

The Canyon County Board of Commissioners considered and adopted the following Resolution which shall be effective on the _____ day of _____, 2025.

Upon the motion of Commissioner _____ and the second by Commissioner _____ the Board resolves as follows:

At the recommendation of the Development Services Department, the Board hereby resolves to issue a refund of \$_____ to Streetlights LLC, requested by Marcel Lopez, Case no. CU2024-0017. Supporting documentation from the Development Services Department is attached.

- _____ Motion Carried Unanimously
- _____ Motion Carried/Split Vote Below
- _____ Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
_____ Commissioner Leslie Van Beek	_____	_____	_____
_____ Commissioner Brad Holton	_____	_____	_____
_____ Commissioner Zach Brooks	_____	_____	_____

Attest: RICK HOGABOAM, CLERK

Deputy Clerk

Date: _____

Resolution No. 25-_____



CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue Ste. 310 • Caldwell, Idaho • 83605 • (208) 454-7458

INTERDEPARTMENT MEMORANDUM

FOR YOUR: ☐ Review ☒ Action ☐ Information

DATE: May 5, 2025

TO: Board of County Commissioners

FROM: Jennifer Almeida, Office Manager

SUBJECT: Refund request – Marcel Lopez
Case No. CU2024-0017

DIRECTOR SIGNATURE: _____

Background:

The applicant applied for a conditional use permit on August 9, 2024 (CU2024-0017).

Work Completed:

Agency and JEPA notices were sent out on 1/14/25. All of the case maps were generated and the 600 ft. property owner listing was also prepared for this case.

The applicant withdrew their conditional use permit request on April 24, 2025.

Approximately 45% of the application fees for CU2024-0017 paid have been utilized. See attached progress chart & information.

Recommendation:

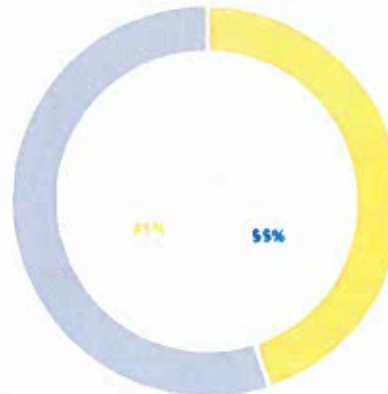
A refund in the amount of \$522.50 is recommended.

Actual		45%
Level Max	Data Series	
Level 1	25%	45%
Level 2	50%	
Level 3	75%	
Level 4	100%	
Remainder		55%

Case Notes: See Memo for complete background and work completed.

Fees paid: \$950.00
Refund amount \$ 522.50

CU2024-0017



Checklist

Admin Cases:

- *Consult & Intake
- *Make Folder, Assign Case
- *Research & Notice if necessary
- *Approval
- *Action letter, completion, filing

Checklist

P&Z or HE Cases:

- *Consult & Intake ✓
- *Make Folder, Assign Case ✓
- *Notice Agencies ✓
- *Create maps, property owners ✓
- *Ongoing research & communication ✓
- *Noticing, posting, newspaper ✓
- *Staff Reports
- *Commissioner packets mail and email
- *Hearing prep
- *Hearing
- *Action letter
- *Completion, filing

Checklist

P&Z with BOCC Cases:

- *Consult & Intake
- *Make Folder, Assign Case
- *Notice Agencies
- *Create maps, property owners
- *Ongoing research, & communication
- *Noticing, posting, newspaper
- *Staff Reports
- *Commissioner packets mail and email
- *Hearing prep
- *Hearing
- *Action letter
- *BOCC, get hearing date
- *Ongoing research, & communication
- *Noticing, posting, newspaper
- *Staff Reports
- *Commissioner packets mail and email
- *Hearing prep
- *Hearing

Jennifer Almeida

From: Amber Lewter
Sent: Thursday, April 24, 2025 1:46 PM
To: Jennifer Almeida
Subject: FW: [External] RE: CU2024-0017

Hi Jenn,

The applicant would like to withdraw case CU2024-0017. The initial agency was sent out, some research and the staff report had been started. Not much was completed on the staff report. Please let me know if you need anything else.

Thank you,

Amber

From: Marcel Lopez <marcel@congergroup.com>
Sent: Thursday, April 24, 2025 1:42 PM
To: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Subject: [External] RE: CU2024-0017

Amber,

Yes, that is correct, we would like to withdraw our Conditional Use application, CU2024-0017, for the property at 89 S Dewey Lane, Nampa.

Thank you for following up with us.

