



Hearing Examiner
Hearing Date: July 7, 2025
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER: CU2024-0020
OWNER/APPLICANT: Jose Cervantes
APPLICATION: Conditional use permit – Retail/Wholesale Nursery, Staging Area, and Contractor Shop
LOCATION: 16503 Wagontier Dr, Caldwell
Parcels R35479011 and R35477010
ANALYST: Amber Lewter, Associate Planner
REVIEWED BY: Dan Lister, Planning Supervisor

REQUEST:

The applicant, Jose Cervantes, requests a conditional use permit for a retail/wholesale nursery, staging area, and contractor shop on parcel R35479011, approximately 3.49 acres, and approximately 2 acres of parcel R35477010. Both parcels are zoned “A” (Agricultural). The request includes selling trees, plants, and nursery materials, storing equipment and materials for the nursery, as well as an office inside the residence.

PUBLIC NOTIFICATION:

Neighborhood meeting conducted on:	June 4, 2024
Agency notice:	April 9, 2025 and June 2, 2025
JEPA notice:	June 2, 2025
Neighbor notification within 600 feet mailed on:	June 3, 2025
Newspaper notice published on:	June 6, 2025
Notice posted on site on:	June 6, 2025

TABLE OF CONTENTS:	Page #
1. Background	2
2. Hearing Body Action	2
3. Hearing Criteria	3
4. Agency Comment	11
5. Public Comment	12
6. Summary & Conditions	12
7. Exhibits	13

1. BACKGROUND:

Parcel R35479011 was created through an approved land division in 2007 (LS2007-19). On September 13, 2017 parcel R3579011 gained an acre by an approved property boundary adjustment (AD2017-88). A property boundary adjustment application (AD2024-0024) was received on March 20, 2024 to gain an additional 2 acres from parcel R35477. The property boundary application is on hold and will finalize if the

conditional use permit gets approved. The conditional use permit application was received on September 27, 2024, for a retail/wholesale nursery, staging area, and contractor shop.

2. HEARING BODY ACTION:

Pursuant to Canyon County Code of Ordinances (CCCO) §07-07-01 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. The commission may require higher standards of site development than those listed specifically in this chapter in order to assure that the proposed use will be compatible with other properties and uses in the vicinity. The commission may revoke or modify its approval of a conditional use permit in accordance with the procedures set forth in the hearing and appeals procedures found in Article 5 of this chapter.

The Commission may attach special conditions to a conditional use permit including, but not limited to, conditions which: (1) Minimize adverse impact, such as damage, hazard, and nuisance, to persons or the subject property or property in the vicinity; (2) Control the sequence and timing of development; (3) Control the duration of development; (4) Designate the exact location and nature of development; (5) Require the provision for on site or off site public facilities or services; (6) Require more restrictive standards than those generally required in this chapter; or (7) Mitigate the negative impacts of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the county (CCCO §07-07-17).

Prior to making a decision concerning a conditional use permit request, the presiding party may require studies at the applicant's expense of the social, economic, fiscal, and environmental effects of the proposed conditional use (CCCO §07-07-19).

OPTIONAL MOTIONS:

Approval of the Application: "I move to approve for CU2024-0020, Cervantes, finding the application **does** meet the criteria for approval under Section 07-07-05 of Canyon County Code of Ordinances, **with the conditions listed in the staff report, finding that;** [*Cite reasons for approval & Insert any additional conditions of approval*].

Denial of the Application: "I move to deny CU2024-0020, Cervantes finding the application **does not** meet the criteria for approval under Section 07-07-05 of Canyon County Code of Ordinances, **finding that** [*cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5))*].

Table the Application: "I move to continue CU2024-0020, Cervantes to a [*date certain or uncertain*]

3. HEARING CRITERIA

Table 1. Conditional Use Permit Review Criteria Analysis

HEARING CRITERIA (CCCO §07-07-05): The presiding party shall consider each conditional use permit application by finding adequate evidence to answer the following questions in its FCOs:				
Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
			07-07-05(1)	Is the proposed use permitted in the zone by a conditional use permit?

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Analysis	<p>A retail/wholesale nursery, staging area, and contractor shop are permitted in the "A" (Agricultural) zone by conditional use permit, pursuant to Canyon County Code of Ordinances (CCCO) §07-10-27.</p> <p>The applicant submitted a conditional use permit for a retail/wholesale nursery, staging area, and contractor shop on September 27, 2024. <i>See Exhibit A for the application and submitted materials.</i></p> <ul style="list-style-type: none"> CCCO §07-02-03 defines a nursery (retail/wholesale as the selling of products and plants at retail and/or wholesale. CCCO §07-02-03 defines a staging area as "An area where equipment and/or materials are stored for use conducted entirely off-site." CCCO §07-02-03 defines a contractor shop as "May include, but not limited to, a building where a contractor conducts his business, including offices and parking of equipment and employee parking."
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(2) Staff Analysis	<p>What is the nature of the request?</p> <p>The applicant, Jose Cervantes, requests a conditional use permit to allow a nursery for retail/wholesale, a staging area, and contractor shop on parcel R35479011, approximately 3.49 acres, and approximately 2 acres of parcel R35477010.</p> <ul style="list-style-type: none"> <u>Use</u>: The nature of the request consists of using the subject properties to sell plants, trees, and nursery items such as rock and soil, store equipment for the nursery such as skeet stirs, trucks and trailers, as well as having an office located inside the residence. (Exhibit A2.2). <u>Number of Employees</u>: There are seven (7) employees. Five (5) employees come on-site in the morning to load their trailers and do work off-site. Two (2) employees will come as needed to load and unload materials to take to the off-site workplaces of the other five (5) employees; the average times per day the two (2) employees will come onsite in a day is two (2). The owners work in the office and assist customers onsite. The owners and their family attend to the nursery (Exhibit A2.2). <u>Customers</u>: Customers are by appointment only (Exhibit A2.2). <u>Hours of Operation</u>: The hours of operation proposed are Monday – Friday 7 am – 7 pm, Saturday and Sunday 8 am – 5 pm per the applicant's letter of intent (Exhibit A2). <u>Parking</u>: The employee parking and the applicant's equipment are stored on the west side of the property behind the shop. <u>Restrooms</u>: There are no restrooms used by employees or customers. There is a large greenhouse on the property that customers do not enter. It is used to store already produced plants. The applicant will be required to get an Ag Exempt permit for the greenhouse once the property boundary adjustment is completed. See condition # 3a. The shop on the property is used to store additional materials and equipment. Half of the shop is under construction and there is an active

				<p>building permit. The other half of the shop is already permitted; this is the half that is currently being used.</p> <ul style="list-style-type: none"> The two acres on parcel R35477010 will be used to grow trees. Customers will not be on this portion of the property. If the conditional use permit gets approved, the two acres of parcel R35477010 will be combined with parcel R35479011. See condition # 3.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(3)	Is the proposed use consistent with the comprehensive plan?
			Staff Analysis	<p>As conditioned, the proposed use is consistent with the Comprehensive Plan.</p> <p>The 2030 Canyon County Comprehensive Plan designates the subject parcel as “Residential” (Exhibit B1). However, approximately 0.50 miles west of the subject property, there is a future agricultural land use designation and approximately 1-mile north of the subject property, there is a future industrial land use designation. The future land use is trending towards a mixed use of residential, industrial, and agricultural.</p> <p>As conditioned, the proposed use is aligned with but not limited to the following goals and policies of the 2030 Comprehensive Plan:</p> <ul style="list-style-type: none"> <u>Property Rights Goals and Policies:</u> <ul style="list-style-type: none"> G1.01.00: <i>“Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.”</i> <p>Canyon County values the applicants’ and surrounding applicants’ private property rights and may support the applicants’ project and the surrounding applicants’ rights by adding mitigating conditions to the proposed conditional use permit (CCCO Section 07-07-17). <i>See the recommended conditions on page 11.</i></p> <u>Population Goals and Policies:</u> <ul style="list-style-type: none"> G2.01.00: <i>“Incorporate population growth trends and projections when making land use decisions.”</i> <p>Property owners have the “right to enjoy the property for its intended use without creating nuisances. Zoning categorizes land uses based on compatibility, such as agriculture, residential, commercial and industrial. Each category has characteristics that might not be compatible with other zoning categories (Pg. 10, Comprehensive Plan 2030).” See section 07-07-05(4) for analysis on land use compatibility and consistency.</p> <u>Economic Development Goals and Policies:</u> <ul style="list-style-type: none"> G3.04.00: <i>“Increase agricultural-based and supportive businesses.”</i> P3.04.01: <i>“Build Canyon County as the premier location for agricultural-based businesses of all sizes.”</i> G3.05.00: <i>“Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability.”</i> <p>Canyon County supports retaining, expanding, and recruiting businesses and economic growth and expansion but this must be done in a way</p>

				<p>that is compatible with the surrounding area, which may include adding mitigation conditions to this conditional use permit that address the community’s concerns (noise, traffic, dust, etc.). <i>See the recommended conditions on page 11.</i></p> <ul style="list-style-type: none">• <u>Land Use Goals and Policies:</u><ul style="list-style-type: none">○ P4.01.01: “Maintain a balance between residential growth and agriculture that protects the rural character.”○ P4.01.02: “Planning, zoning, and land-use decisions should balance the community’s interests and protect private property rights.” <p>Canyon County supports growth and development as long as it is compatible with the surrounding area and appropriate conditions are added to mitigate adverse impacts that affect other land uses and the surrounding community. <i>See the recommended conditions on page 11.</i></p>																
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(4)	Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?																
			<div><div>Staff Analysis</div><div><p>As conditioned, the proposed use is not anticipated to be injurious to other property in the immediate vicinity and will not negatively change the essential character of the area.</p><p>Summary: The surrounding land uses, as reviewed within a one- and two-mile radius, as well as the current zoning and classification map indicate that land uses in the area are a combination of residential, industrial, and agricultural uses as seen in exhibits B2.5, B2.6 and B2.8. There are agricultural operations adjacent to the subject property to the east and west. A nursery is a permitted use in the Ag zone. The conditional use permit is required due to the nursery being retail/wholesale, which is a small part of the nursery operation. The proposed use will have a minimal impact and as conditioned, it is not anticipated that the proposal will be injurious to other property within the immediate vicinity, nor will it change the essential character of the area.</p><p>Adjacent Existing Conditions:</p><table><tr><th>Direction</th><th>Existing Use</th><th>Primary Zone</th><th>Parcel Size</th></tr><tr><td>N</td><td>Residential</td><td>AG</td><td>1.03</td></tr><tr><td>S</td><td>Residential</td><td>AG</td><td>1.04</td></tr><tr><td>E</td><td>Agricultural</td><td>AG</td><td>5.02</td></tr><tr><td>W</td><td>Agricultural</td><td>AG</td><td>8.85</td></tr></table><p>“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)</p><p>Surrounding Land Use Cases: Within a 1-mile radius of the property, there have been three 3 land use cases that have been approved, with one (1) of these being subdivisions, one (1) being a rezone application, and one (1) being a conditional rezone application. (Exhibit B2.6). In approx. 0.50-mile there are two (2) agricultural businesses from the subject property. There is a seed packaging business and an agricultural repair business.</p></div></div>	Direction	Existing Use	Primary Zone	Parcel Size	N	Residential	AG	1.03	S	Residential	AG	1.04	E	Agricultural	AG	5.02	W
Direction	Existing Use	Primary Zone	Parcel Size																	
N	Residential	AG	1.03																	
S	Residential	AG	1.04																	
E	Agricultural	AG	5.02																	
W	Agricultural	AG	8.85																	

			<p>Character of the Area:</p> <p>The area is characterized by a mix of uses ranging from residential, industrial and agricultural.</p> <p>The subject parcel is in the City of Caldwell’s area of impact. The City of Caldwell’s future land use designation is “Residential Estates”, although, directly north of the subject property the City of Caldwell’s future land use designation is “Manufacturing & Production” (Exhibit B2.12). City of Caldwell commented stating that, due to the location of this project and the minimal impact, the City of Caldwell has no comments on the project (Exhibit D4).</p> <p>There is a feedlot and few gravel pits within a 2-mile radius of the subject property (Exhibit B2.8). This indicates that the area is not just trending towards residential. There is still intensive agriculture being conducted in the area as well.</p> <p>In Exhibit B2.10, it indicates the soils are primarily class 3, a moderately-suited soil. There is also soil class 2, best-suited soil. The Farmland Report indicates the subject parcel has a combination of prime farmland if irrigated and farmland of statewide importance, if irrigated.</p> <p>Potential Impacts:</p> <p>As proposed, the retail/wholesale nursery, staging area, and contractor shop are not anticipated to significantly increase the sound levels in the immediate vicinity. Per the letter of intent (Exhibit A2), the nature of the work is remote, with loading and unloading onsite. The nursery upkeep is primarily done by automatic sprinklers, and when needed, the property owners or family will attend to the upkeep. Customer visits are by appointment only (Exhibit A2.2). As conditioned, the hours of operation are limited to Monday – Friday, 7 am – 7 pm, Saturday and Sunday 8 am – 5 pm (Exhibit A2), and the proposed development shall be in general conformance with the applicant’s site plan (meaning it cannot expand outside of the area shown without amending the conditional use permit). See proposed condition # 8.</p> <p>During staff’s meeting with the applicant on May 28, 2025, the applicant advised they were planning to build a fence on the west side of the property once the property boundary adjustment is finalized and to plant taller trees along the fence line. The applicant was acceptable to building a sight-obscuring fence. You can see the meeting notes in exhibit A2.2. Canyon County Comprehensive Plan 2030 Goal No. 4.6 outlines that, “Development design <u>should improve the area’s character and be compatible with the community’s visual appearance and the natural environment</u>”. In order to improve compatibility with adjacent residential properties to the west, improve the visual aesthetic, and to obscure the business operations, staff recommends that a condition be added to add a sight-obscuring fence to the property on the west property line. See proposed condition # 11.</p> <p>The proposed use may increase the dust levels in the immediate vicinity. The access to the subject property and parking areas are gravel. As conditioned, dust shall be controlled per applicable federal, state, and county laws, ordinances,</p>
--	--	--	--

				<p>rules, and regulations that pertain to operations including but not limited to nuisance regulations (CCCO Chapter 2 Article 1: Public Nuisances) and shall be consistent with Idaho Department of Environmental Quality (DEQ) requirements. To mitigate the potential for dust, the applicant shall submit a dust mitigation plan for staff's review and approval prior to commencement. See proposed condition # 10. It is recommended that the approach to the site be paved in order to reduce the tracking of debris and mud to and from the site unless otherwise waived by the highway district. See proposed condition # 4a. See further analysis under section 07-07-05(06 & 07) for discussion and recommended conditions.</p> <p>The applicant has not indicated that they plan to install lighting for the associated use, there was one light observed during the site visit conducted on May 23, 2025. As conditioned, all exterior lighting, if installed, shall be downward facing and directed away from surrounding properties. The current light is meeting these requirements. 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. See proposed condition # 5.</p> <p>See CCCO §07-07-05(7) for potential traffic impact analysis</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(5)	Will adequate water, sewer, irrigation, drainage, and stormwater drainage facilities, and utility systems be provided to accommodate the use?
			Staff Analysis	<p>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.</p> <p>Water: The retail/ wholesale nursery will rely on the existing use of an individual well. There are no additional wells proposed for the staging area and contractor shop. The existing water uses are anticipated to provide adequate water for the proposed use and are ready to be used at the commencement of the operations.</p> <p>Sewer: There are no proposed septic tanks for this project. There is currently an individual septic tank servicing the residence on site. As conditioned, the applicant shall meet Southwest District Health (SWDH) requirements for the proposed uses on the property. See proposed condition # 12 (Exhibit D1).</p> <p>Irrigation: The applicant has gravity irrigation from the existing ditch on the west side of the property (Exhibits A3 and C). It's not anticipated that the irrigation systems will be impacted by the proposed use. Condition # 6 ensures the applicant shall not impede, disrupt, or disturb the existing irrigation structure without approval from the irrigation district.</p> <p>Stormwater drainage facilities: According to the land use worksheet, the applicant noted that stormwater will be retained onsite (Exhibit A3).</p>

				Utility Systems: Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on April 9, 2025, and June 2, 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.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(6)	Does legal access to the subject property for the development exist, or will it exist at the time of development?
			Staff Analysis	<p>The subject property does have legal access for the development and will exist at the time of the development.</p> <p>The subject parcel has approximately 80 feet of frontage on Wagontier Drive along the northern boundary. The subject property is served by a gravel driveway approach at the end of the cul-de-sac on Wagontier Drive. Wagontier Drive is classified as a local road.</p> <p>According to the comment received from Highway District No. 4, as seen in exhibit D5, the approach is suitable for the proposed use provided that it is improved with a paved apron to meet ACCHD Standard Drawing SD-106. See proposed condition # 4a. An access permit from HD4 is required for these improvements to the approach and to document the change in use for the property.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(7)	Will there be undue interference with existing or future traffic patterns?
			Staff Analysis	<p>Undue interference with the existing or future traffic patterns is not anticipated. Any potential impact will be reviewed by the local highway district jurisdiction.</p> <p>It's anticipated that seven (7) employees will be coming to pick up materials and leave. Of those seven employees, two (2) will be coming on and off-site during the hours of operation. According to the applicant (Exhibit A2.2), the average number of times those two employees will come on and off-site is twice daily.</p> <p>According to the comment from Highway District No. 4, using the ITE Code 818 for trip generation estimates for the proposed use will generate approximately 4 peak-hour trips. The additional trip generation is not considered due to the uncertainties of the expansion. Highway District No. 4 stated that they do not oppose the proposed use, subject to the proposed conditions. To see the full comment received from Highway District No. 4, see exhibit D5. See condition number 4a.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(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?
			Staff Analysis	<p>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.</p> <p>School Facilities:</p>

			<p>Parcel R35479011 is serviced by the Caldwell School District, it is not anticipated that any impacts or accommodations will be needed for the proposed use. Agency comments were sent out on April 9, 2025 and June 2, 2025. No comments were received by the school district.</p> <p>Police and Fire protection: Parcel R35479011 is under the jurisdiction of the Caldwell Rural Fire District. Caldwell Rural Fire District is required to provide services to the parcel. As conditioned, the applicant shall comply with all Fire District requirements per State adopted IFC and as evidenced by review and approval documentation from the applicable fire district prior to issuance of a certificate of occupancy and commencement of activities on the site. All development shall comply with the 2018 International Fire Code and codes set forth by Canyon County. See proposed condition # 2. Agency notice was sent on April 4, 2025 and June 2, 2025. The Caldwell Rural Fire District provided comments as seen in exhibit D2. The Caldwell Rural Fire District advised that they can approve the application, subject to compliance with all the following code requirements and conditions of approval. The nearest fire station is CFD Station 1, approximately 2.4 miles away from the subject property, with an estimated response time of 7 minutes.</p> <p>No comment was received from the Canyon County Sheriff's Department.</p> <p>Emergency Medical Services: Emergency Medical Services are provided to the property. Canyon County Paramedics/EMT and Canyon County's Emergency Management were notified of the application on April 9, 2025 and June 2, 2025. No comments were received. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding.</p> <p>Irrigation Facilities: The proposed use is not anticipated to impact the irrigation facilities. Agency notice was sent out to Pioneer Irrigation District on April 4, 2025, and June 2, 2025. No comments were received. Condition # 6 ensures the applicant shall not impede, disrupt, or disturb the existing irrigation structure without approval from the irrigation district.</p>
--	--	--	--

Table 2. Article 14 Use Standards Criteria Analysis

USE STANDARDS CCCO §07-14-03(1)): The provisions of this article apply to all properties where a use is listed as an allowed use, a conditional use, or a director's decision in section 07-10-27 of this chapter (land use matrix).				
Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-09(1)	The use shall be contained within a building or behind a sight-obscuring fence.
			Staff Analysis	Per the applicant's letter of intent, the office work shall be contained within the residence. General maintenance on the equipment is conducted within the shop. Parking of equipment and employee parking is placed behind the shop, there will be a sight-obscuring fence that all use shall be contained behind. See proposed condition # 11 . All other work is done off-site.
Yes	No	N/A	Code Section	Analysis
			07-14-29(1)	All work shall be conducted off site.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Analysis	Per the applicant's land use worksheet and letter of intent, all work will be conducted off-site with loading and unloading of materials on-site (Exhibits A2 and A3).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-29(2)	Business vehicles shall be operable and parked on site, not on a public or private road.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Analysis	Per the applicant's site plan, business parking will be on-site (Exhibits A4). No parking will take place on a public or private road (Condition # 8b). Based on Planning Staff's site visit on May 23, 2025, there does not appear to be any inoperable business vehicles on the property (Exhibit C)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-29(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.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Analysis	Per the applicant's land use worksheet and letter of intent, there will be approximately seven (7) employees total who will visit the premises to pick up equipment to be used elsewhere, including trucks and trailers. (Exhibits A2 and A3).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-29(4)	Employees may meet on the premises to share rides to and from job sites.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Analysis	The above may occur.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-29(5)	Employees' vehicles shall be parked on site and not on a public or private road.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Analysis	There are ample parking spaces for employee vehicles as seen during the site visit (Exhibit C). There is space for more parking if needed. Parking is located on the west boundary of the property located behind the shop. See Exhibit C for the location of the parking spaces. Per condition # 8 , the proposed development shall be in general conformance with the applicant's site plan and letter of intent (Exhibits A2 and A4).

