



## PLANNING AND ZONING COMMISSION

### FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:

**The Wild Oak, LLC – CU2024-0013**

The Canyon County Planning and Zoning Commission considers the following:

- 1) Case No. CU2024-0013: The applicant, Derek Olson, represented by Rafael Sanchez with Provost & Pritchard Consulting Group, is requesting a Conditional Use Permit for a special events facility named The Wild Oak on approximately 3.72 acres in an "A" (Agricultural) zone. The subject property is located at 19781 Middleton Rd, Caldwell, ID 83605, also referenced as Parcel R34316, a portion of the NE quarter of Section 30, T4N, R2W, BM, Canyon County, Idaho.

#### Summary of the Record

1. The record is comprised of the following:

A. The record includes all testimony, the staff report, exhibits, and documents in Case File CU2024-0013.

#### Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code §01-17 (Land Use/Land Division Hearing Procedures), Canyon County Code §07-05 (Notice, Hearing and Appeal Procedures), Canyon County Code §07-07 (Conditional Use Permits), Canyon County Code §07-02-03 (Definitions), Canyon County Code §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6512 (Special Use Permits, Conditions, and Procedures), and Canyon County Code §09-01-25 (Area of City Impact Agreement).
  - a. Notice of the public hearing was provided pursuant to CCZO §07-05-01, Idaho Code §67-6509 and 67-6512.
  - b. A special use permit may be granted to an applicant if the proposed use is conditionally permitted by the terms of the ordinance, subject to conditions pursuant to specific provisions of the ordinance, subject to the ability of political subdivisions, including school districts, to provide services for the proposed use, and when it is not in conflict with the plan. Idaho Code §67-6512.
  - c. Every use which requires the granting of a conditional use permit is declared to possess characteristics which require review and appraisal by the commission to determine whether or not the use would cause any damage, hazard, nuisance or other detriment to persons or property in the vicinity. *See* CCZO §07-07-01.
  - d. Upon the granting of a special use permit, conditions may be attached to a special use permit including, but not limited to, those: (1) Minimizing adverse impact on other development; (2) Controlling the sequence and timing of development; (3) Controlling the duration of development; (4) Assuring that development is maintained properly; (5) Designating the exact location and nature of development; (6) Requiring the provision for on-site or off-site public facilities or services; (7) Requiring more restrictive standards than those generally required in an ordinance; (8) Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction. *See* Idaho Code §67-6512, CCZO §07-07-17, and 07-07-19.

2. The commission shall have those powers and perform those duties assigned by the board that are provided for in the local land use planning act, Idaho Code, title 67, chapter 65, and county ordinances. CCZO §07-03-01, 07-07-01.
3. There are no mandates in the Local Planning Act as to when conditional permits may or may not be granted, aside from non-compliance with the community master plan. I.C. § 67-6512. Chambers v. Kootenai Cnty. Bd. of Comm'rs, 125 Idaho 115, 117, 867 P.2d 989, 991 (1994).
4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCZO §07-05-03.
5. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.
6. The County's hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCZO 07-05-03(1)(I).

**The application CU2024-0013 was presented at a public hearing before the Canyon County Planning and Zoning Commission on April 3, 2025 and was continued to June 12, 2025. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Canyon County Planning and Zoning Commission decide as follows:**

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

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

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

- Findings:**
- (1) The subject property, also referenced as Parcel R34316, containing approximately 3.72 acres is zoned "A" (Agricultural) (**Staff Report Exhibit B1**).
  - (2) The proposed use consists of a special events facility in the "A" (Agricultural) zone. See project description analysis contained in the staff reports section 07-07-05(2) detailing the nature of the request.
  - (3) Special Events Facility is defined as "Any temporary event including, but not limited to, weddings, picnics, barbecues, holiday events and parties, dances, concerts, footraces and walks, bazaars, and harvest festivals." (CCZO §07-02-03)
  - (4) CCZO §07-10-27 Land Use Regulations (Matrix) provides for a Special Events Facility by conditional use permit in the agricultural zone.
  - (5) A conditional use permit was submitted in May 2024, with additional information submitted in March 2025 (**Staff Report Exhibits A1, A2 and A2.1**).
  - (6) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0013.
  - (7) Evidence includes associated findings and evidence supported within this document.

