



**HEARING EXAMINER**  
**FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

In the matter of the application of:

**Kathy and Cesar Collazo for Cornerstone Concrete Services LLC – CU2024-0005**

The Canyon County Examiner considers the following:

- 1) A conditional use permit for a staging area in the "A" (Agricultural) zoning district on parcel R32740. The subject property is located at 16316 S. Florida Ave, Caldwell, Idaho, 83607, also referenced as a portion of the SE quarter of Section 11, T3N, R3W, Canyon County, Idaho. (CU2024-0005).

**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 CU2024-0005. All exhibits stated can be found in the staff report dated April 21, 2025.

**Applicable Law**

- (1) The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-07 (Conditional Use Permits), CCCO §07-02-03 (Definitions), CCCO §07-10-27 (Land Use Regulations (Matrix), Idaho Code §67-6512 (Special Use Permits, Conditions, and Procedures), and CCCO Code §09-01-25.
  - a. Notice of the public hearing was provided pursuant to CCCO §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 Hearing Examiner to determine whether or not the use would cause any damage, hazard, nuisance or other detriment to persons or property in the vicinity. See CCCO §07-03-07.
  - 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, CCCO §07-07-17, and 07-07-19.
- (2) The hearing examiner appointed by the board shall perform such duties as assigned by the board pursuant to Idaho Code section 67-6520. See CCCO §07-03-07.
- (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. CCCO §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. CCCO 07-05-03(1)(I).

**The application CU2024-0005, was presented at a public hearing before the Canyon County Hearing Examiner on April 21, 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 Hearing Examiner decides as follows:**

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

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

**Conclusion:** The proposed uses are permitted in the "A" (Agricultural) zone by conditional use permit.

**Findings:**

- (1) The proposed uses are permitted in the "A" (Agricultural) zone by conditional use permit, pursuant to the Canyon County Code of Ordinance (CCCO §07-10-27).
- (2) The proposed use consists of a staging area on a 2.15-acre parcel. Also, on site is a residence and an accessory structure.
- (3) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0005.
- (4) Evidence includes associated findings and evidence supported within this document.

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

**Conclusion:** The request consists of a conditional use permit for a staging area.

**Findings:**

- (1) The nature of the request consists of a staging area on parcel R32740 to store equipment, materials, and business vehicles on site with access to the staging area between the hours of 7 a.m. and 7 p.m. Monday through Friday for Cornerstone Concrete Services LLC.
- (2) The conditional use permit application for a staging area was submitted on February 6, 2024. A staging area is defined as "an area where equipment and/or materials are stored for use conducted entirely off site (CCCO §07-02-03)."
- (3) There will be approximately six (6) employees or fewer coming on-site to pick up and drop off equipment needed for the job site. Employees may also share rides to and from the site. The proposed use consists of twenty (20) to twenty-five (25) parking spaces and a loading area (**Exhibit A.2 & A.4**).
- (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0002.
- (5) Evidence includes associated findings and evidence supported within this document.

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

**Conclusion:** The proposed use is generally consistent with the Comprehensive Plan.

#### **Findings:**

- (1) The proposed use is generally consistent with the 2030 Comprehensive Plan. Parcel R32740 is currently zoned “A” (Agricultural; Exhibit B.8.9), and the future land use designation is Residential. The proposed staging area is allowed in the “A” (Agricultural) zone through a permitted conditional use permit; however, in the Residential zone, the proposed staging area is prohibited. The parcel is located in the City of Caldwell’s area of impact and is enclaved by the city. The City of Caldwell’s future land use designates the parcel as medium-density residential.
- (2) The proposed use is consistent with the 2030 comprehensive plan, specifically aligning with the following actions, goals, and policies.

#### Chapter 1 Property Rights:

- **P1.01.01** No person should be deprived of private property without due process of law.
- **G1.01.00** Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.

“The right of control: Is the right to use the property legally (2030 Comprehensive Plan, pg. 10).” The applicant submitted a conditional use permit on February 6, 2024, to establish a staging area on the property legally.

#### Chapter 2: Population

- **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.

The staging area allows Cornerstone Concrete Services LLC. to provide services to the growing community. By storing equipment, materials, and business vehicles on site.

