedures can be considered in tandem, pursuant to Idaho Code section 67-6511(b), the commission, and subsequently the board, shall deliberate first on the proposed amendment to the comprehensive plan; then, once the commission, and subsequently the board, has made that determination, the commission, and the board, should decide the appropriateness of a rezone within that area. This procedure provides that the commission, and subsequently the board, considers the overall development scheme of the county prior to consideration of individual requests for amendments to zoning ordinances. The commission, and subsequently the board, should make clear which of its findings relate to the proposed amendment to the comprehensive plan and which of its findings relate to the request for an amendment to the zoning ordinance.

Pursuant to Canyon County Ordinance Article 07-06-07(1) Restrictions: In approving a conditional rezone application, the presiding party may establish conditions, stipulations, restrictions, or limitations which restrict and limit the use of the rezoned property to less than the full use allowed under the requested zone, and which impose specific property improvement and maintenance requirements upon the requested land use. Such conditions, stipulations, restrictions or limitations may be imposed to promote the public health, safety and welfare, or to reduce any potential damage, hazard, nuisance or other detriment to persons or property in the vicinity to make the land use more compatible with neighboring land uses. When the presiding party finds that such conditions, stipulations, restrictions or limitations are necessary, land may be rezoned upon condition that if the land is not used as approved, or if an approved use ends, the land use will revert back to the zone applicable to the land immediately prior to the conditional rezone action.

Additionally, pursuant to Canyon County Ordinance Article 07-06-07(3) Conditional Rezoning Designation: Such restricted land shall be designated by a CR (conditional rezoning) on the official zoning map upon approval of a resolution by the board for an "order of intent to rezone". An "order of intent to rezone"

shall be submitted to the board for approval once the specific use has commenced on the property and all required conditions of approval have been met and any required improvements are in place. Land uses that require approval of a subdivision shall have an approved final plat in accordance with this chapter before the "order of intent to rezone" is submitted for approval by the board. Designation of a parcel as CR shall not constitute "spot" zoning and shall not be presumptive proof that the zoning of other property adjacent to or in the vicinity of the conditionally rezoned property should be rezoned the same.

Should the Commission wish to approve the subject conditional rezone, all applicable Canyon County standards pertaining to the required development agreement shall be strictly adhered to.

OPTIONAL MOTIONS:

The commission should consider the procedures outlined above within Canyon County Ordinance 07-06-01(3).

Approval of the Application(s):

"In consideration of the request to conditionally rezone 24.76 acres of 45.20 acres from "A" (Agricultural) to "CR-RR" (CR-Rural Residential) I move to recommend approval of CR2022-0030, Paul and Michelle Nay, finding that this request **meets** the criteria for approval under Article 07.07.05 of Canyon County zoning regulations, **with the conditions listed in the staff report, finding that;** the request for residential development of three parcels as presented is consistent with the 2020 Comprehensive Plan and development in the immediate vicinity. *[Cite reasons for approval & Insert any additional conditions of approval].*

"In consideration of the request to conditionally rezone 17.64 acres of 45.20 acres from "A" (Agricultural) to "CR-C1" (CR-Neighborhood Commercial) I move to recommend approval of CR2022-0030, Paul and Michelle Nay, finding that this request **meets** the criteria for approval under Article 07.07.05 of Canyon County zoning regulations, **with the conditions listed in the staff report, finding that;** *[Cite reasons for approval & Insert any additional conditions of approval].*

Denial of the Application(s):

"In consideration of the request to **conditionally rezone 24.76 acres of 45.20 acres from "A" (Agricultural) to "CR-RR" (CR-Rural Residential)** I move to recommend denial of CR2022-0030, Paul and Michelle Nay, finding the application **does not** meet the criteria for approval under Article 07.06.05 of Canyon County zoning Regulations, **finding that** *[cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5))].*

Denial of the Application: "In consideration of the request to **conditionally rezone 17.64 acres from "A" (Agricultural) to "CR-C1" (CR-Neighborhood Commercial)** I move to recommend denial CR2022-0030, Paul and Michelle Nay finding the application **does not** meet the criteria for approval under Article 07.06.05 of Canyon County zoning Regulations, **finding that** the request is not consistent with the comprehensive plan or other development patterns in the area. The nearest commercial zoning is more than 5.6 miles to the east along a major highway corridor. The area is primarily agricultural with some large lot rural residential development primarily to the east of the property. A commercial storage lot is not consistent with the area. *[cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5))].*

Table the Application: “I move to continue CR2022-0030, Paul and Michelle Nay to a [date certain or uncertain] and cite what information is required to continue.

3. HEARING CRITERIA

Table 1. Conditional Rezone Standards of Evaluation Analysis

Standards of Evaluation (07-06-07(6) A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:				
Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	07-06-07(6)A1	Is the proposed conditional rezone generally consistent with the comprehensive plan;
			Staff Analysis	<p>The application was submitted on the effective date, 10-27-2022, prior to the BOCC adopting the current plan. This application is being reviewed under the 2020 Comprehensive Plan (here after “Plan”).</p> <p>The property is designated ‘Residential’ in the 2020 Comprehensive Plan as are the properties to the north, east and west. There are rural residential subdivisions and large lot agriculturally zoned residential subdivisions entitled by conditional use permit (CUP) adjacent to the property boundaries to the north, east, and west. The property lies adjacent to active agricultural areas to the south and in the near vicinity to the west. The Beranna Dairy, a large CAFO, is located to the west. The uses in the area are either agricultural, intensive agricultural, rural residential, and the Pickles Butte Landfill is located less than a mile to the southwest. There are no commercially zoned properties in the area.</p>
			CR RR yes CR C1 no	<p>The proposed conditional rezone from “A” (Agricultural) to “CR-C1” (CR-Neighborhood Commercial) is not consistent with the Plan designation of ‘Residential’.</p> <p>The subject property is designated as ‘Residential’ in the Plan. The proposed conditional rezone “A” (Agricultural) to “CR-RR” (CR-Rural Residential) may be generally consistent with the following goals and policies of the 2020 Comprehensive Plan:</p> <ul style="list-style-type: none"> • <u>Property Rights – Policy 1:</u> <i>No person shall be deprived of private property without due process of law.</i> • The request was processed per 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 §07-06-01 (Initiation of Proceedings), Canyon County Code §07-06-07 (Conditional Rezones), Canyon County Code §07-10-27 (Land Use Regulations (Matrix)), and Idaho Code §67-6511 (Zoning Map Amendments and Procedures).

				<ul style="list-style-type: none"> • <u>Property Rights – Policy 8</u>: <i>Promote orderly development that benefits the public good and protects the individual with a minimum of conflict.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. ○ See Section 6 of this report for recommended conditions of the development agreement. • <u>Property Rights – Policy 11</u>: <i>Property owners shall not use their property in a manner that negatively impacts upon the surrounding neighbors or neighborhoods.</i> <ul style="list-style-type: none"> ○ The Future Land Use plan in the 2020 Canyon County Plan designates the parcels as “Residential” (Exhibit B2c). ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. ○ See Section 6 of this report for recommended conditions of the development agreement. • <u>Population – Policy 3</u>: <i>Encourage future population to locate in areas that are conducive for residential living and that do not pose an incompatible land use to other land uses.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. • <u>School Facilities & Transportation – Policy 2</u>: <i>Provide information regarding land development proposals with all affected school districts. School districts should be given the opportunity to participate in pre-application processes and planning.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A8 for evidence and details. • <u>Land Use – Goal 1</u>: <i>To encourage growth and development in an orderly fashion, minimize adverse impacts on differing land uses, public health, safety, infrastructure, and services.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. • <u>Land Use – Goal 5</u>: <i>Achieve a land use balance, which recognizes that existing agricultural uses and non-agricultural development may occur in the same area.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. ○ See Section 6 of this report for recommended conditions of the development agreement. • <u>Land Use – Goal 6</u>: <i>Designate areas where rural-type residential development will likely occur and recognize areas where agricultural development will likely occur.</i> <ul style="list-style-type: none"> ○ The Future Land Use plan in the 2020 Canyon County Comp. Plan designates the parcels as “Residential” (Exhibit B2c). ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. ○ See Section 6 of this report for recommended conditions of the development agreement.
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				<ul style="list-style-type: none"> • <u>Land Use – Policy 1: Review all residential, commercial, and industrial development proposals to determine the land use compatibility and impact on surrounding areas.</u> <ul style="list-style-type: none"> ○ The future land use plan in the 2020 Canyon County Comp. Plan designates the parcel as “Residential” (Exhibit B2c). The property adjacent to the east is zoned rural residential and the properties immediately to the north and to the west are platted residential subdivisions. ○ There are no properties in the area that are designated or zoned for commercial development. ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. ○ See Section 6 of this report for recommended conditions of the development agreement. • <u>Land Use – Policy 2: Encourage orderly development of subdivisions and individual land parcels, and require development agreements when appropriate.</u> <ul style="list-style-type: none"> ○ See Section 6 of this report for recommended conditions of the development agreement. • <u>Land Use – Policy 6: Review all development proposals in areas that are critical to groundwater recharge and sources to determine impacts, if any, to surface and groundwater quantity and quality.</u> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A5 for evidence and details. • <u>Natural Resources - Water – Goal 1: Water is an essential and limited natural resource. Groundwater and surface water should be preserved and protected.</u> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A5 for evidence and details. • <u>Hazardous Areas – Goal 1: To ensure the safety of residents and the protection of property.</u> <ul style="list-style-type: none"> ○ The subject property contains areas of slope greater than 15% and will be required to meet ordinance requirements for Hillside Development. (Exhibit B2g & B2g1) ○ See Section 6 of this report for recommended conditions of the development agreement. • <u>Public Services, Facilities, and Utilities – Policy 3: Encourage the establishment of new development to be located within the boundaries of a rural fire protection district.</u> <ul style="list-style-type: none"> ○ The property lies within the Upper Deer Flat Fire District (Exhibit B1) ○ See criteria 07-06-07(6)A8 for evidence and details. • <u>Housing – Policy 1: Encourage a variety of housing choices that meet the needs of families, various age groups, and incomes.</u> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A2 and A3 for evidence and details.
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			<ul style="list-style-type: none"> • <u>Community Design – Policy 2: Encourage development of self-sustaining communities that maintain the rural lifestyle and good quality of life of the county.</u> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. • <u>Community Design – Policy 5: Encourage each development to address concerns regarding roads, lighting, drainage, stormwater runoff, landscaping, re-vegetation of disturbed areas, underground utilities, and weed control.</u> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A3, A5, A6, and A7 for evidence and details. • <u>Agriculture – Policy 3: Protect agricultural operations and facilities from land use conflicts or undue interference created by existing or proposed residential, commercial, or industrial development.</u> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. • <u>Agriculture – Policy 4: Development shall not be allowed to disrupt or destroy irrigation canals, ditches, laterals, drains, and associated irrigation works and rights-of-way.</u> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A5 for evidence and details. <p>The proposed conditional rezone from “A” (Agricultural) to “CR-C1” (CR-Neighborhood Commercial) for the purpose of establishing an RV, boat & automobile storage facility is not consistent with the Plan designation of ‘Residential’ and does not maintain the overall use as residential or agricultural. The request is not consistent with the following goals and policies of the comprehensive plan:</p> <ul style="list-style-type: none"> • <u>Economic Development-Policy 6: Encourage commercial and residential development in a controlled, planned, and constructive manner, which will enhance, not destroy, the existing lifestyle and environmental beauty of Canyon County.</u> • <u>Economic Development-Policy 7: Canyon County should identify areas of the county suitable for commercial, industrial and residential development. New development should be located in close proximity to existing infrastructure and in areas where agricultural uses are not diminished.</u> <ul style="list-style-type: none"> ○ There is no commercial zoning in the area and the property is not located on a major arterial. There is no nexus of population or development supporting the need for an RV storage facility in the area. • <u>Economic Development-Policy 12: Establish appropriate industrial and commercial zones to further increase business and economic development in various areas of Canyon County.</u>
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				<ul style="list-style-type: none"> ○ There are no commercial or industrial zoning designations in this area of the county. The area is primarily intensive agriculture and rural residential. The nearest groupings of commercial and industrial are located approximately 5.6 miles to the east along the Hwy 45 corridor (see Exhibit B6). • <u>Land Use-Commercial and Industrial-Policy 3: Consider commercial and industrial development outside the impact areas, when located along major roadways or transportation infrastructure and with approval from the appropriate regulatory agencies concerning water and sewer.</u> <ul style="list-style-type: none"> ○ The nearest groupings of commercial and industrial are located approximately 5.6 miles to the east along the Hwy 45 corridor (see Exhibit B6). This area of the county is not currently contemplated for commercial development. The 2020 Plan designates the property as 'Residential' and the 2030 Plan designates the area as 'Agricultural'. • <u>Natural Resources-Agricultural Land-Policy 3: Protect agricultural activities from land use conflicts or undue interference created by existing or proposed residential, commercial, or industrial development.</u> <ul style="list-style-type: none"> ○ Applicant is proposing approximately 370 RV, Boat, and automobile storage spaces (approximate as the design is not set) and proposes in the letter of intent that this facility will serve the development that is occurring in the City of Nampa bringing additional vehicle trips into an active agricultural area. (Exhibits A4, A3)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	07-06-07(6)A2	When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;
			Staff Analysis CR RR yes CR C1 no	<p>Pursuant to Canyon County ordinance 07-10-25 (2) the purpose of the "RR" (Rural Residential) zoning district is to encourage and guide growth in areas where a rural lifestyle may be determined to be suitable.</p> <p>In consideration of the surrounding land uses, the proposed conditional zone change to "CR-RR" (CR-Rural Residential) of 24.76 acres of the subject property is as appropriate as the current zoning designation of "A" (Agricultural). The immediate vicinity is comprised of large lot platted residential and agriculturally zoned subdivisions (Exhibit B2e and B2d). The subject property is identified as 'Residential' in the 2020 Plan. The applicant is proposing a minimum six (6) acre average lot size for the property. The property is not and has not been in agricultural production or utilized for grazing for many years. There is some evidence that portions of the property were cultivated at various times in a Google Earth aerial review (Exhibit B3).</p> <p>Pursuant to Canyon County ordinance 07-10-25 (5) the purpose of the C-1 (Neighborhood Commercial) zone is to <u>provide for local commercial service needs</u> and to restrict incompatible uses.</p> <p>The request includes proposed zoning of 17.64 acres of the property to "CR-C1" (CR-Neighborhood Commercial) for the purpose of developing a</p>

			<p>commercial RV, boat, and automobile storage facility which is not consistent with the Plan nor the agricultural and residential uses in the area. Therefore, the request for commercial development is not more appropriate than the current zoning designation of “A” (Agricultural). The nearest commercial zoning designation is more than five miles to the east on Hwy 45 (Exhibit B6). Currently the large lot development in the area does not appear to warrant a large storage facility for use by area residents and the area is not planned for commercial development (Exhibits B2a, c, d, e and I).</p> <p>The current zoning designation of the 42.40 acre subject property is “A” (Agricultural). Pursuant to Canyon County ordinance 07-10-25 (1) the purposes of the “A” (Agricultural) zoning district are to:</p> <ul style="list-style-type: none">A. Promote the public health, safety, and welfare of the people of the County by encouraging the protection of viable farmland and farming operations;B. Limit urban density development to Areas of City Impact in accordance with the comprehensive plan;C. Protect fish, wildlife, and recreation resources, consistent with the purposes of the "Local Land Use Planning Act", Idaho Code title 67, chapter 65;D. Protect agricultural land uses, and rangeland uses, and wildlife management areas from unreasonable adverse impacts from development; andE. Provide for the development of schools, churches, and other public and quasi-public uses consistent with the comprehensive plan. <p>The 2020 Plan identifies this property as ‘Residential’ and there are eleven rural residential developments within one mile of the property (Exhibit B2d&e). Many of the developments are small “large lot” agriculturally zoned subdivisions created through a legacy conditional use permit process.</p> <p>There are no areas of commercially zoned properties or areas designated for commercial development in the 2020 Plan within one (1) mile of the property. The applicant indicates that the proposed storage facility will primarily serve residents from the City of Nampa (Exhibit A4). The nearest commercially zoned and designated commercial properties are located 5.6 miles to the east along Hwy 45.</p> <p>Adjacent Existing Conditions:</p> <table><tr><th>Direction</th><th>Existing Use</th><th>Primary Zone</th><th>Other Zone</th></tr><tr><td>N</td><td>Rural Ag Residential lots, Kirk Sub, War Eagle Sub, Two Lot Sub</td><td>Agricultural</td><td></td></tr><tr><td>S</td><td>Agricultural Production</td><td>Agricultural</td><td></td></tr><tr><td>E</td><td>Rural Residential lots, Crystal Lakes Sub Nos 1 & 2, Chaparral Ranch Sub</td><td>Rural Residential</td><td>Agricultural</td></tr></table>	Direction	Existing Use	Primary Zone	Other Zone	N	Rural Ag Residential lots, Kirk Sub, War Eagle Sub, Two Lot Sub	Agricultural		S	Agricultural Production	Agricultural		E	Rural Residential lots, Crystal Lakes Sub Nos 1 & 2, Chaparral Ranch Sub	Rural Residential	Agricultural
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				<div> <div>"A" (Agricultural), "R-R" (Rural Residential), "R-1" (Single-Family Residential), "C-1" (Neighborhood Commercial), "C-2" (Service Commercial), "M-1" (Light Industrial), "CR" (Conditional Rezone)</div> </div> <div> <div>Surrounding Land Use Cases:</div> <ul style="list-style-type: none"> RZ2020-0001 Rezone A to RR for the purpose of dividing land not eligible for administrative division. CU2020-0011 Pickles Butte Landfill expansion </div>
			07-06-07(6)A3	Is the proposed conditional rezone compatible with surrounding land uses;
			Staff Analysis	<p>The proposed conditional rezone of 24.76 acres to "CR-RR" (CR-Rural Residential) for the purpose of developing three (3) large residential parcels is compatible with surrounding land uses as conditioned.</p> <p>The proposed conditional rezone of 17.62 acres to "CR-C1" (CR-Neighborhood Commercial) for the purpose of creating an RV, boat, and automobile storage facility is not necessarily incompatible with the surrounding residential and agricultural development. However, there is no commercial development planned or approved in the area. Additional traffic from out of the area will be travelling the rural roadways. The storage facility, being at the lowest elevation in the area, cannot be easily shielded from view of existing residential development (see Exhibit C: Site Photos) therefore is not compatible with surrounding land uses having potential impacts to the existing and future residential properties.</p> <p>Pursuant to Canyon County Ordinance 07-02-03, <u>land uses are compatible if:</u> a) they do not directly or indirectly interfere or conflict with or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses.</p> <p>Review and Analysis: The 42 acre property is currently zoned agricultural and contains a single family residence (CU2004-519 & BP2006-1266) and a depleted mineral extraction site (CU2005-56). The property is not in agricultural production. The applicant confirmed by email (Exhibit B4) that the property is not in agricultural production nor is it being utilized for livestock grazing.</p> <p>The property to the east is currently zoned "RR" (Rural Residential) (Ord. No. 12-001, inst. #2012000306) and is platted as a residential subdivision, Crystal Lakes</p>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<div>CR RR yes</div> <div>CR C1 no</div>	

				<p>Character of the Area:</p> <p>The character of the area is agricultural, intensive agriculture, and large lot rural residential (agricultural zoning and rural residential zoning). The average lot size within the eleven platted developments in the vicinity of the development is 6.73 acres. Of the seventeen (17) lots notified within 600 feet of the property the average lot size is 28.81 acres with the median lot size of 9.78 acres.</p> <p>The following measures may be implemented to potentially mitigate impacts: Should the Planning and Zoning Commission and Board determine that the application for commercial zoning will not negatively affect the area subject to conditions, staff recommends that conditions be placed to include landscaping, limiting the number of spaces, providing appropriate access and circulation throughout the facility, cannot be utilized as an impound yard, all vehicles must be in running/roadworthy condition, no vehicle repair/maintenance on the property, a wastewater/RV dump shall be installed, property maintained in weed free condition and kept in compliance with public nuisance ordinance requirements, lighting restrictions and hours of operation should be established to limit impacts to neighborhood.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-06-07(6)A5	Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;
			Staff Analysis	<p>The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein.</p> <p>Sewer: Large lot residential development as restricted by conditions will require permitting from Southwest District Health for residential development to occur. The development does not reside within a nitrate priority area. Southwest District Health is concerned with how the developer proposes to ensure that proper disposal of RV wastewater is to occur. (Exhibit D3) A condition requiring the installation and maintenance of an RV wastewater dump should be included if the request for commercial zoning of 17.62 acres is approved.</p> <p>Water: The proposed large lot residential development will utilize individual well and septic as approved through permitting with Idaho Department of Water Resources and Southwest District Health. (Exhibits D3 & D4) The fire district indicates that the storage facility should have a water supply and appropriate access (Exhibit D6.1) the residential lots exceeding five acres are 'exempt' from water supply requirements (Exhibit D6).</p> <p>Drainage: The site contains areas of 15% slope or greater and will be required to comply with CCZO §07-17-33 (1) Hillside Development code. All drainage shall be maintained on individual parcels.</p>

				<p>Irrigation: The subject property does not lie within an irrigation district but does have ground water rights available (Exhibit A4). Groundwater rights should be conditioned to distribute the groundwater rights to individual properties through IDWR application process. The subject property is not currently being irrigated.</p> <p>Utility: Utility companies were notified of the application. No agency comments were received. There is overhead power in the vicinity.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-06-07(6)A6	Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?
			Staff Analysis	<p>The proposed conditional rezone will not require public street improvements to provide adequate access to and from the subject property in order to minimize undue interference with existing and/or future traffic patterns created by the proposed development. Any necessary measures to mitigate traffic impacts are detailed below.</p> <p>The following measures will be implemented to mitigate impacts:</p> <p>Nampa Highway District #1 indicates that Deer Flat Road is a Rural Minor Arterial roadway. No additional (new) accesses will be granted to the subject property. (Exhibit D1)</p> <p>Applicant must submit the required highway district land split application and a sketch that identifies the accesses to Nampa Highway District #1 prior to dividing the subject property. (Exhibit D1)</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-06-07(6)A7	Does legal access to the subject property for the conditional rezone exist or will it exist at time of development; and
			Staff Analysis	<p>The subject property has legal access for the conditional rezone and/or it will exist at the time of the development. See review and analysis detailed below.</p> <p>Currently the subject property has a shared residential access at the southeast corner of the property and an access at the southwest corner of the property constructed to serve the two mineral extraction sites. Nampa Highway District indicates that no new direct accesses will be provided to Deer Flat Road (Exhibit D1).</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-06-07(6)A8	Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts? (Ord. 16-007, 6-20-2016)

			<p>Staff Analysis</p> <p>The proposed uses are not anticipated to impact essential public services and facilities including, but not limited to schools, police, fire and emergency medical services. Any necessary measures to mitigate impacts are detailed below.</p> <p>The services will not be negatively impacted by the proposed residential use nor by the proposed commercial use storage facility and are not anticipated to require additional public funding in order to meet the needs created by the requested uses.</p> <p>Schools: Vallivue School District was notified of the application-no response was received from the school district. The proposed residential development is limited to three (3) large lots (Exhibit A4) commensurate with surrounding development and therefore is anticipated to have minimal impact to the schools in this district.</p> <p>Police: The Canyon County Sheriff's office was notified of the application and no response was received.</p> <p>Fire protection & Emergency Medical Services: Upper Deer Flat Fire District and Emergency Services were notified of the application. Nampa Fire District provided a review on behalf of Upper Deer Flat Fire (Exhibit D6 & D6.1). No responses or concerns were received from Emergency Medical Services.</p> <p>The following measures will be implemented to mitigate impacts: If approved for commercial zoning for the purpose of development of an RV, boat, automobile storage facility a conditional use permit application is required providing agencies an additional review opportunity of the commercial facility. Should the properties be developed other than proposed the applicant is required to submit a development agreement modification application which will be noticed and reviewed by agencies for additional impacts and compliance with district requirements.</p>
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4. AGENCY COMMENTS:

Agencies including the Canyon County Sheriff's Office, Canyon County Paramedics/EMT, Emergency Management Coordinator, Upper Deer Flat Fire Protection District, State Fire Marshal, Highway District No. 1, Vallivue School District, Idaho Transportation Department, Valley Regional Transit, COMPASS, Idaho Power, Intermountain Gas, CenturyLink, Ziply, Canyon County Assessor's Office, Canyon County Building Department, Canyon County Code Enforcement Department, Canyon County Engineering, Canyon County GIS, Idaho Department of Water Resources (Water Rights), Southwest District Health, DEQ, EPA, Department of Lands, and the City of Nampa were notified of the subject application.

Staff received agency comments from Southwest District Health, ITD, NHD1, Nampa Fire on behalf of Upper Deer Flat Fire, and DEQ. All agency comments received by the aforementioned materials deadline are located in Exhibit D.

Pursuant to Canyon County Ordinance 01-17-07B Materials deadline, the submission of late documents or other materials does not allow all parties time to address the materials or allow sufficient time for public review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

5. PUBLIC COMMENTS:

Staff received two (2) written public comments by the materials deadline of July 7, 2025. Generally, of the comments received they were in favor of the residential zoning request and both were opposed to the commercial development as proposed. All public comments received by the aforementioned materials deadline are located in Exhibit E.

Pursuant to Canyon County Ordinance 01-17-07B Materials deadline, the submission of late documents or other materials does not allow all parties time to address the materials or allow sufficient time for public review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

6. SUMMARY & RECOMMENDED CONDITIONS:

In consideration of the application and supporting materials, staff concludes that the proposed conditional rezone for the proposed **“CR-RR” (CR-Rural Residential) zone is compliant** with Canyon County Ordinance 07-06-07. A full analysis is detailed within the staff report.

Should the Commission wish to approve the subject application, staff recommends the following conditions be attached:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
2. The development contains slopes exceeding 15% and shall comply with the Hillside Development section of 07-17-33 (1).
3. The development shall not exceed three residential parcels with a minimum acreage of six (6) acres.
4. Any development exceeding four total parcels on the 42.4 acres will require a modification of the development agreement and shall be platted as a subdivision in accordance with Article 17 or as amended at the time of application and development.
5. The development and placement of secondary residences, if allowed at time of development, shall be located within 200 feet of the primary residence and shall be subordinate to the primary residence in size. The secondary residence shall utilize the primary residence well. The secondary residence shall not be divided from the primary residence parcel without receiving approval through application with Development Services inclusive of development agreement modification and platting as a residential subdivision.
6. All conditional rezones for a land use shall commence (see definition of "commence", section [07-02-03](#): of this chapter) within two (2) years of the approval of the board. If the conditional rezone has not commenced within the stated time requirement, the application for a conditional rezone shall lapse and become void. All subsequent developments on the property shall reapply for land use approval.

- a. Commencement shall be an approved land division application in substantial compliance with the site plan along with recorded deeds for each property.