Table 4. Area of City Impact

CCCO 09-01-25: Caldwell Area of City Impact – Application Procedures				
Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	09-01-25(1)	<p>The following procedures shall be adhered to in processing applications within the Caldwell area of city impact:</p> <p>(1) Land Use Applications: All land use applications submitted to Canyon County including, but not limited to, conditional use permits, variances and land divisions requiring notification of a public hearing, shall be referred to the city of Caldwell in the manner as provided for in subsection 09-01-17(3) of this article.</p> <p>09-01-17(3): Notice of all proposals to amend the county comprehensive plan, which may pertain to the Caldwell area of city impact but which do not originate from the city of Caldwell, shall be given to the city of Caldwell community development director at least thirty (30) calendar days prior to the first county public hearing at which such proposal is considered by the county, and the city of Caldwell may make a recommendation before or at said public hearing. After the city receives its initial thirty (30) days' notice, any further notice of proposed changes to the proposal will be provided to the city of Caldwell at least seven (7) days prior to the public hearing. If a</p>

				<p>recommendation is received by the county from the city of Caldwell, the recommendation shall be given consideration by the county, provided it is factually supported. Such recommendation shall not be binding on the county. If no recommendation is received, Canyon County may proceed without the recommendation of the city of Caldwell.</p>
			Staff Analysis	<p>The subject parcel is in the City of Caldwell's area of impact. An agency notice was sent out to the City of Caldwell on April 4, 2025, and comments were received on April 21, 2025 (Exhibit D4). The City of Caldwell submitted comments stating that due to the location of the project and the relative minimal impact, the City of Caldwell has no comments on this project request at this time.</p>

4. AGENCY COMMENTS:

Agencies including the Canyon County Sheriff's Office, Canyon County Paramedics/EMT, Emergency Management Coordinator, Caldwell Fire Protection District, State Fire Marshall, Southwest District Health, Highway District No. 4, Pioneer Irrigation District, Idaho Power, Intermountain Gas, CenturyLink, Ziply, Canyon County Building Department, Canyon County Code Enforcement Department, Canyon County Engineering Department, Canyon County GIS Department, Department of Environmental Quality, and the City of Caldwell were notified of the subject application.

Staff received agency comments from Southwest District Health, Caldwell Rural Fire Protection District, Department of Environmental Quality (DEQ), Highway District No. 4, Canyon County Building Department and the City of Caldwell. All agency comments received by the aforementioned materials deadline are located in Exhibit D.

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

5. PUBLIC COMMENTS:

Staff received five (5) total written public comments by the materials deadline of June 27, 2025. Generally, of the comments received two (2) were in favor, one (1) was in neutral, and two (2) were opposed. All public comments received by the aforementioned materials deadline are located in Exhibit E.

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

6. SUMMARY & RECOMMENDED CONDITIONS:

In consideration of the application and supporting materials, staff concludes that the proposed Conditional Use Permit is **compliant** with Canyon County Ordinance 07-07-05. A full analysis is detailed within the staff report.

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

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.

2. A change of occupancy from residential to commercial occupancy, fire district permits, and approval for a Certificate of Occupancy for the business office and shop. All appropriate building permits shall be obtained within **180 days from the approval of the Conditional Use Permit**.
3. The property boundary adjustment application (AD2024-0024) shall be approved within **90 days from the approval of the Conditional Use Permit**.
 - a. An Ag Exempt permit shall be obtained on the greenhouse **180 days from the approval of the Conditional Use Permit**.
4. The applicant shall comply with applicable Highway District No. 4 access requirements. The applicant shall obtain a permit to be provided at the time of building permit submittal.
 - a. Prior to commencement, the applicant shall coordinate with the Highway District No. 4 and obtain the necessary approvals for the intended use, including but not limited to the improved paved apron to meet ACCHD standard Drawing 106, unless waived by the City of Caldwell granting an approach permit. Evidence shall be an approved approach permit from the subject highway district.
5. 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 via an exterior lighting plan. Review and approval by DSD shall be completed before building permit issuance.
6. The applicant shall not impede, disrupt, or otherwise disturb the existing irrigation structures on and adjacent to the subject property without written approval from the irrigation district with jurisdiction. All necessary permits shall be obtained from Pioneer Irrigation District and shall be obtained prior to commencement.
7. Signage shall meet CCZO §07-10-13 requirements, and shall not exceed 32 sq. feet and 10 feet in height unless an additional sign permit is applied for and approved by the Director. If it exceeds 6 ft in height, a building permit is required.
8. The proposed development shall be in general conformance with the applicant's site plan and letter of intent (**Exhibits A2 and A4**).
 - a. The hours of operation shall be Monday – Friday, 7am -7pm, Saturday and Sunday, 8am – 5pm, as proposed in the applicant's letter of intent (**Exhibit A2**).
 - b. Employees' vehicles shall be parked on-site and not on a public or private road. Business vehicles shall be operable and parked on site, not on a public or private road.
9. 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."
 - a. Commencement shall be the date zoning compliance is issued for a change of occupancy for the home office and shop.
10. A dust mitigation plan shall be submitted prior to commencement to the Development Services Department. 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) requirements.

11. A sight-obscuring fence shall be constructed on the western boundary as to obscure the business operations and storage of tools, equipment, etc. The placement of fencing shall take into consideration any easements that may be in place. Proof shall be submitted to the Development Services Department for review and approval prior to commencement.
12. 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 contractor shop and staging area activities.

7. EXHIBITS:

A. Application Packet & Supporting Materials

1. Master Application
 - 1.1. Applicants Presentation Documents
 - 1.2. Applicants Drone Footage
2. Letter of Intent
 - 2.1. Email Correspondence
 - 2.2. Meeting Notes
3. Land Use Worksheet
4. Site Plan
5. Neighborhood Meeting
6. Agency Acknowledgement
7. Property Boundary Adjustment Application

B. Supplemental Documents

1. Parcel Tools
2. Case Maps/Reports
 - 2.1. Aerial
 - 2.2. Small Air Photo 1 Mile
 - 2.3. FEMA Small Air Photo
 - 2.4. Small Vicinity Map
 - 2.5. Zoning & Classification Map
 - 2.6. Land Use Cases with Report
 - 2.7. Subdivisions with Report
 - 2.8. Dairy, Feedlot, and Gravel Pit Map
 - 2.9. Lot Classification Map
 - 2.10. Soils and Prime Farmland with Report
 - 2.11. Contour Map
 - 2.12. City of Caldwell Land Use Map
 - 2.13. TAZ Household and Jobs Maps
 - 2.14. Slope Percent Map
 - 2.15. Future Land Use Map
 - 2.16. Neighborhood Notification Map

C. Site Visit Photos: May 23, 2025

D. Agency Comments Received by: June 27, 2025

1. Southwest District Health; Received: April 11, 2025
2. Caldwell Rural Fire Protection District; Received: April 10, 2025
3. Department of Environmental Quality (DEQ); Received: April 14, 2025

- 3.1. DEQ Email for Permits; Received: May 29, 2025
4. City of Caldwell; Received: April 21, 2025.
5. Highway District No. 4; Received: April 28, 2025
6. Canyon County Building Department; Received: June 4, 2025
- E. Public Comments Received by: June 27, 2025**
 1. Scott and Shellye Wilson – IN FAVOR; Received: June 10, 2025
 2. Richard and Mae Smith – IN FAVOR; Received: June 24, 2025
 3. Crookham Company: Brett Mathis – IN NEUTRAL; Received: June 26, 2025
 4. Roy and Heidi Dugan – IN OPPOSITION; Received: June 16, 2025
 5. Tyler Smith – IN OPPOSITION; Received: June 17, 2025

EXHIBIT A

Application Packet & Supporting Materials

Hearing Examiner

Case# CU2024-0020

Hearing date: July 7, 2025



Exhibit A1:

CONDITIONAL USE PERMIT
PUBLIC HEARING - APPLICATION

208 941 6520

PROPERTY OWNER	OWNER NAME:	Jose I Cervantes	
	MAILING ADDRESS:	16503 Wagonier dr Caldwell	
	PHONE	[REDACTED]	EMAIL: [REDACTED]
<p>I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If the owner(s) is a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign.</p> <p>Signature: <u>[Signature]</u> Date: <u>06/18/24</u></p>			

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	APPLICANT NAME:	same	
	COMPANY NAME:	Mike's Grading Plus	
	MAILING ADDRESS:	16503 Wagonier dr. Caldwell	
	PHONE	[REDACTED]	[REDACTED]

SITE INFO	STREET ADDRESS:	16503 Wagonier dr Caldwell	
	PARCEL NUMBER:	R35479011 and R35477	
	PARCEL SIZE:		
	REQUESTED USE:	Retail/wholesale Nursery/staging area	
	FLOOD ZONE (YES/NO)		ZONING DISTRICT:

FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER	W2024-0020	DATE RECEIVED:	9/27/24
RECEIVED BY:	Madelyn Vanderben	APPLICATION FEE:	\$950
		CK MO	<input checked="" type="radio"/> CASH

1



Canyon County Development Services
111 North 11th Avenue, #310
Caldwell, Idaho 83605
www.canyoncounty.id.gov
208-454-7458

AFFIDAVIT OF LEGAL INTEREST

I, Shellye Wilson, 16731 Logan St.
(name) (address)
Caldwell, ID 83607
(city) (state) (zip code)

being first duly sworn upon oath, depose and say:

1. That I am the owner of record of the property described on the attached application and I grant my permission to

Jose L. Cervantes Sylvia Cervantes
(name) (address)

to submit the accompanying application pertaining to the subject property.

2. I agree to indemnify, defend and hold Canyon County and its employees harmless from any claims to liability resulting from any dispute as to the statements contained herein or as to the ownership of the property, which is the subject of the application.

Dated this 23rd day of September, 20 24.

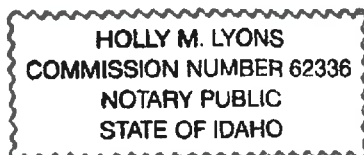
Shellye J. Wilson
(signature)

STATE OF IDAHO)

ss

COUNTY OF CANYON)

On this 23rd day of September, in the year 20 24, before me Holly Lyons,
a notary public, personally appeared Shellye Wilson, 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: Holly Lyons

My Commission Expires: 5/21/25

LAND USE WORKSHEET

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

GENERAL INFORMATION

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

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

3. **IRRIGATION WATER PROVIDED VIA:**
☒ Surface ☐ Irrigation Well ☐ None

4. **IF IRRIGATED, PROPOSED IRRIGATION:**
☐ Pressurized ☒ Gravity

5. **ACCESS:**
☐ Frontage ☐ Easement Easement width _____ Inst. # _____

6. **INTERNAL ROADS:**
☐ Public ☒ Private Road User's Maintenance Agreement Inst # _____

7. **FENCING** ☐ Fencing will be provided (Please show location on site plan)
Type: _____ Height: _____

8. **STORMWATER:** ☒ Retained on site ☐ Swales ☐ Ponds ☐ Borrow Ditches
☐ Other: _____

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

RESIDENTIAL USES

1. NUMBER OF LOTS REQUESTED:

- ☐ Residential _____ ☐ Commercial _____ ☐ Industrial _____
☐ Common _____ ☐ Non-Buildable _____

2. FIRE SUPPRESSION:

☐ Water supply source: _____

3. INCLUDED IN YOUR PROPOSED PLAN?

☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☐ None

NON-RESIDENTIAL USES

1. SPECIFIC USE: Nursery - Retail/Wholesale - Staging area

2. DAYS AND HOURS OF OPERATION:

☒ Monday 7 AM to 7 PM
☒ Tuesday 7 AM to 7 PM
☒ Wednesday 7 AM to 7 PM
☒ Thursday 7 AM to 7 PM
☒ Friday 7 AM to 7 PM
☒ Saturday 8 AM to 5 PM
☒ Sunday 8 AM to 5 PM

3. WILL YOU HAVE EMPLOYEES? ☒ Yes If so, how many? 0-2 ☐ No

4. WILL YOU HAVE A SIGN? ☒ Yes ☐ No ☐ Lighted ☐ Non-Lighted

Height: 2 ft Width: 3 ft. Height above ground: 3 ft

What type of sign: _____ Wall _____ Freestanding _____ Other wood w/ varnished post (2)

5. PARKING AND LOADING:

How many parking spaces? 5

Is there is a loading or unloading area? yes

ANIMAL CARE-RELATED USES

1. MAXIMUM NUMBER OF ANIMALS: _____

2. HOW WILL ANIMALS BE HOUSED AT THE LOCATION?

☐ Building ☐ Kennel ☐ Individual Housing ☐ Other _____

3. HOW DO YOU PROPOSE TO MITIGATE NOISE?

☐ Building ☐ Enclosure ☐ Barrier/Berm ☐ Bark Collars

4. ANIMAL WASTE DISPOSAL

☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System

☐ Other: _____

To whom it may concern,
This is our letter of intent.

We are interested in the property so we may use it for our businesses. Our businesses are called Mike's Grading plus which includes Mike's Grading Plus Nursery. We are the full owners of both businesses. We are also 50% owners of Hidden Springs Landscape LLC. We do landscaping, new installation, remodelling, maintenance, snow removal, etc. Our use for the property is expand our storage space, so we would be able to park our equipment. We will also be using the property to expand our nursery. We will be growing more trees and plants both to sell and use in our landscaping businesses. We work weekdays between the hours of 7am to 7pm. We also work Weekends from 8am to 5pm. The hours may also vary due to weather. We do re deliver trees between 7am and 7 pm throughout the entire weeks. We only get delivery trucks about 5 times a year. We are in the process of requesting a CUP for our nursery. Any water used for the trees and plants will be provided by our home well and the ditch that is next to the property. The only access to the property will be from our current property. There will be no impacts to traffic, schools, irrigation facilities, emergency services, and/or our neighbors to our knowledge. We have about 7 Employees that come and go from the property. Which we have had no complaints about. Employees do not use our home restroom. If application is approved we will be acquiring the property parcel #R35477

Wagontier Dr

New Tree
Planting
Growing

Partying

Wagontier Dr

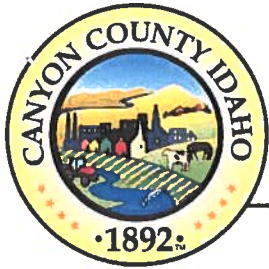
Stack
Supplies

Shop

Home

Tree

Stack



AGENCY ACKNOWLEDGMENT

Date: 6/24/24
Applicant: Jose I Cervante
Parcel Number: 235479011
Site Address: 16503 Wagonfier Dr Caldwell

OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

Southwest District Health:

☒ Applicant submitted/met for official review.

Date: 06/24/24 Signed: Anthony Lee
Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District:

District: _____

☒ Applicant submitted/met for official review.

Date: 6-24-24 Signed: [Signature]
Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District:

District: HP4

☐ Applicant submitted/met for official review.

Date: 6/24/24 Signed: [Signature]
Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

District: Pioneer Tor

☐ Applicant submitted/met for official review.

Date: 6/24/24 Signed: [Signature]
Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact:

City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____
Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

Received by Canyon County Development Services:

Date: _____ Signed: _____
Canyon County Development Services Staff



This document is being recorded to correct
grantor

File # 17299883

2018-039337
RECORDED
09/04/2018 10:22 AM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=2 PBRIDGES \$15.00
TYPE: DEED
TITLEONE BOISE
ELECTRONICALLY RECORDED

Quitclaim Deed

who also acquired title as Jose I Cervantes-Padilla
For value received, Jose I Cervantes and Silvia Cervantes, husband and wife

Does hereby convey, release, remise, and forever quit claim unto

Jose I Cervantes and Silvia Cervantes, husband and wife

whose current address is 16503 Wagontier Dr. Caldwell 1083607
the following described premises: See attached legal

To have and to hold the said premises, unto the said grantees, heirs and assigns forever.

Date: 08/31/2018

[Signature]
Jose I Cervantes

[Signature]
Silvia Cervantes

2018-045288
RECORDED
10/10/2018 11:38 AM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=2 HCRETAL \$15.00
TYPE: DEED
TITLEONE BOISE
ELECTRONICALLY RECORDED

State of ID, County of Canyon, ss.

On this 31st day of August in the year of 2018, before me, the undersigned, a
Notary Public in and for said State, personally appeared Jose I Cervantes and Silvia Cervantes known or identified
to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same.

[Signature], Notary Public

Residing at: _____

My Commission Expires: _____

(seal) _____

My commission expires: Dec. 13, 2019



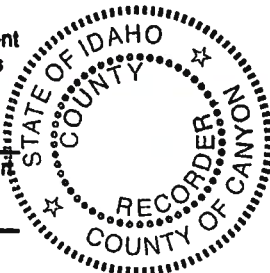
State of Idaho } ss.
County of Canyon }

I hereby certify that the foregoing instrument
is a true and correct copy of the original as
the same appears in this office.

