

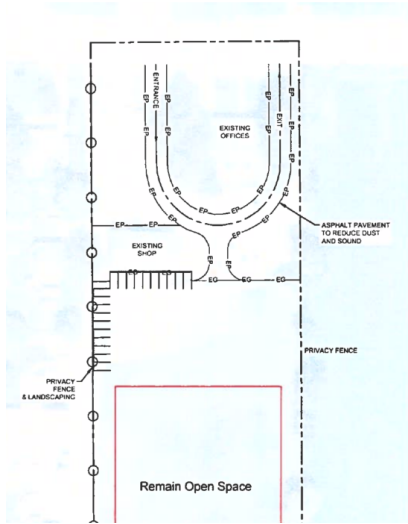
Bighorn Traffic Service

CU2025-0002-APL

REPRESENTATIVE: CONNOR GRAY

OWNER: WHCP LLC



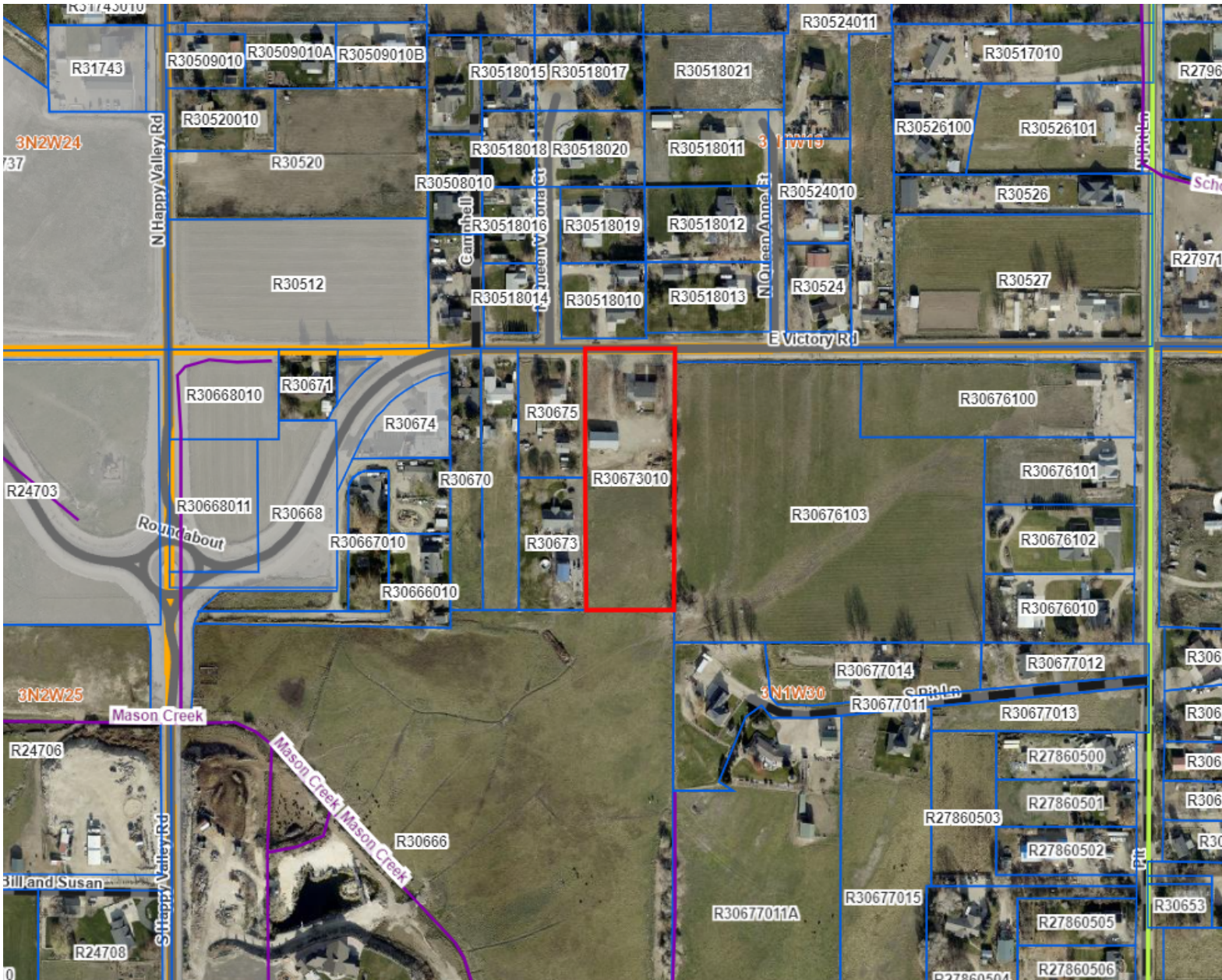


REQUEST

The appellant requests the Board to overturn the denial of case CU2025-0002.