In consideration of the application and supporting materials, staff concludes that the proposed conditional rezone for the proposed commercial development and **“CR-C1” (CR-Neighborhood Commercial) zone is not compliant** with Canyon County Ordinance 07-06-07. A full analysis is detailed within the staff report.

Should the Commission wish to approve the subject application, staff recommends the following conditions be attached:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
2. The only use proposed and provided for through this conditional rezone from “A” (Agricultural) to “CR-C1” (CR-Neighborhood Commercial) is an outdoor storage facility for RVs, boats, automobiles.
3. All conditional rezones for a land use shall commence (see definition of "commence", section [07-02-03](#): of this chapter) within two (2) years of the approval of the board. If the conditional rezone has not commenced within the stated time requirement, the application for a conditional rezone shall lapse and become void. All subsequent developments on the property shall reapply for land use approval.
 - a. Commencement shall be submission of a conditional use permit application within six (6) months of approval by the Board of County Commissioners for the conditional rezone to neighborhood commercial.
4. The development shall apply for a conditional use permit (CUP) in accordance CCZO §07-10-27. The project and plan will be considered for approval through the conditional use permit process after additional noticing. Some conditions or requirements to consider:
 - a. The development shall be restricted to 350 units of any type automobile, RV (motorized or pull type), trailers or boats.
 - b. The facility shall not be used as an impound yard or lot defined as *“Any portion, piece, division or parcel of land, excluding fully enclosed buildings, that is used for the storage or holding of distrained vehicles or personal property, or for the care and keeping of vehicles or personal property whether taken into the custody of the law or for other reasons.”* (CCZO §07-02-03)
 - c. The development shall be graded with developed marked and unimpeded access circulation roadways that meet fire district requirements including 20 foot wide roadways sufficient to carry a 75,000 lb fire apparatus. Roads shall not exceed 10% grades.
 - d. The development shall have marked parking stalls not to exceed 350 and shall be maintained in an orderly manner.
 - e. The development shall provide a wastewater RV dump facility and have the facility pumped on a regular interval. Care should be taken to ensure no RV’s are dumping black or grey water directly to the ground.
 - f. No RV’s, boats, automobiles shall be occupied on the facility other than to pick-up or to park.

- g. All parked/stored vehicles, boats, trailers shall be in running/road worthy condition and in good repair. No (junk or parted out vehicles) shall be stored on the facility.
- h. No vehicles, boats, trailers shall be parked along the road frontage of Deer Flat Road.
- i. The existing non-conforming office trailer must be permitted with Development Services or must be removed from the property prior to commencement of operations.
- j. The developer shall file an application to divide the 17.64 acre commercial property separate from the balance of the property within 90 days of approval of the application.
- k. Any lighting for the facility shall be inward, downward facing and shielded to limit the light pollution and main the light on the facility.
- l. The facility shall be maintained in a substantially weed free condition. The facility shall be maintained in compliance with CCZO Article 1 Public Nuisances ordinance.
- m. Landscaping inclusive of a mix of deciduous and evergreen trees and shrubs that provides sufficient screening to minimize visual impacts from elevated residential lots shall be installed on the north, east, and west boundaries of the subject property on the elevated boundaries of the abandoned mineral extraction site. The mix of trees shall include 70% evergreen trees to ensure screening of storage operations year-round. Irrigation shall be installed to ensure that trees are maintained in living condition. A landscape and irrigation plan by a licensed professional landscape architect shall be submitted with the application for a conditional use permit for outdoor storage (RV, Boat, and Automobile)

7. EXHIBITS:

A. Application Packet & Supporting Materials

- 1. Master Application
- 2. Site Plan
- 3. RV Storage Site Plan
- 4. Letter of Intent
- 5. Water Rights
- 6. Land Use Worksheet
- 7. Neighborhood Meeting
- 8. Access drive agreement
- 9. Reclamation Plan complete
- 10. Storage survey needs

B. Supplemental Documents

- 1. Parcel Information Report
- 2. Cases Maps/Reports
 - a. Small Aerial
 - b. Vicinity
 - c. 2020 Future Land Use
 - 1. 2030 Future Land Use
 - d. Zoning and Classification Map
 - e. Subdivision Map and Report

- f. Dairy, Feedlot, and Gravel Pit
- g. Contour Map (does not reflect extraction site)
 - 1. Slope % Map (does not reflect extraction site)
- h. Soil Map
- i. Prime Farmlands and Report
- j. Nitrate Priority Map
- k. Case Map and Report
- l. TAZ Household
- m. Lot Classification (size)
- n. Maps Legend

C. Site Visit Photos: 5/17/2025

D. Agency Comments Received by: July 7, 2025

- 1. Nampa Highway District #1 (NHD1); Received: May 3, 2023
- 2. Idaho Transportation Dept. (ITD); Received: December 17, 2024 and June 17, 2025
- 3. Southwest District Health Dept. (SWDH); Received: December 17, 2024
- 4. Department of Environmental Quality (DEQ); Received: June 23, 2025
- 5. City of Nampa Planning and Zoning, Received: May 3, 2023
- 6. Upper Deer Flat Fire (Nampa Fire), Received: July 1, 2025
 - 6.1. Nampa Fire email response comments, Received: July 1, 2025

E. Public Comments Received by: July 7, 2025

- 1. Daniel and Grace Cabunoc; Received: July 7, 2025
- 2. Lee and Heather Haskill; Received: July 7, 2025

F. Draft—CONDITIONS OF APPROVAL TO BE ENUMERATED IN DEVELOPMENT AGREEMENT

EXHIBIT A
Application Packet & Supporting Materials
Case# CR2022-0030

A

MASTER APPLICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx

Phone: 208-454-7458

Fax: 208-454-6633



PROPERTY OWNER	OWNER NAME: <u>Paul D. Nay and Michelle J. Nay</u>
	MAILING ADDRESS: <u>14602 Deer Flat Rd. Nampa, ID 83686</u>
	PHONE: <u>208-941-0638</u> EMAIL: <u>tc1@msn.com</u>
I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If owner(s) are a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign.	
Signature: <u>[Signature]</u> Date: <u>10/4/2022</u>	

(AGENT) ARCHITECT ENGINEER BUILDER	CONTACT NAME:
	COMPANY NAME: <u>N/A</u>
	MAILING ADDRESS:
	PHONE: EMAIL:

SITE INFO	STREET ADDRESS: <u>14602 Deer Flat Rd.</u>
	PARCEL #: <u>30127</u> LOT SIZE/AREA: <u>42.39 Acre</u>
	LOT: BLOCK: SUBDIVISION:
	QUARTER: <u>Southwest</u> SECTION: <u>15</u> TOWNSHIP: <u>2 North</u> RANGE: <u>3 West</u>
	ZONING DISTRICT: <u>A</u> FLOODZONE (YES/NO): <u>No</u>

HEARING LEVEL APPS	<input type="checkbox"/> CONDITIONAL USE <input type="checkbox"/> COMP PLAN AMENDMENT <input checked="" type="checkbox"/> CONDITIONAL REZONE
	<input type="checkbox"/> ZONING AMENDMENT (REZONE) <input type="checkbox"/> DEV. AGREEMENT MODIFICATION <input type="checkbox"/> VARIANCE > 33%
	<input type="checkbox"/> MINOR REPLAT <input type="checkbox"/> VACATION <input type="checkbox"/> APPEAL
	<input type="checkbox"/> SHORT PLAT SUBDIVISION <input type="checkbox"/> PRELIMINARY PLAT SUBDIVISION <input type="checkbox"/> FINAL PLAT SUBDIVISION

DIRECTORS DECISION APPS	<input type="checkbox"/> ADMINISTRATIVE LAND DIVISION <input type="checkbox"/> EASEMENT REDUCTION <input type="checkbox"/> SIGN PERMIT
	<input type="checkbox"/> PROPERTY BOUNDARY ADJUSTMENT <input type="checkbox"/> HOME BUSINESS <input type="checkbox"/> VARIANCE 33% >
	<input type="checkbox"/> PRIVATE ROAD NAME <input type="checkbox"/> TEMPORARY USE <input type="checkbox"/> DAY CARE
	<input type="checkbox"/> OTHER _____

CASE NUMBER: <u>CR 2022 - 0030</u>	DATE RECEIVED: <u>10/27/22</u>
RECEIVED BY: <u>Maddy Under Veen</u>	APPLICATION FEE: <u>\$1400</u> (CK) MO CC CASH

SCANNED

EXHIBIT
A1

Revised 1/3/21

Gravel Pit Quarries - 56
15 years
Mar 3, 05

692.43'

12.32 acre Proposed
RR Lot

Unimproved dirt roadway

40'x60'
Shop/Residence

Fire
Hydrant

1 - Acre Homestead
Build Lot

Pasture

Silt Pond

Culvert

Irrigation Tailwater Ditch

6.26 acre Proposed
RR Lot

Existing Shared
Use Driveway

6.26 acre Proposed
RR Lot

Culvert

17.64 acre Proposed
C-2 Commercial
Lot

Depleted Gravel Pit Floor

Unfinished
Foundation

Depleted Gravel Pit Floor

Unfinished
Storage
Shed

Office Trailer

Pump House

30' Approach

20' Approach

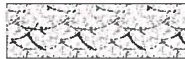
Deer Flat Road

Surface Feature Legend

Paved Driveway



Gravel Driveway



Roadside Berm



Sloped Bank Approx 3:1

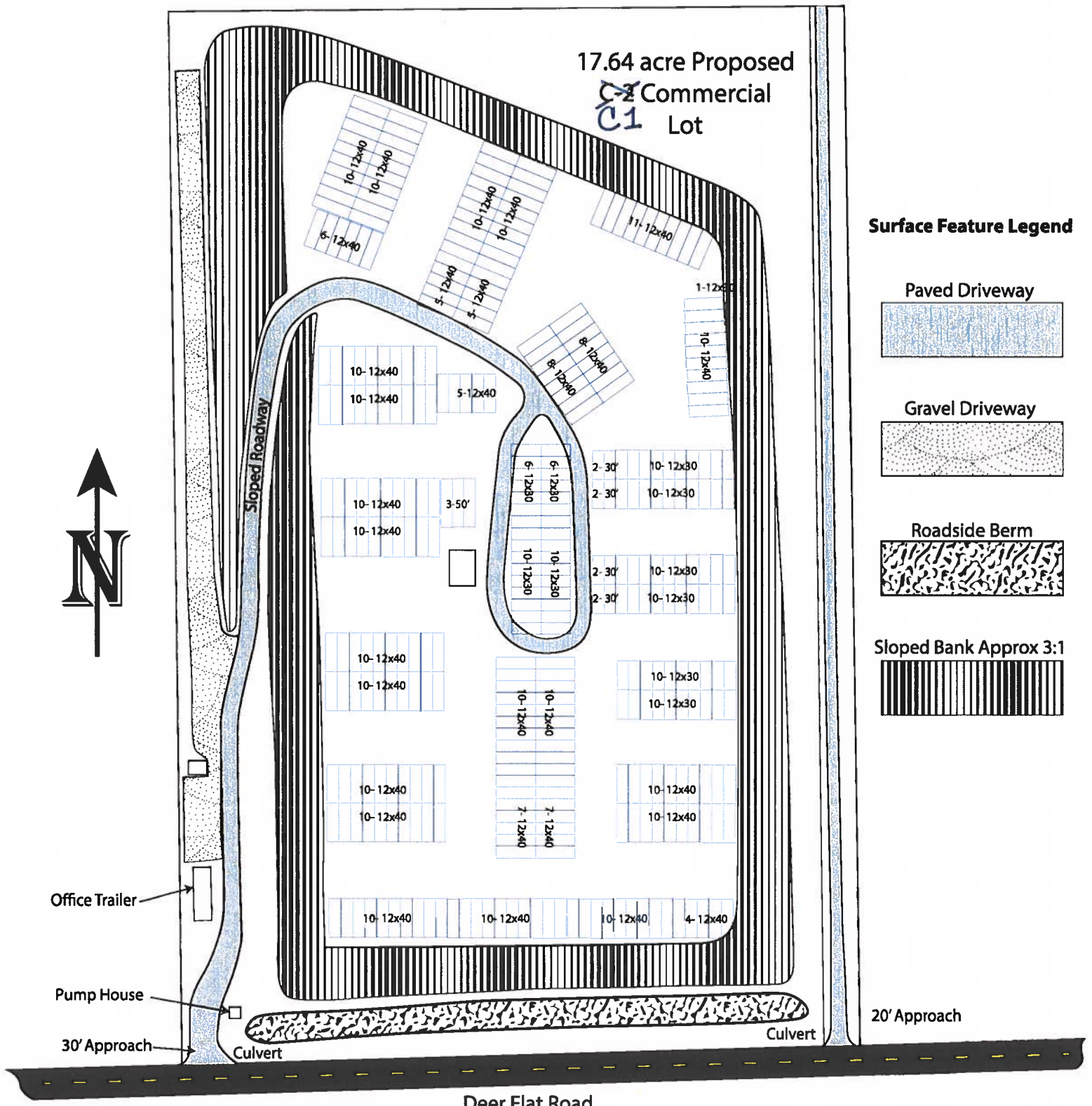


700.00'

Parcel 30127000

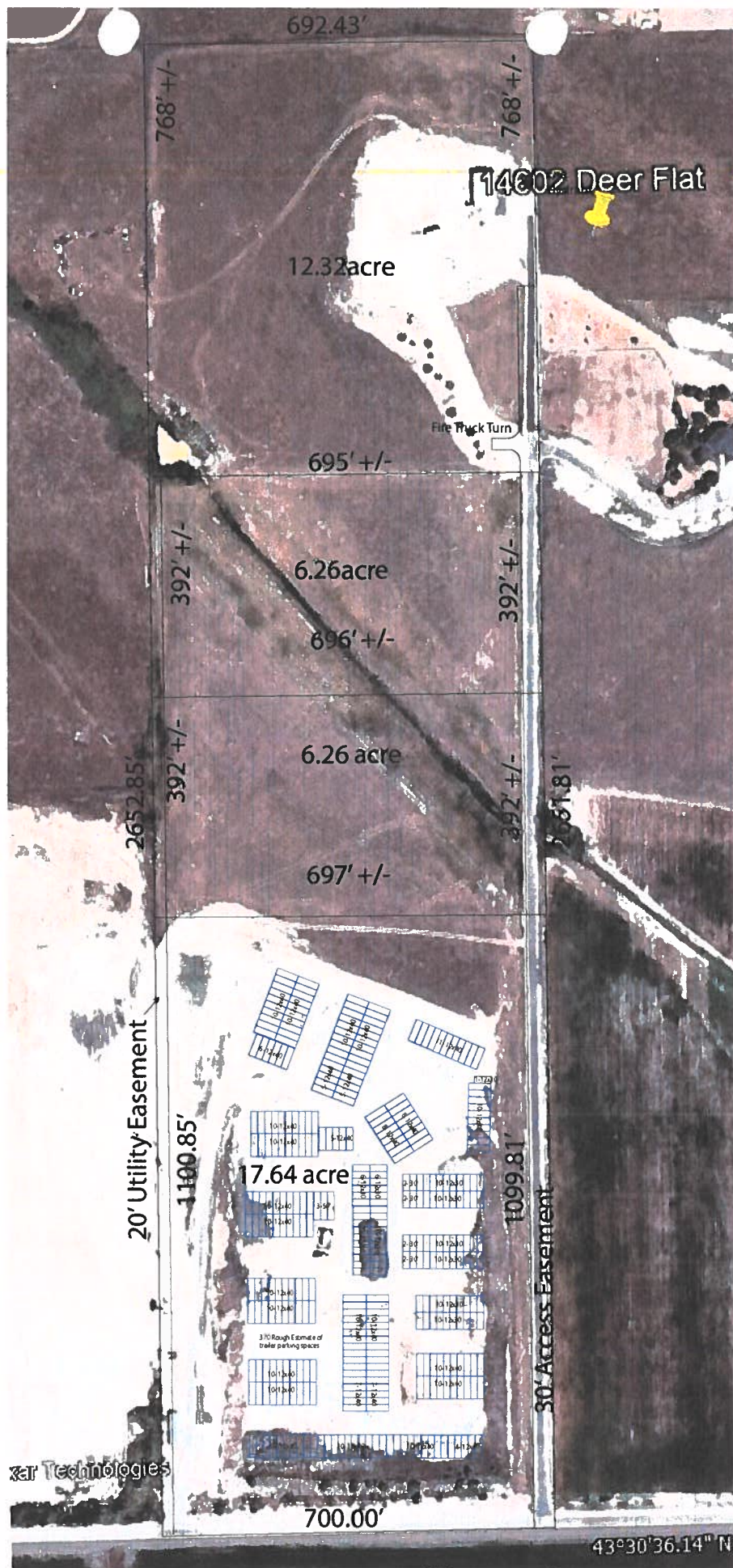
EXHIBIT
A2

370 Rough Estimate of trailer parking spaces

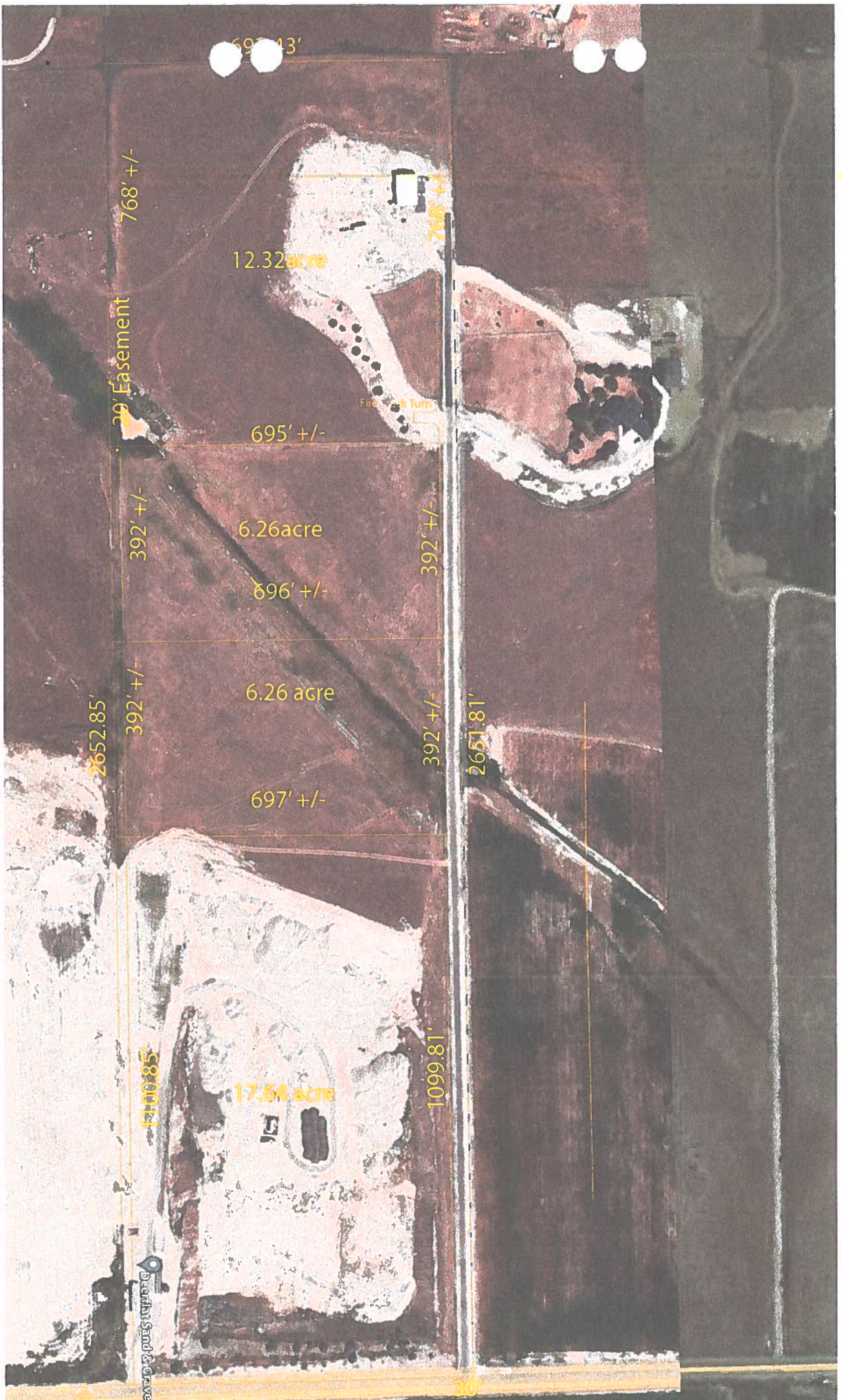


COMMERCIAL 17.64 Acre

EXHIBIT
A3



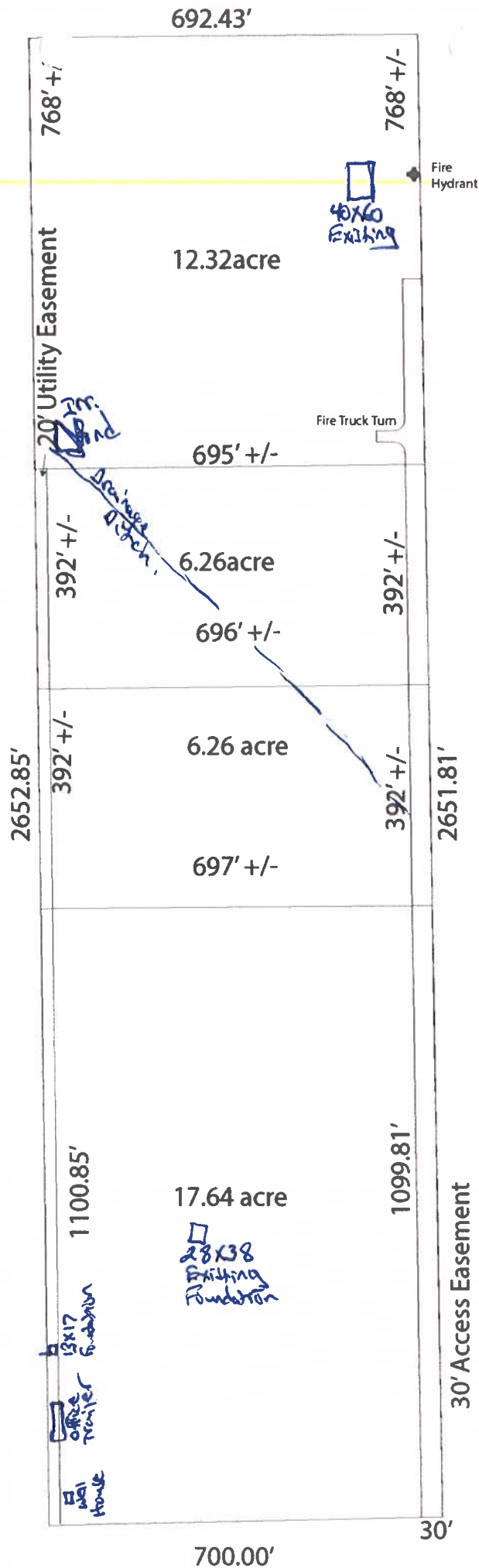
Parcel 30127000



700.00'

Parcel 30127000

© 2001 Google



Parcel 30127000

Proposed
Parcels:
Existing
Structures

Canyon County, ID

Letter of Intent

Rezone Request

Parcel: R30127

Owner: Paul D. Nay and Michelle J. Nay

Date: 10/05/2022

To: Canyon County Development Services

We respectfully request a rezone (or conditional rezone) of Parcel R30127. The parcel consists of 42.4 acres and has been used for occasional alfalfa production and surface aggregate mining by Deer Flat Sand & Gravel. The undulating grade and steep slopes make it less desirable as farm ground and it has sat idle much of the time.

We request consideration to rezone the North approximate 24.76 acres to CR-RR and split into 3 lots. The North portion/split being the South portion of approximately 17.64 acres encompassing the depleted gravel pit as C-1 commercial or CR-C1 if needed. This makes for a total lot count of 4 lots in keeping with the recommendations from your office.

For the CR-RR portion, much of the surrounding land has been divided into 5-to-10-acre parcels consistent with our intended split; therefore, the rezone amendment may be more appropriate than its current Ag zone. A CR-RR rezone is also compatible with RR zoning directly to the East of the property.

We propose the minimum lot size be 6 acres. We do not anticipate any negative affect on the character of the area. In fact it may improve on land use and the weed control effort. Keeping larger lot sizes will maintain the same county atmosphere that exists in the surrounding parcels.

With the 6-acre minimum lot size there is adequate area for individual well and septic systems. Other utilities such as power and phone are already in place within the access easement on the East side of the property. The lots will also be sold with water rights for agricultural use.

Legal access exists as a shared use driveway to an adjoining parcel. There are two recorded instruments regarding the current agreement. Inst #2013-050463, a driveway Maintenance Agreement and Inst. #2013-057767 records the easement and is contemporaneously tied to the Maintenance agreement as noted. We assume these will need to be revised to include the new lots after the split and be recorded to include all involved parcels. This current driveway is not wide enough to meet the county requirements for multiple lots but will be improved if the rezone and splits are approved. It is currently about 16ft wide with 12ft of pavement. It will be widened to 20ft to meet the county requirements.

There should not be an impact to the existing public street. Two separate paved entrances of 20' or more are existing. One in conjunction with the shared drive and a separate one specific to the old gravel pit which we would keep as ingress/egress to that parcel. All 4 lots will have access off the shared private drive.

We do not see any impact to the public services beyond the change of mailing address associated with creating a private drive.

For the CR-RR zones we would expect to maintain the Development Agreement stipulations already in place on the existing Warranty Deed regarding no manufactured homes, building size and garage requirements etc..... No changes are wanted or expected in that regard.

* For the C1 or CR-C1 zone we would propose to re-purpose the existing depleted gravel pit to accommodate parked RV storage. We recognize that this would be the first zone of that type in the immediate vicinity, however similar zoning and RV storage exist about 6 miles away on HWY 45. We are also just a mile from the County Landfill which has some affect to the area.

There is an existing manufactured office trailer that we would continue to utilize as an office facility on the property and there are two foundations with slabs that we may eventually frame in as storage buildings in the future.

We believe the intended Parked RV Storage would benefit the community and therefore be in harmony with the Comprehensive Plan. With the ever-increasing population growth driving high density communities in Nampa, Caldwell and surrounding cities within Canyon County, the need for available storage for RV's is growing. At this time, we do not anticipate an actual built-in storage facility but, if possible, would like to keep the option open for future expansion to lockable storage units if the RV usage is insufficient to be viable on its own.

The old pit is well suited for RV Storage, having somewhat naturally protection from high winds and being constrained to a single, easy to secure, access point. The pit is secluded from the public roadway by an existing berm that was installed when the pit was formed. There is a nice wide paved entrance that was established for heavy truck access when the pit was in production that is well suited to Recreational Vehicle access. We will remove the existing swing gate and install a substantial security gate approximately 300 feet off the right of way to allow plenty of room for multiple vehicles to safely enter and exit Deer Flat Road. Other security measures will be installed to provide a secure and safe storage location for the RV's.