DATED

10-04-2018
CHRIS YAMAMOTO Clerk of the District Court
and Ex Officio Recorder

By [Signature]
Deputy



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

Date 05/14/24

Dear Neighbor,

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

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

The Neighborhood Meeting details are as follows:

Date: 06/04/2024

Time: 5 p.m.

Location: 16503 WAGONTIER DR. CALDWELL IDAHO 83607

The project is summarized below:

We are applying for a nursery (retail/wholesale) and a contractor shop

Site Location: 16503 WAGONTIER DR. CALDWELL IDAHO 83607

Total acreage: 2.75

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

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

If you have any questions prior to the meeting, please contact me at (phone, correspondence).

Sincerely,

Jose I Cervantes



NEIGHBORHOOD MEETING INSTRUCTIONS

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

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

zoninginfo@canyoncounty.id.gov Phone: 208-454-7458 Fax: 208-454-6633



CANYON COUNTY ZONING ORDINANCE §07-01-15

Before submitting an application for a public hearing, these steps must be completed:

- (1) Applicants shall conduct a neighborhood meeting for any proposed variance, conditional use, zoning ordinance map amendment, expansion, or extension of nonconforming uses requiring a public hearing.
- (2) It shall be the sole duty of the applicant to provide written notice to all property owners or purchasers of record owning property within six hundred (600) feet of the exterior boundary of the property subject to the application. Notice of a neighborhood meeting shall be in addition to, and not combined with, notices already required by this chapter, and shall include the date, time, location and purpose of the meeting.
- (3) The purpose of the neighborhood meeting shall be to review the proposed project and discuss neighborhood concerns, if any.
 - A. The meeting shall not be on a holiday, a holiday weekend, or the day before a holiday.
 - B. The meeting shall be held at one of the following locations:
 1. On the property subject to the application;
 2. At a nearby available public meeting place including, but not limited to, a fire station, library, school, or community center; or
 3. At a location with suitable meeting facilities if such facilities are within a one (1) mile radius of the nearest public meeting place.
- (4) The neighborhood meeting shall be conducted prior to acceptance of the application by Development Services. The neighborhood meeting shall not be conducted earlier than six (6) months prior to the acceptance of the application, and shall be held no sooner than ten (10) calendar days from the mailing of the notice of the neighborhood meeting.
- (5) Each application for a public hearing shall include a form acceptable to the director, which requires the applicant to provide the starting and ending times of the neighborhood meeting and an attendance list, with names and addresses of those who attended the neighborhood meeting. (Ord.10-006, 8-16-2010)

NEIGHBORHOOD MEETING SIGN-UP

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

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

zoninginfo@canyoncounty.id.gov

Phone: 208-454-7458

Fax: 208-454-6633



NEIGHBORHOOD MEETING SIGN UP SHEET

CANYON COUNTY ZONING ORDINANCE §07-01-15

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

SITE INFORMATION

Site Address: 16503 Wagonier Dr.

Parcel Number:

City: Caldwell

State: Id

ZIP Code: 83607

Notices Mailed Date: 5/14/24

Number of Acres: 3.5

Current Zoning:

Description of the Request:

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Jose I Cervantes

Company Name: Mikes Grading Plus

Current address: 16503 Wagonier Dr

City: Caldwell

State: Id

ZIP Code: 83607

Phone:

Cell:

Fax:

Email:

MEETING INFORMATION

DATE OF MEETING: 06/04/2024

MEETING LOCATION: 16503 Wagonier Dr

MEETING START TIME: 5pm

MEETING END TIME: 1.5 hrs

ATTENDEES:

NAME (PLEASE PRINT)

SIGNATURE:

ADDRESS:

1.

2.

3.

4.

5.

6.

7.

8.

9.

PARCEL_NO	OwnerName	Address	City	State	ZipCode
R25429	OESCH MICHAEL AND JANA REVOCABLE TRUST	16448 W OAK ST	CALDWELL	ID	83607
R2544401C	MATHESON MICHAEL L	22823 150TH ST SE	MONROE	WA	98272
R25451011	RANDALL DAVID D	19170 EVENING DR	CALDWELL	ID	83607
R25451011	MCCORMICK DAVID L	19150 EVENING DR	CALDWELL	ID	83607
R25430	SCHOONOVER NICK	16378 W OAK ST	CALDWELL	ID	83607
R25438	MILLER LAREE RENAE	3918 MEADOW AVE	CALDWELL	ID	83605
R25440	CASEBOLT ANNA N	19216 EVENING DR	CALDWELL	ID	83607
R25451011	WILSON DAVID	16617 W OAK ST	CALDWELL	ID	83607
R25436	LUNDBERG RICHARD W	16540 W OAK ST	CALDWELL	ID	83607
R25437	LUNDBERG RICHARD W	16540 W OAK ST	CALDWELL	ID	83607
R25439	ROOKSTOOL DONNA LIFE ESTATE	16632 W OAK ST	CALDWELL	ID	83605
R25408	ROCHESTER VICTORIA	16463 W OAK ST	CALDWELL	ID	83607
R25403	POSTON JON E	19118 WALKER RD	CALDWELL	ID	83607
R25420	MATTESON KIRK	16429 W OAK ST	CALDWELL	ID	83607
R35479	SMITH ROSARIO M	16541 WAGONTIER DR	CALDWELL	ID	83607
R35480	BYWATER KENT A	16622 LOGAN ST	CALDWELL	ID	83607
R3548101C	RIMBEY NEIL R @@@	16638 W LOGAN ST	CALDWELL	ID	83605
R35470	DYKEMA BERRY A	7377 TUNNING PLACE	CALDWELL	ID	83607
R35471	IDAHO FARMWAY INC	PO BOX 8	WILDER	ID	83676
R3547201C	BOYCE KEN W	16549 LOGAN ST	CALDWELL	ID	83607
R35477	WILSON SCOTT G	16728 UPPER PLEASANT R	CALDWELL	ID	83607
R35496	DUGAN ROY AND HEIDI FAMILY TRUST	16688 LOGAN ST	CALDWELL	ID	83607
R35468	CROOKHAM COMPANY	PO BOX 520	CALDWELL	ID	83606
R35479011	CERVANTES JOSE I	16503 WAGONTIER DR	CALDWELL	ID	83607
R35481	RIMBEY NEIL R	16638 LOGAN ST	CALDWELL	ID	83605
R35472	DYKEMA BERRY A	7377 TUNNING PLACE	CALDWELL	ID	83607
R35476	OESCH MICHAEL AND JANA REVOCABLE TRUST	16448 W OAK ST	CALDWELL	ID	83607
R3547601C	OESCH MICHAEL AND JANA REVOCABLE TRUST	16448 W OAK ST	CALDWELL	ID	83607
R35478	REA VENICE	16635 LOGAN ST	CALDWELL	ID	83607

10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.

NEIGHBORHOOD MEETING CERTIFICATION:

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

APPLICANT/REPRESENTATIVE (Please print):

Jose I Cervantes

APPLICANT/REPRESENTATIVE (Signature):



DATE: 06 / 04 / 24

APPLICATION-Acknowledgement Notice



Receipt No: _____	Date: _____
\$100 Fee: _____	Document No: _____

Parcel #: R35479011

(Official Use Only)

Acres: 3.5

Property Address: 16503 Wagonier dr City Caldwell Zip Code 83607

Legal Description: Township 4N Range 3W Section 29 County Canyon

Subdivision: _____ Lot _____ Block _____

Applicants Name: Jose I Cervantes Email: _____

Mailing Address: 16503 Wagonier dr Phone # _____

City: Caldwell State: Id Zip Code: 83607

Applicant is: ☒ Landowner ☐ Contractor ☐ Installer ☐ Other _____ Date: _____

Owners Name: Jose I Cervantes

Mailing Address: _____ Phone #: _____

City: _____ State: _____ Zip Code: _____

The proposed use will be: ☒ Residential ☐ Commercial ☐ Agricultural

Is there an existing structure(s) on this parcel? ☐ Yes ☒ No

Is a Letter of Intended Use provided? ☐ Yes ☐ No

The proposed change will be: ☐ Land Split ☐ Land Use Changes (i.e., zoning)
☐ Preliminary Plat Review ☒ Other (See below description of proposal)

Number of lots on the parcel (if applicable): _____

Property is located in: ☐ City ☐ Impact Zone ☒ County

Is the proximity of the structure to city sewer or central wastewater collection system 200 feet or less? ☐ Yes ☒ No

Water supply: ☐ Private Well ☐ Shared Well ☐ Public Water System

Description of proposal:

Adding and growing trees 2 acre separate parcel
No septic

SIGNATURE: [Signature]

DATE: 6/24/24

By my signature above, I certify that all answers and statements on this application are true and complete to the best of my knowledge. I understand that should evaluation disclose untruthful or misleading answers, my application may be rejected or permit canceled. SWDHI does not guarantee conditions of approval by signing the application form. The applicant must apply for a subsurface sewage disposal system within one (1) year from the date of signature on this application.



RECEIPT

Paid By:

For:

Pre-Development Meeting

13307 Miami Lane
Caldwell, ID 83607

Pre-Development Meeting

13307 Miami Lane
Caldwell, ID 83607

Account Number: 014049

Date	Service(s)	Charges	Payments
24-Jun-24	Pre- Development Meeting	100.00	
24-Jun-24	Payment Pre- Development Meeting - Pre-Development Meeting [015794]		-100.00

Amount Due 0.00

Payment method Check

Receipt Number 241644

Facility/Nexus # Jose Cervantes - 16503 Wagonier Dr

Message Pre- Development Meeting

Printed on June 24, 2024 9:10 AM

Tonya Temes

Healthier Together

13307 Miami Lane - Caldwell, Idaho 83607 - (208) 455-5400 - Fax (208) 455-5405

ELS *ENGBRITSON LAND SURVEYS, PLLC.*

2251 S. Sumac Street, Boise, Idaho 83706

Telephone (208) 859-6032 - mike@elsurveys.com

24 August 2017

ELS Project No. 170821

Land Description

Conger - Cervantes

Parcel B – Contains 3.50 acres more or less

PARCEL B

A parcel of land being a portion of Parcel A and all of Parcel B per Record Of Survey recorded as instrument number 2007015863 within the SE ¼ of the NE ¼ of the SW ¼ Section 29, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, described as follows:

Commencing at a found steel pin on the southerly rights-of-way line of Wagontier Drive, said pin the NE corner of said Parcel B and the POINT OF BEGINNING.

Thence southerly along the easterly line of said Parcel B S 00°-10'-10" W a distance of 579.88 feet to the SE corner of said Parcel B;

Thence along the southerly line of said Parcel B S 89°-50'-41" W a distance of 330.01 feet to the SW corner of said Parcel B;

Thence along the westerly line of said Parcels N 00°-10'-10" E a distance of 418.03 feet to a set steel pin;

Thence leaving said Parcel line N 89°-50'-35" E a distance of 238.07 feet to a set steel pin;

Thence N 00°-10'-10" E a distance of 104.27 feet to a set steel pin;

Thence N 11°-52'-54" E a distance of 58.69 feet to a set steel pin on said southerly rights-of-way line;

Thence easterly along said rights-of-way line N 89°-51'-39" E a distance of 80.03 feet to the POINT OF BEGINNING.

The above-described parcel of land contains 3.50 acres more or less subject to all existing easements and rights-of-way.

INSTRUMENT NO. 200378839/200465366

PC55688

WARRANTY DEED

FOR VALUE RECEIVED Donald G. Mathews, a married man, as his sole and separate property

the Grantor, does hereby grant, bargain, sell and convey unto Scott G. Wilson and Shellye J. Wilson, husband and wife

the Grantees, whose address is 16688 W. Logan Street, Caldwell, ID, 83607

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (2) pages

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2003 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: December 22, 2003

Donald G. Mathews
Donald G. Mathews

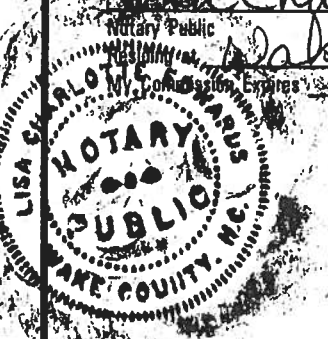
STATE OF NORTH CAROLINA

COUNTY OF Wake

On this 23 day of December in the year 2003, before me, a Notary Public, personally appeared Donald G. Mathews known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Charlotte Edwards
Notary Public

Wake Co
My Commission Expires 12/29/04



REQUEST
TYPE Deed Fee 9.00

PIONEER-CALDWELL

G NOEL HALES
CANYON CNTY RECORDER
McLaughlin

2003 DEC 29 PM 12 02

RECORDED

200378839

200378839

Exhibit "A"

PARCEL I

The South Half of the Northeast Quarter of the Southwest Quarter of Section 29, Township 4 North, Range 3 West of the Boise Meridian in Canyon County, Idaho.

EXCEPTING THEREFROM a part of the West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 29, Township 4 North, Range 3 West of the Boise Meridian in Canyon County, Idaho, more particularly described to-wit:

COMMENCING at the Southeast corner of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 29, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho; thence North 0° 24' West 662.3 feet along the East line of the said Southeast Quarter of the Northeast Quarter of the Southwest Quarter to the Northeast corner of the said Southeast Quarter of the Northeast Quarter of the Southwest Quarter; thence

South 89° 17' 45" West ~~511.95~~ feet along the North line of the said Southeast Quarter of the Northeast Quarter of the Southwest Quarter of the Northeast corner of the West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of the aforesaid Section 29, the INITIAL POINT; thence continuing

South 89° 17' 45" West 215 feet along the said North line; thence

South 0° 23' 22" East 242 feet parallel to the East line of the West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter; thence

North 89° 17' 45" East 215 feet parallel to the aforesaid North line to a point in the East line of the said West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter; thence

North 0° 23' 22" West 242 feet along the said East line to the INITIAL POINT.

AND FURTHER EXCEPTING THEREFROM the East 330 feet of the South Half of the Northeast Quarter of the Southwest Quarter of Section 29, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

(continued)

PARCEL II

A part of the West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 29, Township 4 North, Range 3 West of the Boise Meridian in Canyon County, Idaho, more particularly described to-wit:

COMMENCING at the Southeast corner of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 29, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho; thence North 0° 24' West 662.3 feet along the East line of the said Southeast Quarter of the Northeast Quarter of the Southwest Quarter to the Northeast corner of the said Southeast Quarter of the Northeast Quarter of the Southwest Quarter; thence

South 89° 17' 45" West 331.95 feet along the North line of the said Southeast Quarter of the Northeast Quarter of the Southwest Quarter to the Northeast corner of the West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of the aforesaid Section 29, the INITIAL POINT; thence continuing

South 89° 17' 45" West 215 feet along the said North line; thence

South 0° 23' 22" East 242 feet parallel to the East line of the West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter; thence

North 89° 17' 45" East 215 feet parallel to the aforesaid North line to a point in the East line of the said West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter; thence

North 0° 23' 22" West 242 feet along the said East line to the INITIAL POINT.

200465366

RECORDED

NOV 30 PM 4 00

G NOEL JALLES
CANYON CNTY RECORDER
BY *D. Sumner*

PIONEER-CALDWELL

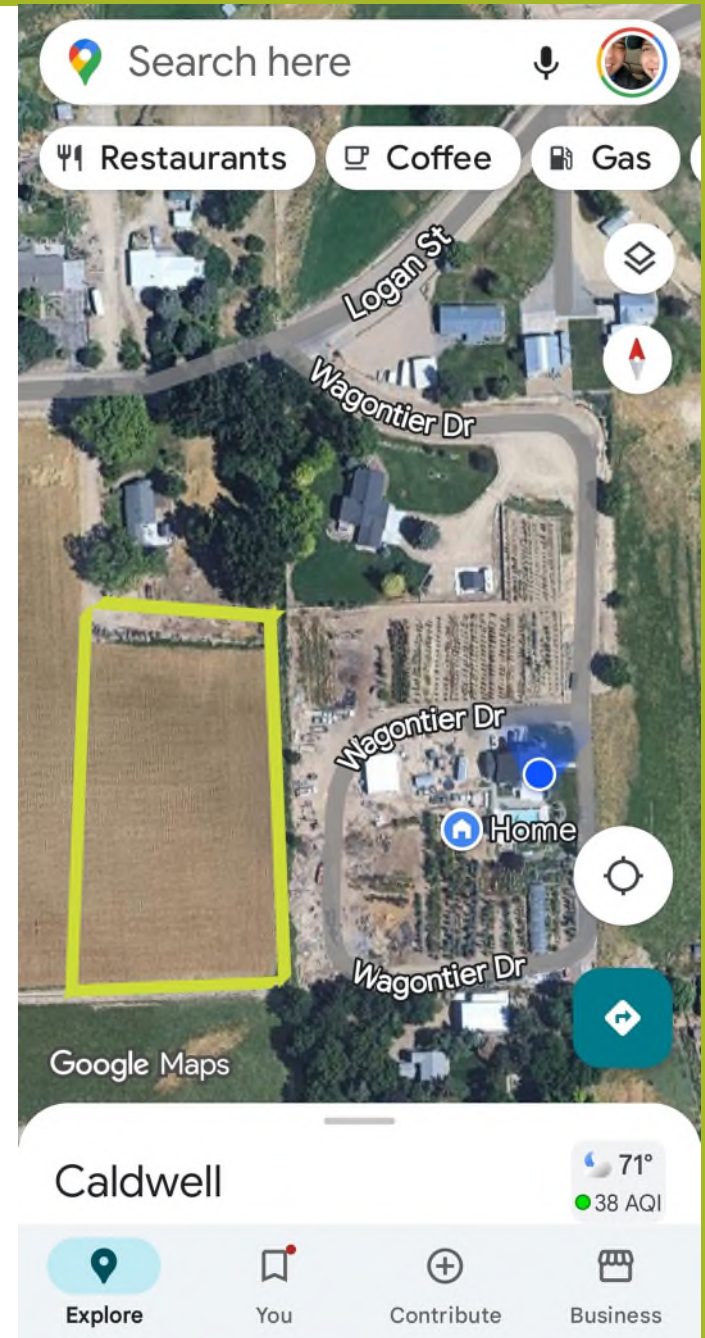
REQUEST

TYPE *done* FEE *9-*



Cervantes Nursery

LOCATION:



Process of Growing Trees:





Drone Footage:

Thank You

Applicants Drone Footage Link

To whom it may concern,

This is our letter of intent.