Marcel Lopez
Mobile: 208.392.5948

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Sent: Thursday, April 24, 2025 12:09 PM
To: Marcel Lopez <marcel@congergroup.com>
Subject: CU2024-0017

Hello Marcel,

I spoke with Mark Peterson yesterday during my site visit and he informed me you are withdrawing the application. I just wanted to confirm this is correct.

Thank you,



Amber Lewter
Associate Planner
Canyon County Development Services Department

✓ Agency notice to LEPA
✓ Case Maps
✓ 600 ft. Listing

Jennifer Almeida

From: Marcel Lopez <marcel@congergroup.com>
Sent: Friday, May 2, 2025 11:57 AM
To: Jennifer Almeida
Subject: [External] RE: CU2024-0017

Jennifer,

Thank you for following up on this.

Yes, please, we do request a refund of fees for this withdrawn case CU2024-0017. It had been over 8 months since the application was submitted and due to the delay in processing the application separate accommodations had to be made to avoid further code enforcement issues due to the delay in our application being processed.

The refund can be made out to Streetlights LLC, 4824 W Fairview Ave., Boise, ID 83706.

Marcel Lopez
Mobile: 208.392.5948

From: Jennifer Almeida <Jennifer.Almeida@canyoncounty.id.gov>
Sent: Friday, May 2, 2025 11:35 AM
To: Marcel Lopez <marcel@congergroup.com>
Subject: CU2024-0017

Marcel,

I received an email from Amber Lewter indicating you are withdrawing the conditional use permit request, case no. CU2024-0017. The email did not indicate if you wanted to request a refund of unused fees (if any)? If so, please also indicate name and address any potential refund would need to be sent to.

Thanks,



Jennifer Almeida
Office Manager
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-455-5957
Email: Jennifer.Almeida@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

CERTIFICATE OF LEGAL NOTIFICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #310, Caldwell, ID 83605

Phone: 208-454-7458



CASE NAME: Peterson

CASE NO: CU2024-0017

HEARING BODY: Planning and Zoning Commission

I, Caitlin Ross, as the representative of Canyon County Development Services, hereby certify that on this 14th day of January, 2025, I mailed by regular first-class mail, or emailed, a true and correct copy of the notice attached hereto as Exhibit A to those referenced in Exhibit B in accordance with the requirements of the Canyon County Zoning Ordinance § 07-05-01.

☒ **Agencies - Initial Notice for Comment**

☐ JEPA / (City of Nampa)

☐ Agencies - 30 Day Notice of Hearing Date

☐ Full Political

☐ Property Owners

Signed: Caitlin Ross
(Signature of DSD staff who mailed/e-mailed notice)

Date Completed: 1/14/25



CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Ave., Ste. 310, Caldwell, ID 83605 | Office: 208-454-7458

www.canyoncounty.id.gov/elected_officials/commissioners/development_services

AGENCY NOTIFICATION – RESPONSE REQUESTED

Case No.: **CU2024-0017**

Transmission Date: **January 14, 2025**

Address: **89 S. Dewey Lane, Nampa (R30628010)**

Hearing Body: **P&Z Comm. or Hearing Examiner**

Applicant: **Conger Group – Marcel Lopez**

Property Owner: **Mark Peterson**

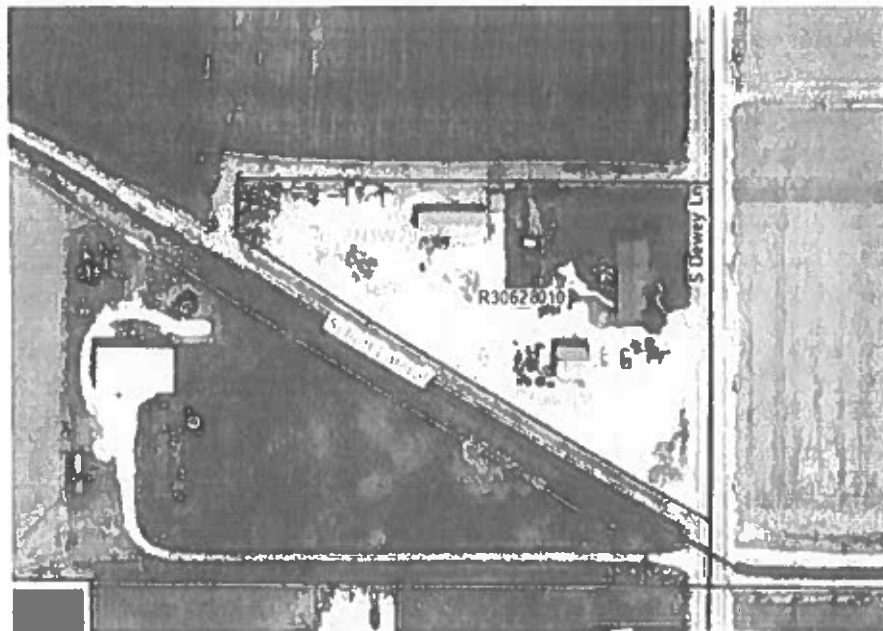
RESPONSE DEADLINE: February 13, 2025

Your agency is hereby notified that Canyon County Development Services has accepted an application:

Case No. CU2024-0017: The property owner, Mark Peterson, represented by Conger Group, is requesting a conditional use permit to allow a contractor shop and staging area on Parcel R30628010, approximately 2.55 acres. The subject property is located at 89 S. Dewey Lane, Nampa, also referenced as a portion of the NW quarter of Section 29, T3N, R1W, BM, Canyon County, Idaho.

The property is not located within a Floodplain and/or Floodway.

Flood Hazard Zone: **X**



Your agency response is critical to the evaluation of this proposal. A copy of the letter of intent and other applicable documents are enclosed for your review. The application packet can also be found on the County website under "Land Hearings". To provide comments, please respond by **2/13/2025**. *Comments received by the due date will be added to the Staff Report and the hearing body's packet. Your agency's comments are an important part of our decision-making process.* Contact **Dan Lister** at **(208) 455-5959** with any questions, concerns, or if you need additional information.

Please reference the Case No. listed above in responses and/or correspondence regarding this case. You may respond in the following formats:

- Mail: 111 North 11th Ave., Ste. 310, Caldwell, ID 83605
- Email: daniel.lister@canyoncounty.id.gov

EXHIBIT

A

At a minimum, please address the following questions specific to your agency listed below and any additional concerns regarding the requested use. Information submitted will be a part of the record as evidence for the Findings of this case:

SOUTHWEST DISTRICT HEALTH DEPARTMENT

- ✓ Will a Nutrient Pathogen Study be required?
- ✓ Will adequate sanitary systems be provided to accommodate the use?
- ✓ Any concerns about the use or request for rezoning? If so, are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and nearby city?

HIGHWAY DISTRICTS/ITD

- ✓ Does legal access to the property exist for the requested use?
- ✓ Will there be any undue interference with existing or future traffic patterns created by the requested use? If so, are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and nearby city?
- ✓ Is a TIS required?
- ✓ What are the cumulative impacts of the use or request rezone to the road network and area?

IRRIGATION DISTRICTS

- ✓ Will adequate irrigation be provided to accommodate said use?
- ✓ Will any of the services provided by the irrigation district be negatively impacted by the requested use or require additional public funding to meet the needs created by the requested use? Are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and nearby city?

IDAHO DEPARTMENT OF WATER RESOURCES

- ✓ Will adequate water be provided to accommodate requested use?
- ✓ Any concerns about the use or request for rezoning? If so, are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and nearby city?

SCHOOL FACILITIES

- ✓ Will essential services be provided to accommodate the requested use?
- ✓ Will any school services be negatively impacted by the requested use or require additional public funding to meet the needs created by the requested use? Are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and nearby city?

POLICE, FIRE, AND EMERGENCY MEDICAL SERVICES

- ✓ Will essential services be provided to accommodate requested use?
- ✓ Will services be negatively impacted by such use or require additional public funding to meet the needs created by the requested use? Are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and nearby city?
- ✓ What is the estimated response time to the subject property? Is this response time adequate for life safety concerns?

DEPARTMENT OF ENVIRONMENTAL QUALITY

- ✓ Will the use have a negative impact on air quality?
- ✓ Will essential services accommodate said use?
- ✓ Will the use impact any nearby surface water sources?
- ✓ Will the use negatively impact groundwater?
- ✓ Is there a hazardous waste concern?
- ✓ Any concerns about the use or request for rezoning? If so, are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and nearby city?

Idaho Code 37-6509(a) requires notice of a public hearing to be sent to political subdivisions of the state that provided services within the planning jurisdiction at least fifteen (15) days before the public hearing.

CERTIFICATE OF LEGAL NOTIFICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #310, Caldwell, ID 83605

Phone: 208-454-7458



CASE NAME: Peterson

CASE NO: CU2024-0017

HEARING BODY: Planning and Zoning Commission

I, Caitlin Ross, as the representative of Canyon County Development Services, hereby certify that on this 14th day of January, 2025, I mailed by regular first-class mail, or emailed, a true and correct copy of the notice attached hereto as Exhibit A to those referenced in Exhibit B in accordance with the requirements of the Canyon County Zoning Ordinance § 07-05-01.