Conditional Use Permit for a **Staging Area and Contractor Shop** for Bighorn Traffic Services.





LOCATION

Parcel R30673010

Located at 5023 E Victory Rd.
Nampa, Idaho, 83687

Approx 3.42 acres

Zoned "A" (Agricultural)



EVALUATION CRITERIA (07-07-05):

- (1) Is the proposed use permitted in the zone by conditional use permit?
- (2) What is the nature of the request?
- (3) Is the proposed use consistent with the comprehensive plan?
- (4) Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?
- (5) Will adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems be provided to accommodate the use?
- (6) Does legal access to the subject property for the development exist or will it exist at the time of development?
- (7) Will there be undue interference with existing or future traffic patterns?
- (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?



CONDITIONS:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
2. This conditional use permit shall follow land use time limitation as stated in CCCO §07-07-23: “When a conditional use permit is granted, the land use or construction of its facility proposed in the application must have commenced within three (3) years of the date of the final decision by the presiding party or a court of appropriate jurisdiction. The improvements for the approved use must be completed within five (5) years of the same date.
 - a. Commencement shall be the date zoning compliance is issued for a change of occupancy permit for the residence and accessory structure.
3. The contractor shop and staging area conditional use permit shall be limited to parcel R30673010. This permit is not transferable to any other property or individual and is not valid for any business or use other than Bighorn Traffic Services or that specifically approved by the Board of County Commission.



CONDITIONS CONT:

4. The proposed development shall be in conformance with the applicant's Site Plan and Letter of Intent (**Exhibits A1, A1.1 & A3**).
 - a. Contractor Shop Hours of Operation: 7 a.m. to 6 p.m. Monday through Friday, with no more than ten (10) employee vehicles on site.
 - b. Staging Area Hours of Operation: 7 a.m. to 6 p.m. Monday through Friday.
 - c. Staging Area: No more than twenty (20) business vehicles related to the staging area shall be parked on site (not on a public road) and shall be in operable condition.
 - d. Landscaping shall be installed on the west boundary of the subject property in accordance with **Exhibit A3**.
 - e. The use of back up alarms on business vehicles on the subject property shall be prohibited.
 - f. The use and staging of heavy equipment shall be prohibited on the subject property.
 - g. Manufacturing on site shall be prohibited. The use of paint, toxic fumes and lud equipment to make traffic sign decals shall be prohibited.
 - h. If the applicant wishes to expand and/or modify the proposed use, the applicant shall annex into the City of Nampa.



CONDITIONS CONT:

5. The applicant shall meet City of Nampa setback requirements, evidenced by a letter from the City of Nampa or the applicant shall meet Canyon County setbacks by moving the shop or applying and getting approval for a variance prior to an approved change of occupancy permit (**Exhibit D4.1**).
6. Per Development Services Building Department the applicant shall obtain a change of occupancy permit for the residence and accessory structure, evidenced by a certificate of occupancy provided to DSD within 120 days of the signed decision (**Exhibit D4**).
7. The applicant shall comply with the applicable highway district's access requirements (**Exhibit D3**). The applicant shall obtain a permit prior to commencement of use.
 - a. Provided at the time of the change of occupancy permit, the applicant shall coordinate with Highway District No. 1 and obtain the necessary approvals for the intended use. Evidence shall be an approved approach permit from the subject highway district.
 - b. The applicant shall pave the entirety of the half-circular driveway in accordance with the site plan (**Exhibit A3**)
 - c. The west ingress/egress shall be utilized as an ingress, and the east ingress/egress shall be utilized as an egress.



CONDITIONS CONT:

8. A minimum six (6) foot sight obscuring fence in accordance with CCCO §07-02-03, shall be installed all boundaries of the 1.8-acre site area as to obscure the business vehicles and storage of materials and equipment within 120-days of the signed decision (**Exhibit 7**).
9. All exterior lighting, if installed, shall be downward facing and directed away from surrounding properties.
10. A dust mitigation plan shall be submitted within 120 days of the signed decision. Dust shall be controlled per applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to operations including but not limited to nuisance regulations (Canyon County Code of Ordinances Chapter 2 Article 1: Public Nuisances) and shall be consistent with Idaho Department of Environmental Quality (DEQ) and Environmental Protection Agency (EPA) requirements.
11. The applicant shall complete a nutrient pathogen study if 600 gallons or more of wastewater is generated on the subject property Per Southwest District Health (**Exhibit D2**).