We are interested in the property so we may use it for our businesses. Our businesses are called Mike's Grading plus which includes Mike's Grading Plus Nursery. We are the full owners of both businesses. We are also 50% owners of Hidden Springs Landscape LLC. We do landscaping, new installation, remodelling, maintenance, snow removal, etc. Our use for the property is expand our storage space, so we would be able to park our equipment. We will also be using the property to expand our nursery. We will be growing more trees and plants both to sell and use in our landscaping businesses. We work weekdays between the hours of 7am to 7pm. We also work Weekends from 8am to 5pm. The hours may also vary due to weather. We do re deliver trees between 7am and 7 pm throughout the entire weeks. We only get delivery trucks about 5 times a year. We are in the process of requesting a CUP for our nursery. Any water used for the trees and plants will be provided by our home well and the ditch that is next to the property. The only access to the property will be from our current property. There will be no impacts to traffic, schools, irrigation facilities, emergency services, and/or our neighbors to our knowledge. We have about 7 Employees that come and go from the property. Which we have had no complaints about. Employees do not use our home restroom. If application is approved we will be acquiring the property parcel #R35477

Archived: Wednesday, June 18, 2025 11:39:47 AM

From: SYLVIA CERVANTES

Mail received time: Thu, 22 May 2025 13:40:55

Sent: Thu, 22 May 2025 19:40:48

To: [Amber Lewter](#)

Subject: [External] Re: CU2024-0020

Importance: Normal

Sensitivity: None

Sent from my iPad

On May 20, 2025, at 12:11 PM, Amber Lewter <Amber.Lewter@canyoncounty.id.gov> wrote:

~

~

- On the site plan I see a shop, can you please explain what kind of shop it is and what business is conducted in the shop.

The shop is where we fix and store equipment, tools, materials.

-
- *\pn\pnlv\blt\pnfl\pnindent240\pnql\pntxtb·
- Are customers coming onsite

For our landscaping no.

To buy trees yess

-
- *\pn\pnlv\blt\pnfl\pnindent240\pnql\pntxtb·
- For the selling of retail and wholesale, is that done on the property?

Yes

-
- *\pn\pnlv\blt\pnfl\pnindent240\pnql\pntxtb·
- Is there porta potties?

No porta potties.

-
- *\pn\pnlv\blt\pnfl\pnindent240\pnql\pntxtb·
- Is work conducted on the subject parcels?

??? We water trees and maintenance to the trees.

- \\pn\pnlv\blt\pnfl\pnindent240\pnql\pntxtb·
- What kind of materials/equipment is stored on the property?

As i said in my letter of intent

Our use for the property its to park our equipment, store products such as trees, shrubs, and other materials used for our businesses, grow trees for our landscaping and sell trees for our nursery.

- \\pn\pnlv\blt\pnfl\pnindent240\pnql\pntxtb·
- Is there an office?

Yes, inside the house.

- \\pn\pnlv\blt\pnfl\pnindent240\pnql\pntxtb·
- The letter of intent states 7 employees that come and go off the property. Is there any other employees?

Thats all.

Archived: Wednesday, June 18, 2025 11:39:54 AM

From: [Amber Lewter](#)

To: 'mikesgradingplus@hotmail.com'

Subject: CU2024-0020

Importance: Normal

Sensitivity: None

Hello Jose,

~

I have a few questions for your conditional use permit application.

~

- On the site plan I see a shop, can you please explain what kind of shop it is and what business is conducted in the shop.
- Are customers coming onsite?
- For the selling of retail and wholesale, is that done on the property?
- Is there porta potties?
- Is work conducted on the subject parcels?
- What kind of materials/equipment is stored on the property?
- Is there an office?
- The letter of intent states 7 employees that come and go off the property. Is there any other employees?

~

Please get these answered as soon as possible so I can move forward with my analysis and get the case scheduled for hearing.

~

~

Thank you,

~



Amber Lewter

Associate Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

~

Direct Line:\~ 208-454-6631\~\~\~\~\~\~

Fax:\~ 208-454-6633

Email:\~ amber.lewter@canyoncounty.id.gov

Website:\~ www.canyoncounty.id.gov

\~

Development Services Department (DSD)

NEW public office hours

Effective Jan. 3, 2023

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

****We will not be closed during lunch hour ****

\~

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.\~

\~

\~

Archived: Wednesday, June 18, 2025 11:40:02 AM

From: [Amber Lewter](#)

To: 'SYLVIA CERVANTES' 'mikesgradingplus@hotmail.com'

Subject: 5/28/2025 Meeting

Importance: Normal

Sensitivity: None

Exhibit A2.2:

Good Morning Mr. and Mrs. Cervantes,

~

I just wanted to follow up on our meeting yesterday and provide the notes for what we spoke about.

~

- The shop on your property half is permitted, that is the half the employees will get materials from. The second half is still under construction and has a building permit in progress.

~

- The greenhouse will need an Ag Exempt permit, which I am following up with our Director to allow, due to the property boundary adjustment for your acreage being on hold until the CUP is finalized. Customers do not go into the greenhouse.

~

- The gas tanks need to be contained with a concrete pad underneath and a small lift on the sides. I am following up with DEQ if you will need to get a permit for the gas tanks and the de-icer tank.

~

- You have 7 employees total. 5 will come in the morning, gather the materials and go to the job site. 2 employees will come and gather more materials for the other employees, as needed. On average twice a day. You two are the ones that work in the office in the house. There are no bathrooms for the employees due to the fact that they do not stay onsite. The watering is all on automatic sprinklers, if something needs to be done, one of you or a family member such as your children will do the work onsite for the plants.

~

- Customers come onsite for the wholesale/retail landscape business by appointment only. They buy trees, plants, and materials such as rock and gravel.

~

- The expansion of the property will take access by a culvert and it is only for growing trees, customers will not come to this part of the property.

~

- You will need to provide some sort of irrigation plan.

~

- The equipment and materials on the property are all ones associated with a landscape business such as plants, dirt, rock, skid steers (about 10, with a combination of small and large), trucks (8), tractor (1), trailers (about 8), etc.

~

- You were already planning to build a fence at the new expansion site once the property boundary adjustment is complete, so you are ok with making it a site obscuring fence. You are also going to plant larger trees to assist with wind break, noise, and view.

~

Please let me know if I missed anything.

~

Thank you,

~



Amber Lewter

Associate Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

~

Direct Line: 208-454-6631

Fax: 208-454-6633

Email: amber.lewter@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

~

Development Services Department (DSD)

NEW public office hours

Effective Jan. 3, 2023

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

****We will not be closed during lunch hour ****

~

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.~

~

~

LAND USE WORKSHEET

Exhibit A3:

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

GENERAL INFORMATION

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

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

3. **IRRIGATION WATER PROVIDED VIA:**
☒ Surface ☐ Irrigation Well ☐ None

4. **IF IRRIGATED, PROPOSED IRRIGATION:**
☐ Pressurized ☒ Gravity

5. **ACCESS:**
☐ Frontage ☐ Easement Easement width _____ Inst. # _____

6. **INTERNAL ROADS:**
☐ Public ☒ Private Road User's Maintenance Agreement Inst # _____

7. **FENCING** ☐ Fencing will be provided (Please show location on site plan)
Type: _____ Height: _____

8. **STORMWATER:** ☒ Retained on site ☐ Swales ☐ Ponds ☐ Borrow Ditches
☐ Other: _____

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

RESIDENTIAL USES

1. NUMBER OF LOTS REQUESTED:

- ☐ Residential _____ ☐ Commercial _____ ☐ Industrial _____
☐ Common _____ ☐ Non-Buildable _____

2. FIRE SUPPRESSION:

☐ Water supply source: _____

3. INCLUDED IN YOUR PROPOSED PLAN?

☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☐ None

NON-RESIDENTIAL USES

1. SPECIFIC USE: Nursery - Retail/Wholesale - Staging area

2. DAYS AND HOURS OF OPERATION:

☒ Monday 7 AM to 7 PM
☒ Tuesday 7 AM to 7 PM
☒ Wednesday 7 AM to 7 PM
☒ Thursday 7 AM to 7 PM
☒ Friday 7 AM to 7 PM
☒ Saturday 8 AM to 5 PM
☒ Sunday 8 AM to 5 PM

3. WILL YOU HAVE EMPLOYEES? ☒ Yes If so, how many? 0-2 ☐ No

4. WILL YOU HAVE A SIGN? ☒ Yes ☐ No ☐ Lighted ☐ Non-Lighted

Height: 2 ft Width: 3 ft. Height above ground: 3 ft

What type of sign: _____ Wall _____ Freestanding _____ Other wood w/ vanil post (2)

5. PARKING AND LOADING:

How many parking spaces? 5

Is there is a loading or unloading area? yes

ANIMAL CARE-RELATED USES

1. MAXIMUM NUMBER OF ANIMALS: _____

2. HOW WILL ANIMALS BE HOUSED AT THE LOCATION?

☐ Building ☐ Kennel ☐ Individual Housing ☐ Other _____

3. HOW DO YOU PROPOSE TO MITIGATE NOISE?

☐ Building ☐ Enclosure ☐ Barrier/Berm ☐ Bark Collars

4. ANIMAL WASTE DISPOSAL

☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System

☐ Other: _____



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

Date 05/14/24

Dear Neighbor,

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

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

The Neighborhood Meeting details are as follows:

Date: 06/04/2024

Time: 5 p.m.

Location: 16503 WAGONTIER DR. CALDWELL IDAHO 83607

The project is summarized below:

We are applying for a nursery (retail/wholesale) and a contractor shop

Site Location: 16503 WAGONTIER DR. CALDWELL IDAHO 83607

Total acreage: 2.75

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

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

If you have any questions prior to the meeting, please contact me at (phone, correspondence).

Sincerely,

Jose I Cervantes



NEIGHBORHOOD MEETING INSTRUCTIONS

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

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

zoninginfo@canyoncounty.id.gov Phone: 208-454-7458 Fax: 208-454-6633



CANYON COUNTY ZONING ORDINANCE §07-01-15

Before submitting an application for a public hearing, these steps must be completed:

- (1) Applicants shall conduct a neighborhood meeting for any proposed variance, conditional use, zoning ordinance map amendment, expansion, or extension of nonconforming uses requiring a public hearing.
- (2) It shall be the sole duty of the applicant to provide written notice to all property owners or purchasers of record owning property within six hundred (600) feet of the exterior boundary of the property subject to the application. Notice of a neighborhood meeting shall be in addition to, and not combined with, notices already required by this chapter, and shall include the date, time, location and purpose of the meeting.
- (3) The purpose of the neighborhood meeting shall be to review the proposed project and discuss neighborhood concerns, if any.
 - A. The meeting shall not be on a holiday, a holiday weekend, or the day before a holiday.
 - B. The meeting shall be held at one of the following locations:
 1. On the property subject to the application;
 2. At a nearby available public meeting place including, but not limited to, a fire station, library, school, or community center; or
 3. At a location with suitable meeting facilities if such facilities are within a one (1) mile radius of the nearest public meeting place.
- (4) The neighborhood meeting shall be conducted prior to acceptance of the application by Development Services. The neighborhood meeting shall not be conducted earlier than six (6) months prior to the acceptance of the application, and shall be held no sooner than ten (10) calendar days from the mailing of the notice of the neighborhood meeting.
- (5) Each application for a public hearing shall include a form acceptable to the director, which requires the applicant to provide the starting and ending times of the neighborhood meeting and an attendance list, with names and addresses of those who attended the neighborhood meeting. (Ord.10-006, 8-16-2010)

NEIGHBORHOOD MEETING SIGN-UP

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

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

zoninginfo@canyoncounty.id.gov

Phone: 208-454-7458

Fax: 208-454-6633



NEIGHBORHOOD MEETING SIGN UP SHEET

CANYON COUNTY ZONING ORDINANCE §07-01-15

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

SITE INFORMATION

Site Address: 16503 Wagonier Dr.

Parcel Number:

City: Caldwell

State: Id

ZIP Code: 83607

Notices Mailed Date: 5/14/24

Number of Acres: 3.5

Current Zoning:

Description of the Request:

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Jose I Cervantes

Company Name: Mikes Grading Plus

Current address: 16503 Wagonier Dr

City: Caldwell

State: Id

ZIP Code: 83607

Phone:

Cell:

Fax:

Email:

MEETING INFORMATION

DATE OF MEETING: 06/04/2024

MEETING LOCATION: 16503 Wagonier Dr

MEETING START TIME: 5pm

MEETING END TIME: 1.5 hrs

ATTENDEES:

NAME (PLEASE PRINT)

SIGNATURE:

ADDRESS:

1.

2.

3.

4.

5.

6.

7.

8.

9.

PARCEL_NO	OwnerName	Address	City	State	ZipCode
R25429	OESCH MICHAEL AND JANA REVOCABLE TRUST	16448 W OAK ST	CALDWELL	ID	83607
R2544401C	MATHESON MICHAEL L	22823 150TH ST SE	MONROE	WA	98272
R25451011	RANDALL DAVID D	19170 EVENING DR	CALDWELL	ID	83607
R25451011	MCCORMICK DAVID L	19150 EVENING DR	CALDWELL	ID	83607
R25430	SCHOONOVER NICK	16378 W OAK ST	CALDWELL	ID	83607
R25438	MILLER LAREE RENAE	3918 MEADOW AVE	CALDWELL	ID	83605
R25440	CASEBOLT ANNA N	19216 EVENING DR	CALDWELL	ID	83607
R25451011	WILSON DAVID	16617 W OAK ST	CALDWELL	ID	83607
R25436	LUNDBERG RICHARD W	16540 W OAK ST	CALDWELL	ID	83607
R25437	LUNDBERG RICHARD W	16540 W OAK ST	CALDWELL	ID	83607
R25439	ROOKSTOOL DONNA LIFE ESTATE	16632 W OAK ST	CALDWELL	ID	83605
R25408	ROCHESTER VICTORIA	16463 W OAK ST	CALDWELL	ID	83607
R25403	POSTON JON E	19118 WALKER RD	CALDWELL	ID	83607
R25420	MATTESON KIRK	16429 W OAK ST	CALDWELL	ID	83607
R35479	SMITH ROSARIO M	16541 WAGONTIER DR	CALDWELL	ID	83607
R35480	BYWATER KENT A	16622 LOGAN ST	CALDWELL	ID	83607
R3548101C	RIMBEY NEIL R @@@	16638 W LOGAN ST	CALDWELL	ID	83605
R35470	DYKEMA BERRY A	7377 TUNNING PLACE	CALDWELL	ID	83607
R35471	IDAHO FARMWAY INC	PO BOX 8	WILDER	ID	83676
R3547201C	BOYCE KEN W	16549 LOGAN ST	CALDWELL	ID	83607
R35477	WILSON SCOTT G	16728 UPPER PLEASANT R	CALDWELL	ID	83607
R35496	DUGAN ROY AND HEIDI FAMILY TRUST	16688 LOGAN ST	CALDWELL	ID	83607
R35468	CROOKHAM COMPANY	PO BOX 520	CALDWELL	ID	83606
R35479011	CERVANTES JOSE I	16503 WAGONTIER DR	CALDWELL	ID	83607
R35481	RIMBEY NEIL R	16638 LOGAN ST	CALDWELL	ID	83605
R35472	DYKEMA BERRY A	7377 TUNNING PLACE	CALDWELL	ID	83607
R35476	OESCH MICHAEL AND JANA REVOCABLE TRUST	16448 W OAK ST	CALDWELL	ID	83607
R3547601C	OESCH MICHAEL AND JANA REVOCABLE TRUST	16448 W OAK ST	CALDWELL	ID	83607
R35478	REA VENICE	16635 LOGAN ST	CALDWELL	ID	83607

10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.

NEIGHBORHOOD MEETING CERTIFICATION:

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

APPLICANT/REPRESENTATIVE (Please print):

Jose I Cervantes

APPLICANT/REPRESENTATIVE (Signature):



DATE: 06 / 04 / 24

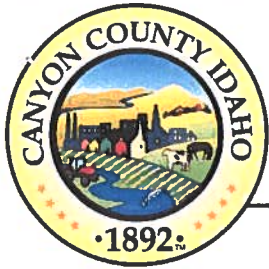


Exhibit A6:

AGENCY ACKNOWLEDGMENT

Date: 6/24/24
Applicant: Jose I Cervantez
Parcel Number: 235479011
Site Address: 16503 Wagonfier Dr Caldwell

OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

Southwest District Health:

☒ Applicant submitted/met for official review.

Date: 06/24/24 Signed: Anthony Lee
Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District:

District: _____

☒ Applicant submitted/met for official review.

Date: 6-24-24 Signed: [Signature]
Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District:

District: HP4

☐ Applicant submitted/met for official review.

Date: 6/24/24 Signed: [Signature]
Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

District: Pioneer Tor

☐ Applicant submitted/met for official review.

Date: 6/24/24 Signed: [Signature]
Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact:

City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____
Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

Received by Canyon County Development Services:

Date: _____ Signed: _____
Canyon County Development Services Staff

APPLICATION-Acknowledgement Notice



Receipt No: _____	Date: _____
\$100 Fee: _____	Document No: _____

Parcel #: R35479011

(Official Use Only)

Acres: 3.5

Property Address: 16503 Wagonier dr City Caldwell Zip Code 83607

Legal Description: Township 4N Range 3W Section 29 County Canyon

Subdivision: _____ Lot _____ Block _____

Applicants Name: Jose I Cervantes Email: _____

Mailing Address: 16503 Wagonier dr Phone # _____

City: Caldwell State: Id Zip Code: 83607

Applicant is: ☒ Landowner ☐ Contractor ☐ Installer ☐ Other _____ Date: _____

Owners Name: Jose I Cervantes

Mailing Address: _____ Phone #: _____

City: _____ State: _____ Zip Code: _____

The proposed use will be: ☒ Residential ☐ Commercial ☐ Agricultural

Is there an existing structure(s) on this parcel? ☐ Yes ☒ No

Is a Letter of Intended Use provided? ☐ Yes ☐ No

The proposed change will be: ☐ Land Split ☐ Land Use Changes (i.e., zoning)
☐ Preliminary Plat Review ☒ Other (See below description of proposal)

Number of lots on the parcel (if applicable): _____

Property is located in: ☐ City ☐ Impact Zone ☒ County

Is the proximity of the structure to city sewer or central wastewater collection system 200 feet or less? ☐ Yes ☒ No

Water supply: ☐ Private Well ☐ Shared Well ☐ Public Water System

Description of proposal:

Adding and growing trees 2 acre separate parcel
No septic

SIGNATURE: [Signature]

DATE: 6/24/24

By my signature above, I certify that all answers and statements on this application are true and complete to the best of my knowledge. I understand that should evaluation disclose untruthful or misleading answers, my application may be rejected or permit canceled. SWDHI does not guarantee conditions of approval by signing the application form. The applicant must apply for a subsurface sewage disposal system within one (1) year from the date of signature on this application.