We look forward to the opportunity to improve on this land and provide resources for storage to the community as well. We believe that this endeavor will be of benefit to the treasure valley and specifically to Canyon County.

Thank you for your consideration,

Paul D. Nay

CR2022-0030 Application for Conditional Rezone

Nay Application

Response and clarified answers for both proposed rezone areas.

CR-RR

1. Is the proposed conditional rezone generally consistent with the comprehensive plan?

Yes. The rezone to RR will be consistent with the Comprehensive Plan. The plan states that residential designation should be encouraged "within areas that demonstrate a development pattern of residential land uses". The 2020 Comprehensive Plan Map shows the property being projected as RR.

2. When Considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?

Yes. The parcel is poorly situated to be utilized as agricultural farm ground. Steeper slopes and less fertile soil have proven unsuccessful for crop growth. RR Zoning will allow the parcel to be split into a few smaller, more manageable residential lots that will accommodate a rural lifestyle and residential use.

3. Is the proposed conditional rezone compatible with surrounding land uses?

Yes. The property adjacent East is zoned RR and the 2020 Comprehensive Plan has projected the zone for the property.

4. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?

No. The proposed rezone to RR will allow the parcel to be divided into lots that will closely match several of the surrounding parcels. Very little if any impact will occur to surrounding area. The existing private drive will need to be widened to accommodate additional users per the county district standard but the current fenced easement will accommodate the additional roadway width.

5. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone?

Yes. Power and phone already exist on the East side of the property. The lot size will be large enough to accommodate well and septic systems as consistent with the residential zoning plan. The property has water rights for irrigation from wells and natural drainage to an existing tail-water ditch at the low point in the property for drainage.

6. Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?

No. The public street will not require improvements. The existing private paved driveway entrance is 20 feet wide and meets the county standard for multiple user access. As mentioned in item #4 the private driveway will need to be widened to accommodate additional vehicles and a road users' agreement

established to meet the county requirements if additional lots are split off. There is an established 30ft perpetual access agreement with parcel 30126010. A modified users' agreement will be recorded and the road improved in order for lots to be split.

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

Yes. As noted in item #6

8. Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?

No impact is anticipated beyond the private roadway improvements noted in previous comments. The need for a wider roadway to allow more free access to any additional houses for fire and first responders would be the only impact to essential public services.

We have been informed that a rezone to RR will allow the entirety of the parcel (42.39 acre) to be split into a maximum of 4 parcels with no parcel being less than an acre. About 10 acres of the southern part of this parcel is an old gravel pit that is being proposed for rezone CR-CR commercial. Some additional property along the North and East sides will likely be included in a lot split to accommodate a caretakers home that will stay with the commercial venture (if approved). The entirety of this parcel including both the commercial area and access to the rest of what will be that parcel will have separate access to the public street via an existing paved commercial truck access established when the gravel and paving operations were going on at the pit. This will leave only two (2) potential additional properties that would have access to the existing private drive/easement along the east side of the property.

CR-C1

1. Is the proposed conditional rezone generally consistent with the comprehensive plan?

Yes. The 2020 Comprehensive Plan makes specific mention of our type of situation. The southern 10 or 12 acres of the property which we are proposing to be rezoned CR-C1 was part of an ongoing gravel mining operation from 2006 to 2010. During this time approximately 700,000 tons of dirt and gravel were extracted. This mining operation started in adjacent parcels to the East and continued on our property and then moved on to the property adjacent to the west and in total extracted around 4.5 to 5 million tons and operated under the business name Deer Flat Sand & Gravel. This mining operation fulfilled a community need for mineral resources in the area in keeping with the Comprehensive Plan. The resulting exhausted pit is the area of the parcel that we are proposing to rezone as CR-C1 commercial in order to be able to utilize it to its utmost potential. The Plan makes specific mention in the Natural Resources Component section E. "2. Encourage measures to provide for future use of an excavated site such as, but not limited to industrial, commercial, and residential development."

2. When Considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?

Yes. Being an old gravel pit and basically unfit for agricultural use and also unfit for living structures for residential use it is however, well suited for our intended purpose of RV and Boat storage. The CR-C1 zoning we are proposing will be more appropriate than AG or the CR-RR that is proposed on the rest of the property.

The 2020 Comprehensive Plan addresses the economic and social indicators of growth and expansion. It notes on page 32 *"5. Land use in Canyon County faces pressures to accommodate its own population growth and housing expansion as a bedroom community for Boise."* As part of the Population Component, on page 19 the Plan has specific goals and policies to *"address citizen needs and expectations for continued population growth throughout Canyon County."*

These 3 goals include:

1. Consider population growth trends when making land use decisions.
2. To encourage economic expansion and population growth throughout the county plus increase economic diversity for continued enhancement of our quality of life to meet citizen needs.
3. To guide future growth in order to enhance the quality and character of the community while providing and improving the amenities and services available to Canyon County residents.

In conjunction with these goals one of the Policies is *"2. Encourage future high-density development to locate within incorporated cities and/or areas of city impact."*

The high-density development is proceeding at a rapid pace, particularly in south Nampa and most of these developments do not have provisions for people with RV's and Boats to keep them on their property. This is particularly true in multi-family housing units.

This condensing of population had created a need for offsite storage areas within reasonable distance where they can store RV's when not in use. The Comprehensive Plan also promotes recreational growth and recreational related business/industry which adds to the need for appropriate storage.

We have identified this need as a viable solution for using the pit site to its most economical potential.

The 2020 Comprehensive Plan states on page 34 regarding encouraging the “*development of recreational related business/industry.*” 2 policies which affirm our proposal for the rezone:

6. Encourage commercial and residential development in a controlled, planned, and constructive manner, which will enhance, not destroy, the existing lifestyle and environmental beauty of Canyon County.
7. Canyon County should identify areas of the county suitable for commercial, industrial and residential development. New developments should be located in close proximity to existing infrastructure and in areas where agricultural uses are not diminished.

Additionally, when considering the Property Rights Component, which is incidentally the first component of the plan, it is pointed out that Idaho Code 67-6508 assures Idaho property owners that their rights will be protected.

As such the Evaluation Process “*local government entities must use the following questions in evaluating the potential impact of regulation on private property.*” Item 4 asks “*Does the regulation have significant impact on the landowner’s economic interest?*” The goals associated with this section of the Plan include:

1. Canyon County will ensure that land use policies, restrictions, conditions and fees do not violate private property rights or create unnecessary technical limitations on the use of property.
2. The community goal is to acknowledge the responsibility of each property owner as a steward of the land, to use their property wisely, maintain it in good condition and preserve it for future generations.

In summary, we conclude the rezone will be most appropriate and beneficial use of this part of the property.

3. Is the proposed conditional rezone compatible with surrounding land uses?

Yes. We believe it is. Although there are no commercial zones properties in the immediate vicinity, the pits previous use has essentially been commercial or even industrial in nature. The Deer Flat Sand & Gravel Co. began operating from 1999 and just recently closed in 2021. During the 22 years it ran more than 175,000 truckloads of gravel were extracted and travelled the roads in the area. The gravel operations began on property directly east of our parcel and mined approximately 35 acres. The operations then moved into what is now our property and ran from this specific location from 2006 until time of closing. The portion of pit that was located on our property saw gravel extraction, crushing, an asphalt hot plant and a commercial truck scales. When the old Mercy Medical facility was demolished in 2019 all of the concrete and brick rubble was dumped and buried in the south end of the pit.

Deer Flat road is classified as a collector and the Canyon County Classification Map indicates that the nearest cross street, Farner Road, has been proposed as a possible future expressway. The county Landfill is within sight and sits less than a mile south west as the crow flies. Hundreds of sanitation trucks and other vehicles with dump traffic frequent the area daily. The Comprehensive Plan gives some direction regarding Commercial zones on page 40 “*3. Consider commercial and industrial development outside the impact areas, when located along major roadways or transportation infrastructure...*”

The Comprehensive Plan also gives the following recommended Implementation Action regarding Commercial Development on page 42 *"Encourage commercial areas, zones or uses that are contiguous to existing county or city commercial areas, zones or uses but recognizing additional areas or zones, beyond those already existing, may be desirable and that some mixed uses are compatible."*

This property has a long history of commercial type use and official commercial zoning will remain consistent with its previous activities. In fairness to the properties previous use we ask the board to consider that some mixed uses are compatible, beneficial and appropriate.

4. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?

No. As previously noted, the current character of the area is an exhausted gravel pit. The property adjacent to the west is also a similar exhausted pit and the close proximity of the County Landfill lends a commercial atmosphere to the area. With the bottom of the pit being 25 – 30 feet below the surrounding ground it will have a natural break from line of sight.

5. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone?

Yes. Power and water exist at the site. The office trailer from the gravel operations will serve as the office/payment drop. Some existing surveillance equipment exists at the site and will be enhanced to protect the site. The storage area will be graded and graveled to allow all weather access.

6. Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?

No additional public street improvements will be necessary. There is an existing 30 foot paved approach into the proposed commercial zone from the previous gravel operation.

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

Yes. There is a paved driveway down into the pit and a loop in the bottom also paved to allow good access to the entire area. Up on top before dropping down into the pit there is adequate area for vehicles with trailers to get off the main road and stop before entering the gated road down into the pit.

8. Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?

The only impact to essential public services would be additional coverage in the event of a fire or health crisis down in the pit. The property is within the Upper Deer Flat Fire District. Fire Chief Dale Jeffers will require a lock system at the gate capable of allowing the fire department 24hr access. I have discussed this with him and he said he will need to inspect the access when we get it installed. The fire department

may require me to purchase an appropriate lock for their exclusive use. The paved loop road and/or gravel access routes among the parked RV's will be required to be spaced adequate to allow access to all RV's in the storage area. The department may want to inspect access when completed.

Other important questions & comments:

Landscape & fencing for aesthetic considerations. We expect to need to install a privacy fence along the frontage to help screen the view of the storage area. Landscape rock is and will be used where appropriate to improve the appearance.

RV Dump. It is likely that we will want to add an RV dump for convenience to the renters. Location and disposition will be dependent on requirements and approval from SWD Heath.

Allowed storage uses would include Vehicles, Boats & RV's. Renter agreement will include specifics about allowed or dis-allowed vehicles/trailers, renters insurance and daytime hours. Some consideration will be given to allow after-hour access with permission of the caretaker for emergency or special circumstances but in general this is a daylight only facility and no yard lights will be in place down in the pit. A yard light will be provided at the gate/office area.

Caretaker home facility will be built on the property and control of the site will be monitored from CCTV or in person from the caretaker home. Desired hours of operation are daylight to dusk.

Thank you for your consideration

Paul & Michelle Nay



Water Rights
 63 7825A Mine
 63 7825C
 63 320762
 63 331643
 diverted through
 waste ditch
 (From Postit Note in
 file)

Parcel 30127000

EXHIBIT A5

LAND USE WORKSHEET

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633



Required for Conditional Use Permit, Comprehensive Plan and Zoning Ordinance Amendment Applications

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

GENERAL INFORMATION

- 1. DOMESTIC WATER:** ☒ Individual Domestic Well ☐ Centralized Public Water System ☐ City
- ☐ N/A – Explain why this is not applicable: _____
- ☐ How many Individual Domestic Wells are proposed? 3 additional

- 2. SEWER (Wastewater)** ☒ Individual Septic ☐ Centralized Sewer system
- ☐ N/A – Explain why this is not applicable: _____

3. IRRIGATION WATER PROVIDED VIA:

- ☐ Surface ☒ Irrigation Well ☐ None

4. IF IRRIGATED, PROPOSED IRRIGATION:

- ☐ Pressurized ☐ Gravity Both

5. ACCESS:

- ☒ Frontage ☐ Easement Easement width 30' +/- Inst. # 2013-047760

6. INTERNAL ROADS:

- ☐ Public ☒ Private Road User's Maintenance Agreement Inst # TBA

7. FENCING

- ☐ Fencing will be provided (Please show location on site plan)

Type: _____ Height: _____

8. STORMWATER:

- ☒ Retained on site ☒ Swales ☒ Ponds ☐ Borrow Ditches

☐ Other: _____

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

Irrigation waste ditch across property

RESIDENTIAL USES

1. NUMBER OF LOTS REQUESTED:

☒ Residential 3 ☒ Commercial 1 ☐ Industrial _____
☐ Common _____ ☐ Non-Buildable _____

2. FIRE SUPPRESSION:

☐ Water supply source: onsite Hydrant

3. INCLUDED IN YOUR PROPOSED PLAN?

☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☒ None

NON-RESIDENTIAL USES

1. SPECIFIC USE:

~~As~~ Parked RV Storage

2. DAYS AND HOURS OF OPERATION:

<input checked="" type="checkbox"/> Monday	<u>6 Am</u>	to	<u>10 pm</u>
<input checked="" type="checkbox"/> Tuesday		to	
<input checked="" type="checkbox"/> Wednesday		to	
<input checked="" type="checkbox"/> Thursday		to	
<input checked="" type="checkbox"/> Friday		to	
<input checked="" type="checkbox"/> Saturday		to	
<input checked="" type="checkbox"/> Sunday		to	

3. WILL YOU HAVE EMPLOYEES?

☐ Yes If so, how many? _____ ☒ No

4. WILL YOU HAVE A SIGN?

☒ Yes ☒ No ☐ Lighted ☒ Non-Lighted

Height: 4 ft Width: 8 ft. Height above ground: 4 ft

What type of sign: _____ Wall ☒ Freestanding _____ Other _____

5. PARKING AND LOADING:

How many parking spaces? undetermined

Is there is a loading or unloading area? yes

ANIMAL CARE RELATED USES

1. **MAXIMUM NUMBER OF ANIMALS:** N/A

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

☐ Building ☐ Kennel ☐ Individual Housing ☐ Other _____

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

☐ Building ☒ Natural Enclosure ☒ Existing on Public Road Barrier/Berm ☐ Bark Collars

4. **ANIMAL WASTE DISPOSAL** N/A

☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System

☐ Other: _____

Notice of Neighborhood Meeting
Conditional Use Permit
Pre-application requirement for a Public Hearing

October 11, 2022

Dear Neighbor,

We are in the process of submitting an application for a Conditional Use Permit, Zoning Amendment and Land Division to Canyon County Development Services (DSD). One of the requirements necessary prior to submitting the application is to hold a "neighborhood meeting" and provide information to our surrounding neighbors (Canyon County Zoning Ordinance § 07-01-15). We held a meeting on September 28th but did not include enough information about the planned development and are holding a second meeting. SEE PROJECT SUMMARY BELOW

This meeting is for informational purposes and to receive feedback from you as we move through the application process. This is not a Public Hearing before a governing body of the county. Once our application has been submitted and processed, a public hearing date will be scheduled. Prior to the scheduled date you will receive an official notification from Canyon County DSD regarding the Public Hearing via postal mail, newspaper publication, and/or a display on the property for which the Conditional Use Permit, Zoning Amendment and Land Division is applied.

The Neighborhood Meeting details are as follows:

Date: Wednesday October 26, 2022

Time: 5PM

Location: 14602 Deer Flat Road, Nampa, ID 83686 (at the old pit entrance)

Property description: Old gravel pit and attached property

The project is summarized below:

Site Location: 14602 Deer Flat Road, Nampa Idaho

Proposed Access: Existing access to remain without additional impact

Total acreage: 42.4

Proposed Lots: 4 (currently 1). 1 Commercial lot zoned either C1 or CR-C1 that the old gravel pit sets on and the other 3 lots will be CR-RR residential lots of at least 6 acres. These lots will be sold with Water Rights. Our intent is that the commercial acreage will have an additional conditional use permit to allow for Parked RV Storage, an office trailer and a building permit for a caretaker's residence. This property will access at the Gravel Pit entrance to allow for enough space to pull in off the road before stopping at a security gate.

We look forward to the neighborhood meeting and encourage you to attend. At that time, we will answer any questions you may have.

Please do not call Canyon County Development Services regarding this meeting. This is a PRE-APPLICATION requirement and we have not submitted the application for consideration at this time. The County currently has no information on this project.

If you have any questions prior to the meeting, please contact me at by phone or text at 208-941-0638, by email at tci_@msn.com, or written mail to the property (14602 Deer Flat Road. Nampa, ID 83686).

Sincerely,
Paul Nay

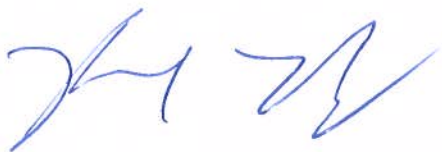


EXHIBIT
A7

Notice of Neighborhood Meeting
Conditional Use Permit
Pre-application requirement for a Public Hearing

September 10, 2022

Dear Neighbor,

We are in the process of submitting an application for a Conditional Use Permit, Zoning Amendment and Land Division to Canyon County Development Services (DSD). One of the requirements necessary prior to submitting the application is to hold a "neighborhood meeting" and provide information to our surrounding neighbors (Canyon County Zoning Ordinance § 07-01-15).

This meeting is for informational purposes and to receive feedback from you as we move through the application process. This is **not** a Public Hearing before a governing body of the county. Once our application has been submitted and processed, a public hearing date will be scheduled. Prior to the scheduled date you will receive an official notification from Canyon County DSD regarding the Public Hearing via postal mail, newspaper publication, and/or a display on the property for which the Conditional Use Permit, Zoning Amendment or Land Division is applied.

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Time: 5PM

Location: 14602 Deer Flat Road, Nampa, ID 83686 (at the old pit entrance)

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If you have any questions prior to the meeting, please contact me at by phone or text at **208-941-0638**, by email at **tci_@msn.com**, or written mail to the property (**14602 Deer Flat Road. Nampa, ID 83686**).

Sincerely,
Paul Nay



NEIGHBORHOOD MEETING SIGN-UP

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633



NEIGHBORHOOD MEETING SIGN UP SHEET

CANYON COUNTY ZONING ORDINANCE §07-01-15

Applicants shall conduct a neighborhood meeting for any proposed comprehensive plan amendment, zoning map amendment (rezoning), subdivision, variance, conditional use, zoning ordinance map amendment, or other requests requiring a public hearing.

SITE INFORMATION

Site Address:	14602 Deer Flat Rd.	Parcel Number:	R3012 7
City:	Nampa	State:	Idaho
		ZIP Code:	83686
Notices Mailed Date:	October 11	Number of Acres:	42.40
		Current Zoning:	AG
Description of the Request:	Change of Zoning from AG to C1/ CR-C1 and RR with future administrative land division into 4 total lots		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name:	Paul Nay		
Company Name:	N/A		
Current address:	14602 Deer Flat Rd.		
City:	Nampa	State:	Idaho
		ZIP Code:	83686
Phone:	208-941-0638	Cell:	208-941-0638
		Fax:	N/A
Email:	tci_@msn.com		

MEETING INFORMATION

DATE OF MEETING:	October 26, 2022	MEETING LOCATION:	14602 Deer Flat Rd.
MEETING START TIME:	5:00 PM	MEETING END TIME:	TBD or 6:00PM

ATTENDEES:

NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. Jonathon Moldenhauer	<i>Jonathon Moldenhauer</i>	14716 Mountain Hawk Rd
2. Gretchen Moldenhauer	<i>Gretchen Moldenhauer</i>	" "
3. Lee And Heather Haskill	<i>Lee Haskill</i>	Heather Haskill 14600 Deer Flat Rd
4.		
5.		
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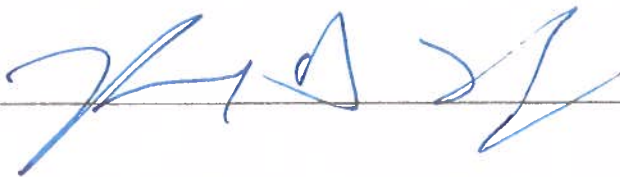
NEIGHBORHOOD MEETING CERTIFICATION :

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

APPLICANT/REPRESENTATIVE (Please print):

Paul D Noy

APPLICANT/REPRESENTATIVE (Signature):



DATE: 10/26/2022

NEIGHBORHOOD MEETING SIGN-UP

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633



NEIGHBORHOOD MEETING SIGN-UP SHEET

CANYON COUNTY ZONING ORDINANCE 2014-15

SITE INFORMATION

Site Address: 14602 Deer Flat Rd Parcel Number: R30127
City: Nampa State: Idaho ZIP Code: 83686
Notices Mailed Date: September 10, 2022 Number of Acres: 42.40 Current Zoning: AG
Description of the Request: Change of Zoning from AG to RR
With a future administrative land division into 4 lots

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Paul Nay
Company Name: NA
Current address: 14602 Deer Flat Rd.
City: Nampa State: Idaho ZIP Code: 83686
Phone: 208-941-0638 Cell: 208-941-0638 Fax: NA
Email: tci_@msn.com

MEETING INFORMATION

DATE OF MEETING: September 28, 2022 MEETING LOCATION: 14602 Deer Flat Rd.
MEETING START TIME: 5:00 PM MEETING END TIME: TBD or 6:00 PM

ATTENDEES:

NAME (PLEASE PRINT)

SIGNATURE:

ADDRESS:

1. Lee + Heather Haskell Heather Haskell 14600 Deer Flat Rd, Nampa 83686

2.

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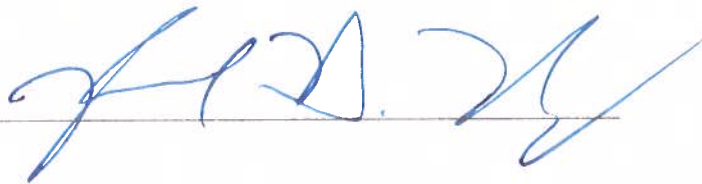
NEIGHBORHOOD MEETING CERTIFICATION :

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

APPLICANT/REPRESENTATIVE (Please print):

Paul D. Noy

APPLICANT/REPRESENTATIVE (Signature):



DATE:

9/28/2022

Property Owners within 600 ft of 14602 Deer Flat Rd.

Chad Neeley
1959 S. Sandcrest Way
Nampa, ID 83686

Mark McCoy
639 S. Davin Creek Loop
Nampa, ID 83686

Joahana Maria Soberanes
316 S. Almond St.
Nampa, ID 83686

Jamie Corral
14525 Deer Flat Rd.
Nampa, ID 83686

Scott Englund
325 Main St.
Quincy, CA 95971

Also Scott Englund Holdings, LLC
416 18th Ave S.
Nampa, ID 83651

Frank Tiegs LLC
4200 Riverhaven
Pasco, WA 99301

Adrian Corral
6116 Lewis Ln
Nampa, ID 83686

Harry Haskill
14600 Deer Flat Rd.
Nampa, ID 83686

Jonathon Moldenhauer
14716 Mountain Hawk Rd.
Nampa, ID 83686

Eric Haskell
14748 Mountain Hawk Rd.
Nampa, ID 83686

2022 list

2013-050463

RECORDED

11/01/2013 04:13 PM

CHRIS YAMAMOTO
CANYON COUNTY RECORDER

Pgs=3 MBROWN

\$16.00

TYPE: AGR

TITLEONE BOISE

ELECTRONICALLY RECORDED

DRIVEWAY MAINTENANCE AGREEMENT

This agreement is for the driveway owned by Daniel and Marcy Hukill.

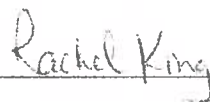
Please see attached legal description.

In order to maintain the asphalt driveway, the following maintenance is required, labor and cost will be split equally between

Felix & Rachael King and Daniel & Marcy Hukill

1. Seal coating and patching when needed
2. Keeping weeds sprayed
3. No driving in rocks on edge of driveway

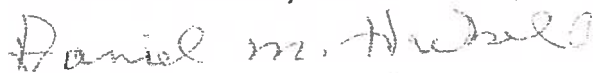

Felix & Rachael King


Rachel King

Date

11/1/13

Daniel & Marcy Hukill


Daniel M. Hukill


Marcy Hukill

Date

11/1/13

11/1/13

EXHIBIT
A8

2013-047760

RECORDED

10/16/2013 03:26 PM



00074082201300477600010015

CHRIS YAMAMOTO

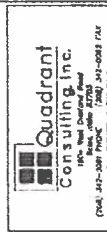
CANYON COUNTY RECORDER

Pgs=1 RECORD1

\$5.00

SURVEY

QUADRANT CONSULTING



234-15-3-00-00-00
234-15-2-00-00-00

RECORD OF SURVEY FOR PARCEL LINE ADJUSTMENT

FOR DANIEL M. AND MARCINE L. HUKILL
LOCATED IN PORTIONS OF THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 2 NORTH,
RANGE 3 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO
2013

CERTIFICATE OF OWNERS

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT DANIEL M. HUKILL AND MARCINE L. HUKILL ARE THE OWNERS OF THE PROPERTY AS SHOWN ON THIS MAP AND THAT THIS PROPERTY LINE ADJUSTMENT IS ACCURATE.

Daniel M. Hukill
DANIEL M. HUKILL

Marcine L. Hukill
MARCINE L. HUKILL

ACKNOWLEDGMENT

STATE OF IDAHO)
COUNTY OF CANYON)

ON THIS 16th DAY OF OCTOBER, 2013, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC in and for the State of Idaho, DANIEL M. HUKILL and MARCINE L. HUKILL, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same in such capacity and in the presence whereof, I have hereunto set my hand and seal the day and year in this certificate first above written.