#### Chapter 3: Economic Development

- **G3.05.00** Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of the overall economic stability.
- **G3.01.00** Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations.
- **G1.01.00** Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.
- **A1.01.00a** Require properties to conform to the zoning code before receiving additional zoning approvals.
- **P1.01.01** No person should be deprived of private property without due process of law.
- **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.
- **P3.01.02** Support suitable sites for economic growth and expansion compatible with the surrounding area.

Cornerstone Concrete Services provides services off-site, where all work performed is conducted off-premise, while equipment, materials, and business vehicles will be stored on site. The staging area is anticipated to aid the business.

Employees will be coming on and off the property to pick up and drop off business vehicles and equipment. The staging area is anticipated to add to and diversify Canyon County's economy.

#### Chapter 4: Land Use and Community Design

- **G4.01.00** Support livability and high quality of life as the community changes over time.
- **P4.04.01** Support development in locations where services, utilities, and amenities are or can be provided.
- **P4.01.02** Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights.
- **P4.04.01** Support development in locations where services, utilities, and amenities are or can be provided.
- **P4.04.02** Align planning efforts in areas of city impact.

"Area of City Impact boundaries exist around cities in the County where city limits may grow and annex (2030 Comprehensive Plan, pg. 25)." The parcel is enclaved by the City of Caldwell, with residential zoning and surrounded by subdivisions. "The Comprehensive Plan Future Land Use Map establishes the long-term vision of how and where Canyon County will grow over the next ten years (2030 Comprehensive Plan, pg. 25)."

The future land use of the parcel is designated as Residential. The City of Caldwell designates the area as residential in their comprehensive plan. See **Table 3** for a description analysis detailing the Area of City Impact.

#### Chapter 8: Transportation

- **G8.02.00** Provide safe transportation improvements for all users and connections to adjacent areas.
- **P8.02.01** Promote public safety through safe design.
- **A8.02.01a** Require all new developments to be accessible and regularly maintain roads for fire protection and emergency service purposes.

A parking and circulation plan was submitted on April 11, 2025 (**Exhibit A3.1**). According to Highway District No. 4, there will be minimal impacts; however, conditions of approval shall be placed to mitigate potential impacts. See condition of approval No. 5 (**Exhibit D.5**).

Overall, the proposed use generally aligns with the 2030 comprehensive plan. Due to the location and the future land use designation, there may be concerns, however, they may be mitigated through conditions of approval.

(3) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0005.

(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:** 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.

#### **Findings:**

- (1) The surrounding area is zoned residential in the City of Caldwell's jurisdiction. There is residential growth in the area, with a number of subdivisions located within 600' of the property boundary (**Exhibit B.8.2**).



Adjacent Existing Parcels:			
Direction	Existing Use	Primary Zone	Other Zone
N	Residential: Guches NO. 1 Subdivision	Combined Medium Density Residential in the City of Caldwell	N/A
E	Residential: Guches NO. 1 Subdivision	Combined Medium Density Residential in the City of Caldwell	N/A
S	Residential	Single Family Residential in the City of Caldwell	Agricultural zone in Canyon County
W	Residential: Sawgrass Village 1 Subdivision	Single Family Residential in the City of Caldwell	Multi-Family High Density Residential
"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)			

- (2) **Character of the Area:** The subject parcel is enclaved by the City of Caldwell. The surrounding area is primarily residential, from single-family to multifamily dwellings. Central Canyon Elementary School is located to the northwest of the subject property. Adjacent to the north and east property boundary is the Guches No. 1 Subdivision, consisting of 53 lots and five (5) internal roads. Directly to the south is a 1.82-acre parcel that has one (1) single-family residence, and south of that is a 20-acre agricultural parcel located in the county. To the west of the subject parcel are more residential uses, such as the Sawgrass Village No. 1 Subdivision, consisting of 95 lots with eleven (11) internal roads. Florida Ave. is a major collector that provides access through the area. The character of the area is primarily residential; the use of a staging area may impact or indirectly interfere with the surrounding land uses, due to the nature of the use of a staging area.

The proposed use is not anticipated to directly or indirectly exclude or diminish another's use of public and/or private services. The proposed business vehicles coming on and off the site may pose interferences or conflict with the surrounding residential uses. See the proposed conditions of approval to mitigate noise, dust, and emission concerns that may arise.