RECEIPT

Paid By:

For:

Pre-Development Meeting

Pre-Development Meeting

13307 Miami Lane
Caldwell, ID 83607

13307 Miami Lane
Caldwell, ID 83607

Account Number: 014049

Date	Service(s)	Charges	Payments
24-Jun-24	Pre- Development Meeting	100.00	
24-Jun-24	Payment Pre- Development Meeting - Pre-Development Meeting [015794]		-100.00

Amount Due 0.00

Payment method Check

Receipt Number 241644

Facility/Nexus # Jose Cervantes - 16503 Wagonier Dr

Message Pre- Development Meeting

Printed on June 24, 2024 9:10 AM

Tonya Temes

Healthier Together

13307 Miami Lane - Caldwell, Idaho 83607 - (208) 455-5400 - Fax (208) 455-5405

MASTER APPLICATION**CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**111 North 11th Avenue, #140, Caldwell, ID 83605www.canyonco.org/dsd.aspx

Phone: 208-454-7458

Fax: 208-454-6633



PROPERTY OWNER	OWNER NAME: Scott + Shellye Wilson			
	MAILING ADDRESS: 16731 Logan St, Caldwell, ID 83607			
	PHONE: 208-260-3967 EMAIL: scottnts@live.com			
I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If owner(s) are a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign. Signature: <u>[Signature]</u> Date: <u>2/6/24</u>				
(AGENT) ARCHITECT ENGINEER BUILDER	CONTACT NAME: N/A			
	COMPANY NAME:			
	MAILING ADDRESS:			
	PHONE: EMAIL:			
SITE INFO	STREET ADDRESS: 16731 Logan St.			
	PARCEL #: A	LOT SIZE/AREA:		
	LOT:	BLOCK:	SUBDIVISION: 2.092 acres	
	QUARTER: SW	SECTION: 29	TOWNSHIP: 4N RANGE: 3W	
	ZONING DISTRICT: AG/Agricultural FLOODZONE (YES/NO): No			
HEARING LEVEL APPS	<input type="checkbox"/> CONDITIONAL USE <input type="checkbox"/> COMP PLAN AMENDMENT <input type="checkbox"/> CONDITIONAL REZONE <input type="checkbox"/> ZONING AMENDMENT (REZONE) <input type="checkbox"/> DEV. AGREEMENT MODIFICATION <input type="checkbox"/> VARIANCE > 33% <input checked="" type="checkbox"/> MINOR REPLAT <input type="checkbox"/> VACATION <input type="checkbox"/> APPEAL <input type="checkbox"/> SHORT PLAT SUBDIVISION <input type="checkbox"/> PRELIMINARY PLAT SUBDIVISION <input type="checkbox"/> FINAL PLAT SUBDIVISION			
	DIRECTORS DECISION APPS	<input type="checkbox"/> ADMINISTRATIVE LAND DIVISION <input type="checkbox"/> EASEMENT REDUCTION <input type="checkbox"/> SIGN PERMIT <input type="checkbox"/> PROPERTY BOUNDARY ADJUSTMENT <input type="checkbox"/> HOME BUSINESS <input type="checkbox"/> VARIANCE 33% > <input type="checkbox"/> PRIVATE ROAD NAME <input type="checkbox"/> TEMPORARY USE <input type="checkbox"/> DAY CARE <input type="checkbox"/> OTHER		
		CASE NUMBER: DATE RECEIVED:		
		RECEIVED BY: APPLICATION FEE: CK MO CC CASH		

February 6th, 2024

Canyon County Development Services Department

To Whom It May Concern:

We, Scott and Shellye Wilson, would like to adjust the boundary of our property, transferring two acres to our neighbors, Jose I. and Silvia Cervantes.

The two acres are currently planted in hay, and the neighbors will continue a tree-farming operation of their own. By transferring this property, our own acreage will be "squared off", and easier to maintain.

This property does not border any existing roadways.

No development is planned at this time.

Will not affect neighbors as it will continue with agriculture production.

Property is rectangular with a slight slope.

The Cervantes' look forward to expanding their current agriculture operation, and we look forward to not farming that particular two acres.

Thank you in advance for your consideration.

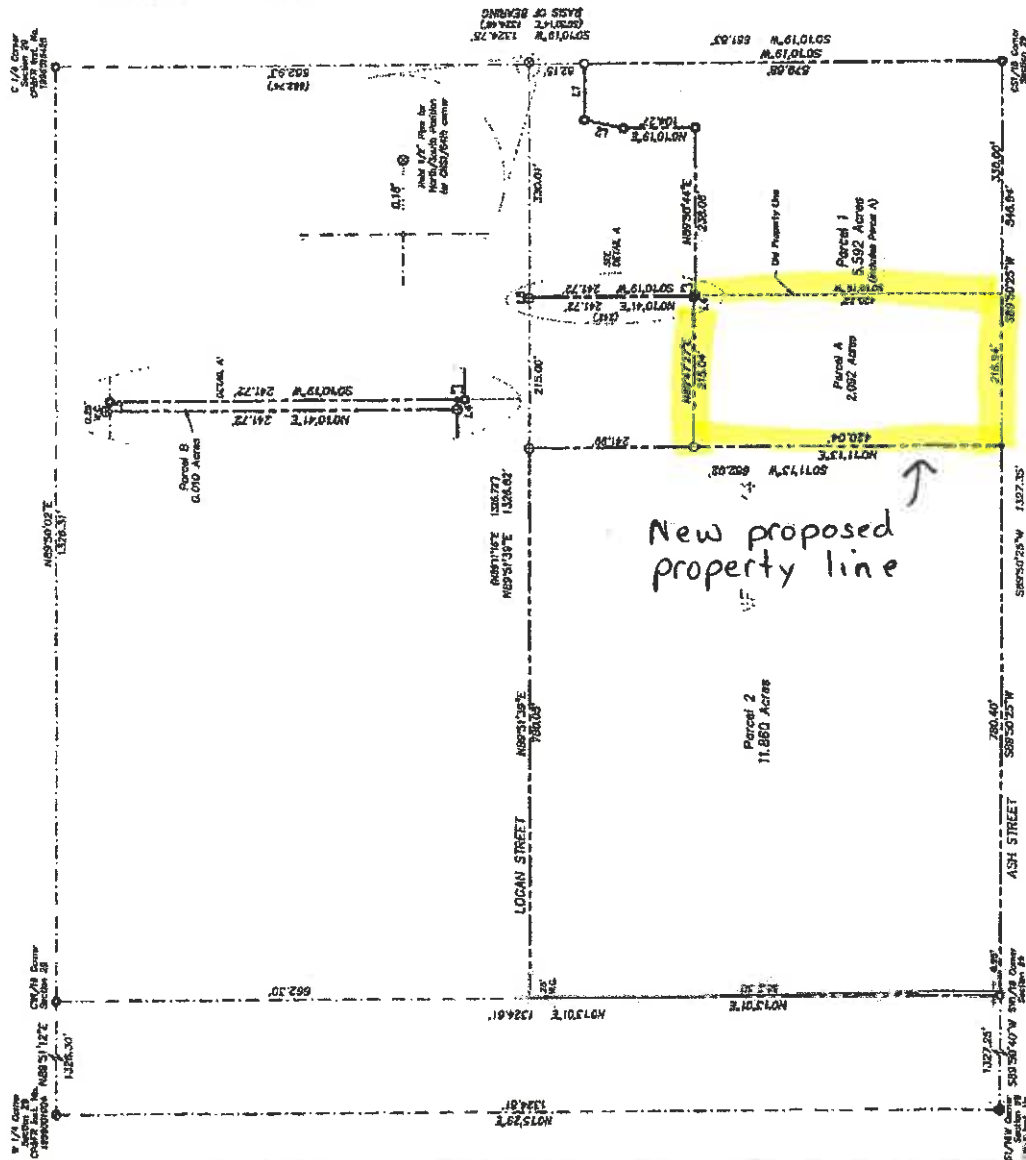
Sincerely



Scott and Shellye Wilson

A PORTION OF THE S 1/4 NE 1/4 SW 1/4 OF SECTION 29,
TOWNSHIP 4 NORTH, RANGE 3 WEST, BOISE MERIDIAN,
CANYON COUNTY, IDAHO

NO	GEARING	LENGTH
L1	N08'40.44"E	70.89
L2	N12'01.20"E	88.67
L3	S07'10.04"W	2.15
L4	S89'4.31"W	1.79
L5	N89'51.39"E	1.7



Parcel A
to
become
part of
Parcel #1

Reference Survey:
Inst. No. 2019041094
Inst. No. 2017037830
Inst. No. 20108032086
Inst. No. 2006052804
Inst. No. 2017051705
Inst. No. 2007015863
Inst. No. B81493
Pleasant Ridge No. 2
Book 8, Page 14

Reference Dead:
Inst. No. 2018039337
Inst. No. 2018045288
Inst. No. 2004085368
Inst. No. 2003078819

- ⊗ BRASS CAP WORKMENT - FOUND
- ⊗ ALUMINUM CAP WORKMENT - FOUND
- ⊗ AXLE - FOUND
- ⊗ 1/2" PIPE - FOUND
- ⊗ 5/16" NUT - FOUND
- ⊗ 1/2" NUT - FOUND
- ⊗ 1/2" x 24" NUT - SET
- ⊗ CALCULATED POINT

W.C. WITNESS CORNER
DATE OF RECORD

[illegible]

NO. 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 9

i. Thomson J. Whitford, do hereby certify that I am a Professional Land Surveyor, Licensed by the State of Iowa, and that this map has been prepared from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the Corner Perpetuation Act, Iowa Code 35-161b through 35-161f.



WFO No. 434-23-9-1-0-04-00

FOR CHANGE

SCOTT WILSON

Summary

Land Survey

1784N Sand Hollow Road
Caldwell, Idaho 83407
(208)-454-0833
www.sandhollowsurvey.com
info@sandhollowsurvey.com

407573



*Thomas J. Wellard, PLS
Rodney Clark, PE*

June 10, 2023

Legal Description for
Scott Wilson
Job No. AP2523

Parcel 2

This parcel is a portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29 in Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Southeast corner of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, (CS1/16 Corner, Section 20), a found 5/8 inch diameter rebar;

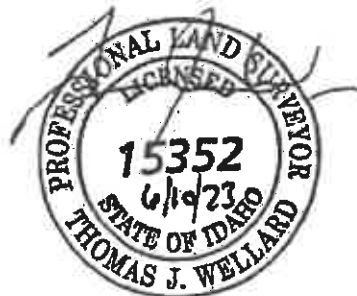
thence South 89°50'25" West along the South boundary of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 546.94 feet to the **TRUE POINT OF BEGINNING**, a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence continuing South 89°50'25" West along said South boundary a distance of 780.40 feet to the Southwest corner of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, a found 5/8 inch diameter rebar;

thence North 00°13'01" East along the West boundary of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 662.30 feet to the Northwest corner of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, witnessed by a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352 bearing South 00°13'01" West a distance of 25.00 feet;

thence North 89°51'39" East along the North boundary of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, a distance of 780.05 feet to a found aluminum cap monument;

thence South 00°11'13" West a distance of 662.02 feet to the **TRUE POINT OF BEGINNING**, said parcel being 11.860 acres more or less, and being subject to any and all easements and rights of way of record or implied.





Thomas J. Wellard, PLS
Rodney Clark, PE

June 10, 2023

Legal Description for
Scott Wilson
Job No. AP2523

Parcel A

This parcel is a portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29 in Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Southeast corner of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, (CS1/16 Corner, Section 20), a found 5/8 inch diameter rebar;

thence South 89°50'25" West along the South boundary of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 330.00 feet to the **TRUE POINT OF BEGINNING**;

thence continuing South 89°50'25" West along said South boundary a distance of 216.94 feet to a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence North 00°11'13" East a distance of 420.04 feet to a found 5/8 inch diameter rebar with an aluminum cap;

thence North 89°47'27" East a distance of 216.83 feet to a $\frac{1}{2}$ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence South 00°10'19" West a distance of 420.22 feet to the **TRUE POINT OF BEGINNING**, said parcel being 2.092 acres more or less, and being subject to any and all easements and rights of way of record or implied.



We, the undersigned, approve the Boundary Adjustment requested by the Wilson's.



Jose I. Cervantes

February 8, 2024



Silvia Cervantes

February 8, 2024

Neighbors:

Donna Roockstool
208-989-7755

Veni Rea
208-602-3768

INSTRUMENT NO. 200378839/200465366

PC55688

WARRANTY DEED

FOR VALUE RECEIVED Donald G. Mathews, a married man, as his sole and separate property

the Grantor, does hereby grant, bargain, sell and convey unto Scott G. Wilson and Shellye J. Wilson, husband and wife

the Grantees, whose address is 16688 W. Logan Street, Caldwell, ID, 83607

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2003 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: December 22, 2003

Donald G. Mathews

Donald G. Mathews

STATE OF NORTH CAROLINA

COUNTY OF Wake

On this 23 day of December in the year 2003, before me, a Notary Public, personally appeared Donald G. Mathews known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Charlotte Edwards

Notary Public

Wake County, NC

My Commission Expires 12/29/04

NOTARY PUBLIC
WAKE COUNTY, NC

REQUEST
TYPE Deed FEE 9.00

PIONEER-CALDWELL

CANYON CNTY RECORDER

G NOEL HALES

2003 DEC 29 PM 12 02

RECORDED

200378839

200378839

Exhibit "A"

PARCEL I

The South Half of the Northeast Quarter of the Southwest Quarter of Section 29, Township 4 North, Range 3 West of the Boise Meridian in Canyon County, Idaho.

EXCEPTING THEREFROM a part of the West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 29, Township 4 North, Range 3 West of the Boise Meridian in Canyon County, Idaho, more particularly described to-wit:

COMMENCING at the Southeast corner of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 29, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho; thence North 0° 24' West 662.3 feet along the East line of the said Southeast Quarter of the Northeast Quarter of the Southwest Quarter to the Northeast corner of the said Southeast Quarter of the Northeast Quarter of the Southwest Quarter; thence

South 89° 17' 45" West ~~211.95~~^{331.95} feet along the North line of the said Southeast Quarter of the Northeast Quarter of the Southwest Quarter of the Northeast corner of the West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of the aforesaid Section 29, the INITIAL POINT; thence continuing

South 89° 17' 45" West 215 feet along the said North line; thence South 0° 23' 22" East 242 feet parallel to the East line of the West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter; thence

North 89° 17' 45" East 215 feet parallel to the aforesaid North line to a point in the East line of the said West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter; thence

North 0° 23' 22" West 242 feet along the said East line to the INITIAL POINT.

AND FURTHER EXCEPTING THEREFROM the East 330 feet of the South Half of the Northeast Quarter of the Southwest Quarter of Section 29, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

(continued)

PARCEL II

A part of the West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 29, Township 4 North, Range 3 West of the Boise Meridian in Canyon County, Idaho, more particularly described to-wit:

COMMENCING at the Southeast corner of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 29, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho; thence North 0° 24' West 662.3 feet along the East line of the said Southeast Quarter of the Northeast Quarter of the Southwest Quarter to the Northeast corner of the said Southeast Quarter of the Northeast Quarter of the Southwest Quarter; thence

South 89° 17' 45" West 331.95 feet along the North line of the said Southeast Quarter of the Northeast Quarter of the Southwest Quarter to the Northeast corner of the West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of the aforesaid Section 29, the INITIAL POINT; thence continuing

South 89° 17' 45" West 215 feet along the said North line; thence South 0° 23' 22" East 242 feet parallel to the East line of the West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter; thence

North 89° 17' 45" East 215 feet parallel to the aforesaid North line to a point in the East line of the said West Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter; thence

North 0° 23' 22" West 242 feet along the said East line to the INITIAL POINT.

PIONEER-CALDWELL

REQUEST

TYPE *deed*

FEE

9-

RECORDED

2011 NOV 30 PM 4 00

G NOEL HALES

CANYON CNTY RECORDER

BY

Osmon

200465386



This document is being recorded to correct
grantor

File # 17299883

2018-039337
RECORDED
09/04/2018 10:22 AM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=2 PBRIDGES \$15.00
TYPE: DEED
TITLEONE BOISE
ELECTRONICALLY RECORDED

Quitclaim Deed

who also acquired title as Jose I Cervantes-Padilla
For value received, Jose I Cervantes and Silvia Cervantes, husband and wife

Does hereby convey, release, remise, and forever quit claim unto

Jose I Cervantes and Silvia Cervantes, husband and wife

whose current address is, 16503 Wagontier Dr. Caldwell 1083607

the following described premises: See attached legal

To have and to hold the said premises, unto the said grantees, heirs and assigns forever.

Date: 08/31/2018

[Signature]
Jose I Cervantes

[Signature]
Silvia Cervantes

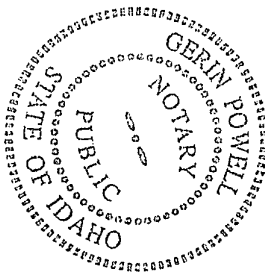
2018-045288
RECORDED
10/10/2018 11:38 AM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=2 HCRETAL \$15.00
TYPE: DEED
TITLEONE BOISE
ELECTRONICALLY RECORDED

State of ID, County of Canyon, ss.

On this 31st day of August in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared **Jose I Cervantes and Silvia Cervantes** known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

[Signature], Notary Public

Residing at: _____
My Commission Expires: _____
(seal) _____
My commission expires: Dec. 13, 2019



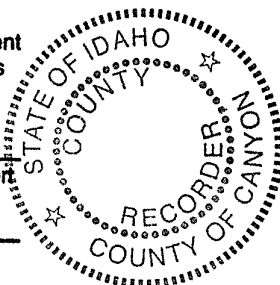
State of Idaho } ss.
County of Canyon }

I hereby certify that the foregoing instrument
is a true and correct copy of the original as
the same appears in this office.

DATED

10-04-2018
CHRIS YAMAMOTO, Clerk of the District Court
and Ex Officio Recorder

By [Signature]
Deputy



ELS *ENGBRITSON LAND SURVEYS, PLLC.*

2251 S. Sumac Street, Boise, Idaho 83706

Telephone (208) 859-6032 - mike@elsurveys.com

24 August 2017
ELS Project No. 170821

Land Description
Conger - Cervantes
Parcel B – Contains 3.50 acres more or less

PARCEL B

A parcel of land being a portion of Parcel A and all of Parcel B per Record Of Survey recorded as instrument number 2007015863 within the SE ¼ of the NE ¼ of the SW ¼ Section 29, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, described as follows:

Commencing at a found steel pin on the southerly rights-of-way line of Wagontier Drive, said pin the NE corner of said Parcel B and the POINT OF BEGINNING.

Thence southerly along the easterly line of said Parcel B S 00°-10'-10" W a distance of 579.88 feet to the SE corner of said Parcel B;

Thence along the southerly line of said Parcel B S 89°-50'-41" W a distance of 330.01 feet to the SW corner of said Parcel B;

Thence along the westerly line of said Parcels N 00°-10'-10" E a distance of 418.03 feet to a set steel pin;

Thence leaving said Parcel line N 89°-50'-35" E a distance of 238.07 feet to a set steel pin;

Thence N 00°-10'-10" E a distance of 104.27 feet to a set steel pin;

Thence N 11°-52'-54" E a distance of 58.69 feet to a set steel pin on said southerly rights-of-way line;

Thence easterly along said rights-of-way line N 89°-51'-39" E a distance of 80.03 feet to the POINT OF BEGINNING.

The above-described parcel of land contains 3.50 acres more or less subject to all existing easements and rights-of-way.