Chris Yamamoto
CHRIS YAMAMOTO
RECORDING CLERK
Boise, Idaho, 83726

CERTIFICATE OF SURVEYOR

I, PETER A. LOUNSBURY, TO WHOM THIS CERTIFICATE IS REFERRED, AM A REGISTERED LAND SURVEYOR LICENSED BY THE STATE OF IDAHO AND THAT THIS MAP WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND COMPLETES WITH ACCURACY THE SURVEY DESCRIBED HEREON AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

Peter A. Lounsbury
PETER A. LOUNSBURY
10-16-13
OCT 16 2013

LINE	BEARING	LENGTH
1	N 89°37'52" E	20.75
2	S 89°37'52" E	14.00
3	S 89°37'52" E	13.00
4	N 89°37'52" E	20.75

CURVE	LENGTH	AREA	CHORD	BEARING
C1	15.00	22.00	14.14	N 45°00'00" E
C2	15.00	22.00	14.14	N 45°00'00" E
C3	15.00	22.00	14.14	N 45°00'00" E
C4	15.00	22.00	14.14	N 45°00'00" E
C5	15.00	22.00	14.14	N 45°00'00" E

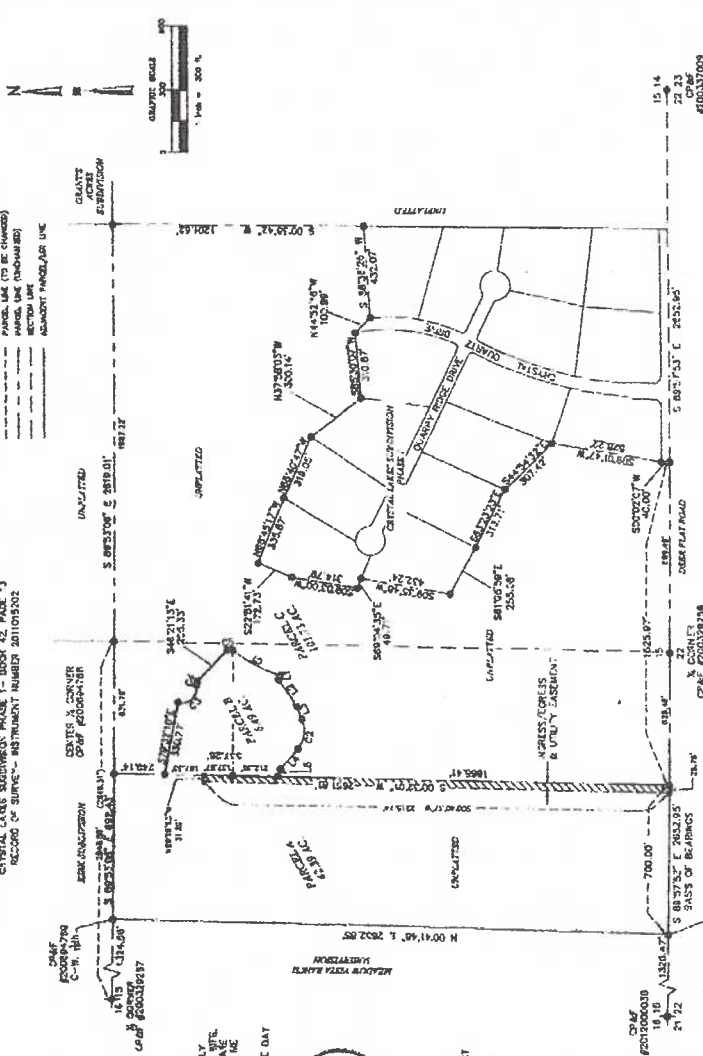


EXHIBIT A

A portion of Parcel A as shown on a Record of Survey for Parcel Line Adjustment, recorded as Instrument Number 2013-047760, records of Canyon County, situated in a portion of the Southwest ¼ of Section 15, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho being more particularly described as follows:

Commencing at the Southwest corner of said Section 15, thence South 89°57'53" East 2026.47 feet along the South line of said Section 15 to the **POINT OF BEGINNING**, thence leaving said South line and following the East line of said Parcel A

North 00°32'01" East 2215.34 feet thence leaving said East line

North 89°19'23" West 31.20 feet, thence

South 00°40'37" West 2215.74 feet to the said South line of Section 15, thence along said South line

South 89°57'53" East 36.76 feet to the **POINT OF BEGINNING**.



**DOCUMENTATION OF COMPLETED RECLAMATION WORK
REQUEST FOR BOND RELEASE**

Reclamation Plan or Placer Permit No. 2157

In accordance with Idaho Code title 47, chapter 15 and the Rules Governing Surface Mining Operations in Idaho OR Idaho Code title 47, chapter 13 and the Rules Governing Placer and Dredge Mining in Idaho, an operator shall notify the Director of the Department of Lands, in writing, of any request for partial or full bond release and/or reclamation plan or placer permit retirement.

The Administrative rules require that, upon receipt of a written request for bond release or reclamation plan or placer permit retirement, the department shall respond within thirty (30) days, weather permitting, and notify the operator of the department's action regarding the request.

As required by the Administrative Rules, we concur that partial or final reclamation has been completed on the lands covered by the reclamation plan, or placer permit, and the reclamation meets the intent of the appropriate mining act, the intent of the reclamation plan/placer permit and accepted approval stipulations.

We request:

- ☐
- ☒
- ☒
- ☐

Partial bond release in the amount of _____
Full bond release
Reclamation plan retirement
Placer permit retirement

David M. Huhill
SIGNATURE OF OPERATOR

10-31-08
Date

Nancy J. Welton
**SIGNATURE OF MINERAL RESOURCE
MANAGER -- Idaho Department of
Lands**

10.31.08
Date

Paul and Michelle Nay

14602 Deer Flat Rd.

Parcel R30127 – request for rezone

Additional supporting information

My results of surveying the RV storage in the vicinity for availability show the following approximates:

- 1 of 5 of storage facilities fully booked
- 3 of 5 at 90% capacity at the moment and expected to be full by fall
- 1 of 5 at 60% capacity during summer with expected increase in the fall/winter, but say spaces for valet parking are usually still available when self parking gets booked.

Common among all storage facilities was the high recommendation to reserve and book with some reduced charges if space left empty for long periods.

Reviewing high density subdivisions in the south Nampa area reveals most have strict regulation for RV or Boat storage. Furthermore, the increasing amount of multi-family housing being built have no provisions at all to store RV or Boats. The need for space is increasing exponentially.

EXHIBIT B
Supplemental Documents
Case# CR2022-0030

B

R30127

PARCEL INFORMATION REPORT

9/8/2022 11:59:49 AM

PARCEL NUMBER: R30127

OWNER NAME: NAY PAUL D

CO-OWNER: NAY MICHELLE J

MAILING ADDRESS: 14602 DEERFLAT RD NAMPA ID 83686

SITE ADDRESS: 14602 DEER FLAT RD

TAX CODE: 0550000

TWP: 2N

RNG: 3W

SECTION: 15

QUARTER: SW

ACRES: 42.40

HOME OWNERS EXEMPTION: Y

AG-EXEMPT:

DRAIN DISTRICT: NOT In Drain Dist

ZONING DESCRIPTION: AG / AGRICULTURAL

HIGHWAY DISTRICT: NAMPA HWY DIST

FIRE DISTRICT: UPPER DEER FLAT FIRE

SCHOOL DISTRICT: VALLIVUE SCHOOL DIST

IMPACT AREA: NOT In Impact Area

FUTURE LAND USE: Res

IRRIGATION DISTRICT: NOT In IRRIG_DIST

FEMA FLOOD ZONE: X

FEMA FLOODWAY: NOT In FLOODWAY

FIRM PANEL NUMBER: 16027C0375F

WETLAND: NOT In WETLAND

NITRATE PRIORITY: NO Nitrate Prio

PRINCIPAL ARTERIAL: NOT In Principal Art

COLLECTOR: COLLECTOR

INSTRUMENT NO. : 2021040842

SCENIC BYWAY: NOT In Scenic Byway

LEGAL DESCRIPTION: 15-2N-3W SW TX 14239 IN E 1/2 OF SW

PLATTED SUBDIVISION:

SMALL CITY ZONING:

SMALL CITY ZONING TYPE:



DISCLAIMER:

1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS. POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER.
2. THIS FORM DOES NOT CALCULATE DATA FOR PARCELS INSIDE CITY LIMITS SO WATCH YOURSELVES.
3. WETLANDS CLASSIFICATION WILL POPULATE IF "ANY" PORTION OF SAID PARCEL CONTAINS A DELINEATED WETLAND.
4. COLLECTORS AND ARTERIALS ARE BASED ON THE SHERRIF'S CENTERLINE WITH AN ADDITIONAL 100 FOOT BUFFER.

CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM
OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.

**EXHIBIT
B1**

IMAGES WERE FLOWN IN THE FALL OF 2020.

Nay Small Air Photo 1 Mile

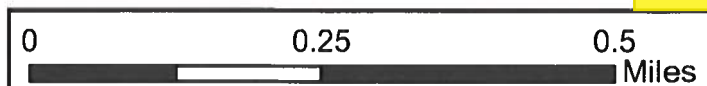
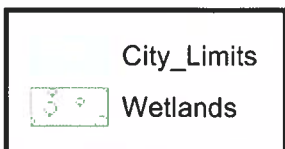
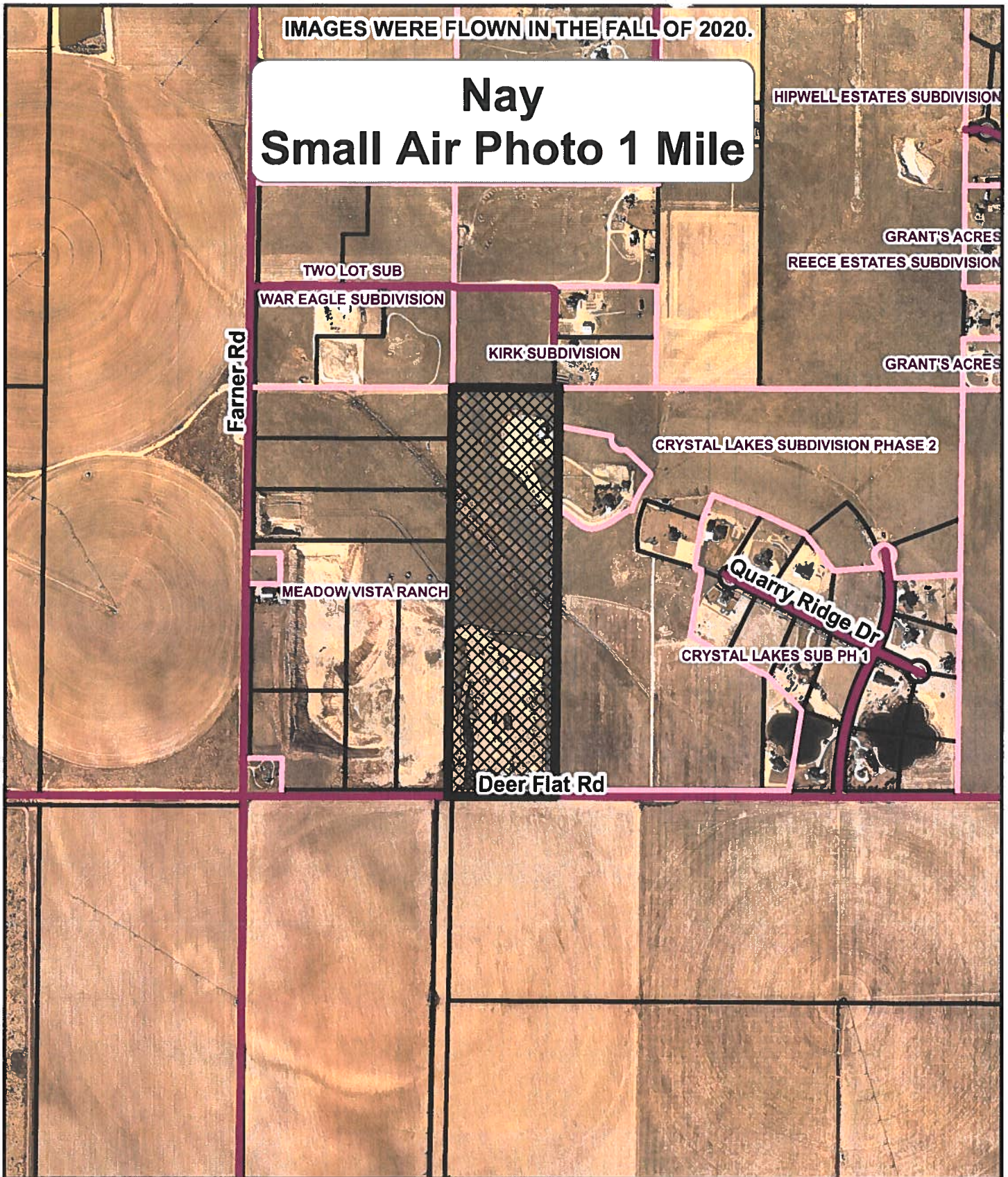


EXHIBIT
B2a

Nay Small Vicinity Map

Farner Rd

Mount

RODRIGUEZ
AC 10.16

HASKELL
AC 15.12

MOLDENHAUER
AC 5

SOBERANES
AC 9.78

CABUNOC
AC 9.78

CORRAL
AC 9.78

ENGLUND
AC 8.79

ENGLUND
AC 9.78

HASKILL
AC 6.49

Quarry Ridge Dr

CORRAL
AC 87.38

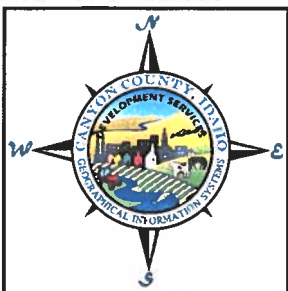
SUBJECT PROPERTY

Deer Flat Rd

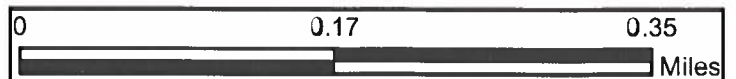
FRANK TIEGS LLC
AC 74.91

FRANK TIEGS LLC
AC 6.09

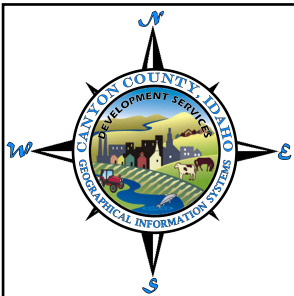
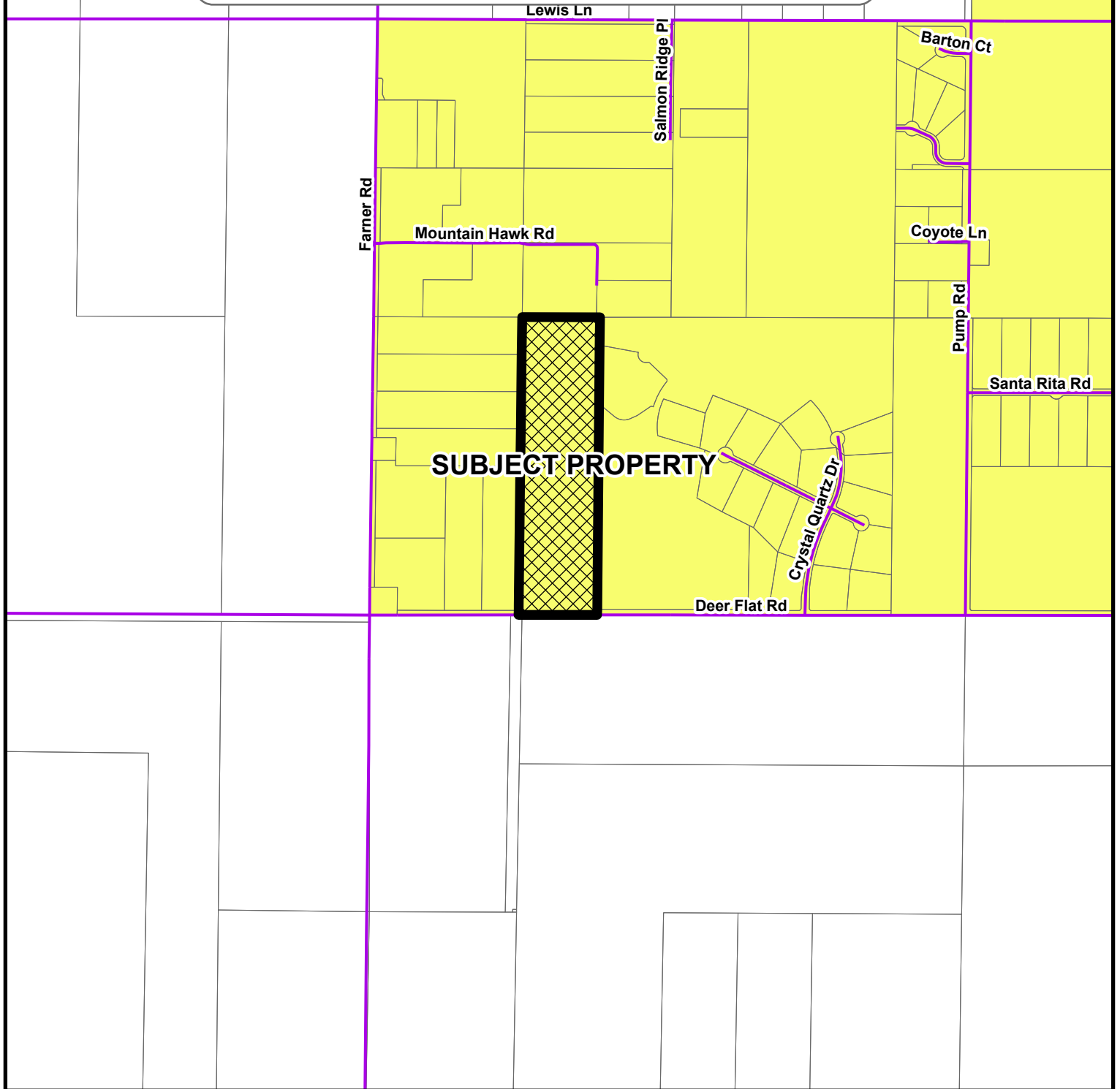
FRANK TIEGS LLC
AC 121.13



**EXHIBIT
B2b**



Nay 2020 Future Land Use Map

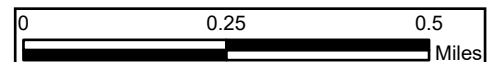


Legend

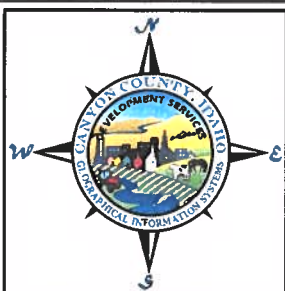
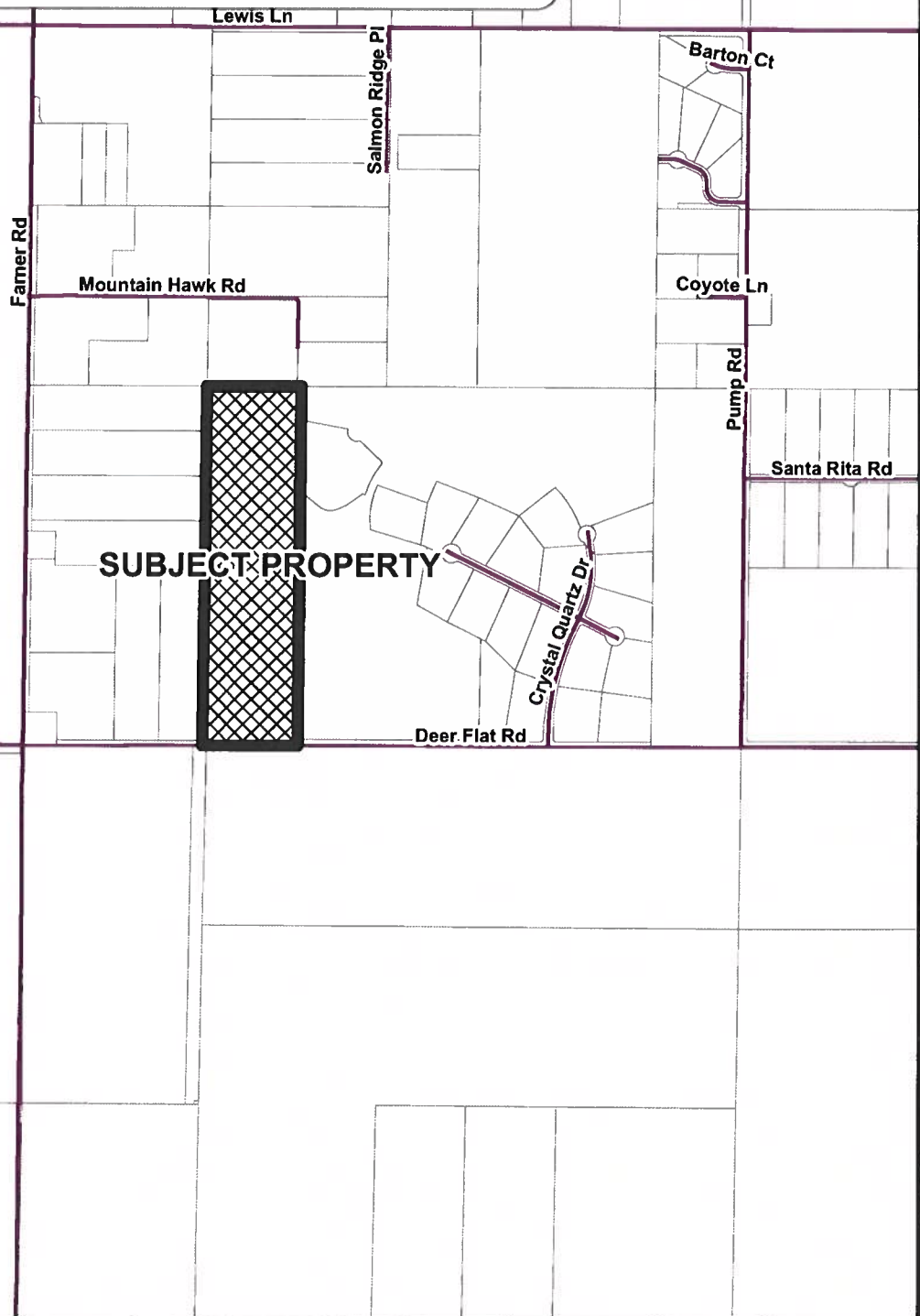
Future Land Use 2011_2022

- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL

EXHIBIT
B2c



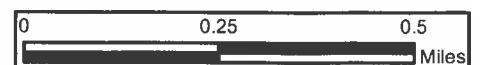
2030 **Nay**
Future Land Use map



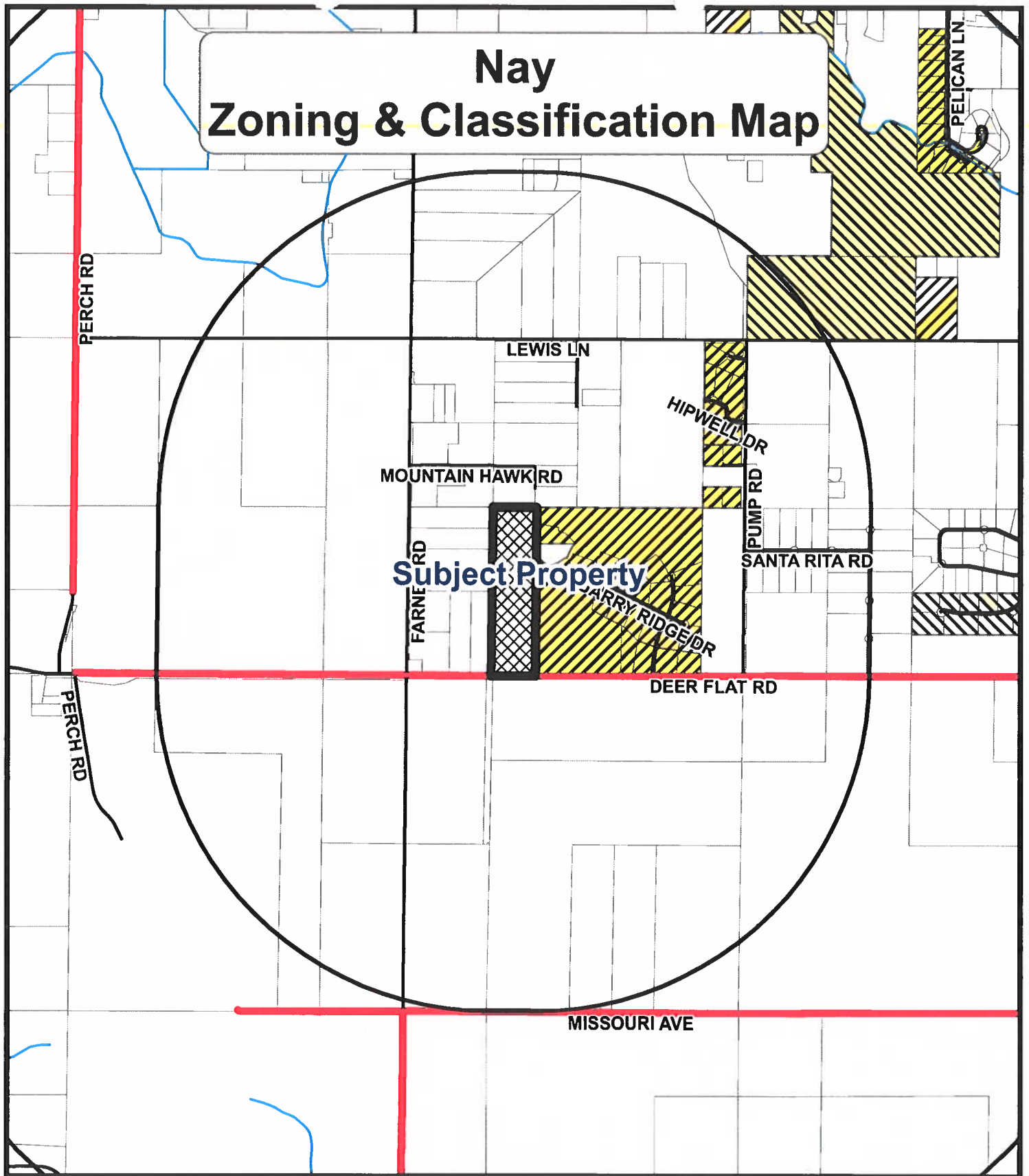
Legend
Future Land Use 2030

- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL

EXHIBIT
B2c1



Nay Zoning & Classification Map



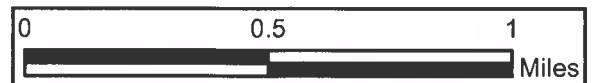
Current Zoning

- RR
- CR-RR
- R1
- CR-R1
- R2
- C

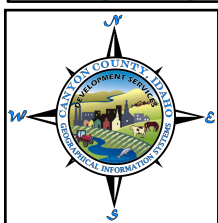
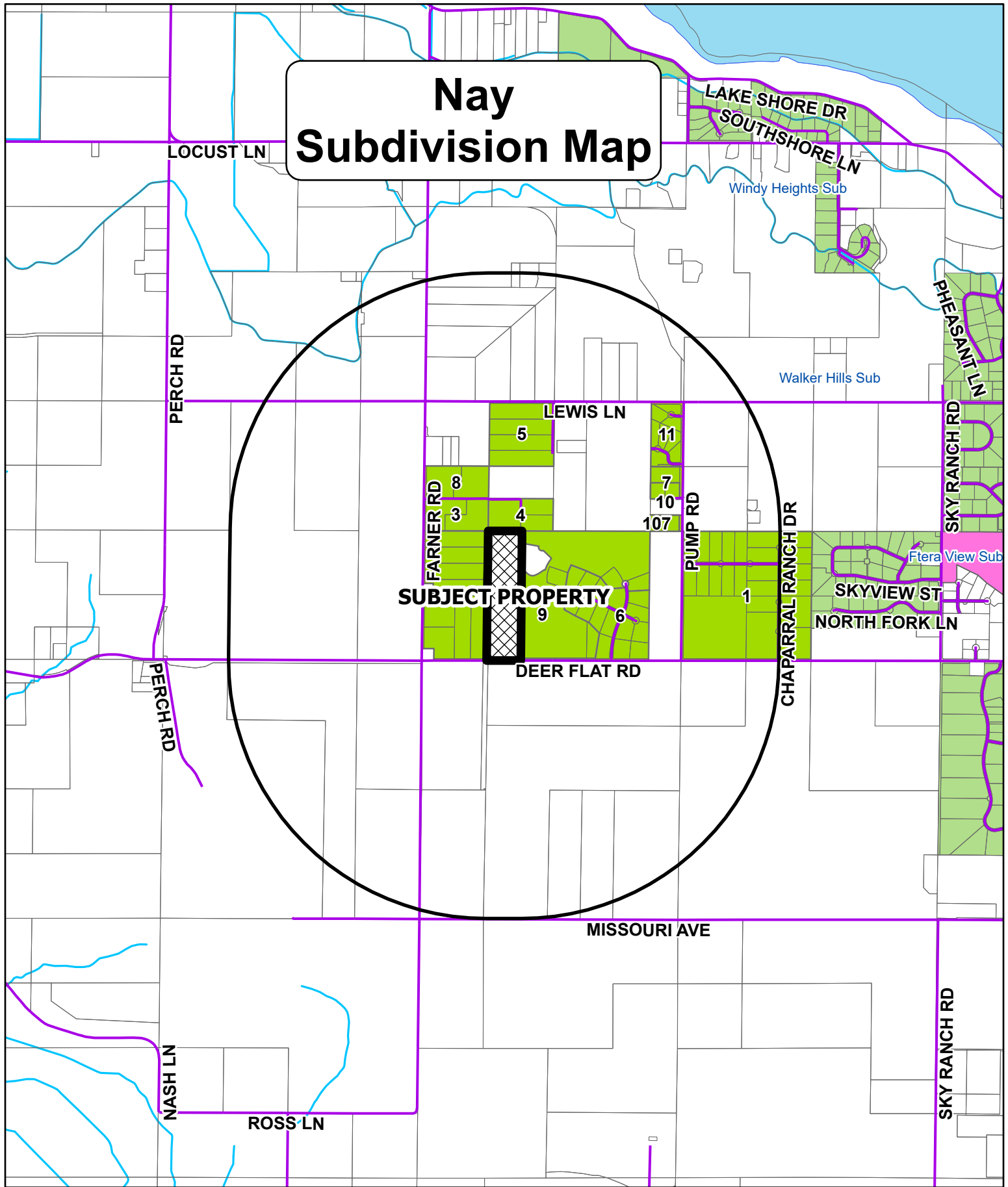
ITD Functional Classification