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

**Conclusion:** The nature of the request consists of using the subject property of approximately 3.72-acres for a special events facility to host weddings, receptions and other special events year-round. The applicant is proposing no more than 150 days per year with the special events having up to 220 attendees on site (**Staff Report Exhibit A2.1**). Days and hours of operation shall be Monday – Saturday 10:00 am – 11:00 pm with no outdoor music (**Staff Report Exhibits A3 and A4**). There

will be no more than 12 employees (**Staff Report Exhibit A4**). The facility will have delivery and shipping services kept at a minimum, consisting primarily of vendor deliveries for the event (**Staff Report Exhibit A2**). There will be a loading and unloading area available with 108 parking spaces for the events. The applicant is proposing landscape buffering in place of fencing (**Staff Report Exhibit A4**). The applicant will be obtaining their own alcohol license and food handlers license to be able to offer these services to the guest. The building will have bathroom facilities for the guests (**Staff Report Exhibit A2.1**). According to oral testimony, the facility will have a storefront to sell event décor.

#### Signage and Buildings:

The facility will include a permanent non-illuminated sign at the events entrance/residence driveway. The sign is proposed to be three (3) feet in height, seven (7) feet in width and six (6) feet in height above ground (**Staff Report Exhibit A4**). In accordance with sign ordinance CCZO §07-10-13, if the sign is over six feet (6') in height and permanently affixed to the ground, a building permit may be required (**Staff Report Exhibit D4**). The applicant is proposing all new structures that will include a bridal suite, groom's lounge, catering prep kitchen, ceremony sites and a reception hall (**Staff Report Exhibit A3**). All proposed structures used for the special events center will require a commercial building permit and/or certificate of occupancy. See condition # 6.

- Findings:**
- (1) The subject property, also referenced as Parcel R34316 containing approximately 3.72 acres is zoned "A" (Agricultural) (**Staff Report Exhibit B1**).
  - (2) Per CCZO §07-10-27 - Land Use Matrix, the applicant may operate a special events facility with an approved CUP in the agricultural zone.
  - (3) To verify compliance with building and signage requirements, the applicant shall obtain all necessary building permits and certificate of occupancies for all proposed structures (such as those identified in **Staff Report Exhibit D4**) prior to commencement of the use on the subject property. Evidence shall be an approval document from the Canyon County Building Department and Caldwell Rural Fire Protection District. Additionally, signage shall meet the requirements of CCZO §07-10-13 and shall not exceed 32 square feet or as provided for by approval of a separate application for a Director's Administrative decision for a sign permit. Applicant must comply with CCZO §07-10-13 and dependent upon the location of the signage with The Idaho Administrative Procedures Act (IDAPA) 39.3.60 governing advertising along the State Highway System. See conditions # 6 and # 7.
  - (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No.CU2024-0013.
  - (5) Evidence includes associated findings and evidence supported within this document.

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

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

- Findings:**
- (1) The 2030 Canyon County Comprehensive Plan designates the subject parcel as residential on the west end of the property and commercial on the remaining parcel (**Staff Report Exhibit B2.13**) a special events facility would be an allowed use in a commercial zoning.
  - (2) The proposed use is consistent with multiple goals and policies of the 2030 Canyon County Comprehensive Plan including but not limited to:
    - i. Property Rights Goals and Policies:
      - G1.01.00: *"Protect the integrity of individual property rights while safeguarding public health, safety, and welfare."*

- P1.01.01: *“No person should be deprived of private property without due process of law.”*
- P1.01.03: *“Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals.”*
- G1.02.00: *“Acknowledge the responsibilities of each property owner as a steward of the land, use their property wisely, maintain it in good condition and preserve it for future generations without becoming a public nuisance.”*
- ii. Population Component Goal and Policy:
  - P2.01.01: *“Plan for anticipated population and households that the community can support with adequate services and amenities.”*
  - G2.02.00: *“Promote housing, business, and service types needed to meet the demand of the future and existing population.”*
- iii. Land Use Community Design Goals and Policies:
  - P4.02.01: *“Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses.”*
  - G4.03.00: *“Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning.”*
  - P4.03.03: *“Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility.”*

(3) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0013.

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

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

**Conclusion:** As conditioned, the proposed use will not be injurious to other property in the immediate vicinity and will not negatively change the essential character of the area. The proposed conditions of approval 1-17 will mitigate the potential negative effects to the character of the area.