EXHIBIT B

Supplemental Documents

Hearing Examiner

Case# CU2024-0020

Hearing date: July 7, 2025

R35479011 PARCEL INFORMATION REPORT

6/9/2025 2:45:42 PM

PARCEL NUMBER: **R35479011**

OWNER NAME: **CERVANTES JOSE I**

CO-OWNER: **CERVANTES SILVIA**

MAILING ADDRESS: **16503 WAGONTIER DR CALDWELL ID 83607**

SITE ADDRESS: **16503 WAGONTIER DR**

TAX CODE: **0200000**

TWP: **4N** RNG: **3W** SEC: **29** QUARTER: **SW**

ACRES: **3.49**

HOME OWNERS EXEMPTION: **No**

AG-EXEMPT: **No**

DRAIN DISTRICT: **NOT In Drain Dist**

ZONING DESCRIPTION: **AG / AGRICULTURAL**

HIGHWAY DISTRICT: **HIGHWAY DISTRICT #4**

FIRE DISTRICT: **CALDWELL RURAL FIRE**

SCHOOL DISTRICT: **CALDWELL SCHOOL #132**

IMPACT AREA: **CALDWELL**

FUTURE LAND USE 2011-2022 : **Res**

FLU Overlay Zone Desc 2030:

FLU RR Zone Desc 2030:

FUTURE LAND USE 2030: **Res**

IRRIGATION DISTRICT: **PIONEER IRRIGATION DISTRICT**

FEMA FLOOD ZONE: **X** FLOODWAY: **NOT In** FLOODWAY FIRM PANEL: **16027C0240F**

WETLAND: **NOT In WETLAND**

NITRATE PRIORITY: **NO Nitrate Prio**

FUNCTIONAL Classification: **PROPOSED COLLECTOR**

INSTRUMENT NO. : **2018045288**

SCENIC BYWAY: **NOT In Scenic Byway**

LEGAL DESCRIPTION: **29-4N-3W SW TX 18533 IN NESW**

PLATTED SUBDIVISION:

SMALL CITY ZONING:

SMALL CITY ZONING TYPE:



DISCLAIMER:

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

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

R35477010 PARCEL INFORMATION REPORT

6/9/2025 2:46:37 PM

PARCEL NUMBER: **R35477010**

OWNER NAME: **WILSON SCOTT G**

CO-OWNER: **WILSON SHELLYE J**

MAILING ADDRESS: **16728 UPPER PLEASANT RIDGE RD CALDWELL ID 83747**

SITE ADDRESS: **0 UPPER PLEASANT RIDGE RD**

TAX CODE: **0200000**

TWP: **4N** RNG: **3W** SEC: **29** QUARTER: **SW**

ACRES: **8.85**

HOME OWNERS EXEMPTION: **No**

AG-EXEMPT: **Yes**

DRAIN DISTRICT: **NOT In Drain Dist**

ZONING DESCRIPTION: **AG / AGRICULTURAL**

HIGHWAY DISTRICT: **HIGHWAY DISTRICT #4**

FIRE DISTRICT: **CALDWELL RURAL FIRE**

SCHOOL DISTRICT: **CALDWELL SCHOOL #132**

IMPACT AREA: **CALDWELL**

FUTURE LAND USE 2011-2022 : **Res**

FLU Overlay Zone Desc 2030:

FLU RR Zone Desc 2030:

FUTURE LAND USE 2030: **Res**

IRRIGATION DISTRICT: **PIONEER IRRIGATION DISTRICT**

FEMA FLOOD ZONE: **X** FLOODWAY: **NOT In** FLOODWAY FIRM PANEL: **16027C0240F**

WETLAND: **NOT In WETLAND**

NITRATE PRIORITY: **ADA CANYON**

FUNCTIONAL Classification: **COLLECTOR**

INSTRUMENT NO. : **2025007450**

SCENIC BYWAY: **NOT In Scenic Byway**

LEGAL DESCRIPTION: **29-4N-3W SW TX 25106 IN S1/2 NESW**

PLATTED SUBDIVISION:

SMALL CITY ZONING:

SMALL CITY ZONING TYPE:



DISCLAIMER:

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

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

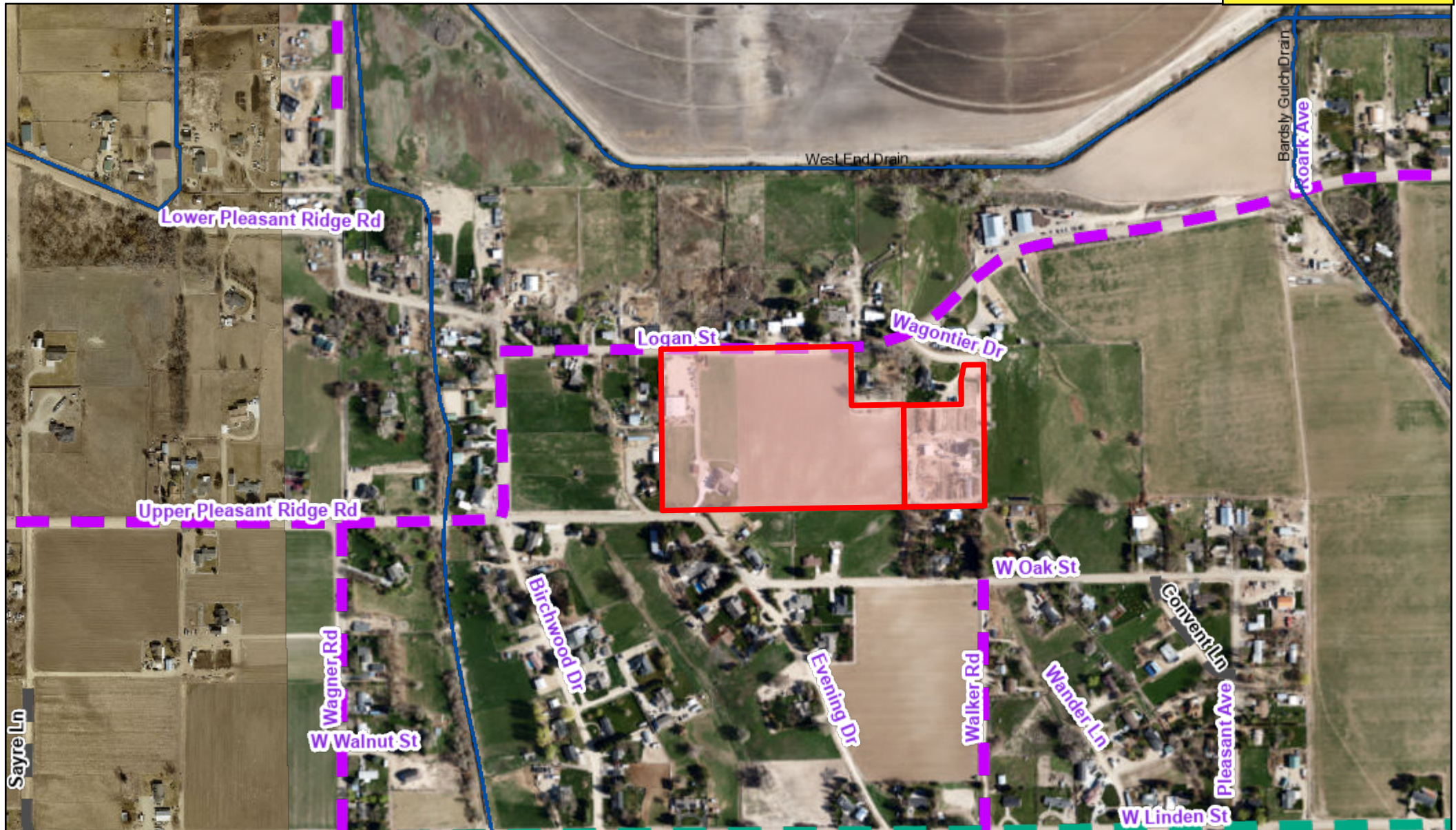
EXHIBIT B2

Case Maps/Reports

Hearing Examiner

Case# CU2024-0020

Hearing date: July 7, 2025



9/27/2024, 4:06:25 PM



Multiple Parcel Search _Query result



Hydro_NHDFlowline



CC_PrivateRoads

ITDFunctionalClassification

Major Collector

Minor Arterial

Urban_2023

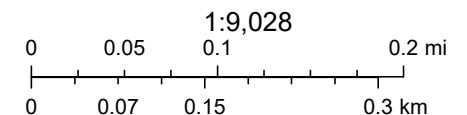
Red: Red

Green: Green

Blue: Blue

Imagery_2022

Red: Band_1

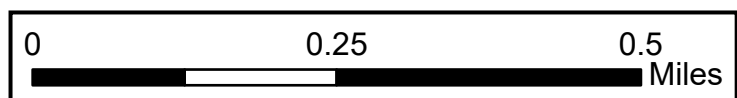
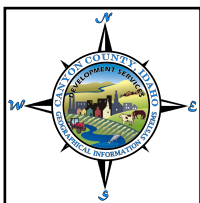
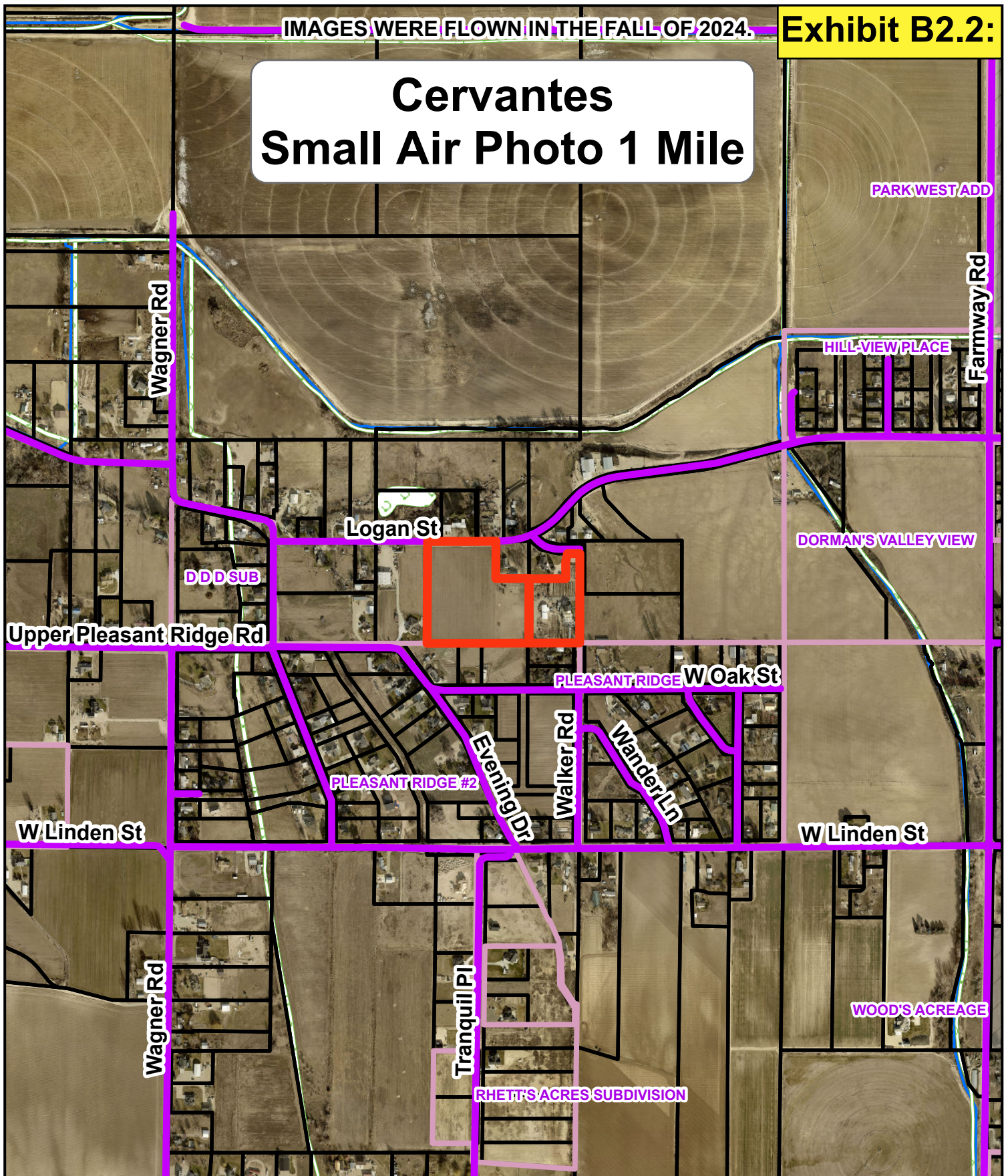


Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA

IMAGES WERE FLOWN IN THE FALL OF 2024.

Exhibit B2.2:

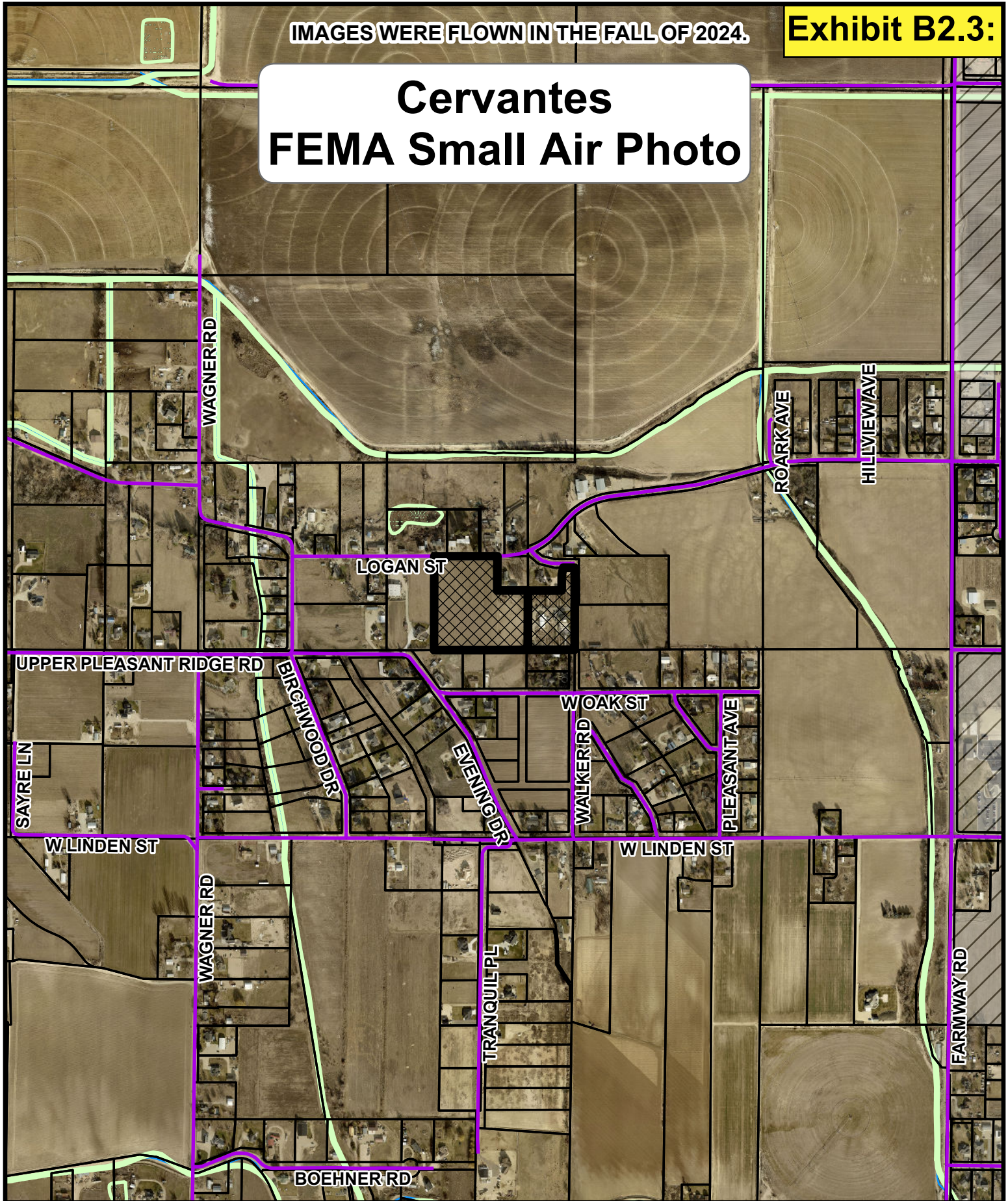
Cervantes Small Air Photo 1 Mile



IMAGES WERE FLOWN IN THE FALL OF 2024.

Exhibit B2.3:

Cervantes FEMA Small Air Photo

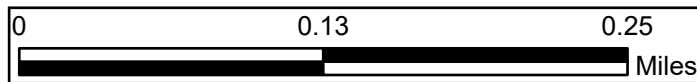
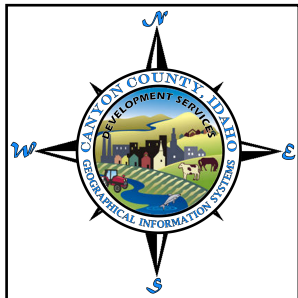
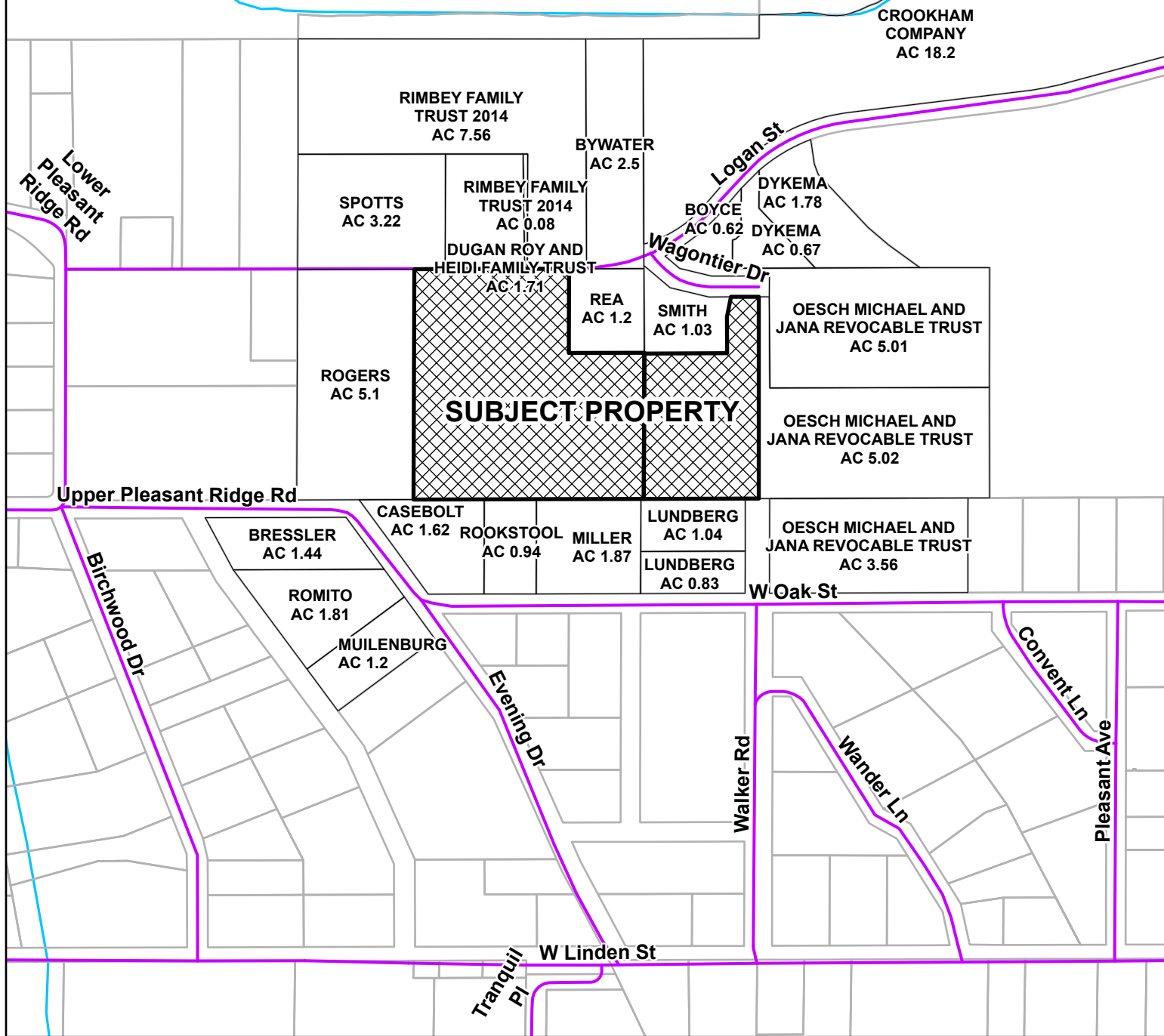