- C1
- CR-C1
- C2
- CR-C2
- M1
- CR-M1
- M2
- AG
- Interstate
- Major Collector
- Minor Arterial
- Minor Collector
- Other Principal Arterials

EXHIBIT
B2d



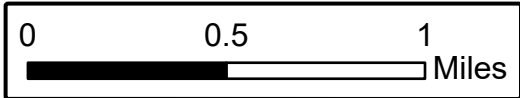
Nay Subdivision Map



Legend

- SUBDIVISIONS
- Plat Type, Plat Status**
- Preliminary, Approved
- Preliminary, Pending

**EXHIBIT
B2e**



SUBDIVISION & LOT REPORT				
NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE	
11	535.29	111	4.82	
NUMBER OF SUBS IN PLATTING	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE	
0				
NUMBER OF LOTS NOTIFIED	AVERAGE	MEDIAN	MINIMUM	MAXIMUM
17	25.81	9.78	3.00	121.13
NUMBER OF MOBILE HOME PARKS	ACRES IN MHP	NUMBER OF SITES	AVG HOMES PER ACRE	MAXIMUM
0				

PLATTED SUBDIVISIONS							
SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF...	Year
CHAPARRAL RANCH SUB	1	2N3W14	161.13	22	7.32	COUNTY (Canyon)	2002
MEADOW VISTA RANCH	2	2N3W15	78.37	42	1.87	COUNTY (Canyon)	2006
WAR EAGLE SUBDIVISION	3	2N3W15	20.16	2	10.08	COUNTY (Canyon)	2007
KIRK SUBDIVISION	4	2N3W15	20.12	2	10.06	COUNTY (Canyon)	2007
SALMON RIDGE SUBDIVISION	5	2N3W15	40.28	4	10.07	COUNTY (Canyon)	2007
CRYSTAL LAKES SUB PH 1	6	2N3W15	51.05	16	3.19	COUNTY (Canyon)	2008
GRANT'S ACRES	7	2N3W15	15.10	3	5.03	COUNTY (Canyon)	2009
TWO LOT SUB	8	2N3W15	20.17	2	10.08	COUNTY (Canyon)	2009
CRYSTAL LAKES SUBDIVISION PHASE 2	9	2N3W15	99.72	5	19.94	COUNTY (Canyon)	2015
REECE ESTATES SUBDIVISION	10	2N3W15	9.07	4	2.27	COUNTY (Canyon)	2018
HIPWELL ESTATES SUBDIVISION	11	2N3W15	20.13	9	2.24	COUNTY (Canyon)	2022

SUBDIVISIONS IN PLATTING						
SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE			

MOBILE HOME & RV PARKS						
SUBDIVISION NAME	SITE ADDRESS	ACRES	NO. OF SPACES	UNITS PER ACRE	CITY OF...	

Nay Dairy, Feedlot, and Gravel Pit Map

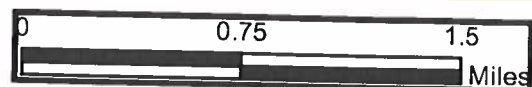
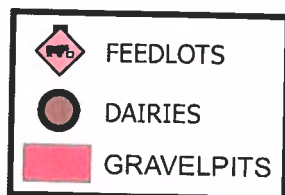
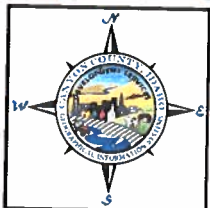
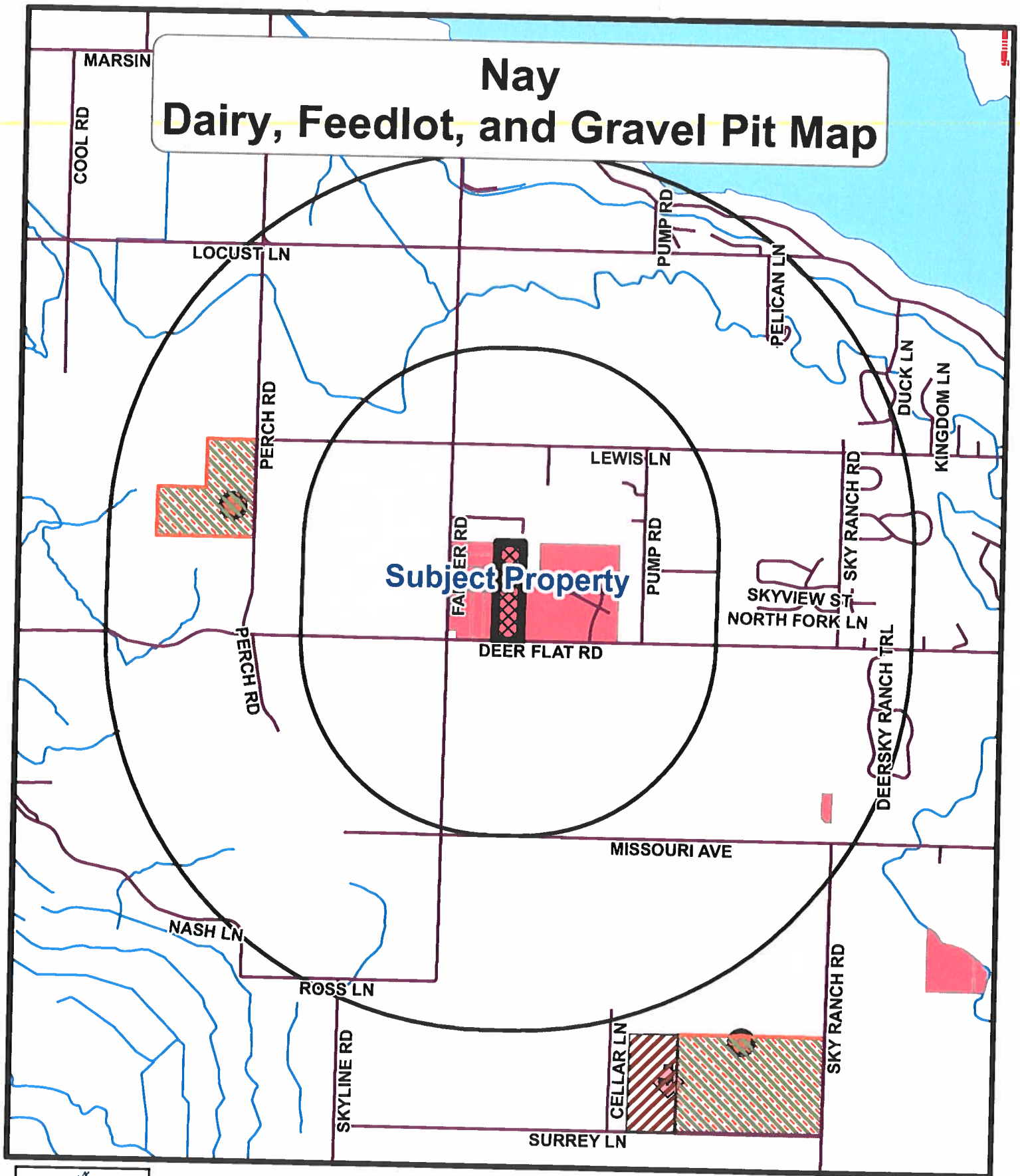
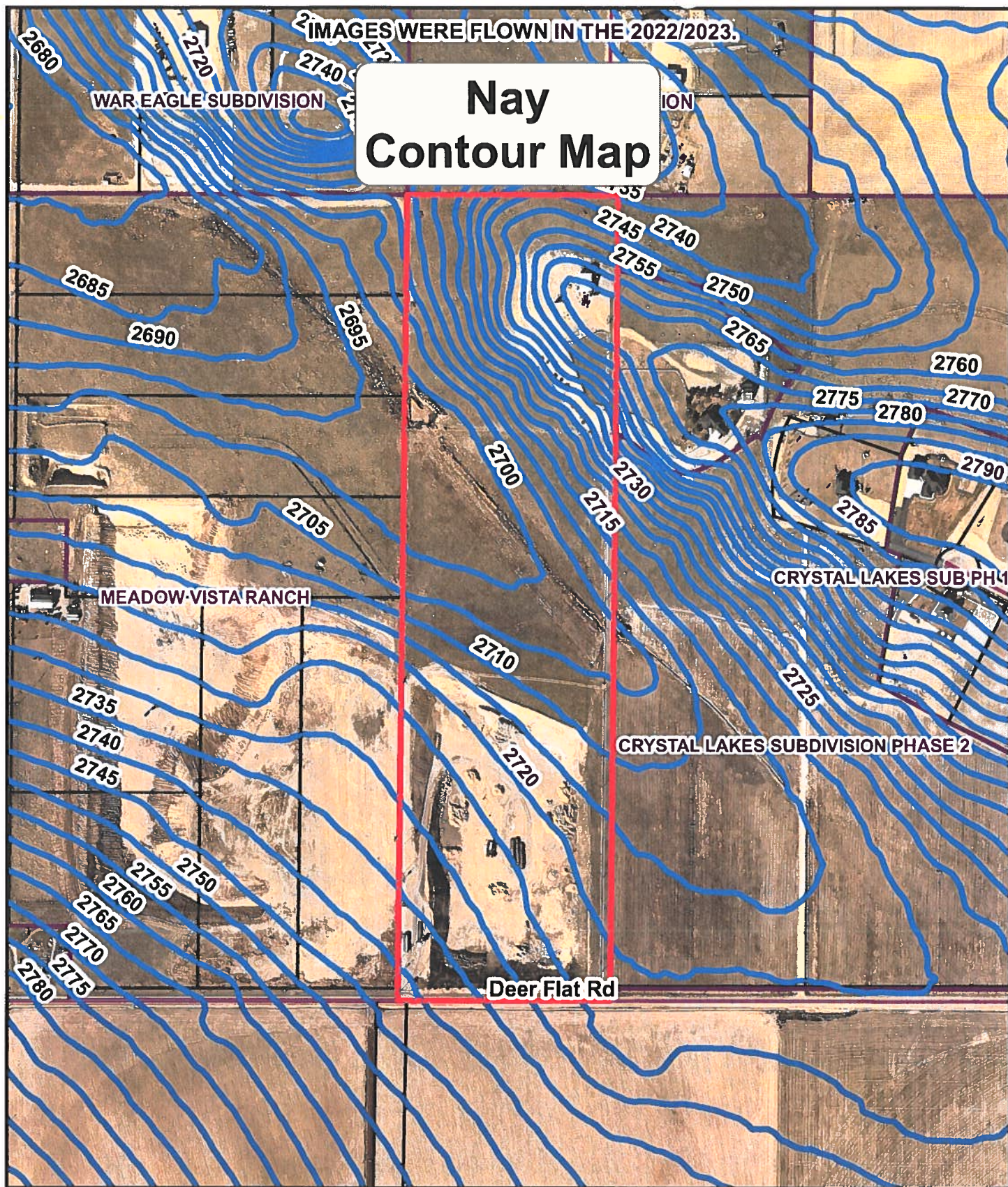


EXHIBIT
B2f



Legend

- SUBJECT_PROPERTY
- TaxParcels
- SectionContours
- Wetlands



**EXHIBIT
B2g**

TWO LOT SUB

IMAGES WERE FLOWN IN THE FALL OF 2016.

WAR EAGLE SUBDIVISION

Slope Percent Map

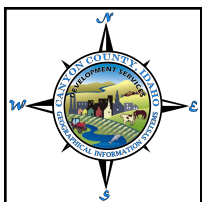
KIRK SUBDIVISION

MEADOW VISTA RANCH

CRYSTAL LAKES SUB PH 1

CRYSTAL LAKES SUBDIVISION PHASE 2

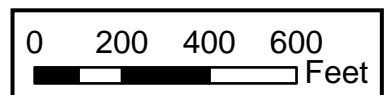
Deer Flat Rd



Slop Percent

0.001 - 3	9.001 - 12
3.001 - 6	12.001 - 14.999
6.001 - 9	15 - 202.718

EXHIBIT
B2g1



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

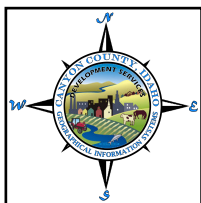
Nay Soil Map

Mountain Hawk

Farmer

Deer Flat

Crystal Quartz



Nitrate Priority Wells

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

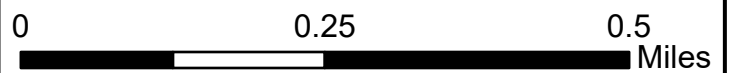


IDWR_2C_Geothermal_



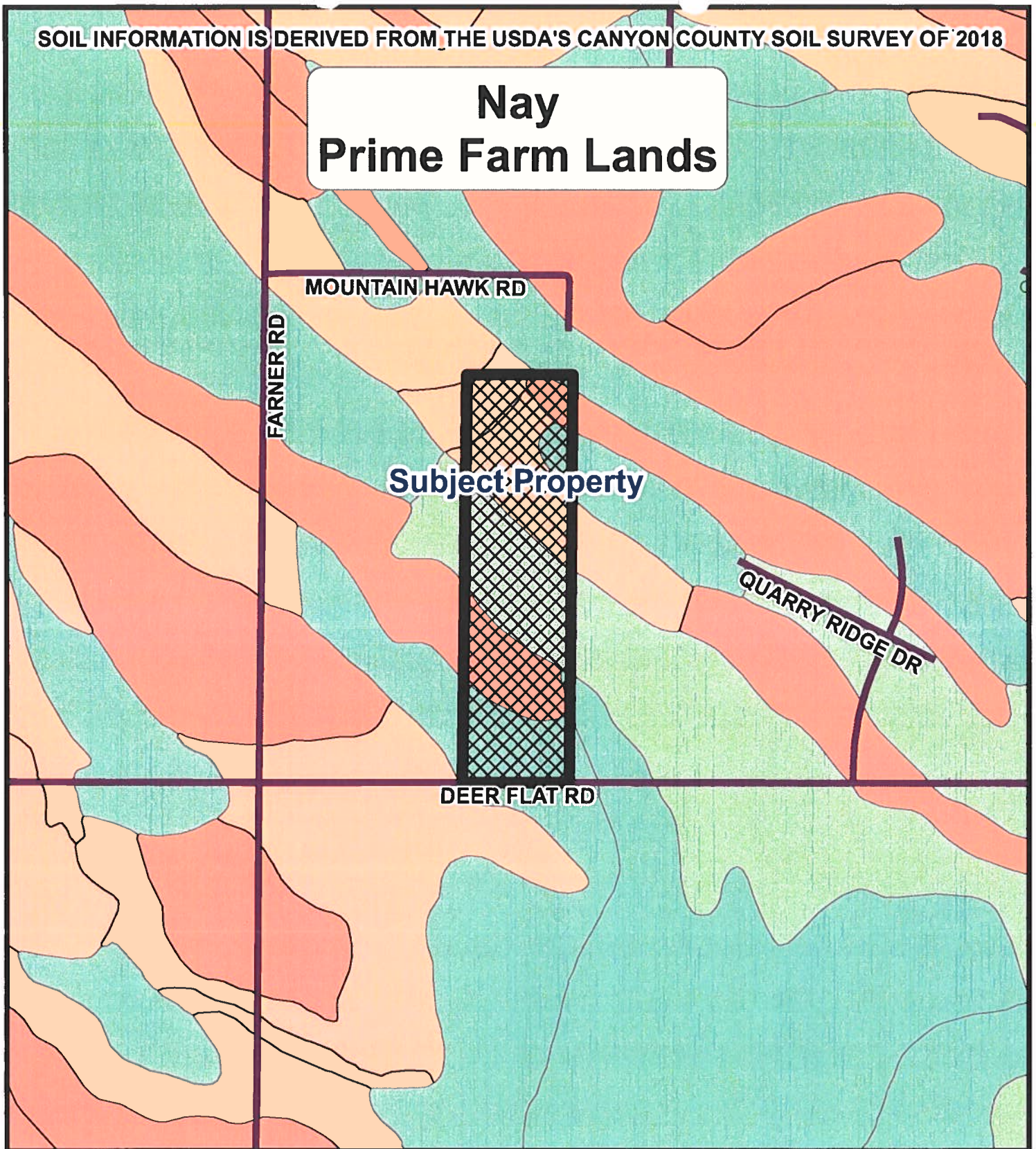
Wetlands

EXHIBIT
B2h



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

Nay Prime Farm Lands



- TAXLOTS
- City Limits
- WETLANDS
- 2C_Hydro

FARMLAND

- Farmland of statewide importance
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Not prime farmland
- Water/Gravel Pit/ Rock outcrop/ Riverwash/ Terrace Escarpments
- Prime farmland if irrigated
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and reclaimed of excess salts and sodium

EXHIBIT
B2i

0 0.125 0.25
Miles

SOIL REPORT

SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
4	MODERATELY SUITED SOIL	10933.56	0.25	0.59%
4	MODERATELY SUITED SOIL	117742.68	2.70	6.38%
4	MODERATELY SUITED SOIL	9234.72	0.21	0.50%
6	LEAST SUITED SOIL	404323.92	9.28	21.89%
4	MODERATELY SUITED SOIL	310626.36	7.13	16.82%
7	LEAST SUITED SOIL	67822.92	1.56	3.67%
4	MODERATELY SUITED SOIL	336849.48	7.73	18.24%
3	MODERATELY SUITED SOIL	70000.92	1.61	3.79%
3	MODERATELY SUITED SOIL	517971.96	11.89	28.05%
4	MODERATELY SUITED SOIL	1176.12	0.03	0.06%
		1846682.64	42.39	100%

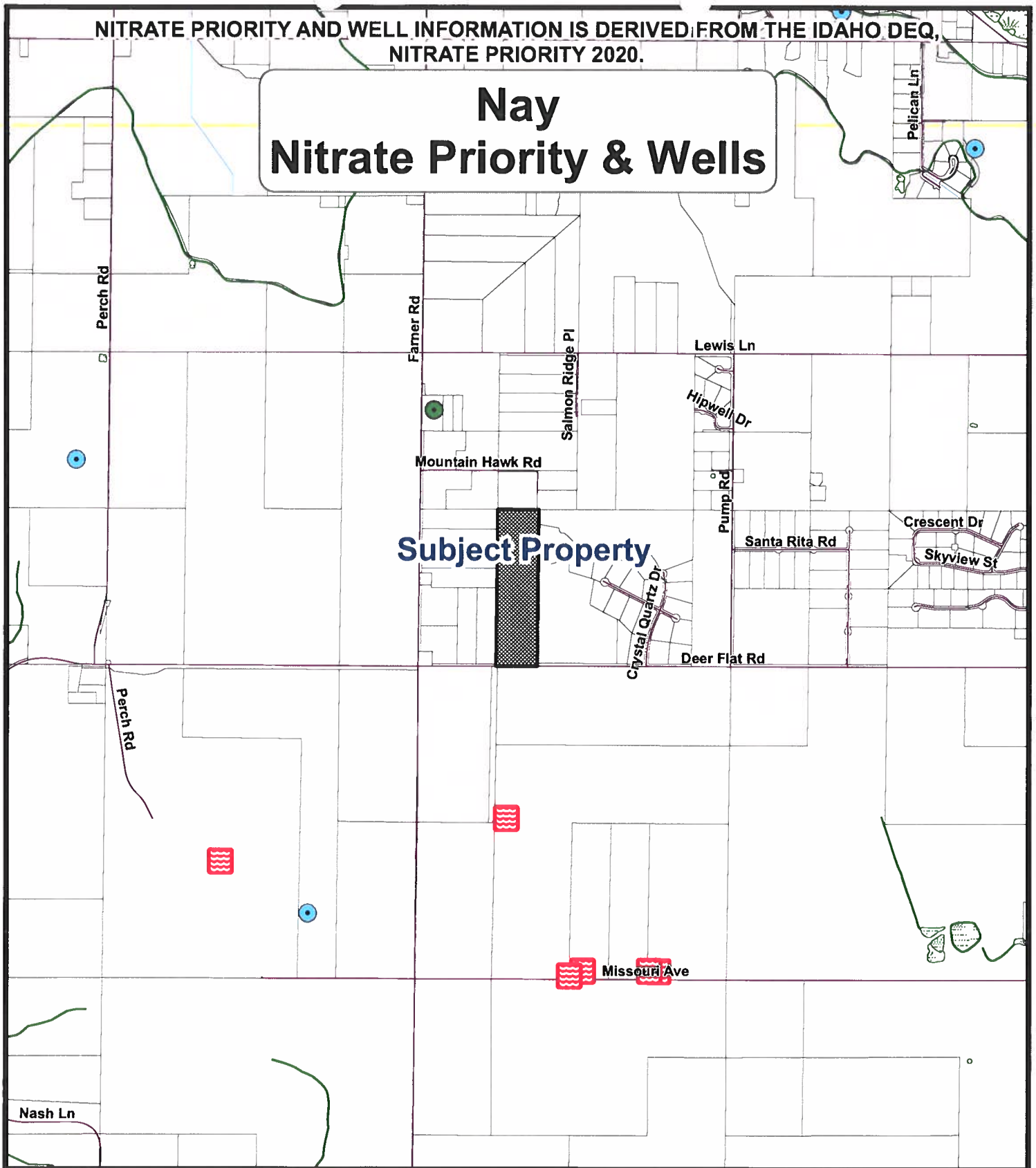
FARMLAND REPORT

SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
MkA	Prime farmland if irrigated	10933.56	0.25	0.59%
MnC	Farmland of statewide importance, if irrigated	117742.68	2.70	6.38%
MkB	Prime farmland if irrigated	9234.72	0.21	0.50%
MgE	Farmland of statewide importance, if irrigated	404323.92	9.28	21.89%
ScC	Not prime farmland	310626.36	7.13	16.82%
BaE	Not prime farmland	67822.92	1.56	3.67%
MkB	Prime farmland if irrigated	336849.48	7.73	18.24%
MgC	Prime farmland if irrigated	70000.92	1.61	3.79%
ScB	Prime farmland if irrigated and reclaimed of excess salts and sodium	517971.96	11.89	28.05%
MgD	Farmland of statewide importance, if irrigated	1176.12	0.03	0.06%
		1846682.64	42.39	100%