- ☐ Agencies - Initial Notice for Comment
- ☒ JERA / (City of Nampa)
- ☐ Agencies - 30 Day Notice of Hearing Date
- ☐ Full Political
- ☐ Property Owners

Signed: Caitlin Ross
(Signature of DSD staff who mailed/e-mailed notice)

Date Completed: 1/14/25



Development Services



Canyon County, 111 North 11th Avenue, Caldwell, ID 83605

(208) 454 7458 • (208) 454 6633 Fax • DSDInfo@canyonco.org • www.canyonco.org_dsd

January 14, 2025

City of Nampa
411 3rd Street South
Nampa, ID 83651

RE: City Impact Area, Joint Exercise of Power Agreement

Dear Mr. Critchfield;

You are hereby notified, pursuant to the Joint Exercise of Power Agreement between the City of Nampa and Canyon County, that the Development Services Department has accepted the following application:

Case No. CU2024-0017: The property owner, Mark Peterson, represented by Conger Group, is requesting a conditional use permit to allow a contractor shop and staging area on Parcel R30628010, approximately 2.55 acres. The subject property is located at 89 S. Dewey Lane, Nampa, also referenced as a portion of the NW quarter of Section 29, T3N, R1W, BM, Canyon County, Idaho.

Canyon County Code of Ordinances **Section 09-11-17 and 09-11-25** for the Nampa Area of City Impact apply to this notification in accordance with our agencies' joint agreement.

In accordance with **09-11-23**, Canyon County requests the City of Nampa's input, within thirty (30) days, on the proposed request. At the hearing, the commission shall give such input due consideration. If no response is received the County may proceed without recommendation from the City.

If you would like additional information please contact **Dan Lister** at daniel.lister@canyoncounty.id.gov.

Sincerely,

Caitlin Ross
Hearing Specialist
Development Services Department

Cc: Robyn Sellers, Caleb LaClair, Daniel Badger, Kristi Watkins, GIS

Planning • Zoning • Building • Code Enforcement • Engineering • GIS
While balancing diverse interests, the Canyon County Development Services Department (DSD) delivers community development services to implement the County's vision and values, provide stewardship of public resources, and maintain a prosperous future for all.

EXHIBIT

A



CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 N. 11TH Ave. Ste 310 • Caldwell, Idaho 83605
Phone (208) 454-7458 • ZoningInfo@canyoncounty.id.gov