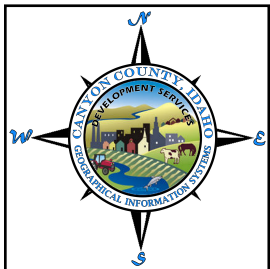
Legend






SUBJECT_PROPERTY	A
TAXLOTS	AE
WETLANDS	X

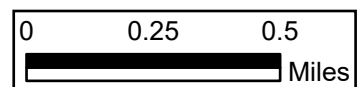


600 Feet Small Vicinity Map

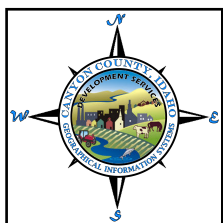
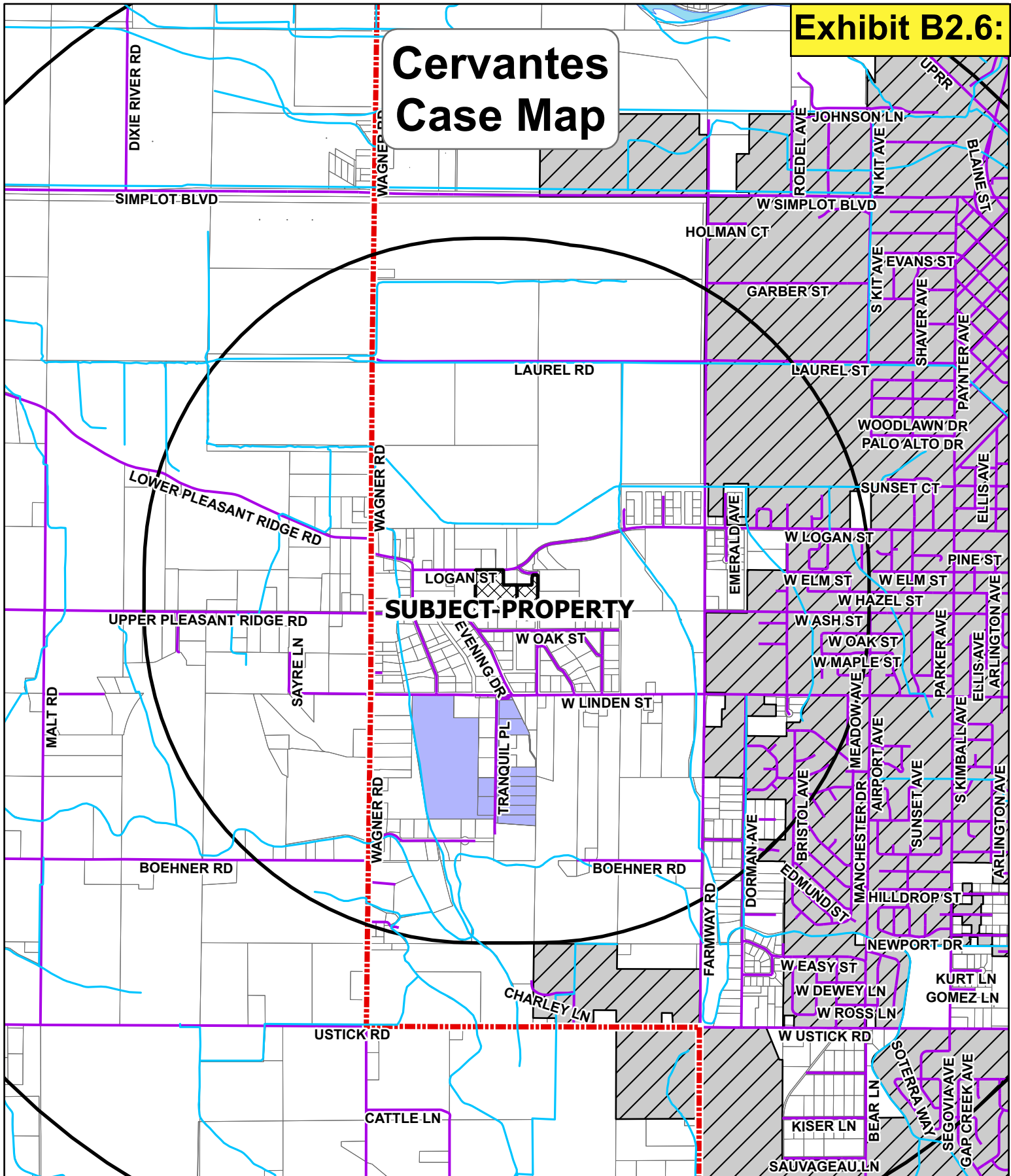




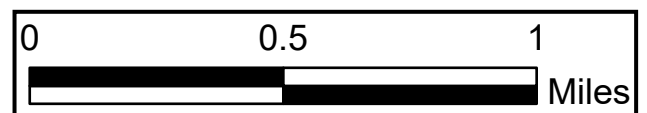
-  PROPOSED
 PRINCIPAL
 ARTERIAL
 MINOR ARTERIAL
 PROPOSED
 MINOR ARTERIAL
 COLLECTOR
 PROPOSED
 COLLECTOR



Cervantes Case Map



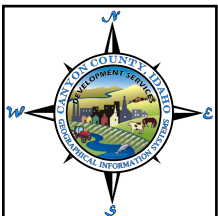
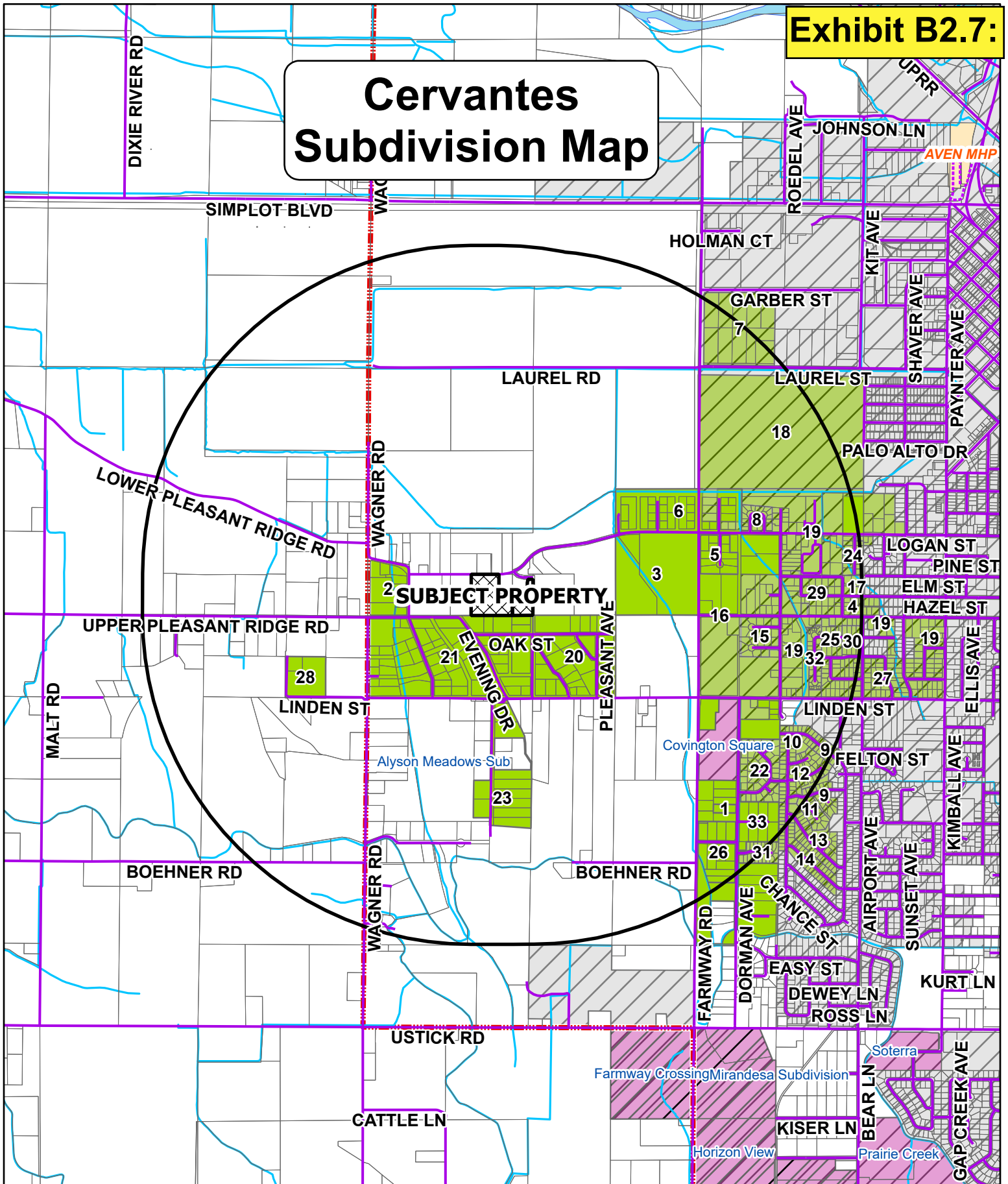
YEAR	
Year	
2020	2023
2021	2024
2022	2025



CASE SUMMARY

ID	CASENUM	REQUEST	CASENAME	FINALDECIS
1	SD2022-0014	Rezone Ag to RR	Rhett's Acres	APPROVED
2	SD2022-0014	Rezone Ag to RR	Rhett's Acres	APPROVED
3	SD2022-0014	Rezone Ag to RR	Rhett's Acres	APPROVED
4	RZ2021-0047	Rezon AG to CR-RR	SC2, LLC	APPROVED
5	RZ2020-0029	Rezone AG to RR	Troost Family Living Trust	APPROVED
6	RZ2020-0029	Rezone AG to RR	Troost Family Living Trust	APPROVED
7	RZ2020-0029	Rezone AG to RR	Troost Family Living Trust	APPROVED

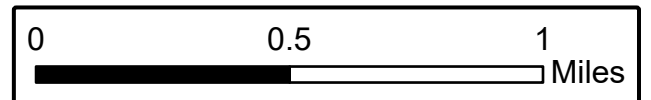
Cervantes Subdivision Map



SUBDIVISIONS

Plat Type, Plat Status

- Preliminary, Approved
- Preliminary, Pending



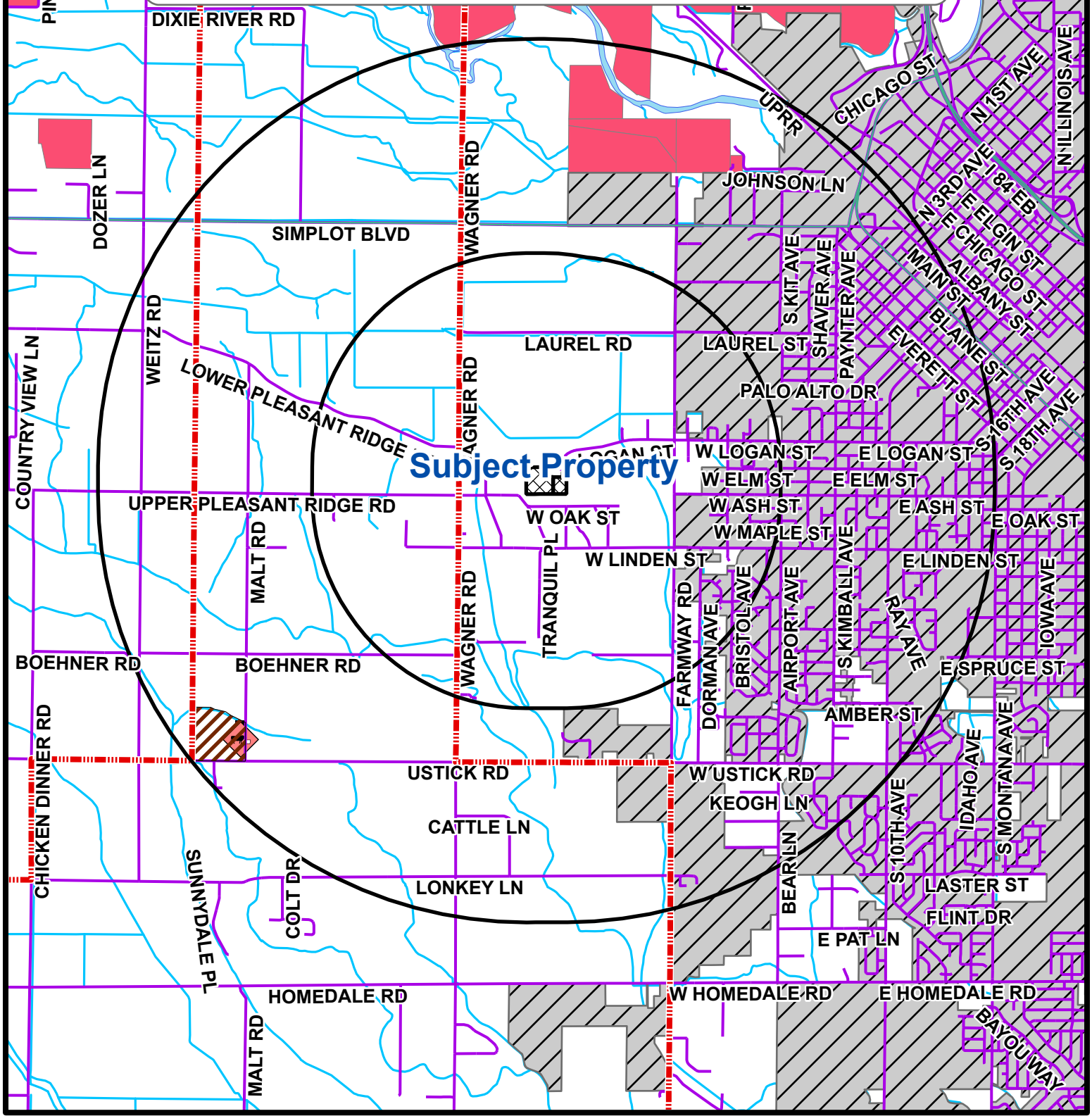
SUBDIVISION & LOT REPORT				
NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE	
33	778.49	887	0.88	
NUMBER OF SUBS IN PLATTING	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE	
1	14.89	34	0.44	
NUMBER OF LOTS NOTIFIED	AVERAGE	MEDIAN	MINIMUM	MAXIMUM
42	3.25	1.75	0.08	21.75
NUMBER OF MOBILE HOME PARKS	ACRES IN MHP	NUMBER OF SITES	AVG HOMES PER ACRE	MAXIMUM

PLATTED SUBDIVISIONS							
SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF...	Year
CALLSEN SUB	1	4N3W33	1.15	1	1.15	0	2005
D D D SUB	2	4N3W29	13.14	10	1.31	0	1992
DORMAN'S VALLEY VIEW	3	4N3W29	40.23	3	13.41	0	1907
EDDINS ADD	4	4N3W28	2.51	9	0.28	CALDWELL	1991
HAFEN HILLS ESTATES	5	4N3W28	8.08	11	0.73	0	1992
HILL-VIEW PLACE	6	4N3W29	32.74	28	1.17	0	1958
INDUSTRIAL SITE #7	7	4N3W21	30.50	8	3.81	CALDWELL	1993
LOGAN'S CREST SUB	8	4N3W28	4.98	23	0.22	CALDWELL	2002
MANCHESTER PARK #2	9	4N3W33	6.48	28	0.23	CALDWELL	1996
MANCHESTER PARK #3	10	4N3W33	6.38	28	0.23	CALDWELL	1998
MANCHESTER PARK #4	11	4N3W33	4.48	19	0.24	CALDWELL	1998
MANCHESTER PARK #5	12	4N3W33	10.19	44	0.23	CALDWELL	1999
MANCHESTER PARK #7	13	4N3W33	10.23	41	0.25	CALDWELL	2001
MANCHESTER PARK #8	14	4N3W33	8.16	42	0.19	CALDWELL	2002
MARSHALL FIELD SUB	15	4N3W28	8.50	19	0.45	CALDWELL	1992
MITCHELL'S ACREAGE	16	4N3W28	63.71	27	2.36	CALDWELL	1895
PAL-SHAW ESTATES	17	4N3W28	0.63	3	0.21	CALDWELL	1998
PARK WEST ADD	18	4N3W28	110.67	24	4.61	CALDWELL	1986
PIONEER SUB	19	4N3W28	87.55	114	0.77	CALDWELL	1911
PLEASANT RIDGE	20	4N3W29	40.41	31	1.30	0	1963
PLEASANT RIDGE #2	21	4N3W29	80.81	54	1.50	0	1966
QUAIL MEADOW	22	4N3W33	14.68	39	0.38	CALDWELL	2000
RHETT'S ACRES SUBDIVISION	23	4N3W32	24.32	11	2.21	COUNTY (Canyon)	2024
SANDALWOOD ESTATES	24	4N3W28	4.85	15	0.32	CALDWELL	1976
SPEAR SUB	25	4N3W28	3.92	13	0.30	CALDWELL	1978
STAHLRIDGE SUB	26	4N3W33	12.63	16	0.79	0	1987
SYLVAN MANOR	27	4N3W28	30.07	99	0.30	CALDWELL	1977
TRAILS END SUBDIVISION	28	4N3W30	9.81	2	4.90	COUNTY (Canyon)	2021
WEST ASH ADD	29	4N3W28	13.19	33	0.40	CALDWELL	1966
WESTGATE SUB #2	30	4N3W28	4.01	12	0.33	CALDWELL	1971
WINDSONG SUB	31	4N3W33	4.65	20	0.23	CALDWELL	2002
WOOD SPRINGS ESTATES	32	4N3W28	5.03	28	0.18	CALDWELL	2004
WOOD'S ACREAGE	33	4N3W33	79.84	32	2.49	CALDWELL	1895

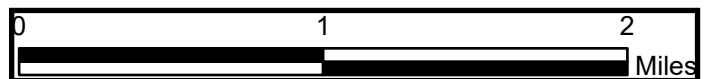
SUBDIVISIONS IN PLATTING				
SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	
Covington Square	14.89	34	0.44	