- Findings:** (1) The subject property is zoned “A” (Agricultural) (**Staff Report Exhibit B1**). The general character of the area is residential. The subject property is adjacent to the City of Caldwell on all sides, the parcels immediately to the northeast and south are in the County, zoned Agricultural. The area is an area of growth with the future land use (**Staff Report Exhibit B2.13**) designating the area as residential and commercial. A special events facility would be an allowed use in a commercial zone.
- (2) As conditioned, the special events facility should not increase the sound levels in the immediate vicinity. The applicant will have no outdoor music (**Staff Report Exhibit A3**) and has a landscape plan (**Staff Report Exhibit A5.2**). The landscaping will assist with noise buffering, light pollution, and dust to the surrounding neighbors. There will be no amplified sound of any kind after 10pm Monday – Saturday (**Staff’s Memo Exhibit C**). See condition # 10.
- (3) As proposed, the parking area will be open, graded, compacted and have an improved surface area. See condition # 11b.
- (4) As conditioned, all exterior lighting shall be downward facing and directed away from surrounding properties. See condition # 9.

- (5) The general character of the area does not appear to be affected by the special events facility. The parcel is naturally tucked away with mature trees that isolates the subject property from the neighboring properties. On the west end of the property there is an irrigation facility that separates the property from existing residential housing. As proposed and conditioned, there will be 150 days per year when special events will be held. No more than 220 attendees shall be at the special events facility at a time (**Staff's Memo Exhibit C**). The hours of operation will be limited to 10:00 am to 11:00 pm on Monday – Saturday as proposed in the applicant's letter of intent (**Staff Report Exhibit A2**). There shall be a rental agreement that holds the guests to the same conditions as the conditional use permit and the property owner or a designee shall be available to enforce the rental agreement at all times. See condition # 14.
- (6) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on December 4, 2024 and March 4, 2025. Newspaper notice was published on March 4, 2025. Property owners within 1,000' were notified by mail on February 27, 2025. JEPA notice was provided on December 4, 2024. The property was posted on March 5, 2025.
- (7) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0013.
- (8) Evidence includes associated findings and evidence supported within this document.

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

**Conclusion:** Yes, the project will have adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems to accommodate the proposed use based on the analysis contained herein.

- Findings:**
- (1) There is an individual domestic well on site (**Staff Report Exhibit A4**). In Southwest District Health's pre-development meeting it was noted that the facility may need to be a public water system (**Staff Report Exhibit A7**). The applicant is working with DEQ to gain a transient non-community water system (**Staff's Memo Exhibit C**). As conditioned, the applicant shall meet Southwest District Health's requirements for the proposed use on the property as evidence by the applicant providing Development Services a letter of review and approval from SWDH prior to the commencement of the special events center on the property. See condition # 3.
  - (2) An individual septic system was proposed on the southwest side of the subject property next to the venue. According to Southwest District Health's pre-development meeting, the existing system would not be large enough to support the wastewater flows generated by the event center (**Staff Report Exhibit A7**). In Southwest District Health's comment (**Staff Report Exhibit D1**) it was stated that test holes have not been conducted and the viability of a septic system has not been determined. On May 27, 2025 the septic flow calculations was received (**Staff's Memo Exhibit A**), the location of the septic system and drain field was relocated to the northwest side of the property as seen in **Staff's Memo Exhibit B**. Southwest District Health sent an additional comment dated May 28, 2025 advising that a subsurface sewage disposal system will be a feasible option if all Southwest District Health requirements are met (**Staff's Memo Exhibit F**). See condition # 3.
  - (3) Irrigation will be provided through a pressurized irrigation system for the special events facility according to the land use worksheet (**Staff Report Exhibit A4**). According to Southwest District Health's pre-development meeting (**Staff Report Exhibit A7**) there are two (2) irrigation canals. The Noble Slough Ditch must meet the 50-foot horizontal separation distance to primary and replacement drain fields. As conditioned, the applicant shall not impede or disrupt existing irrigation structures, i.e. drains, laterals, or supply ditches, on and adjacent to the subject property. See condition # 4.

- (4) It appears the use does not require or affect drainage on the property (**Staff Report Exhibit A2**). Per the land use matrix, stormwater drainage is proposed to be retained on site (**Staff Report Exhibit A4**).
- (5) Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply were notified of the application on December 4, 2025 and March 4, 2025. No agency comments were provided by those services at the time the staff report was written. It is anticipated that the applicant will be able to work with utility providers to gain any additional utilities needed.
- (6) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on December 4, 2024 and March 4, 2025. Newspaper notice was published on March 4, 2025. Property owners within 1,000' were notified by mail on February 27, 2025. JEPA notice was provided on December 4, 2024. The property was posted on March 5, 2025.
- (7) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0013.
- (8) Evidence includes associated findings and evidence supported within this document.