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

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

Nay Nitrate Priority & Wells



GEO-THERMAL LOCATIONS



WETLANDS



NITRATE_PRIORITY

DEQ WELLS
N03_MGL



0.005 - 2.00



2.000001 - 5.00

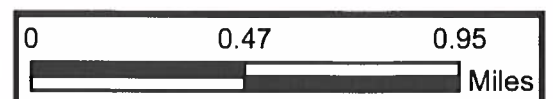


5.0000001 - 10.00

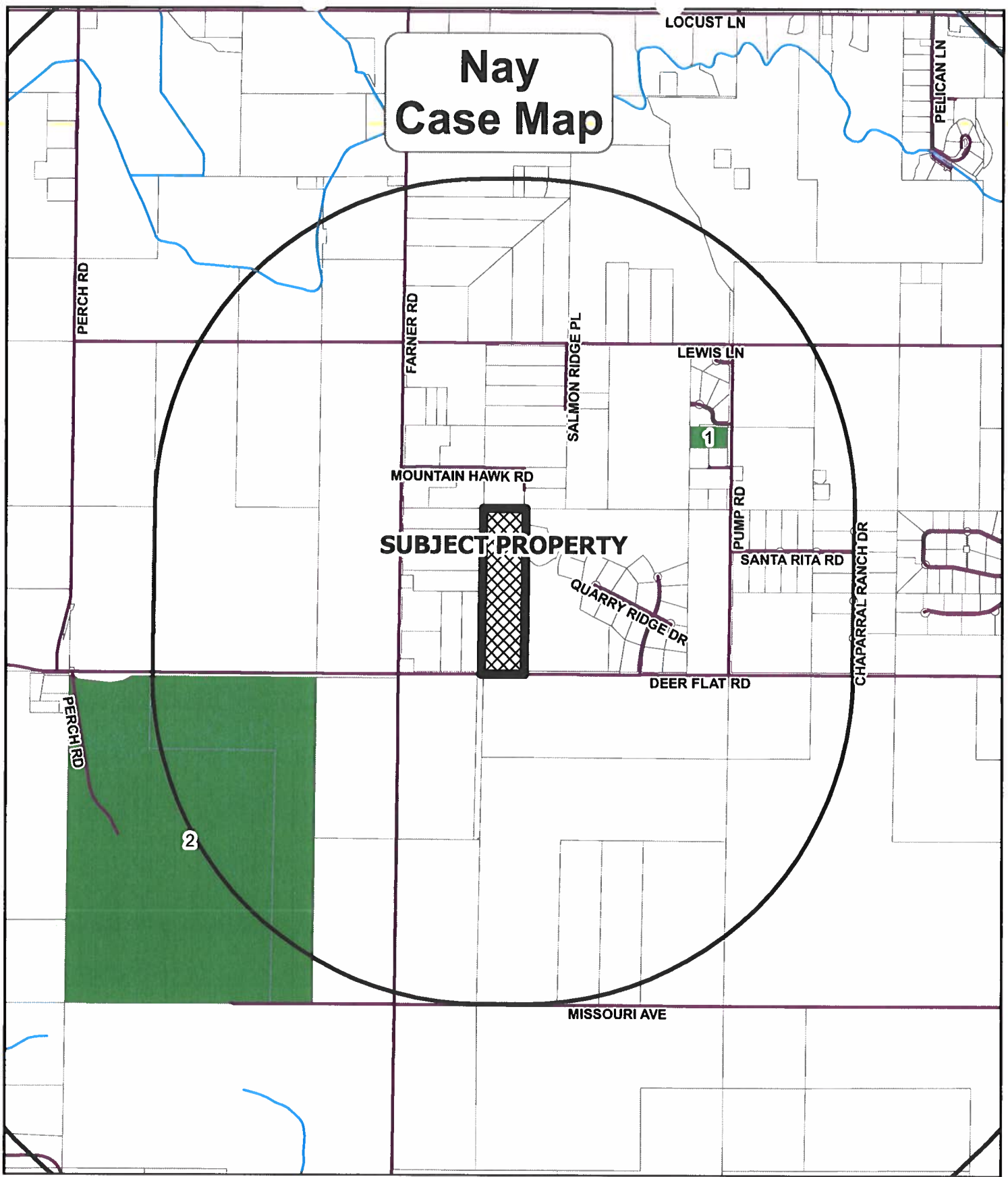


10.000001 - 49.80

EXHIBIT
B2j



Nay Case Map



YEAR			
2023	2020	2019	2018
2022	2021		

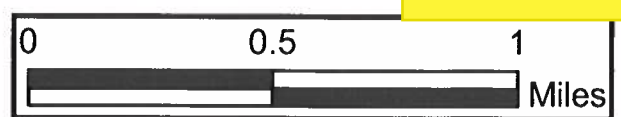
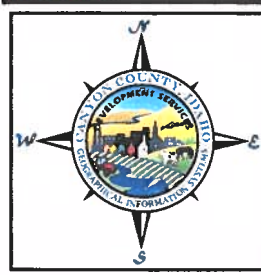
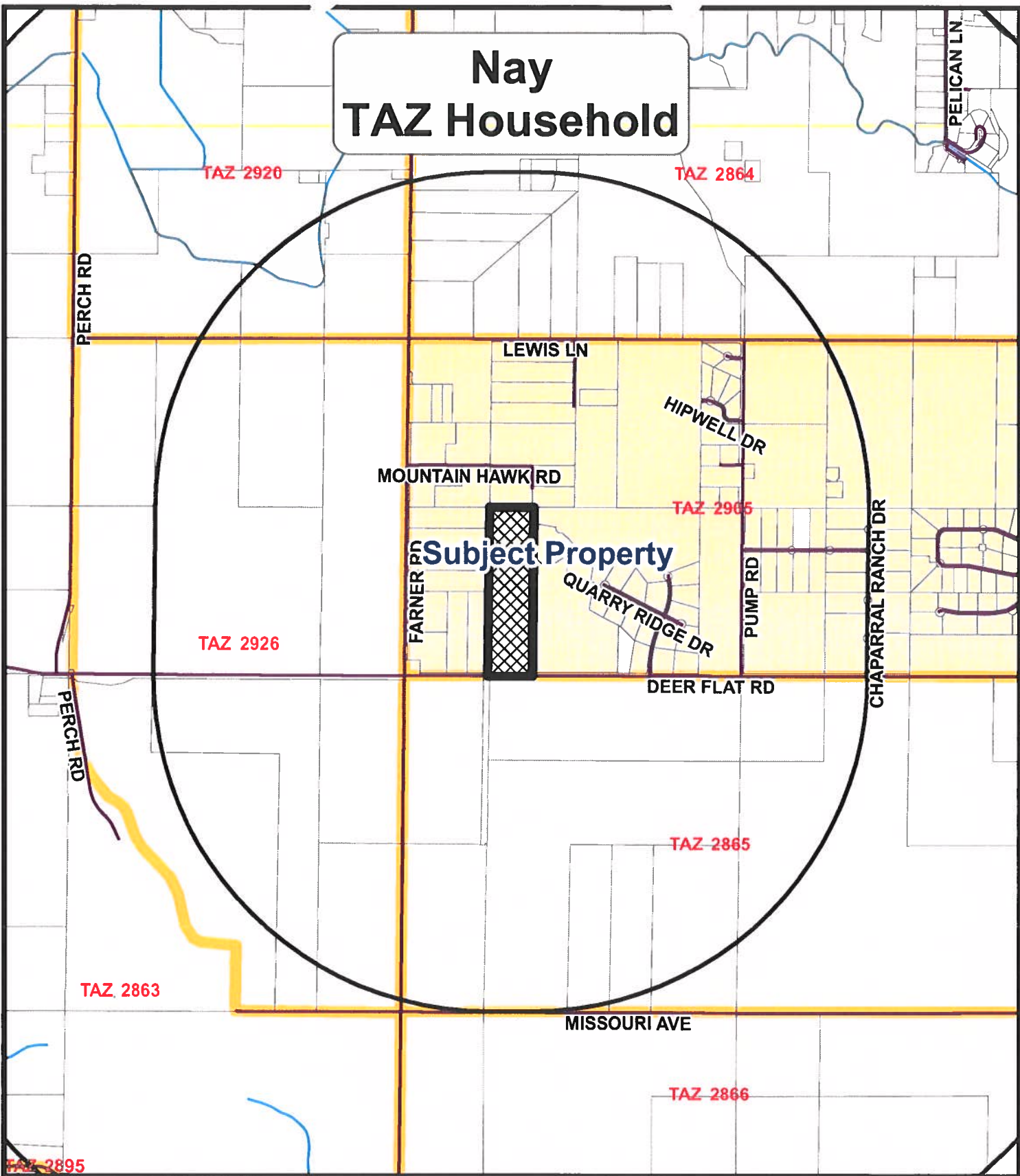


EXHIBIT
B2k

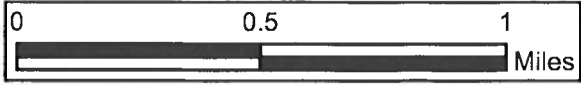
CASE SUMMARY				
ID	CASENUM	REQUEST	CASENAME	FINALDECIS
1	RZ2020-0001	Rezon AG to RR	Peterson	APPROVED
2	CU2020-0011	public facility landfill	Pickles Butte Landfill	APPROVED

Nay TAZ Household

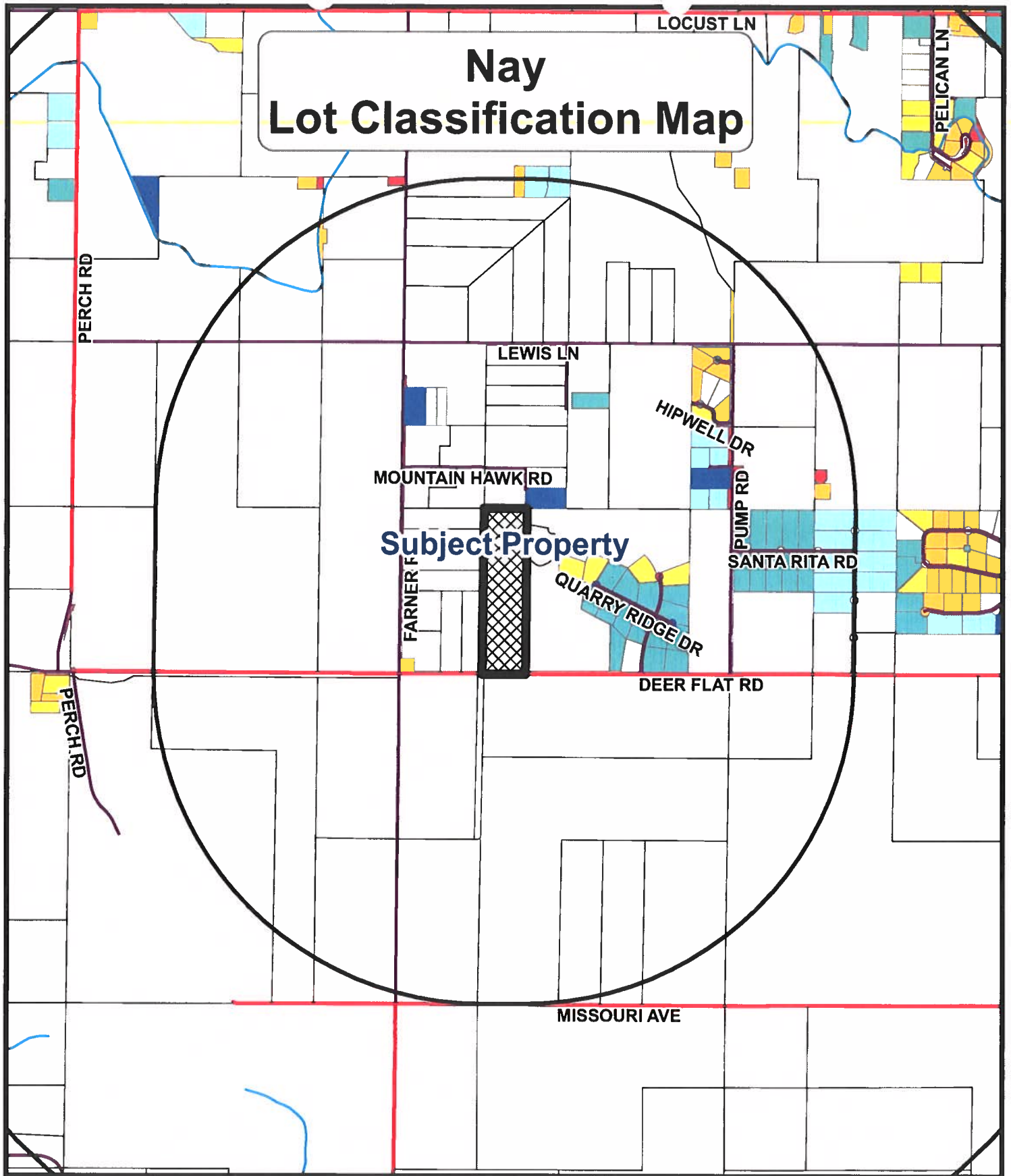


House Hold 2025-2050			
	-4 - 50		251 - 500
	51 - 150		501 - 750
	151 - 250		751 - 1263

EXHIBIT
B2I



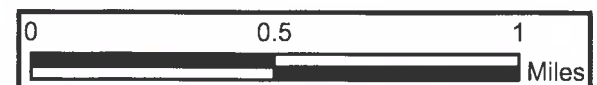
Nay Lot Classification Map



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

ITD Functional Classification	
—	Interstate
—	Minor Arterial
—	Major Collector
—	Minor Collector
—	Other Principal Arterials

**EXHIBIT
B2m**



COMMON LEGEND DATA

	INTERSTATE		COUNTY BOUNDARY
	INTERSTATE RAMP		IMPACT AREA
	STATE HIGHWAY		CITY LIMITS
	RESIDENTIAL ROAD		NAVIGABLE WATERWAY
	RAILROAD		SUBJECT PROPERTY
	MINOR WATERWAYS		SUBDIVISIONS

FEMA ZONES

	FEMA FLOODWAY
	A
	AE
	AH
	AO
	X

	NITRATE PRIORITY AREA
--	-----------------------

SUBDIVISION MAP

	PLATTED SUBDIVISIONS
	SUBDIVISIONS IN PLATTING
	MOBILE HOME PARKS

SMALL AERIAL CONTOUR MAP

	CONTOUR ELEVATION
--	-------------------

*** ZONING CLASSIFICATIONS THAT MAY HAVE LIMITING CONDITIONS ***

ZONING

	RR (RURAL RESIDENTIAL)
	CR-RR (RURAL RESIDENTIAL - COND REZONE)
	R1 (SINGLE FAMILY RESIDENTIAL)
	CR-R1 (FAMILY RESIDENTIAL - COND REZONE)
	R2 (MEDIUM DENSITY RESIDENTIAL)
	C (COMMERCIAL - 1965 ZONING ORD.)
	C1 (NEIGHBORHOOD COMMERCIAL)
	CR-C1 (NEIGHBORHOOD COMMERCIAL - COND REZONE)
	C2 (SERVICE COMMERCIAL)
	CR-C2 (SERVICE COMMERCIAL - COND REZONE)
	(LIGHT INDUSTRIAL)
	CR-M1 (LIGHT INDUSTRIAL - COND REZONE)
	M2 (HEAVY INDUSTRIAL)
	AG (AGRICULTURAL)

FUNCTIONAL CLASSIFICATION (2035)

	Interstate
	Expressway
	Proposed Expressway
	Principal Arterial
	Proposed Principal Arterial
	Minor Arterial
	Proposed Minor Arterial
	Collector
	Proposed Collector

SOIL CAPABILITY MAP

	CLASS I - BEST SUITED
	CLASS II - BEST SUITED
	CLASS III - MODERATELY SUITED
	CLASS IV - MODERATELY SUITED
	CLASS V - MODERATELY SUITED
	CLASS VI - LEAST SUITED
	CLASS VII - LEAST SUITED
	CLASS VIII - LEAST SUITED

Year

	2020
	2021
	2022
	2023
	2024

Caldwell City Comp Plan

	City Center
	Residential Estates
	Low Density
	Medium Density
	High Density
	Commercial
	Industrial
	Public

GRAVEL PITS, DAIRIES, & FEEDLOTS MAP

	DAIRY LOTS
	FEEDLOTS
	GRAVEL PITS

NITRATE PRIORITY & WELLS

	GEO-THERMAL LOCATIONS
	WETLANDS
	NITRATE_PRIORITY

	DEQ WELLS NO3_MGL
	0.005 - 2.00
	2.00 - 5.00
	5.00 - 10.00
	10.00 - 49.00

Nampa City Com Plan

	Ag
	LD_Res
	MD_Res
	HD_Res
	Residential Mixed Use
	Community Mixed Use
	Neighborhood Commercial
	Highway Commercial
	General Commercial
	Business Park
	Downtown
	Employment Center
	Light Industrial
	Heavy Industrial
	Parks
	Public
	Airport

Future Land Use 2030

	COMMERCIAL
	INDUSTRIAL
	RESIDENTIAL

FUTURE LAND USE 2011-2022

	COMMERCIAL
	INDUSTRIAL
	RESIDENTIAL

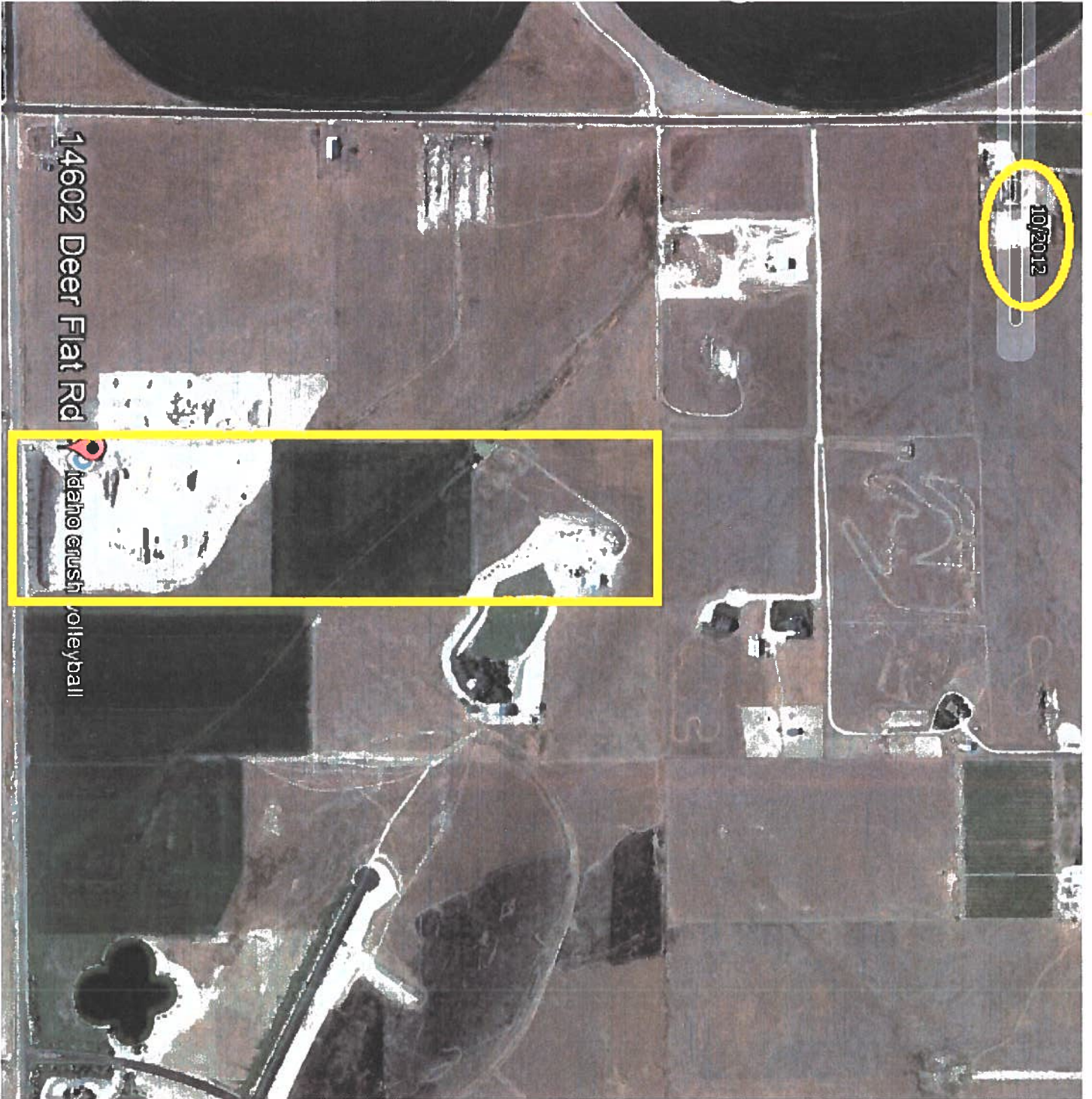
PRIME FARMLANDS MAP

	Farmland of statewide importance
	Farmland of statewide importance, if irrigated
	Farmland of statewide importance, if irrigated and reclaimed
	Not prime farmland
	Water/Gravel Pit/ Rock outcrop/ Riverwash/ Terrace Escarpments
	Prime farmland if irrigated
	Prime farmland if irrigated and drained
	Prime farmland if irrigated and reclaimed

LOT CLASSIFICATION

	0.0 - 1.0 Acres
	1.0 - 2.0 Acres
	2.0 - 3.0 Acres
	3.0 - 4.0 Acres
	4.0 - 5.0 Acres

EXHIBIT
B2n



2012

EXHIBIT
B3

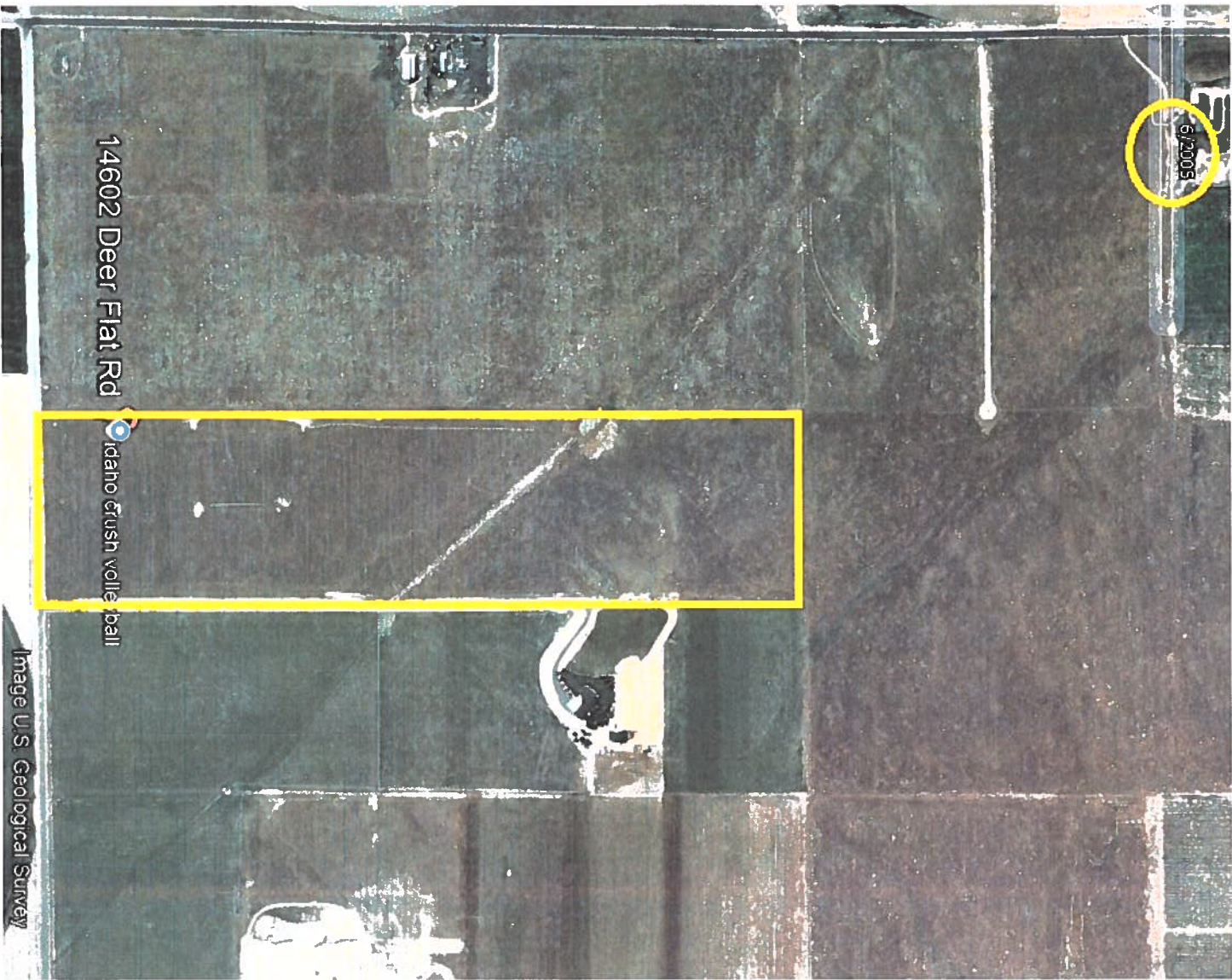
8/2009

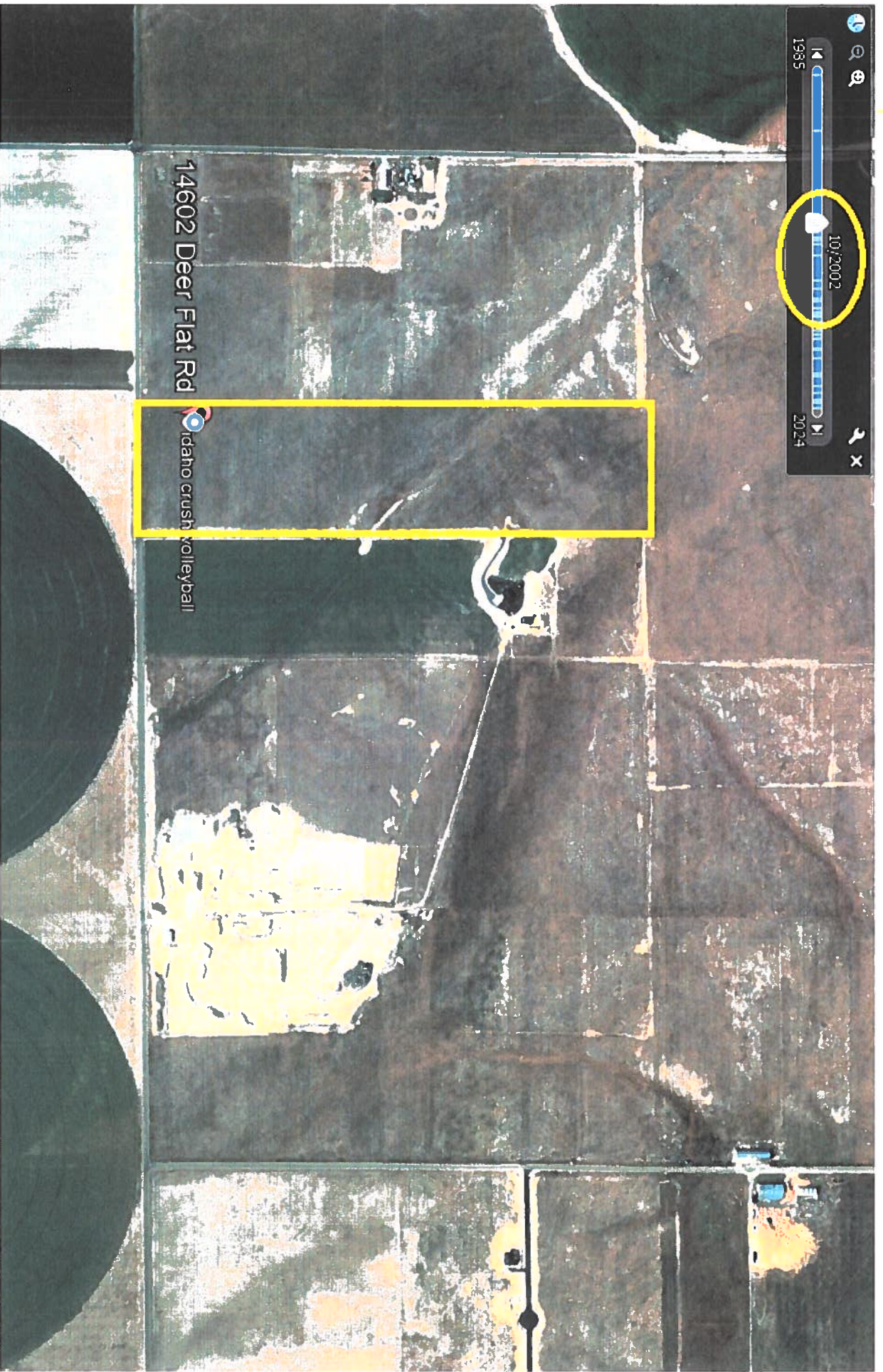
14602 Deer Flat Rd

Idaho Crush Volleyball

2009

2005





2002

Debbie Root

From: Paul Nay <tci_@msn.com>
Sent: Thursday, January 23, 2025 5:03 PM
To: Debbie Root
Subject: [External] Re: R30127 14602 Deer Flat Road

We are not grazing livestock or growing crops. We do have material storage on the property from remaining gravel material from the mining operations. To my knowledge we have not applied for a tax exemption other than for the homeowner's exemption for the living space in the structure on the property.