One (1) public comment was received in favor of the proposed staging area (**Exhibit E.1**). The proposed use is not anticipated to be injurious to the surrounding area, however, it may change the character of the area. To mitigate that concern, a minimum six-foot height sight-obscuring fence shall be installed along the north, east, and west property boundaries. The staging area has commenced and has been in use for approximately two (2) years now.

- (3) **Surrounding Land Use Cases:** There are no surrounding land use cases within the county (**Exhibit B.8.3**). There are two (2) other parcels within a 600' radius under the county's jurisdiction (**Exhibit B.8.1**). The surrounding area is located in the City of Caldwell. Guches Subdivision No. 1 is in the process of being constructed.
- (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0005.
- (5) Evidence includes associated findings and evidence supported within this document.

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

**Conclusion:** The 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) **Water:** According to the Land Use Worksheet, the applicant intends to use an individual domestic well for domestic water use (**Exhibit A.4**). The proposed water system is adequate for the proposed use.
- (2) **Sewer:** There is an individual septic on-site that will be utilized for the sewer. The proposed use will have two (2) portable restrooms on site for employees to use. According to Southwest District Health, "septic systems are not proposed for the proposed use" (**Exhibit D.3**). The staging area will have adequate systems to accommodate the proposed use.
- (3) **Irrigation:** The applicant will have gravity irrigation (**Exhibit A.4**). It's not anticipated that the irrigation systems will be impacted by the proposed use.
- (4) **Drainage:** It's not anticipated that the drainage system(s) will be impacted by the proposed use.
- (5) **Stormwater drainage facilities:** The applicant did not indicate how stormwater will be retained. It's not anticipated that the stormwater drainage facilities will be impacted by the proposed use. As conditioned, all stormwater shall be retained on-site.
- (6) **Utility Systems:** It's not anticipated that the utility systems will be impacted by the proposed use.
- (7) **Building Compliance:** Per the Canyon County Building Department, the unpermitted structure(s) shall come into compliance by receiving a building permit. As conditioned, all shipping containers on site shall receive a building permit (**Exhibit D.1**).
- (8) **Code Enforcement Compliance:** A code enforcement case was opened on January 25, 2024, due to unpermitted structure(s), an RV being occupied and operating a staging area without a permit (**Exhibit B.3**). The RV is no longer occupied according to the applicant and has been remedied (**Exhibit B.4**). The unpermitted structure(s) shall receive a permit as a condition of approval. If the request for a staging area is approved, the code enforcement violation will be remedied, and the parcel is anticipated to be in compliance with Canyon County code.
- (9) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0005.
- (10) Evidence includes associated findings and evidence supported within this document.

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

**Conclusion:** The subject property has legal access to the proposed development.

**Findings:**

- (1) The subject parcel takes access off of South Florida Avenue, which is a major collector road under the City of Caldwell's jurisdiction. There is approximately 341' of frontage on the west property boundary. The existing driveway is located on the southwest corner of the property, through a 25' wide prescriptive easement. During a pre-development meeting on December 7, 2023 with Highway District No. 4 (HD4), the agency noted there is an approach on the southwest corner of the property however, would be ill advised to use for a staging area as there may be conflicts with the left turns with the adjacent subdivision onto South Florida Ave. HD4 advised that the existing approach be relocated 200' north. Highway District No. 4 shall apply City of Caldwell standards; see **Exhibit A.5.1** for details. During the site visit on

November 1, 2024, the business vehicles were taking access off from the northwest corner of the parcel (**Exhibit C**).

- (2) The initial agency notice was sent out on November 7, 2025. On December 9, 2024, the Highway District provided comments. According to Highway District No. 4, the existing approach on the southwest corner may be utilized for the proposed use, subject to the applicant dedicating 40' of right of way along Florida Ave., obtaining an approach permit, and improving the existing approach to meet the highway district's requirements (**Exhibit D5**). If 40' of right of way is dedicated along South Florida Ave., the existing residence would be considered legal nonconforming as it will no longer meet county setbacks outlined in CCCO §07-10-21.
- (3) The existing approach is located on the southwest corner of the property. During the site visit, staff witnessed a business truck using the northwest corner to egress off the property. Per Chris Hopper on April 7, 2025, the northwest ingress/egress may not be suitable as an approach due to the proximity of the incoming subdivision access point unless waived by the City of Caldwell. According to Steve Pendleton, the City of Caldwell Engineer, on April 7, 2025, an approach may be established on the northwest corner of the parcel for the staging area. On major collectors, there shall be a 150-foot distance between access points. According to the City of Caldwell, the northwest corner approach may meet the 150-foot distance requirement.
- (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0005.
- (5) Evidence includes associated findings and evidence supported within this document.