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

**Conclusion:** Yes, the subject property does have legal access via frontage along Middleton Road.

- Findings:**
- (1) The subject parcel has frontage along Middleton Road which is a principal arterial that provides access to that area. According to the applicant, Middleton Road will be used to access the parcel with no new accesses proposed or authorized (**Staff Report Exhibit A2**).
  - (2) Idaho Transportation Department provided comment on December 1, 2024 (**Staff Report Exhibit D2**) advising that the application does not meet thresholds for a Traffic Impact Study and does not pose any safety concerns.
  - (3) Highway District No. 4 provided comment on December 30, 2024 and advised the existing approach on Middleton Road may be used for the proposed special event venue. Highway District No. 4 full comment and conditions of approval can be seen in **Staff Reports Exhibit D7**. See condition # 2.
  - (4) Middleton Road south of Hwy 20/26 is in the City of Caldwell's jurisdiction. There were no concerns listed in the comment received from the City of Caldwell for access to the subject property (**Staff Report Exhibit D3**).
  - (5) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on December 4, 2024 and March 4, 2025. Newspaper notice was published on March 4, 2025. Property owners within 1,000' were notified by mail on February 27, 2025. JEPA notice was provided on December 4, 2024. The property was posted on March 5, 2025.
  - (6) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0013.
  - (7) Evidence includes associated findings and evidence supported within this document.

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

**Conclusion:** No, there will not be undue interference with the existing or future traffic patterns according to the agency comments received.

- Findings:**
- (1) Parcel R34316 frontage is along Middleton Road which is a principal arterial. On December 4, 2024 an agency notice was sent out to Idaho Transportation Department and on December 10, 2024, the agency provided comments noting that a Traffic Impact Study is not required and the

proposal does not pose any safety concerns (**Staff Report Exhibit D2**). The City of Caldwell who maintains Middleton Road south of Hwy 20/26 mentioned no concerns for traffic in the comment received (**Staff Report Exhibit D3**). The proposed use consists of a total of 108 parking spaces with a loading and unloading area (**Staff Report Exhibit A4**). Highway District No 4 comments received on December 30, 2024 addressed that the proposed use will increase traffic but that Highway District No. 4 does not oppose the request (**Staff Report Exhibit D7**). Although there appears to be some increase to traffic, there does not appear to be undue interference to the traffic.

- (2) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on December 4, 2024 and March 4, 2025. Newspaper notice was published on March 4, 2025. Property owners within 1,000' were notified by mail on February 27, 2025. JEPA notice was provided on December 4, 2024. The property was posted on March 5, 2025.
- (3) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0013.
- (4) Evidence includes associated findings and evidence supported within this document.

**8. Will essential services be provided to accommodate the use including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use?**

**Conclusion:** Yes, essential services will be provided to accommodate the use including, but not limited to school facilities, police and fire protection, emergency medical services, and irrigation facilities. The services will not be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use.

- Findings:**
- (1) The subject property is serviced by Vallivue School District, it is not anticipated to have any impacts or need accommodations for the special events facility. Agency comments were sent out on December 4, 2024 and March 4, 2025, no comments were received by the school district.
  - (2) The subject property is under the jurisdiction of Canyon County Sheriff's Office. Canyon County Sheriff's Office is required to provide services to the property. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency notice was sent on December 4, 2024 and March 4, 2025 and no comments were received by the Sheriff's Office.
  - (3) The subject property is under the jurisdiction of Caldwell Rural Fire District. Caldwell Rural Fire District provided comment (**Staff Report Exhibit D5**). An additional email was sent on March 21, 2025 to Caldwell Rural Fire District asking about the average response times and how this proposal would change the response time. Caldwell Rural Fire District responded on March 24, 2025 advising that they are unable to pull exact data on response times but the closest fire station is 1.3 miles away, a drive time of about 3 minutes. It was commented that the proposed use would likely have minimal impact on response times (**Staff Report Exhibit D5.2**). The proposed use is not anticipated to negatively impact fire protection services.
  - (4) Emergency Medical Services are provided to the property. Canyon County Paramedics/EMT and Canyon County Emergency Management Coordinator were notified of the application on December 4, 2024 and March 4, 2025, no comments were received. An additional email was sent on March 21, 2025 to Canyon County Paramedics/EMT asking for average response times and how the proposal would impact emergency medical services. On March 24, 2025 comment was received providing the average response times. The closest response time would be approximately 6.07 minutes (**Staff Report Exhibit D8**). The proposed use is not anticipated to

negatively impact emergency medical services. See condition # 15 for the applicant to provide Development Services an emergency plan prior to commencement.