Paul Nay
(208) 941-0638 (cell)

From: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Sent: Thursday, January 23, 2025 4:03 PM
To: 'Paul Nay' <tci_@msn.com>
Subject: R30127 14602 Deer Flat Road

Mr. Nay,

Do you currently utilize the Deer Flat property for grazing of livestock? Growing crops? It appears you are receiving a tax exemption. Please describe:

Respectfully,

Deb Root, MBA
Canyon County Development Services
debbie.root@canyoncounty.id.gov
208-455-6034



Canyon County

Development Services Department

111 North 11th Ave., Suite 310, Caldwell, ID 83605

Phone 454-7458 Fax 454-6633

www.canyoncounty.id.gov/dsd

Tracking Number:

PI2022-0034

Office Visit Date:

2/8/2022

Parcel Inquiry/Research Summary

Site Address: 0 DEER FLAT RD
Nampa ID 83686

Assessor Account #: 30127000 0

Property Owner: TRIPLE CROWN INVESTMENTS LLC

NAMPA ID 83687

Person Inquiring: NAY PAUL

Phone Number: 2084677389

Section:	City Impact Area:	
Township:	Flood Zone:	
Range:	Subdivision:	
1/4 Sec:	Lot:	Staff Member:
Acres: 42.39	Block:	JENNA PETROLL
Zone:		

Discussion Summary

Specific Question Detail: Splits? Rezone to commercial?

Specific Answer Detail: Parcel 30127 is an original parcel according to the property boundary adjustment amended decision (PLA2011-3). It currently is using one of its building permits (BP2006-1266) for a single-family residence with an attached garage. The parcel is currently zoned as agriculture (AG), which allows for a primary dwelling and a secondary dwelling. Ag zoned parcels are allowed two residential parcels, so a secondary residence is still available on the parcel as is. If the client wishes to split the original parcel while it is its current zoning (AG), the parcel would be able to be split into two residential parcels with a minimum size of one acre (07-18-01), and the current dwelling must be included in one of the residential parcels.

The applicant could pursue a conditional rezone for parcel R30127 changing from AG to an R-R zone. Parcels directly to the east of the inquired parcel are zoned as R-R. If a rezone were to be approved, the parcel could split into no more than four parcels without triggering platting. These parcels must fit Canyon County Code and have a minimum lot size of 2 acres (07-10-21). Please keep in mind that currently ingress/egress is from an easement on the east side of the property, according to our code having more than two dwellings utilizing this easement would trigger a private road and road use maintenance agreement.

As asked about in the Parcel Inquiry, attempting to rezone the southern end of parcel 30127 for commercial use does not fit its surroundings, and at this time would be recommended for denial. If the owner does want to separate off the gravel pit from the rest of the parcel, they could split it off with an administrative land division, but it would remain zoned as AG.

The property research information presented today by the Development Service Department (DSD) is based on the current ordinance and policies, in effect on the date of the summary, and based on your representations and information you have provided about the subject property. This information is valid only at the time of the inquiry and may change when the subject property, ordinances, or policies change. Then information becomes certain, and not subject to change, when DSD accepts an application and fees are paid. Changes to the subject property may invalidate this information.

Director/Staff: CLamb

Date: March 22, 2022

R30127

PARCEL INFORMATION REPORT

3/22/2022 11:04:23 AM

PARCEL NUMBER: R30127

OWNER NAME: TRIPLE CROWN INVESTMENTS LLC

CO-OWNER:

MAILING ADDRESS: 455 S KINGS RD NAMPA ID 83687

SITE ADDRESS: 0 DEER FLAT RD

TAX CODE: 0550000

TWP: 2N

RNG: 3W

SECTION: 15

QUARTER: SW

ACRES: 42.40

HOME OWNERS EXEMPTION: No

AG-EXEMPT:

DRAIN DISTRICT: NOT In Drain Dist

ZONING DESCRIPTION: AG / AGRICULTURAL

HIGHWAY DISTRICT: NAMPA HWY DIST

FIRE DISTRICT: UPPER DEER FLAT FIRE

SCHOOL DISTRICT: VALLIVUE SCHOOL DIST

IMPACT AREA: NOT In Impact Area

FUTURE LAND USE: Res

IRRIGATION DISTRICT: NOT In IRRIG_DIST

FEMA FLOOD ZONE: X

FEMA FLOODWAY: NOT In FLOODWAY

FIRM PANEL NUMBER: 16027C0375F

WETLAND: NOT In WETLAND

NITRATE PRIORITY: NO Nitrate Prio

PRINCIPAL ARTERIAL: NOT In Principal Art

COLLECTOR: COLLECTOR

INSTRUMENT NO. : 2014021713

SCENIC BYWAY: NOT In Scenic Byway

LEGAL DESCRIPTION: 15-2N-3W SW TX 14239 IN E 1/2 OF SW

PLATTED SUBDIVISION:

SMALL CITY ZONING:

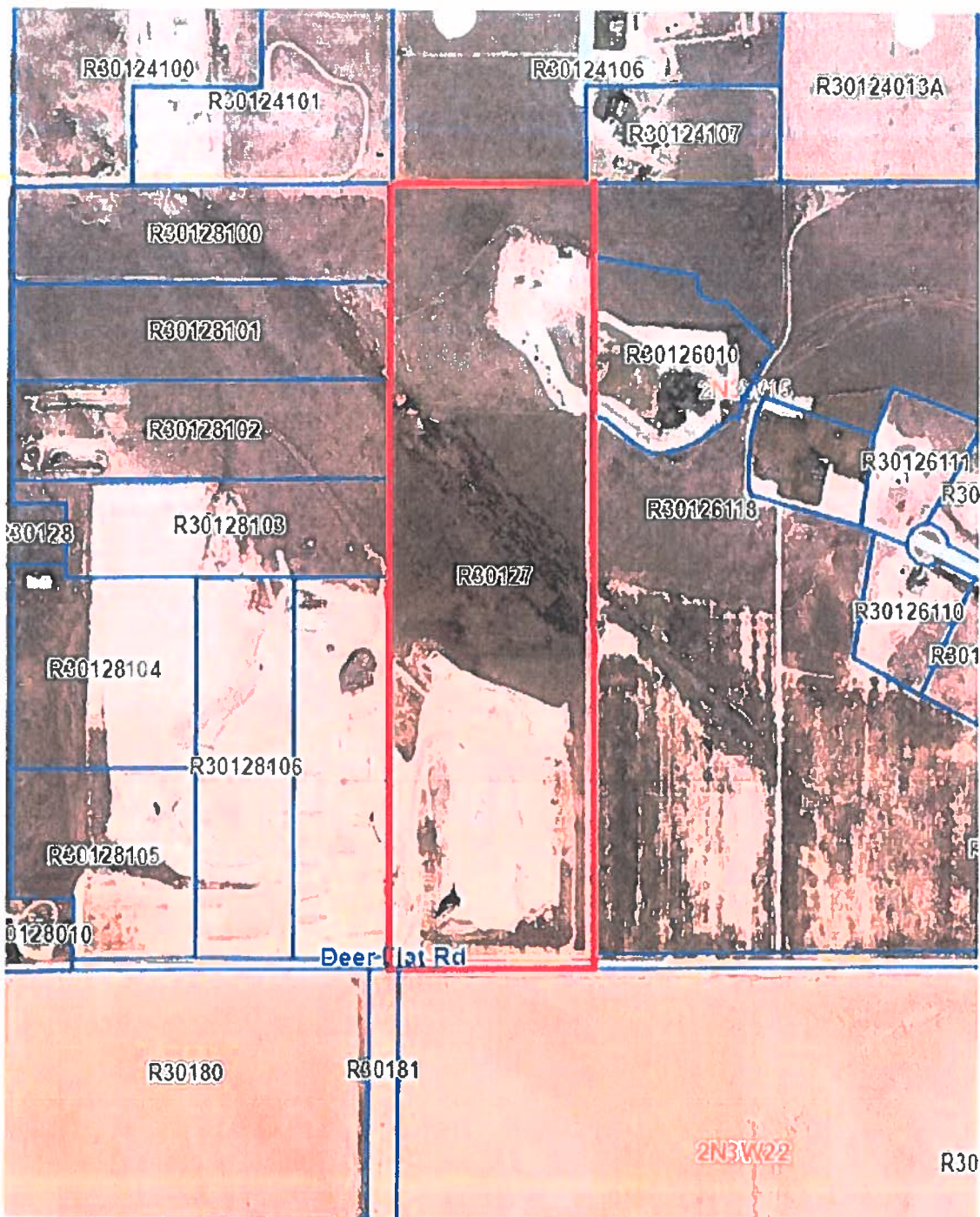
SMALL CITY ZONING TYPE:



DISCLAIMER:

1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS. POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER
2. THIS FORM DOES NOT CALCULATE DATA FOR PARCELS INSIDE CITY LIMITS SO WATCH YOURSELVES.
3. WETLANDS CLASSIFICATION WILL POPULATE IF "ANY" PORTION OF SAID PARCEL CONTAINS A DELINEATED WETLAND.
4. COLLECTORS AND ARTERIALS ARE BASED ON THE SHERRIFFS CENTERLINE WITH AN ADDITIONAL 100 FOOT BUFFER.

CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR MISUSE
OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.





Director Decision

Property Boundary Adjustment:

Canyon County Code of Ordinances 11-003 07-10-17 (as amended by 12-008)

DSD

AMENDED DECISION

Case Number: PLA2011-3

Parcel # (s): R30126, R30126-010 & R30127

Property Owner/Applicant(s): Dan and Marcy Hukill and Crystal Lakes Development Co.

Request: Dan and Marcy Hukill have requested to amend the 4/14/11 decision and revise the property boundary adjustments between parcels R30126, R30126-010 and R30127. The amendment will include increasing the size of R30126-010 from 5.034 acres to 6.49 acres this includes modifying the ingress/egress road access. The current 31.2 foot strip of land that contains the access road to R30127 and R30126-010, previously included with the parcel R30126-010, will revert to R30127 and a 31.2 foot ingress/egress easement (as shown on ROS 2013-047760) on R30127 will provide access to R30126-010. R30127 will increase from 40.461 to the original approximate 42.4 acres. Parcel R30126 will decrease in size from 104.524 to 101.73 acres.

Finding: The properties are eligible for a property boundary adjustment. The adjustment does not create additional parcels. The adjustment does not result in the relocation of a building permit as defined by the DSD Director. Parcel R30127 is an original parcel and neither parcel is platted. The 31.2 foot easement met ordinance requirements at the time the residence was constructed. This application with supporting documents is in substantial compliance with the requirements of the effective zoning ordinance section 07-10-17. The properties will change as follows:

ORIGINAL 4-14-11 APPROVAL Inst. #: 2011015208

Parcel #:	Existing Acreage	New Acreage
R30126-010	3.5 acres more or less	5.037 acres more or less
R30127	42.4 acres more or less	40.461 acres more or less

HEREBY AMENDED TO THE FOLLOWING:

Parcel #:	Existing Acreage	New Acreage
R30126	104.524 ac more or less	101.73 acres more or less
R30126-010	5.037 acres more or less	6.49 acres more or less
R30127	40.461 acres more or less	42.39 acres more or less

Decision: The application to complete a property boundary adjustment between parcels R30126, R30126-010 and R30127 is **APPROVED** and the development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the property.

The application documents, including the metes and bounds description(s) and, if applicable, the record of survey and/or perpetual easement(s) for ingress/egress evidence the land division tentatively approved. Therefore, the administrative property boundary adjustment is hereby approved Idaho Right to Farm Act (Idaho Code § 22-4503) applies to this land use decision.

Leticia A. Nelson
Director

October 24, 2013
Date

CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pg#1 RECORD1 \$5.00
SURVEY
QUADRANT CONSULTING

234-15 3.00.00 00
234.15-2.00-00-00

LOCATED IN PORTIONS OF THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 2 NORTH, RANGE 3 WEST, BOISE METROPOLITAN CANYON COUNTY, IDAHO

CERTIFICATE OF OWNERSHIP

David M. L. L.

Margaret S. Shih
MARGARET S. SHIH

ACTIVATION INSTRUCTIONS

[illegible][illegible]

ORDERED BY: 1/27/2012
DATE: SECTION 144

CONDUCT OF SURVEY

[illegible][illegible]

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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Canyon County Zoning
Map Detail—Commercial
and Industrial Zoning on
Hwy 45 Corridor

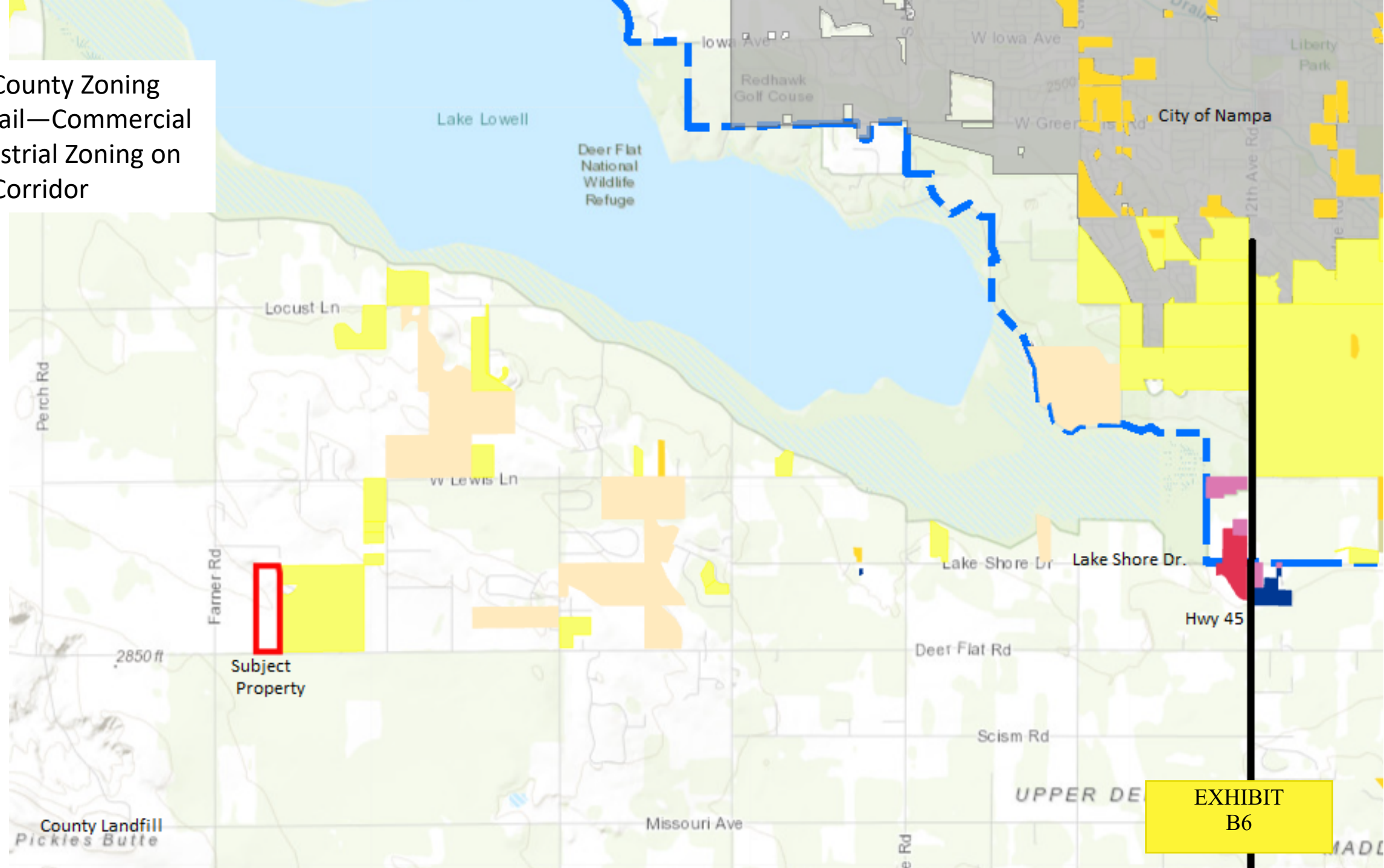


EXHIBIT
B6



This demonstrates that the mineral extraction site on the subject property that is proposed for commercial re-development could be graded and developed consistent with the 2020 Plan and surrounding residential uses.

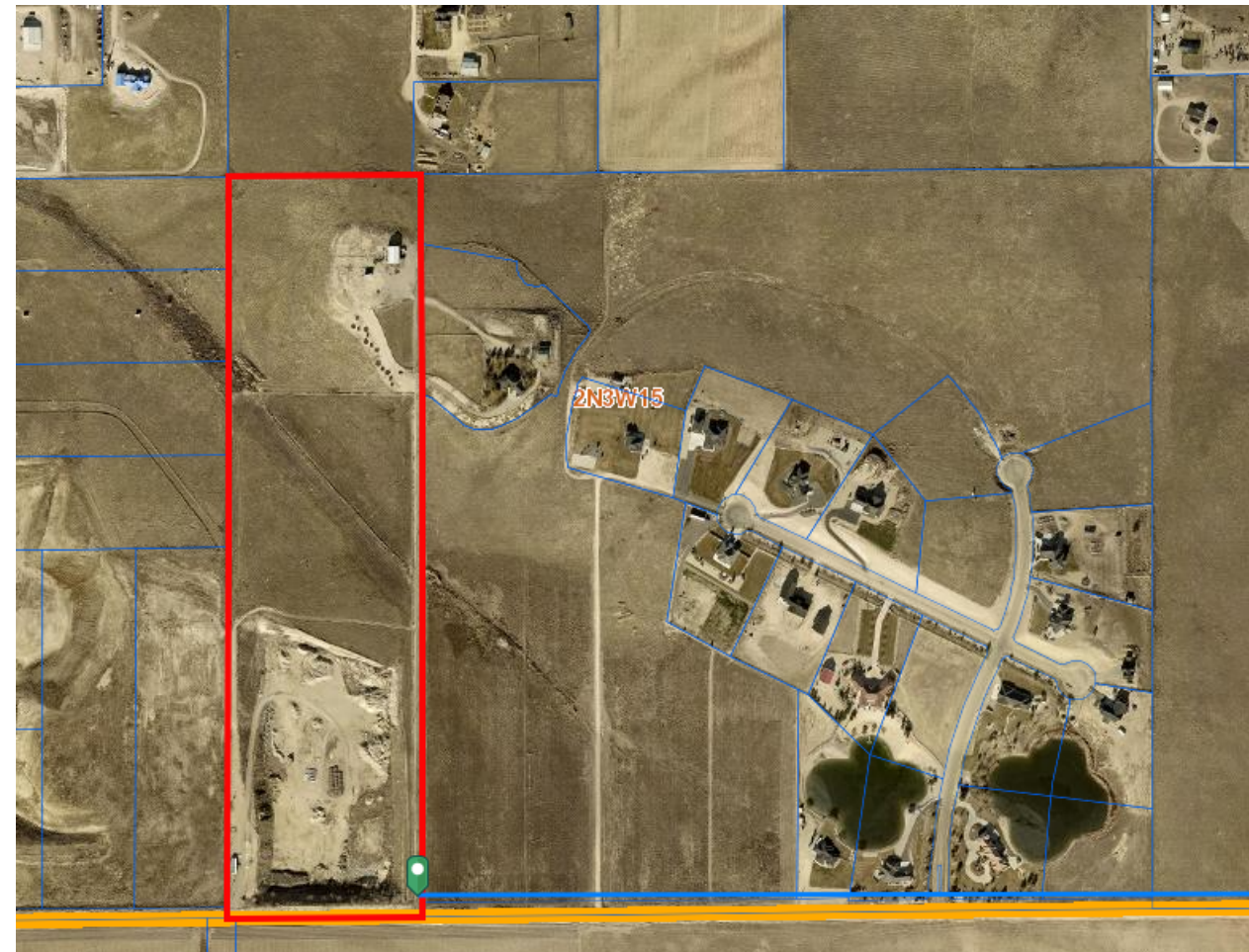


EXHIBIT
B7

EXHIBIT C

Site Visit Photos:

Case# CR2022-0030

C

CR2022-0030 CONDITIONAL REZONE of 42.40 acres of “A” (AGRICULTURE) zoned property to:

CR-RR (CR-RURAL RESIDENTIAL) of approximately 24.76 acres &

CR-C1 (CR-NEIGHBORHOOD COMMERCIAL) of approximately 17.62 acres

SITE PHOTOS:





5-17-25 PHOTO
from northeast in Crystal Lakes
development looking southwest





The bulk of the mineral extraction floor can be viewed from the residences that are located within the Crystal Lakes Development. Screening may be a possibility with evergreen type trees along the elevated boundaries to help to screen the proposed parking lot. Providing sufficient irrigation water to maintain landscaping in living condition may be difficult –but should be a condition if trees are required for mitigation.



From near the intersection of Farner and Deer Flat Road looking northeasterly across Meadow Vista Ranch. The white shop/residence sits in the northeast corner of the subject property. The character of the area is agricultural with large lot development.



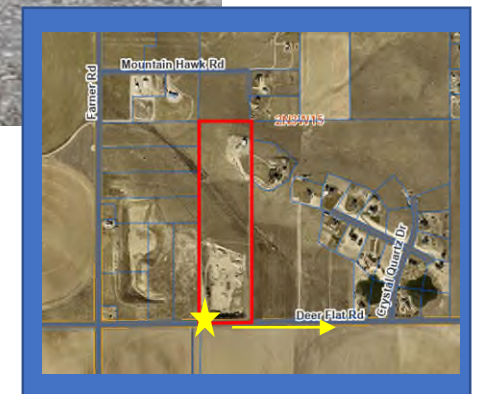


Southwest corner of subject property
looking northwesterly





From southwest corner of property (mineral extraction entrance) looking eastward on Deer Flat Road. Crystal Lakes Development to the left and large scale agriculture to the right.





From the southwest corner road into mineral extraction site with a neighboring residence to the east and the shop/residence on the subject property in the distance.

Below: looking from road berm into extraction site and Crystal Lakes development in the distance.





Stitched photos: From southwest corner berm into floor of extraction site. Crystal Lakes Estates in the distance.





From southwest corner berm facing easterly. Crystal Lakes Estates in the distance.





From subject property near southwest corner
southeasterly view





Pickles Butte Landfill



From subject property near southwest corner
south view





From subject property near southwest corner
southwesterly view





Stitched photos

At residence driveway entrance from Deer Flat Road looking northwesterly across subject parcel, north, and northeast towards Crystal Lakes development





At residence driveway entrance from Deer Flat Road looking westerly across subject parcel.



EXHIBIT D
Agency Comments Received
Case# CR2022-0030

D

NAMPA HIGHWAY DISTRICT NO. 1

May 3, 2023

To: Samantha Hammond
Canyon County Development Services

From: Eddy Thiel
Right-of-way Tech

Re; CR2022-0030 Conditional Rezone for Paul Nay

I have reviewed the request from Paul Nay for the approval of the conditional rezone of property located at 14602 Deer Flat Rd with no date of Transmission received on 5/3/23.

Comments are based upon information provided to the Highway District by Canyon County Development Services and from the Patron. Nampa Highway District #1 has no objection to the conditional rezone subject to the following information and the submittal of item #4:

1. The Subject property is adjacent to Deer Flat Rd.
2. NHD#1 Functional Classification of Deer Flat Rd. is Rural Minor Arterial Roadway.
3. No new direct access is permitted to Arterial Roadways. They will need to use the existing accesses but will require upgraded paved aprons per ACCHD Standards.
4. Patron will need to Submit the required Land Split Application and a sketch that identifies the above-mentioned accesses.

All comments above are based on the ACCHD Standards Manual and Nampa Highway District #1 Supplementals.

Nampa Highway District #1 reserves the right to provide amended comments/conditions of approval subject to the formal review by the Highway District, Plat revisions, and/or revisions to the ACCHD Standards Manual or NHD#1 Supplementals.



Debbie Root

From: Debbie Root
Sent: Tuesday, December 17, 2024 11:26 AM
To: Debbie Root
Subject: FW: [External] RE: Agency Notification / Paul & Michelle Nay / CR2022-0030

From: D3 Development Services <D3Development.Services@itd.idaho.gov>
Sent: Tuesday, December 17, 2024 9:31 AM
To: Jennifer Almeida <Jennifer.Almeida@canyoncounty.id.gov>
Subject: [External] RE: Agency Notification / Paul & Michelle Nay / CR2022-0030

Hello,

After careful review of the transmittal submitted to ITD on December 9, 2024 regarding, Paul & Michelle Nay/CR2022-0030, the Department has no comments or concerns to make at this time. This application does not meet thresholds for a Traffic Impact Study nor does it pose any safety concern. If you have any questions please contact Niki Benyakhlef at (208) 334-8337/ Niki.Benyakhlef@itd.idaho.gov.

Thank you

Mila Kinakh

D3 Planning and Development
Administrative Assistant



YOUR Safety ••• ► YOUR Mobility ••• ► YOUR Economic Opportunity

From: Jennifer Almeida <Jennifer.Almeida@canyoncounty.id.gov>
Sent: Monday, December 9, 2024 4:58 PM
To: 'jenny.titus@vallivue.org' <jenny.titus@vallivue.org>; 'lisa.boyd@vallivue.org' <lisa.boyd@vallivue.org>; 'joseph.palmer@vallivue.org' <joseph.palmer@vallivue.org>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; 'eddy@heritagewifi.com' <eddy@heritagewifi.com>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'mkelly@idahopower.com' <mkelly@idahopower.com>; 'Contract.Administration.Bid.Box@ziplay.com' <Contract.Administration.Bid.Box@ziplay.com>; 'gis@compassidaho.org' <gis@compassidaho.org>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; ITDD3Permits <ITDD3Permits@itd.idaho.gov>; 'webmaster@valleyregionaltransit.org' <webmaster@valleyregionaltransit.org>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; Assessor Website <2cAsr@canyoncounty.id.gov>; Cassie Lamb <Cassie.Lamb@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Code Enforcement <CodeEnforcement@canyoncounty.id.gov>

EXHIBIT
D2

Debbie Root

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Tuesday, June 17, 2025 7:48 AM
To: Debbie Root
Cc: Caitlin Ross
Subject: [External] RE: Legal Notice CR2022-0030 / Nay

Good Morning, Deb –

After careful review of the transmittal submitted to ITD on June 13, 2025, regarding CR2022-0030 / Nay, the Department has no comments or concerns to make at this time.

The referenced application is located more than 5 miles from the nearest state highway; therefore, no significant impact to the state highway system is anticipated.