CONDITIONS CONT:

12. The applicant shall not impede, disrupt, or otherwise disturb the existing irrigation structures on and adjacent to the subject property and easement without written approval from the irrigation district with jurisdiction.
 - a. Per Nampa & Meridian Irrigation District all private laterals and waste ways shall be protected. All municipal surface drainage shall be retained on site. In the case of surface drainage leaving the site, Nampa & Meridian Irrigation District shall review the drainage plan. The applicant shall comply with Idaho code 31-3805 (**Exhibit D6**).
 - b. A drainage system shall be installed to retain stormwater on site within 120 days of the signed decision (**Exhibit A5**).
13. Signage shall meet CCCO §07-10-13 requirements and shall not exceed 32 square feet unless an additional sign permit is applied for and approved by the Director.



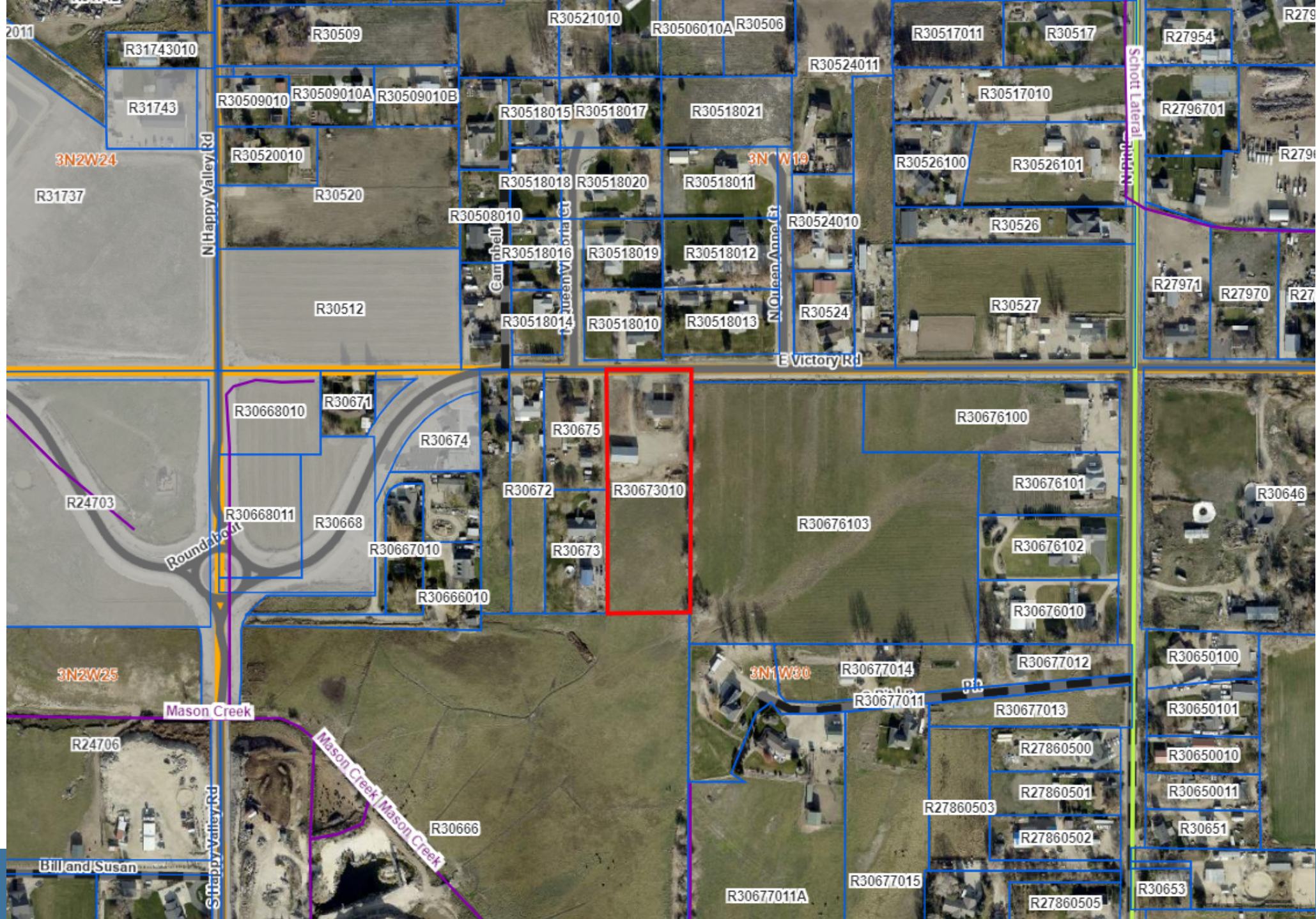
Decision Options:

The Board of County Commissioners **may approve the appeal** and **overturn** the Planning & Zoning Commission's denial of the conditional use permit.