LEGAL NOTICE TRANSMITTAL

Case #: CU2024-0017

Transmittal Date: 1/14/2025

Planner: D. Lister

Applicant: Mark Peterson

Applicant's Representative: Conger Group -- Marcel Lopez

☒ P&Z

☒ Hearing Examiner

☐ BOCC

JEPA: NAMPA

☐ FULL POLITICAL

City <input type="checkbox"/> Caldwell <input type="checkbox"/> Greenleaf <input type="checkbox"/> Homedale <input type="checkbox"/> Marsing <input type="checkbox"/> Melba <input type="checkbox"/> Middleton <input checked="" type="checkbox"/> Nampa <input type="checkbox"/> Notus <input type="checkbox"/> Parma <input type="checkbox"/> Star <input type="checkbox"/> Wilder School District <input type="checkbox"/> Caldwell <input type="checkbox"/> CWI <input type="checkbox"/> Homedale <input checked="" type="checkbox"/> Kuna <input type="checkbox"/> Liberty Charter <input type="checkbox"/> Marsing <input type="checkbox"/> Melba <input type="checkbox"/> Meridian/West Ada <input type="checkbox"/> Middleton <input type="checkbox"/> Nampa <input type="checkbox"/> Notus <input type="checkbox"/> Parma <input type="checkbox"/> Vallivue <input type="checkbox"/> Wilder <input checked="" type="checkbox"/> Southwest District Health	Fire District <input type="checkbox"/> Caldwell <input type="checkbox"/> Homedale <input type="checkbox"/> Kuna <input type="checkbox"/> Marsing <input type="checkbox"/> Melba <input type="checkbox"/> Middleton <input checked="" type="checkbox"/> Nampa <input type="checkbox"/> Parma <input type="checkbox"/> Star <input type="checkbox"/> Upper Deer Flat <input type="checkbox"/> Wilder <input checked="" type="checkbox"/> State Fire Marshal Highway District <input type="checkbox"/> Hwy District 4 <input type="checkbox"/> Golden Gate <input checked="" type="checkbox"/> Nampa <input type="checkbox"/> Notus-Parma Library District <input type="checkbox"/> Kuna <input type="checkbox"/> Lizard Butte <input type="checkbox"/> Wilder Utilities <input checked="" type="checkbox"/> Centurylink <input checked="" type="checkbox"/> Intermountain Gas <input checked="" type="checkbox"/> Idaho Power <input checked="" type="checkbox"/> Ziply	Irrigation, Drain & Flood Districts <input type="checkbox"/> Black Canyon Irrigation Dist. <input type="checkbox"/> Boise-Kuna Irrigation Dist. <input checked="" type="checkbox"/> Boise Project Board of Control <input type="checkbox"/> Caldwell Water & Sewer <input type="checkbox"/> Canyon County Water Co. <input type="checkbox"/> Canyon Ditch Co. <input type="checkbox"/> Eureka Irrigation District <input type="checkbox"/> Farmer Cooperative Ditch Co. <input type="checkbox"/> Farmers Union Ditch Co. <input type="checkbox"/> Franklin Ditch Co. <input type="checkbox"/> Lower Center Point <input type="checkbox"/> Mason Creek Ditch Co. <input type="checkbox"/> Middleton Mill Ditch/Irrigation <input checked="" type="checkbox"/> Nampa -- Meridian <input type="checkbox"/> New York <input type="checkbox"/> Newman Ditch <input type="checkbox"/> Pioneer <input type="checkbox"/> Pioneer Dixie Ditch <input type="checkbox"/> Poor Boy Ditch <input type="checkbox"/> Riverside Irrigation District <input type="checkbox"/> Riverside Ditch <input type="checkbox"/> Wilder Irrigation <input type="checkbox"/> Settlers Irrigation <input type="checkbox"/> Siebenberg Co-op Ditch <input type="checkbox"/> Star Sewer & Water <input type="checkbox"/> Drainage District 2 <input type="checkbox"/> Drainage District 3 <input type="checkbox"/> Drainage District 4 <input type="checkbox"/> Drainage District 6 <input type="checkbox"/> Flood District 10 <input type="checkbox"/> Flood District 11	Transportation <input type="checkbox"/> ACHD <input type="checkbox"/> Brown Bus Company <input type="checkbox"/> Caldwell Transportation <input type="checkbox"/> COMPASS <input checked="" type="checkbox"/> Idaho Transportation Dept <input type="checkbox"/> Valley Regional Transit Emergency Services <input checked="" type="checkbox"/> Canyon County Sheriff <input checked="" type="checkbox"/> Emergency Mgmt. Coordinator <input checked="" type="checkbox"/> CC Paramedics / EMT <input type="checkbox"/> Homedale City Ambulance <input type="checkbox"/> Marsing Ambulance <input type="checkbox"/> Melba Quick Response <input type="checkbox"/> Nampa Police Department Other <input type="checkbox"/> Army Corp of Engineers <input type="checkbox"/> Deer Flat Natl Wildlife Refuge <input type="checkbox"/> Farm Service Agency <input type="checkbox"/> Greater Middleton Area Rec <input type="checkbox"/> Melba Gopher District <input type="checkbox"/> Mosquito Abatement <input type="checkbox"/> Natural Resource Conservation Dist <input type="checkbox"/> Ten-Davis Recreation <input type="checkbox"/> Destination Caldwell <input type="checkbox"/> Owyhee County, Dir of Planning <input type="checkbox"/> Media <input type="checkbox"/> Cemetery <input type="checkbox"/> US Postal Service <input type="checkbox"/>
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Canyon County

- ☐ CC Animal Control
- ☒ CC Assessor's Office
- ☐ CC Elections
- ☐ CC Farm Bureau
- ☐ CC Historical Society
- ☐ CC Parks & Recreation
- ☐ CC Weed & Gopher Control
- ☐ CC Soil Conservation District

Canyon County

- ☒ CC OSD Building Dept.
- ☒ CC DSD Code Enforcement
- ☒ CC Engineering Dept.
- ☒ CC GIS Dept.

Government

- ☐ Bureau of Land Management
- ☐ Bureau of Reclamation
- ☒ Dept of Environmental Quality
- ☐ Environmental Protection Agency

Government

- ☐ Farm Service Agency
- ☐ FEMA
- ☒ ID Dept of Water Resources/water rights
- ☐ Idaho Fish & Game
- ☐ Idaho State Dept of Agriculture
- ☐ Dept of Lands/ SW Area Mgr.
- ☐ ID Agricultural Aviation Association
- ☐ Energy and Mineral Resources (OEMR)
- ☐ US Department of Agriculture

EXHIBIT

B