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

**Conclusion:** There may not be undue interference with the existing or future traffic patterns.

**Findings:**

- (1) The operation of a staging area has commenced, as it has been in operation for approximately two (2) years. The area of the proposed staging area is in a school zone in the City of Caldwell (**Exhibit C**). Central Canyon Elementary School is approximately 400 feet to the northwest of the subject property.
- (2) It's anticipated that six (6) employees may be coming on and off-site during the hours of operation. According to the applicant, the employees pick up needed equipment and vehicles for the job site. It's anticipated there may be a minimum increase in traffic due to the business vehicles coming in and out of the parcel according to Highway District No. 4. According to the applicant, employees may meet on the premises to pick up and drop off equipment and materials to be used off site including trucks offloading or transferring equipment or materials to other vehicles. Approximately two (2) trips the employee(s) take on average on any given day within the hours of operations, according to the applicant.
- (3) Initial agency notice was sent out on November 7, 2025, and again on March 14, 2025. According to Highway District No. 4, the proposed use is estimated to generate 5 times as many peak-hour trips and 2.5 times as many daily trips as a typical residential use would generate. Although there is an increase, Highway District No. 4 estimates it will be minor and has no objections, but provided recommended conditions of approval (**Exhibit D.5**). Idaho Transportation Department did not provide comment.
- (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0005.
- (5) Evidence includes associated findings and evidence supported within this document.

**8. Will essential services be provided to accommodate the use including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be**

negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use?

**Conclusion:** 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. Essential services are not anticipated to be negatively impacted by such use and/or require additional public funding in order to meet the needs created by the requested use.

**Findings:**

- (1) **School Facilities:** The proposed use is not anticipated to directly impact the school's facilities. Agency notice was sent out to Vallivue School District on November 7, 2024, and March 14, 2025, and no comments were received.
- (2) **Police and Fire Protection:** The proposed use is not anticipated to impact police and fire protection. Agency notice was sent out to affected police and fire protection on November 7, 2024, and March 14, 2025, no comments were received.
- (3) **Emergency Medical Services:** The proposed use is not anticipated to impact emergency medical services. Agency notice was sent out to emergency medical services on November 7, 2024, and March 14, 2025, and no comments were received.
- (4) **Irrigation Facilities:** The proposed use is not anticipated to impact the irrigation facilities. Agency notice was sent out to Pioneer Irrigation District on November 7, 2024, and March 14, 2025; no comments were received.
- (5) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0005.
- (6) Evidence includes associated findings and evidence supported within this document.

**9. Does the proposed project comply with the specific use standards for a staging area per CCCO §07-14-29?**

**Conclusion:** The proposed project complies with the specific use standards for a contractor shop per CCCO §07-14-09.

- Findings:**
- (1) **All work shall be conducted off-site.** According to the letter of intent, all work is completed off-site (**Exhibit A.2**). The proposed use is strictly for parking business and employee vehicles and storing equipment and materials for the business. Cornerstone Concrete Services LLC. is registered under Kathy Collazo with the physical address being located at 52 N Firestone Way, Nampa, Idaho (**Exhibit B.6**). The business trucks, materials, and equipment will be parked and stored on site with the approval of the conditional use permit.
  - (2) **Business vehicles shall be operable and parked on site, not on a public or private road.** The proposed use consists of 20 parking spaces and a loading space for the staging area. According to the letter of intent and condition of approval No. 3b, all parking shall be off-street parking, located on the premises, and shall be operable.
  - (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.** According to the Land Use Worksheet (**Exhibit A.4**), the proposed use shall have six (6) employees who may access the property to pick up equipment, materials, and business vehicles to be used elsewhere.
  - (4) **Employees may meet on the premises to share rides to and from job sites.** Employees may meet on-site to share rides to and from the job site. The hours of operation are Monday through Friday, 7 a.m. to 7 p.m.
  - (5) **Employees' vehicles shall be parked on-site and not on a public or private road.** Employees' vehicles, business vehicles, materials, and equipment shall be parked on site and



out of Florida Ave. On April 11, 2025, the applicant provided a parking plan for 20 vehicles; all of the parking was proposed to be on the premises, off-street (**Exhibit A.3.2**).