The Board of County Commissioners **may deny the appeal** and **uphold** the Planning & Zoning Commission's decision and direct staff to make findings of fact to support this decision.

The Board of County Commissioners **may table the hearing** and request additional information on specific items.







APPROVAL OF THE APPEAL:

“I move to approve the appeal and overturn the Planning and Zoning Commission’s denial of case CU2025-0002-APL, Bighorn Traffic Services, finding the application **does** meet the criteria for approval under Section 07-07-05 and 07-14-19 of Canyon County Code of Ordinances, with the conditions listed in the Planning and Zoning staff report.”



DENIAL OF THE APPEAL:

“I move to deny the appeal and uphold the Planning and Zoning Commission’s decision of case CU2025-0002-APL, Bighorn Traffic Services, finding the application **does not** meet the criteria for approval under Section 07-07-05 and 07-14-19 of Canyon County Code of Ordinances.”

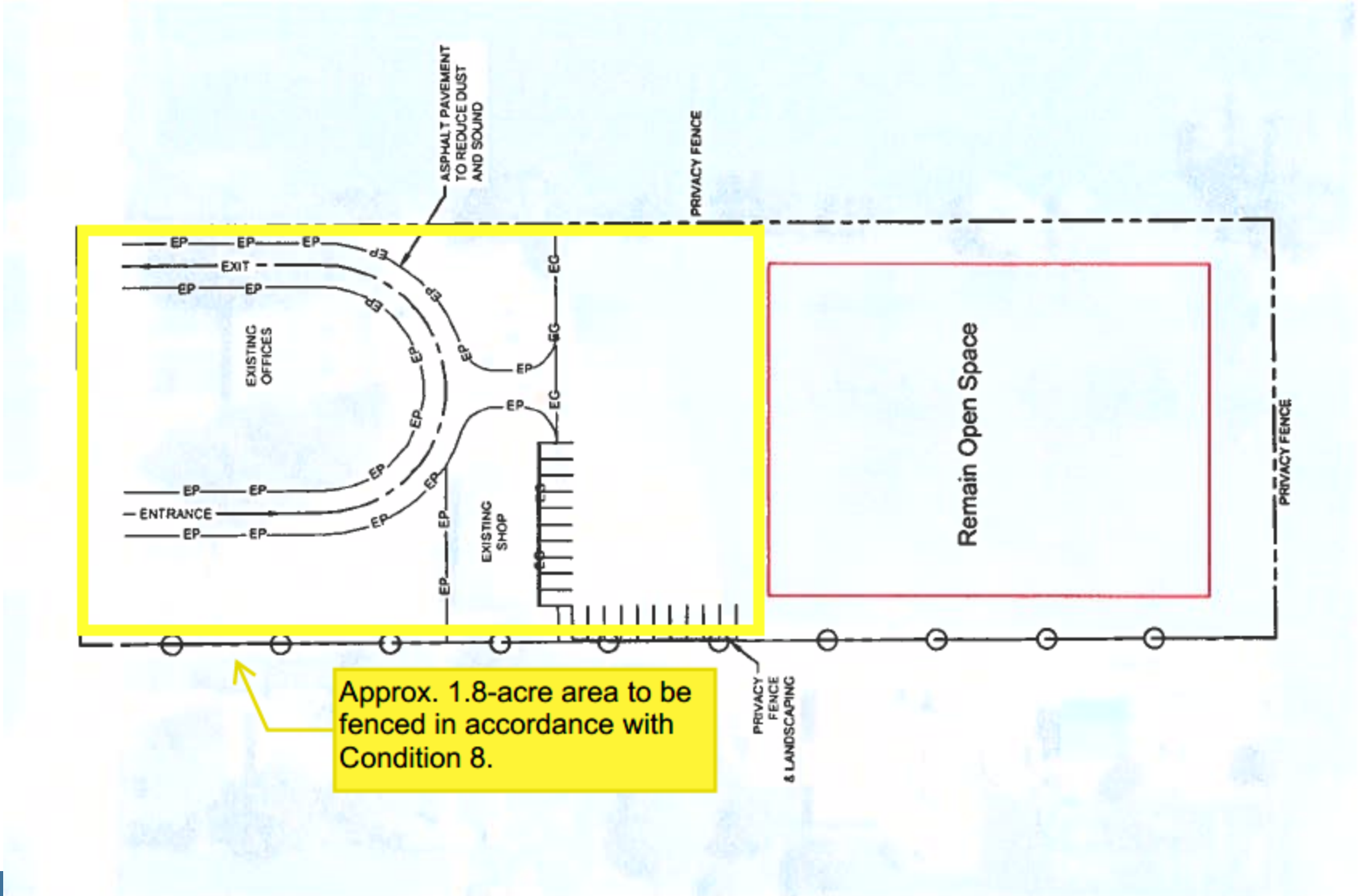


TABLING OF THE APPEAL:

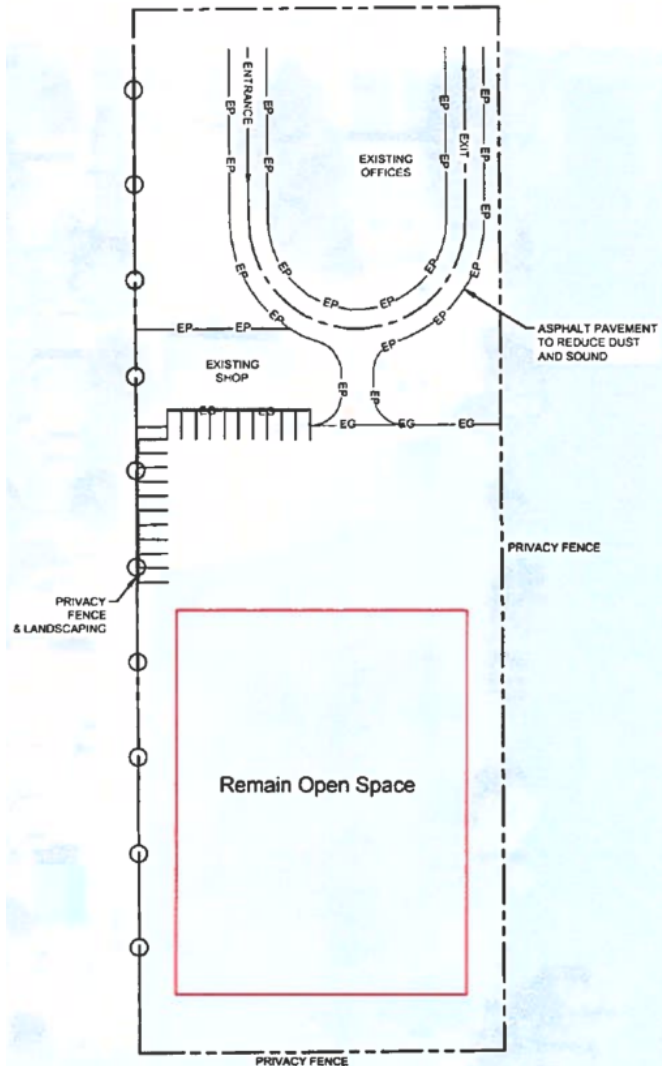
“I move to continue case CU2025-0002-APL, Bighorn Traffic Services, to a [*date certain or uncertain*].”



Exhibit 7



Additional Criteria for a Contractor Shop:



EVALUATION CRITERIA (07-14-09):

- (1) The use shall be contained within a building or behind a sight-obscuring fence.**

Yes.

- The storage of materials will be within a building.
- A sight-obscuring fence will be along the staging area boundaries.

Additional Criteria for a Staging Area

EVALUATION CRITERIA (07-14-29):

- (1) All work shall be conducted off-site.
- (2) Business vehicles shall be operable and parked on site, not on a public or private road.
- (3) Persons not employed on the premises may visit the premises for the purpose of picking up equipment and materials to be used elsewhere, including trucks offloading or transferring equipment and/or materials to other vehicles.
- (4) Employees may meet on the premises to share rides to and from job sites.
- (5) Employees' vehicles shall be parked on-site and not on a public or private road.



Nampa Area of Impact (09-01):

- The parcel is approx. 350 ft away from City of Nampa's city limits
- City of Nampa (**Exhibit D1** of the Staff Report)
- Industrial zoning