- (5) The subject property is under Pioneer Irrigation District's jurisdiction. Agency Notice was sent out on December 4, 2024 and March 4, 2025 and no comments were received. As conditioned, the applicant shall not impede or disrupt existing irrigation structures. See condition # 3.
- (6) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on December 4, 2024 and March 4, 2025. Newspaper notice was published on March 4, 2025. Property owners within 1,000' were notified by mail on February 27, 2025. JEPA notice was provided on December 4, 2024. The property was posted on March 5, 2025.
- (7) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0013.
- (8) Evidence includes associated findings and evidence supported within this document.

### **Canyon County Code §09-01-25, - AREA OF CITY IMPACT AGREEMENT ORDINANCE**

**Conclusion:** The property is located within the Caldwell Area of City Impact. A notice was sent to the City of Caldwell per Canyon County Code §09-01-25. Conditions applied require future development to work with the City of Caldwell.

- Findings:**
- (1) Pursuant to Canyon County Code §09-01-25 of the Caldwell Area of City Impact Agreement, a notice was provided to the City of Caldwell on December 4, 2025 and March 4, 2025. The City of Caldwell submitted a letter with conditions of approval (**Staff Report Exhibit D3**).
  - (2) The City of Caldwell is adjacent to the subject property. The City of Caldwell designates the future land use of the subject property as "Medium Density Residential" (**Staff Report Exhibit B2.10**).
  - (3) Affected agencies were noticed on December 4, 2024 and March 4, 2025. Newspaper notice was published on March 4, 2025. Property owners within 1,000' were notified by mail on February 27, 2025. JEPA notice was provided on December 4, 2024. The property was posted on March 5, 2025.
  - (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0013.

### **Order**

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission **approves** Case # CU2024-0013, a conditional use permit for a special events facility in the "A" (Agricultural) zone for Parcel R34316 (approximately 3.72 acres) subject to the following conditions as enumerated:

#### Conditions of Approval

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
2. The applicant shall comply with applicable Highway District No. 4 requirements, including paying any applicable impact fees. The applicant shall obtain an access permit prior to the commencement of the facility as evidenced by the applicant providing Development Services with an approved highway district letter indicating the completion of improvements prior to commencement of special events (**Staff Report Exhibit D7**).
  - a. The applicant shall work with Highway District No. 4 to ensure any signage and traffic control measures are complied with (**Staff's Memo Exhibit C**).



- b. The applicant shall meet the requirements for the City of Caldwell for their landscape street buffering (**Staff Report Exhibit D3**).
3. The applicant shall meet Southwest District Health (SWDH) requirements for the proposed uses on the property as evidenced by the applicant providing Development Services a letter of review and approval from SWDH prior to the commencement of the special event center use on the property (**Staff Report Exhibit D1**).
4. The applicant shall not impede or disrupt existing irrigation structures, i.e. drains, laterals, or supply ditches, on and adjacent to the subject property.
5. Comply with all Fire District requirements per State adopted IFC and as evidenced by review and approval documentation from Caldwell Rural Fire District (including approval of the private road and driveways) prior to issuance of a certificate of occupancy and commencement of special event activities on the site (**Staff Report Exhibit D5.1**).
6. The applicant shall obtain building permits and certificate of occupancy for proposed structures/improvements. Evidence shall be an approval document from the Canyon County Building Department and Caldwell Rural Fire Protection District.
  - a. New Structures shall be fully enclosed and insulated (**Staff's Memo Exhibit C**).
7. Signage shall meet the requirements of CCZO §07-10-13 and shall not exceed 32 square feet or as provided for by approval of a separate application for a Director's Administrative decision for a sign permit. Prior to installation the applicant shall provide Development Services a letter of review and approval from the appropriate Highway District for the location of the sign. Applicant must comply with CCZO §07-10-13 and dependent upon the location of the signage with The Idaho Administrative Procedures Act (IDAPA) 39.3.60 governing advertising along the State Highway System.
8. The proposed development shall be in conformance with the applicant's site plan, landscape plan, operations plan and Letter of Intent (**Staff Report Exhibits A2, A3, A5.2, and A5.3**) (**Staff's Memo Exhibit B**).
  - a. HOURS OF OPERATION: The hours of operation shall be 10:00 a.m. to 11:00 p.m. Monday through Saturday as proposed in the applicant's letter of intent (**Staff Report Exhibit A2**). All activities concluded and patrons offsite by 11:00 p.m.
  - b. The applicant shall meet the requirements for the City of Caldwell for their landscape street buffering (**Staff Report Exhibit D3**).
  - c. Trees shall be planted along all property boundaries to act as an additional sound and light buffer. The trees shall be a mixture of deciduous and evergreens, heavy on the evergreens in order to create a barrier to surrounding properties during all seasons. (**Staff's Memo Exhibit C**).
9. LIGHTING: All exterior lighting shall be fully cut off and fully shielded, and placed to direct the light source down and inside the property lines of the facility. All direct glare from the lights shall be contained within the facility area. No light source may be placed greater than fifteen (15') feet in height.
10. MUSIC AND AMPLIFIED SOUND: All amplified sounds shall be contained inside, with no amplified sound outdoors. There shall be no amplified sound of any kind after 10:00 p.m. Monday through Saturday (**Staff's Memo Exhibit C**).
  - a. Noise levels at the special events venue will adhere to the City of Caldwell's ordinance in 07-13-03: Public Noise Prohibited.