- (6) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0005.
- (7) Evidence includes associated findings and evidence supported within this document.

**Canyon County Code §09-01-25(1) (Area of City Impact Agreement) - AREA OF CITY IMPACT AGREEMENT ORDINANCE**

**Conclusion:** Parcel R32740 is located within the City of Caldwell Area of City Impact.

- Findings:**
- (1) The subject property lies within the City of Caldwell's Area of City Impact. The Caldwell Area of City Impact consists of an area in unincorporated Canyon County where development or use of land affects, or may affect, the City of Caldwell in consideration of trade areas, geographic factors, and areas that can reasonably be expected to be annexed to the City of Caldwell in the future. The subject parcel is enclaved by the City of Caldwell. An agency notice was sent out to the city of Caldwell on November 7, 2024, and comments were received on December 10, 2024 (**Exhibit D.6**).
  - (2) The City of Caldwell submitted comments stating that the differing land use of residential and the staging area use was of some concern; however, through conditions, the concerns may be mitigated. See the conditions of approval.
  - (3) Highway District No. 4 shall use the City of Caldwell standards for access, approaches, and traffic impact, as the two agencies have a maintenance agreement.
  - (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2024-0005.
  - (5) Evidence includes associated findings and evidence supported within this document.

**Order**

Based upon the Findings of Fact, Conclusions of Law, and Order contained herein, the Canyon County Hearing Examiner **approves** Case # CU2024-0005, a conditional use permit for a staging area 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. 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.
- 3. The proposed development shall be in conformance with the applicant's site plan and Letter of Intent (**Exhibit A.2 and A.3**).
  - a. The hours of operation shall be 7 a.m. to 7 p.m., Monday through Friday.
  - b. Business vehicles shall be operable and parked on site, not on a public or private road.
  - c. No more than six (6) employees shall use the staging area.
- 4. The applicant shall obtain building permits for the unpermitted structure(s), any future structures and/or improvements, and all necessary shipping containers on site within 90 days of the signed decision. (**Exhibit D.1 and D.2**)

- a. All exterior lighting, if installed, shall be downward-facing and directed away from surrounding properties. Compliance shall be demonstrated in the building plans submitted as part of the building permit submittal. Review and approval by DSD shall be completed before building permit issuance.
5. Pursuant to Highway District No. 4, the applicant shall meet the following conditions:
  - a. Obtain an access permit from Highway District No. 4 to document the change in land use.
  - b. Require the existing driveway approach be utilized and be improved with a paved apron to meet the ACCHD standard Drawing 106 unless waived by the City of Caldwell granting an approach permit for the north approach, evidenced by the applicant providing the Development Services Department with an approved approach permit.
  - c. Dedicate 40 feet of public right-of-way for Florida Avenue along the west boundary of the parcel.
6. Noise and emissions shall be mitigated by limiting the hours of operations from 7 a.m. to 7 p.m., Monday through Friday, with no idling of vehicles.
7. A minimum six (6) foot sight-obscuring fence in accordance with CCCO §07-02-03 shall be installed on the north, east, and west boundary of the parcel to obscure the business vehicles and storage of materials and equipment within 90 days of the signed decision.
8. A dust mitigation plan shall be submitted within 90 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.
9. The staging area shall be hard surfaced in accordance with §07-02-03.
10. Portable sanitation units shall be serviced by a licensed plumber and permitted through a health district. Proof of agreement by the applicant with a licensed operator to empty the portable sanitation units shall be provided to Development Services within 30 days of the signed decision.

DATED this 5TH day of May, 2025.

**HEARING EXAMINER  
CANYON COUNTY, IDAHO**

Leon Letson

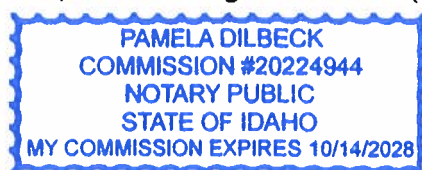
Leon Letson

State of Idaho )

SS

County of Canyon County )

On this 5th day of May, in the year 2025, before me Pamela Dilbeck, a notary public, personally appeared Leon Letson, 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: Pamela Dilbeck

My Commission Expires: 10/14/2028