Thank you,



Niki Benyakhlef
Development Services Coordinator

District 3 Development Services
O: 208.334.8337 | C: 208.296.9750
Email: niki.benyakhlef@itd.idaho.gov
Website: itd.idaho.gov

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Friday, June 13, 2025 1:27 PM
To: 'rcollins@cityofcaldwell.org' <rcollins@cityofcaldwell.org>; 'P&Z@cityofcaldwell.org' <P&Z@cityofcaldwell.org>; 'dgeyer@cityofcaldwell.org' <dgeyer@cityofcaldwell.org>; 'jdodson@cityofcaldwell.org' <jdodson@cityofcaldwell.org>; 'mbessaw@cityofcaldwell.org' <mbessaw@cityofcaldwell.org>; 'amy@cityofcaldwell.org' <amy@cityofcaldwell.org>; 'alicep@cityofhomedale.org' <alicep@cityofhomedale.org>; 'jgreen@marsingcity.com' <jgreen@marsingcity.com>; 'mayor@cityofmelba.org' <mayor@cityofmelba.org>; 'cityclerk@cityofmelba.org' <cityclerk@cityofmelba.org>; 'jhutchison@middletoncity.org' <jhutchison@middletoncity.org>; 'mhobbs@middletoncity.org' <mhobbs@middletoncity.org>; 'rstewart@middletoncity.org' <rstewart@middletoncity.org>; 'sellersr@cityofnampa.us' <sellersr@cityofnampa.us>; 'watkinsk@cityofnampa.us' <watkinsk@cityofnampa.us>; 'BadgerD@cityofnampa.us' <BadgerD@cityofnampa.us>; 'addressing@cityofnampa.us' <addressing@cityofnampa.us>; 'critchfieldd@cityofnampa.us' <critchfieldd@cityofnampa.us>; 'clerks@cityofnampa.us' <clerks@cityofnampa.us>; 'timc@cityofnampa.us' <timc@cityofnampa.us>; 'notuscityclerk@gmail.com' <notuscityclerk@gmail.com>; 'clerk@cityofparmaidaho.org' <clerk@cityofparmaidaho.org>; 'mayor@cityofparmaidaho.org' <mayor@cityofparmaidaho.org>; 'publicworks@cityofparmaidaho.org' <publicworks@cityofparmaidaho.org>; 'cityhalladmin@cityofparmaidaho.org' <cityhalladmin@cityofparmaidaho.org>; 'snickel@staridaho.org' <snickel@staridaho.org>; 'jmckillican@cityofwilder.org' <jmckillican@cityofwilder.org>; 'kbagley@cityofwilder.org' <kbagley@cityofwilder.org>; 'casanderson@caldwellschools.org' <casanderson@caldwellschools.org>; 'nicmiller@cw.edu' <nicmiller@cw.edu>; 'ddenney@homedaleschools.org' <ddenney@homedaleschools.org>; 'bgraves@kunaschools.org' <bgraves@kunaschools.org>; 'tejensen@kunaschools.org' <tejensen@kunaschools.org>; 'nstewart@marsingschools.org' <nstewart@marsingschools.org>; 'sadams@melbaschools.org' <sadams@melbaschools.org>; 'Horner.Marci@westada.org' <Horner.Marci@westada.org>; 'lgrooms@msd134.org' <lgrooms@msd134.org>

Samantha Hammond

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Monday, May 8, 2023 11:05 AM
To: Samantha Hammond
Cc: Bonnie Puleo
Subject: [External] RE: Initial Agency Notice Nay CR2022-0030

Good morning, Samantha.

After careful review of the transmittal submitted to ITD on May 3, 2023 regarding Nay CR2022-0030, the Department has no comments or concerns to make at this time. This application is more than 5 miles from the closest state highway system (SH-45) therefore, minimal impact is anticipated.

Please let me know if you have any questions.

Thank you,



Niki Benyakhlef
Development Services Coordinator

District 3 Development Services
O: 208.334.8337 | C: 208.296.9750
Email: niki.benyakhlef@itd.idaho.gov
Website: itd.idaho.gov

From: Bonnie Puleo <Bonnie.Puleo@canyoncounty.id.gov>
Sent: Wednesday, May 3, 2023 2:39 PM
To: 'sellersr@cityofnampa.us' <sellersr@cityofnampa.us>; 'laclairc@cityofnampa.us' <laclairc@cityofnampa.us>; 'watkinsk@cityofnampa.us' <watkinsk@cityofnampa.us>; 'badgerd@cityofnampa.us' <badgerd@cityofnampa.us>; 'addressing@cityofnampa.us' <addressing@cityofnampa.us>; 'critchfielddd@cityofnampa.us' <critchfielddd@cityofnampa.us>; Nick Haveman <havemann@cityofnampa.us>; Char Tim <tmc@cityofnampa.us>; 'jenny.titus@vallivue.org' <jenny.titus@vallivue.org>; Lisa Boyd <lisa.boyd@vallivue.org>; Joseph Palmer <joseph.palmer@vallivue.org>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'eddy@heritagewifi.com' <eddy@heritagewifi.com>; 'eddy@nampahighway1.com' <eddy@nampahighway1.com>; Idaho Power <easements@idahopower.com>; Megan Kelly <mkelly@idahopower.com>; 'JESSICA.MANSELL@INTGAS.COM' <JESSICA.MANSELL@INTGAS.COM>; 'MONICA.TAYLOR@INTGAS.COM' <MONICA.TAYLOR@INTGAS.COM>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; 'mstowell@ccparamedics.com' <mstowell@ccparamedics.com>; 'jshoemaker@blm.gov' <jshoemaker@blm.gov>; 'cdillon@usbr.gov' <cdillon@usbr.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>
Subject: Initial Agency Notice Nay CR2022-0030

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good afternoon;

Debbie Root

From: Debbie Root
Sent: Tuesday, December 17, 2024 11:41 AM
To: 'Anthony Lee'
Subject: RE: [External] RE: Agency Notification / Paul & Michelle Nay / CR2022-0030

Anthony,

Thank you for your response. I did ask the applicant if he intended to install an RV Waste Dump at the location and he (hadn't thought about it) but indicated that yes, he would be adding an RV Dump on the property if approved as requested.

Respectfully,

Deb Root, MBA
Canyon County Development Services
debbie.root@canyoncounty.id.gov
208-455-6034

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Tuesday, December 17, 2024 11:38 AM
To: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Subject: [External] RE: Agency Notification / Paul & Michelle Nay / CR2022-0030

Hi Deb,

Request per comment.

- 1.) Will a Nutrient Pathogen Study be required? **The development is NOT in a Nitrate Priority Area and a Nutrient Pathogen Study is not required.**
- 2.) Will adequate sanitary systems be provided to accommodate the use? **Test holes have not been conducted on the proposed lots to determine site suitability.**

Regarding the proposal for an RV storage/parking lot, are there plans for RV wastewater hookups in the future? If not, what methods will ensure proper disposal of RV wastewater?

Please have the applicant schedule a pre-development meeting with SWDH to discuss this project.

Let me know if you have any questions.

Thank you,





June 23, 2025

Debbie Root, Planner
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
debbie.root@canyoncounty.id.gov

Subject: Agency Notice CR2022-0030 Nay

Dear Ms. Root:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at:

<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), and trade waste burning (58.01.01.600-617).
- For new development projects, all property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.
- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.
- For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss the potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for planning development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells are included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of groundwater resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for planning development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Multi-Sector General Permit from DEQ may be required for facilities that have an allowable discharge of storm water or authorized non-storm water associated with the primary industrial activity and co-located industrial activity. For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- If this project is near a source of surface water, DEQ requests that projects incorporate the best construction management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: <https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material released to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Matthew Pabich, Waste & Remediation Manager, at (208) 373-0550.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,

A handwritten signature in blue ink, appearing to read "Troy G. Smith". The signature is stylized with a large initial "T" and a long horizontal stroke at the end.

Troy Smith
Regional Administrator

Samantha Hammond

From: Doug Critchfield <critchfielddd@cityofnampa.us>
Sent: Wednesday, May 3, 2023 2:45 PM
To: Samantha Hammond
Cc: Rodney Ashby; Caleb Laclair
Subject: [External] RE: Initial Agency Notice Nay CR2022-0030

Follow Up Flag: Follow up
Flag Status: Flagged

Samantha – Nampa Planning and Zoning has no comments on this application. Thanks - Doug

From: Bonnie Puleo <Bonnie.Puleo@canyoncounty.id.gov>
Sent: Wednesday, May 3, 2023 2:39 PM
To: Robyn Sellers <sellersr@cityofnampa.us>; Caleb Laclair <laclairc@cityofnampa.us>; Kristi Watkins <watkinsk@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; Addressing <Addressing@cityofnampa.us>; Doug Critchfield <critchfielddd@cityofnampa.us>; Nathan Haveman <havemann@cityofnampa.us>; Char Tim <timc@cityofnampa.us>; 'jenny.titus@vallivue.org' <jenny.titus@vallivue.org>; Lisa Boyd <lisa.boyd@vallivue.org>; Joseph Palmer <joseph.palmer@vallivue.org>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'eddy@heritagewifi.com' <eddy@heritagewifi.com>; 'eddy@nampahighway1.com' <eddy@nampahighway1.com>; Idaho Power <easements@idahopower.com>; Megan Kelly <mkelly@idahopower.com>; 'JESSICA.MANSELL@INTGAS.COM' <JESSICA.MANSELL@INTGAS.COM>; 'MONICA.TAYLOR@INTGAS.COM' <MONICA.TAYLOR@INTGAS.COM>; 'd3development.services@itd.idaho.gov' <d3development.services@itd.idaho.gov>; Niki Benyakhlef <niki.benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; 'mstowell@ccparamedics.com' <mstowell@ccparamedics.com>; 'jshoemaker@blm.gov' <jshoemaker@blm.gov>; 'cdillon@usbr.gov' <cdillon@usbr.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>
Subject: Initial Agency Notice Nay CR2022-0030

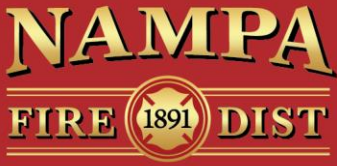
CAUTION: This email originated from outside of the City of Nampa domain. Do not click on links or open attachments unless you recognize sender email or are sure content is safe. Highlight the suspect email and send using the Outlook Phish Alert Report button or call the IT Helpdesk at (208) 468-5454.

Good afternoon;

Please see the attached agency notice. You are invited to provide written testimony or comments by **June 2, 2023**, although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case. The deadline for written testimony or additional exhibits is to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

Please direct your comments or questions to Planner Samantha Hammond at samantha.hammond@canyoncounty.id.gov

Thank you,



EXCELLENCE
SERVICE
STRENGTH IN UNITY

ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651

208.468.5770

DATE: July 1, 2025

TO: Deb Root, Canyon County Development Services

FROM: Ron Johnson, Nampa Fire District, Fire Marshal, Representing Upper Deer Flat Fire District.

APPLICANT: Paul D. Nay and Michelle J. Nay

OWNER: Paul D. May and Michelle J. Nay

PROJECT ADDRESS: 14602 Deer Flat Rd.

RE: CR2022-0030

This application is for a rezone and lot split to create 3 lots with CR-RR zoning and one lot with CR-C1 zoning.

This review is being conducted by Nampa Fire Protection District for Upper Deer Flat Fire District. The Upper Deer Flat Fire District does not oppose the application subject to compliance with all the following code requirements and conditions of approval.

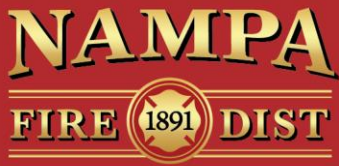
Water Supply Comments:

Idaho Statute 41-253 states that detached single family dwellings constructed on parcels five (5) acres or more outside an incorporated city and not within a designated area of city impact, shall be **exempt** from the water supply and access requirements of the adopted version of the International Fire Code.

Fire Access Comments: *The residential lots will be exempt from these requirements; however I am including them, so you are aware of the minimum standards for fire apparatus access if you want to account for it in your design.*

Dead-end fire apparatus access roads exceeding 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC 503.2.5)

EXHIBIT
D6



EXCELLENCE
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ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651

208.468.5770

Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1)

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (IFC 503.2.1)

The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. (IFC 503.2.4)

Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface and can support the imposed load of fire apparatus weighing at least 75,000 pounds. (IFC D102.1)

Fire apparatus access roads shall not exceed 10 percent in grade. (IFC D103.2)

When a bridge or elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. (IFC 503.2.6)

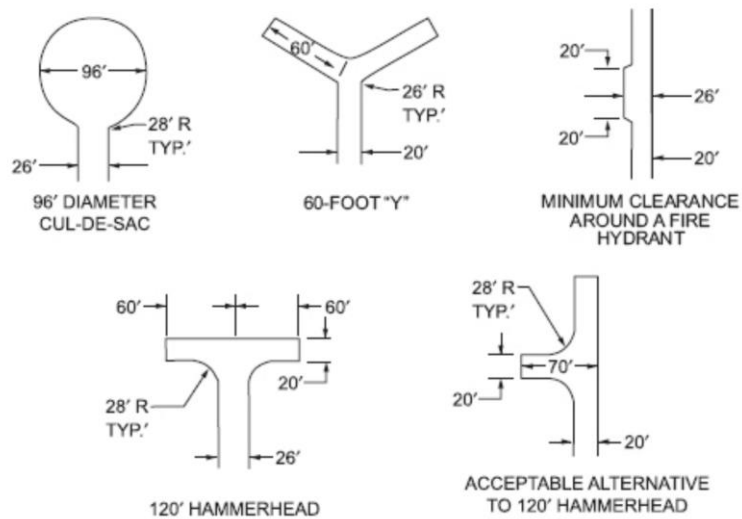
General Conditions

Specific building construction requirements of the International Building Code, International Fire Code will apply. However, these provisions are best addressed by a licensed Architect at time of building permit application.

Emergency Response Time Analysis and Service Impact:

The proposed lot is located 6.3 miles from the Upper Deer Flat Fire Department with an approximate driving time of 7 minutes. The overall response time could be significantly longer and varies due to Upper Deer Flat Fire District being a volunteer organization which requires time to assemble a crew of firefighters before responding. This land division does not have a negative impact on the service level of the Upper Deer Flat Fire District.

Fire Apparatus Turnaround Design Options



For SI: 1 foot = 304.8 mm.

FIGURE D103.1 DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

Debbie Root

From: Ron Johnson <johnsonrl@nampafire.org>
Sent: Tuesday, July 1, 2025 2:45 PM
To: Debbie Root
Subject: RE: [EXTERNAL]RE: [External] RE: [EXTERNAL]Legal Notice CR2022-0030 / Nay

Hi Deb,

If I understand correctly, they are just doing outdoor storage with no shelters? With no structures, I don't have any code to apply to water supply and access. We do encourage water supply and good access for outdoor storage. If they add buildings in the future, fire code would apply for both water supply and access. Do you need me to modify the letter to reflect that?

Regards,



**Ron Johnson - IAAI-CFI, CFM
Deputy Chief - Fire Marshal**

9 12th Ave South, Nampa, ID

O: 208.468.5760

C: 208.250.7005

[Nampa Fire Website](#) - [Facebook](#)

From: Debbie Root <Debbie.Root@canyoncounty.id.gov>
Sent: Tuesday, July 1, 2025 2:03 PM
To: Ron Johnson <johnsonrl@nampafire.org>
Subject: [EXTERNAL]RE: [External] RE: [EXTERNAL]Legal Notice CR2022-0030 / Nay

CAUTION: This email originated outside the Nampa Fire domain. DO-NOT CLICK on links or open attachments unless you recognize sender email or are sure content is safe.

Ron,

Thank you for the review. Did you have any comments specific to the commercial proposal for an RV, Boat, Auto storage facility in CR-C1 (neighborhood commercial) zone?

Respectfully,

Deb Root, MBA
Canyon County Development Services
debbie.root@canyoncounty.id.gov
208-455-6034

From: Ron Johnson <johnsonrl@nampafire.org>
Sent: Tuesday, July 1, 2025 1:36 PM
To: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>; Debbie Root <Debbie.Root@canyoncounty.id.gov>
Subject: [External] RE: [EXTERNAL]Legal Notice CR2022-0030 / Nay

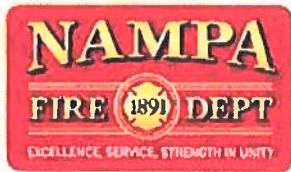
**EXHIBIT
D6.1**

Good afternoon,

Please see attached comments prepared by the Nampa Fire Protection District representing the Upper Deer Flat Fire District.

Please contact me if you have any questions.

Best regards,



Ron Johnson - IAAI-CFI, CFM

Deputy Chief - Fire Marshal

9 12th Ave South, Nampa, ID

O: 208.468.5760

C: 208.250.7005

[Nampa Fire Website](#) - [Facebook](#)

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>

Sent: Friday, June 13, 2025 1:27 PM

To: 'rcollins@cityofcaldwell.org' <rcollins@cityofcaldwell.org>; 'P&Z@cityofcaldwell.org' <P&Z@cityofcaldwell.org>; 'dgeyer@cityofcaldwell.org' <dgeyer@cityofcaldwell.org>; 'jdodson@cityofcaldwell.org' <jdodson@cityofcaldwell.org>; 'mbessaw@cityofcaldwell.org' <mbessaw@cityofcaldwell.org>; 'amy@civildynamics.net' <amy@civildynamics.net>; 'alicep@cityofhomedale.org' <alicep@cityofhomedale.org>; 'jgreen@marsingcity.com' <jgreen@marsingcity.com>; 'mayor@cityofmelba.org' <mayor@cityofmelba.org>; 'cityclerk@cityofmelba.org' <cityclerk@cityofmelba.org>; 'jhutchison@middletoncity.org' <jhutchison@middletoncity.org>; 'mhobbs@middletoncity.org' <mhobbs@middletoncity.org>; 'rstewart@middletoncity.org' <rstewart@middletoncity.org>; 'sellersr@cityofnampa.us' <sellersr@cityofnampa.us>; 'watkinsk@cityofnampa.us' <watkinsk@cityofnampa.us>; 'BadgerD@cityofnampa.us' <BadgerD@cityofnampa.us>; 'addressing@cityofnampa.us' <addressing@cityofnampa.us>; 'critchfieldd@cityofnampa.us' <critchfieldd@cityofnampa.us>; 'clerks@cityofnampa.us' <clerks@cityofnampa.us>; 'timc@cityofnampa.us' <timc@cityofnampa.us>; 'notuscityclerk@gmail.com' <notuscityclerk@gmail.com>; 'clerk@cityofparmaidaho.org' <clerk@cityofparmaidaho.org>; 'mayor@cityofparmaidaho.org' <mayor@cityofparmaidaho.org>; 'publicworks@cityofparmaidaho.org' <publicworks@cityofparmaidaho.org>; 'cityhalladmin@cityofparmaidaho.org' <cityhalladmin@cityofparmaidaho.org>; 'snickel@staridaho.org' <snickel@staridaho.org>; 'jmckillican@cityofwilder.org' <jmckillican@cityofwilder.org>; 'kbagley@cityofwilder.org' <kbagley@cityofwilder.org>; 'casanderson@caldwellschools.org' <casanderson@caldwellschools.org>; 'nicmiller@cw.edu' <nicmiller@cw.edu>; 'ddenney@homedaleschools.org' <ddenney@homedaleschools.org>; 'bgraves@kunaschools.org' <bgraves@kunaschools.org>; 'tejensen@kunaschools.org' <tejensen@kunaschools.org>; 'nstewart@marsingschools.org' <nstewart@marsingschools.org>; 'sadams@melbaschools.org' <sadams@melbaschools.org>; 'Horner.Marci@westada.org' <Horner.Marci@westada.org>; 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'cstauffer@nsd131.org' <cstauffer@nsd131.org>; 'dleon@nsd131.org' <dleon@nsd131.org>; 'krantz@notusschools.org' <krantz@notusschools.org>; 'tkelly@parmaschools.org' <tkelly@parmaschools.org>; 'jenny.titus@vallivue.org' <jenny.titus@vallivue.org>; 'lisa.boyd@vallivue.org' <lisa.boyd@vallivue.org>; 'joseph.palmer@vallivue.org' <joseph.palmer@vallivue.org>; 'jdillon@wilderschools.org' <jdillon@wilderschools.org>; 'lrichard@cityofcaldwell.org' <lrichard@cityofcaldwell.org>; 'aperry@cityofcaldwell.org' <aperry@cityofcaldwell.org>; 'homedalefd@gmail.com' <homedalefd@gmail.com>; 'tlawrence@kunafire.com' <tlawrence@kunafire.com>; 'khinkle@kunafire.com' <khinkle@kunafire.com>; 'marsingfiredistrict@yahoo.com' <marsingfiredistrict@yahoo.com>; 'marsingruralfire@gmail.com' <marsingruralfire@gmail.com>; 'brian.mccormack@melbafire.id.gov' <brian.mccormack@melbafire.id.gov>;

EXHIBIT E
Public Comments Received
Case# CR2022-0030

E

Debbie Root

From: Daniel Cabunoc <dcabunoc@gmail.com>
Sent: Monday, July 7, 2025 9:12 PM
To: Debbie Root
Subject: [External] Comment on CR2022-0030

Deb Root and the Canyon County Development Services Department,

Thank you for the invitation to comment on case CR2022-0030. This email is to express opposition to the proposed zoning application for a storage facility at 14602 Deer Flat Rd. Unfortunately, my wife and I will be unavailable to attend the hearing due to previously scheduled obligations, but we request that the board considers our comments.

We see the proposal includes the development of three residences. As owners of a lot in the prospective Meadow Vista Ranch Subdivision, more homes and neighbors would be a welcome and fitting addition to the area. RV storage, on the other hand, would negatively impact this future neighborhood.

Primary concerns include:

- **Security:** A storage facility will result in noise and traffic of strangers adjacent to property lines. This would reduce the general sense of security for neighbors.
- **Visual Impact:** The structures and stored vehicles will detract from the sense of country living this area affords.
- **Impact on Property Values:** For the reasons above, we believe the storage facility will decrease property values. Can anyone honestly desire to build their home and raise their children next to a storage facility?

The proposed storage facility would severely damage the value of our family's largest asset and remove any incentive to invest in developing our lot. Please consider these concerns, as we request disapproval of this zoning application.

Thank you for your time and consideration.

Sincerely,

Daniel and Grace Cabunoc

EXHIBIT
E1

Debbie Root

From: Lee Haskill <haskill.lee@gmail.com>
Sent: Monday, July 7, 2025 2:45 PM
To: Debbie Root
Subject: [External] Case No. CR2022-0030 Conditional Rezoning - Parcel R30127

Case number CR2022-0030

Heather Haskill and I (Lee Haskill) are the Nays' next-door neighbors. We live at 14600 Deer Flat Rd., just to the east of their property. They are wonderful people. We couldn't ask for better neighbors, and we will continue to appreciate them, regardless of the outcome of this request.

We prefer that the RV storage facility not be approved. The nearby subdivision includes several million-dollar homes. The view out here is tremendous. The storage facility would take away from that and decrease property values. There are no other commercial businesses in the area. I've been told the Canyon County government would like to keep this area agricultural. This adds to the beautiful view as one looks south toward the Owyhee Mountains.

We hesitated to write this because of how much we appreciate the Nays. We will continue our positive relationship with the Nay family, no matter the outcome of this request.

Thank you,

Lee and Heather Haskill

Lee Haskill
Owner - Lloyd and Lee Tennis Academy
haskill.lee@gmail.com
bopperr204@gmail.com
208-899-9991 (cell w/text)

EXHIBIT
E2

EXHIBIT F

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

Case# CR2022-0030

F

**DRAFT CONDITIONS OF APPROVAL
TO BE ENUMERATED IN DEVELOPMENT AGREEMENT**

RESIDENTIAL:

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. The development contains slopes exceeding 15% and shall comply with the Hillside Development section of 07-17-33 (1).
3. The development shall not exceed three residential parcels with a minimum acreage of six (6) acres.
4. Any development exceeding four total parcels on the 42.4 acres will require a modification of the development agreement and shall be platted as a subdivision in accordance with Article 17 or as amended at the time of application and development.
5. The development and placement of secondary residences, if allowed at time of development, shall be located within 200 feet of the primary residence and shall be subordinate to the primary residence in size. The secondary residence shall utilize the primary residence well. The secondary residence shall not be divided from the primary residence parcel without receiving approval through application with Development Services inclusive of development agreement modification and platting as a residential subdivision.
6. All conditional rezones for a land use shall commence (see definition of "commence", section [07-02-03](#): of this chapter) within two (2) years of the approval of the board. If the conditional rezone has not commenced within the stated time requirement, the application for a conditional rezone shall lapse and become void. All subsequent developments on the property shall reapply for land use approval.
 - a. Commencement shall be an approved land division application in substantial compliance with the site plan along with recorded deeds for each property.

COMMERCIAL:

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. The only use proposed and provided for through this conditional rezone from "A" (Agricultural) to "CR-C1" (CR-Neighborhood Commercial) is an outdoor storage facility for RVs, boats, automobiles.
3. All conditional rezones for a land use shall commence (see definition of "commence", section [07-02-03](#): of this chapter) within two (2) years of the approval of the board. If the

conditional rezone has not commenced within the stated time requirement, the application for a conditional rezone shall lapse and become void. All subsequent developments on the property shall reapply for land use approval.

- a. Commencement shall be submission of a conditional use permit application within six (6) months of approval by the Board of County Commissioners for the conditional rezone to neighborhood commercial.
4. The development shall apply for a conditional use permit (CUP) in accordance CCZO §07-10-27. The project and developed plan will be considered for approval through the conditional use permit process after additional noticing.
- a. The development shall be restricted to 350 units of any type automobile, RV (motorized or pull type), trailers or boats.
 - b. The facility shall not be used as an impound yard or lot defined as *“Any portion, piece, division or parcel of land, excluding fully enclosed buildings, that is used for the storage or holding of distrained vehicles or personal property, or for the care and keeping of vehicles or personal property whether taken into the custody of the law or for other reasons.”* (CCZO §07-02-03)
 - c. The development shall be graded with developed marked and unimpeded access circulation roadways that meet fire district requirements including 20 foot wide roadways sufficient to carry a 75,000 lb fire apparatus. Roads shall not exceed 10% grades.
 - d. The development shall have marked parking stalls not to exceed 350 and shall be maintained in an orderly manner.
 - e. The development shall provide a wastewater RV dump facility and have the facility pumped on a regular interval. Care should be taken to ensure no RV's are dumping black or grey water directly to the ground.
 - f. No RV's, boats, automobiles shall be occupied on the facility other than to pick-up or to park.
 - g. All parked/stored vehicles, boats, trailers shall be in running/road worthy condition and in good repair. No (junk or parted out vehicles) shall be stored on the facility.
 - h. No vehicles, boats, trailers shall be parked along the road frontage of Deer Flat Road.
 - i. The existing non-conforming office trailer must be permitted with Development Services or must be removed from the property prior to commencement of operations.

- j. The developer shall file an application to divide the 17.64 acre commercial property separate from the balance of the property within 90 days of approval of the application.
- k. Any lighting for the facility shall be inward, downward facing and shielded to limit the light pollution and main the light on the facility.
- l. The facility shall be maintained in a substantially weed free condition. The facility shall be maintained in compliance with CCZO Article 1 Public Nuisances ordinance.
- m. Landscaping inclusive of a mix of deciduous and evergreen trees and shrubs that provides sufficient screening to minimize visual impacts from elevated residential lots shall be installed on the north, east, and west boundaries of the subject property on the elevated boundaries of the abandoned mineral extraction site. The mix of trees shall include 70% evergreen trees to ensure screening of storage operations year-round. Irrigation shall be installed to ensure that trees are maintained in living condition. A landscape and irrigation plan by a licensed professional landscape architect shall be submitted with the application for a conditional use permit for outdoor storage (RV, Boat, and Automobile)