- b. Special events shall have an “Event Noise Policy” in place that all patrons will have to agree to follow. Applicant shall provide Development Services Department the event noise policy template prior to commencement of the use (**Staff’s Memo Exhibit C**).
  - c. The property owner or their designee shall be equipped with a professional decibel meter (decibel gun) to monitor sound levels during events. The decibels shall not go above 70 decibels (normal conversation level) at any property lines of the subject property. (**Staff’s Memo Exhibit C**).
11. **PARKING:** An updated parking and circulation plan drawn to scale must be submitted and obtain any necessary fire district and highway district approvals. The parking and circulation plan must be compliant with Canyon County’s off-street parking requirements (CCZO §07-13-01 and §07-13-03). Evidence of consistency shall be turned into Canyon County DSD within 3 months of approval of this application.
- a. **OFF-STREET PARKING:** No parking shall occur on the public right of way.
  - b. The applicant shall install a hard surface along all travel ways and parking areas, as shown on the site plan (**Staff Report Exhibit A5.1**), within twelve months of approval of the CUP. The hard surface shall be compliant with CCZO §07-02-03.
  - c. The driveway shall be paved according to City of Caldwell’s requirements (**Staff’s Memo Exhibit C**).
  - d. The property must have an ADA path of travel from the right-of-way, connecting all accessible areas and elements to the special events facility (**Staff’s Memo Exhibit C**).
  - e. The applicant shall have on site navigation signs and personnel during events to assist with circulation (**Staff’s Memo Exhibit C**).
12. **CATERING:** Special events shall be fully catered by a licensed caterer operating in compliance with the requirements of SWDH Food Establishment Licensing and Permitting.
13. **ALCOHOLIC BEVERAGE LICENSING:** Alcoholic beverages (inclusive of beer and wine) for special events at the facility shall be provided and distributed in strict compliance with Local, State, and Federal requirements for sales and distribution.
14. **RENTAL AGREEMENTS:** Rental Agreements shall be in place with each event holder that limit them to the same operational conditions of approval as this conditional use permit. Provide Development Services Department rental agreement template prior to commencement of the use.
- a. **ENFORCEMENT OF RENTAL AGREEMENTS:** The property owner or their designee shall be made available at all times during events to enforce the rental agreements and the operational conditions of approval.
15. The applicant shall develop an emergency response plan which shall include an evacuation plan. The emergency response plan shall be on file with the Canyon County Emergency Manager and the evacuation plan shall be posted on the site during events
16. This conditional use permit must follow land use time limitation as stated in CCZO 07-07-23: “When a conditional use permit is granted, the land use or construction of its facility proposed in the application must have commenced within three (3) years of the date of the final decision by the presiding party or a court of appropriate jurisdiction. The improvements for the approved use must be completed within five (5) years of the same date.”
17. The conditional use permit for a Special Event Facility shall be limited to Derek Olson/The Wild Oak, LLC. A

change in ownership will require a conditional use permit modification to amend this condition.

DATED this 3 day of July, 2025.

PLANNING AND ZONING COMMISSION  
CANYON COUNTY, IDAHO

  
Robert Sturgill, Chairman

State of Idaho )

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County of Canyon County )

On this 3<sup>rd</sup> day of July, in the year 2025, before me Caitlin Ross, a notary public, personally appeared Robert Sturgill, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.



Notary: Caitlin Ross  
My Commission Expires: 5/7/2031