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

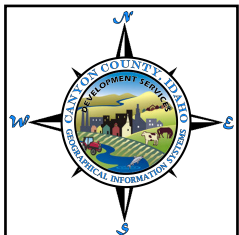
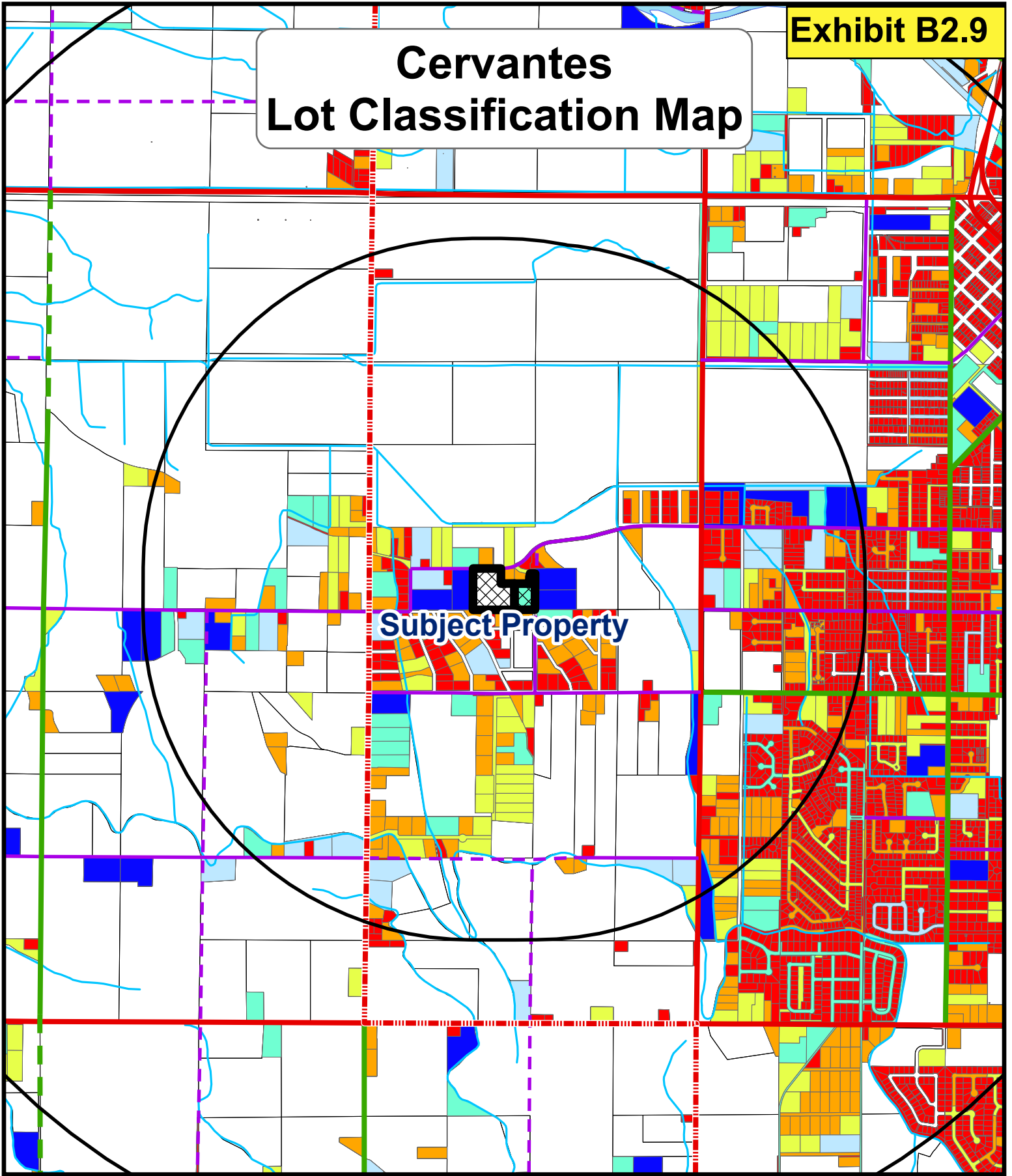
Cervantes Dairy, Feedlot, and Gravel Pit Map



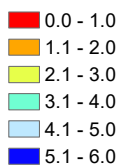
	FEEDLOTS
	DAIRIES
	GRAVELPITS



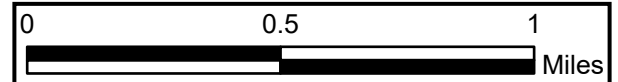
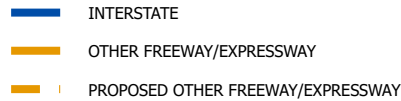
Cervantes Lot Classification Map



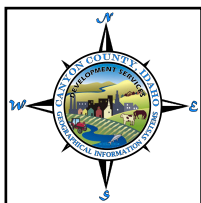
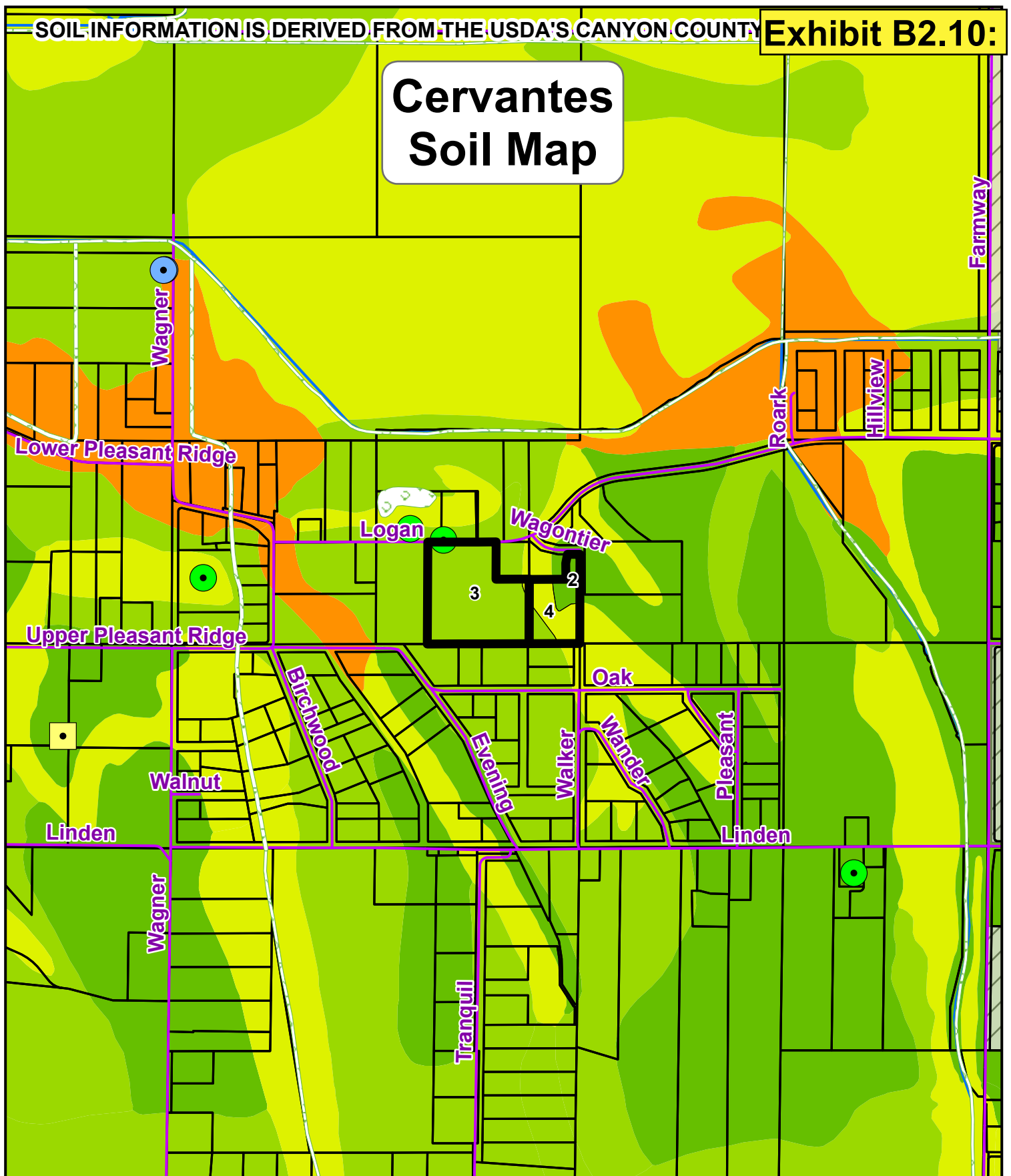
Legend



CompassFunctionalClassification



Cervantes Soil Map



Nitrate Priority Wells

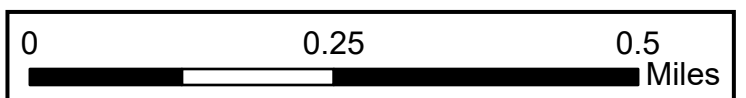
- 0.005000 - 2.000000
- 2.000001 - 5.000000
- 5.000001 - 10.000000
- ▲ 10.000001 - 49.800000



IDWR_2C_Geothermal_



Wetlands



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

Cervantes Prime Farm Lands

Subject Property

LOGAN ST

EVENING DR

W OAK ST

W LINDEN ST

W LINDEN ST

WAGNER RD

WAGNER RD

BIRCHWOOD DR

TRANQUIL PL

WALKER RD

ROARK AVE

HILLVIEW AVE

FARMWAY RD

FARMLAND

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

- TAXLOTS
- City Limits
- WETLANDS
- 2C_Hydro

0 0.125 0.25 Miles

SOIL REPORT

SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
3	MODERATELY SUITED SOIL	408005.85	9.37	75.86%
4	MODERATELY SUITED SOIL	85457.02	1.96	15.89%
2	BEST SUITED SOIL	44347.13	1.02	8.25%
		537810.00	12.35	100%

FARMLAND REPORT

SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
GwB	Prime farmland if irrigated	408005.85	9.37	75.86%
GwC	Farmland of statewide importance, if irrigated	85457.02	1.96	15.89%
GwA	Prime farmland if irrigated	44347.13	1.02	8.25%
		537810.00	12.35	100%

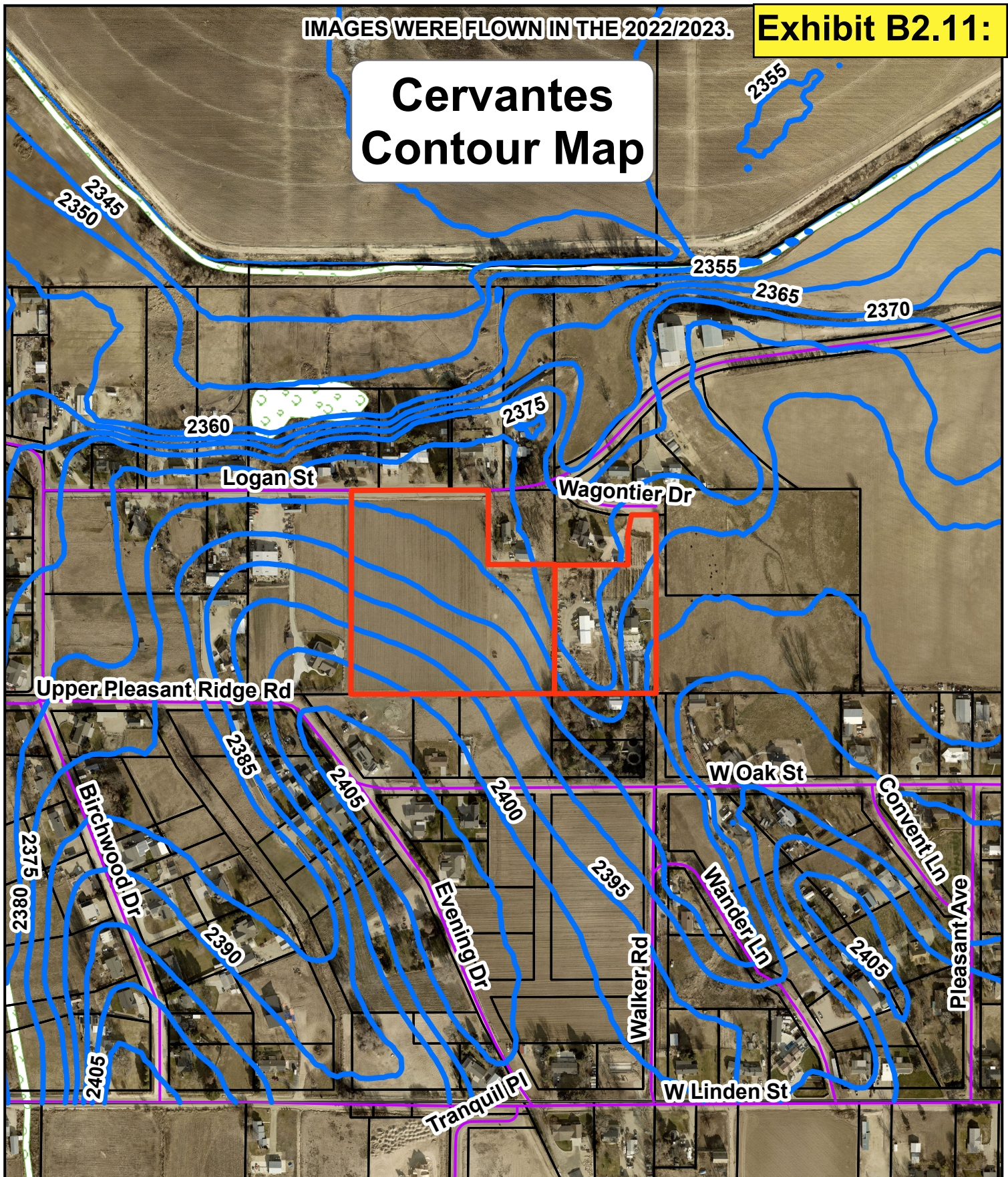
SOIL INFORMATION IS DERIVED FROM THE USDA's CANYON COUNTY SOIL SURVEY OF 2018

GRADE	SOILTYPE
1	BEST SUITED SOIL
2	BEST SUITED SOIL
3	MODERATELY SUITED SOIL
4	MODERATELY SUITED SOIL
5	LEAST SUITED SOIL
6	LEAST SUITED SOIL
7	LEAST SUITED SOIL
8	LEAST SUITED SOIL
9	LEAST SUITED SOIL

IMAGES WERE FLOWN IN THE 2022/2023.

Exhibit B2.11:

Cervantes Contour Map

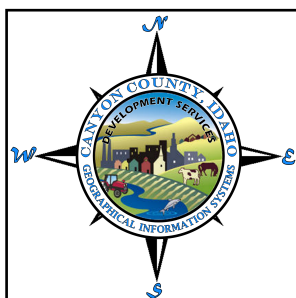
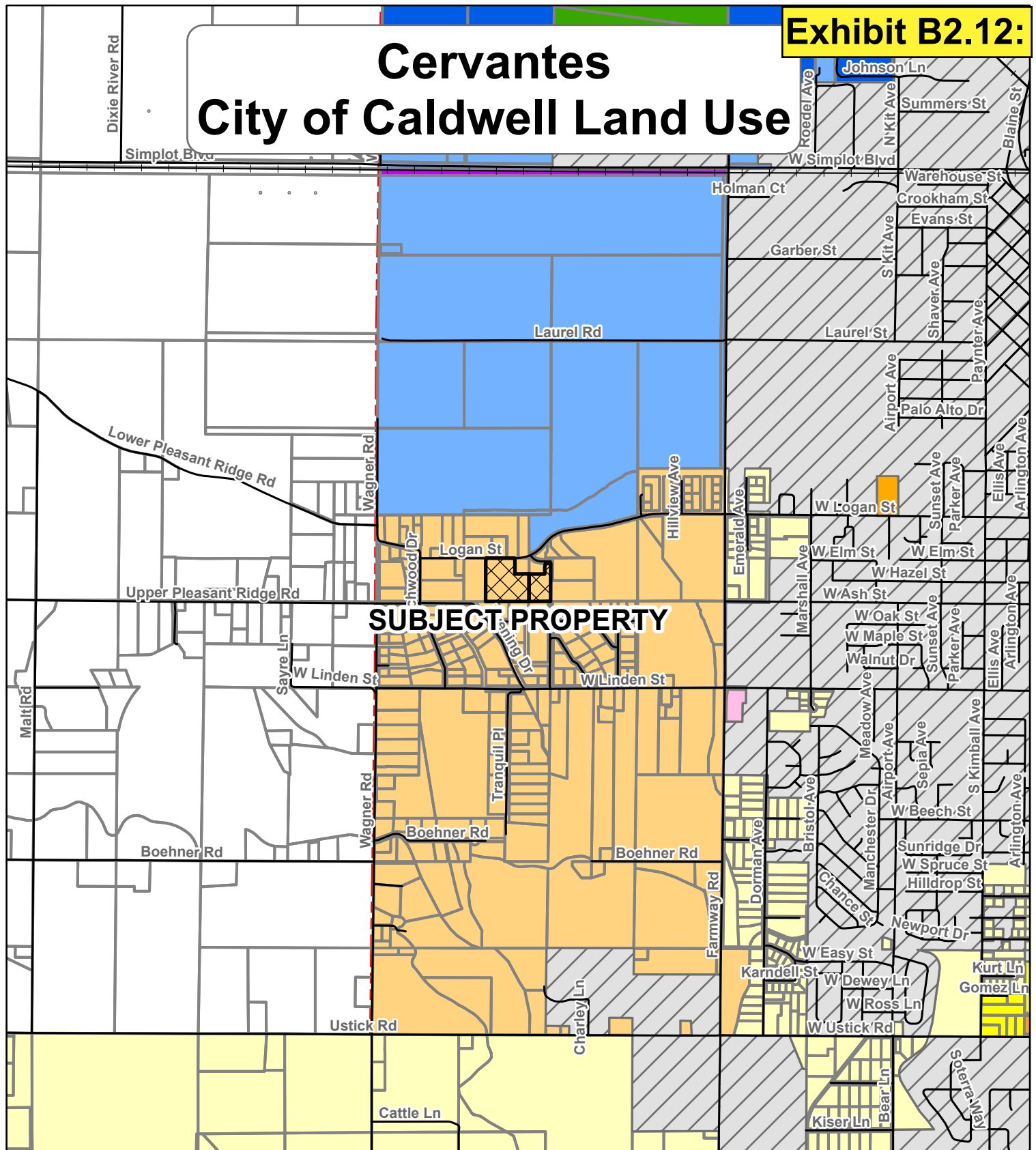


Legend

- SUBJECT_PROPERTY
- TaxParcels
- SectionContours
- Wetlands

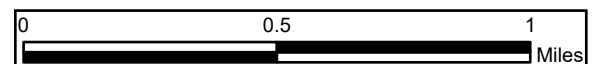


Cervantes City of Caldwell Land Use

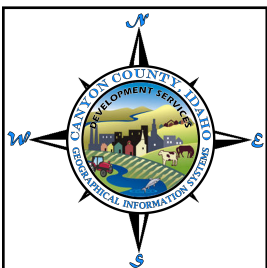
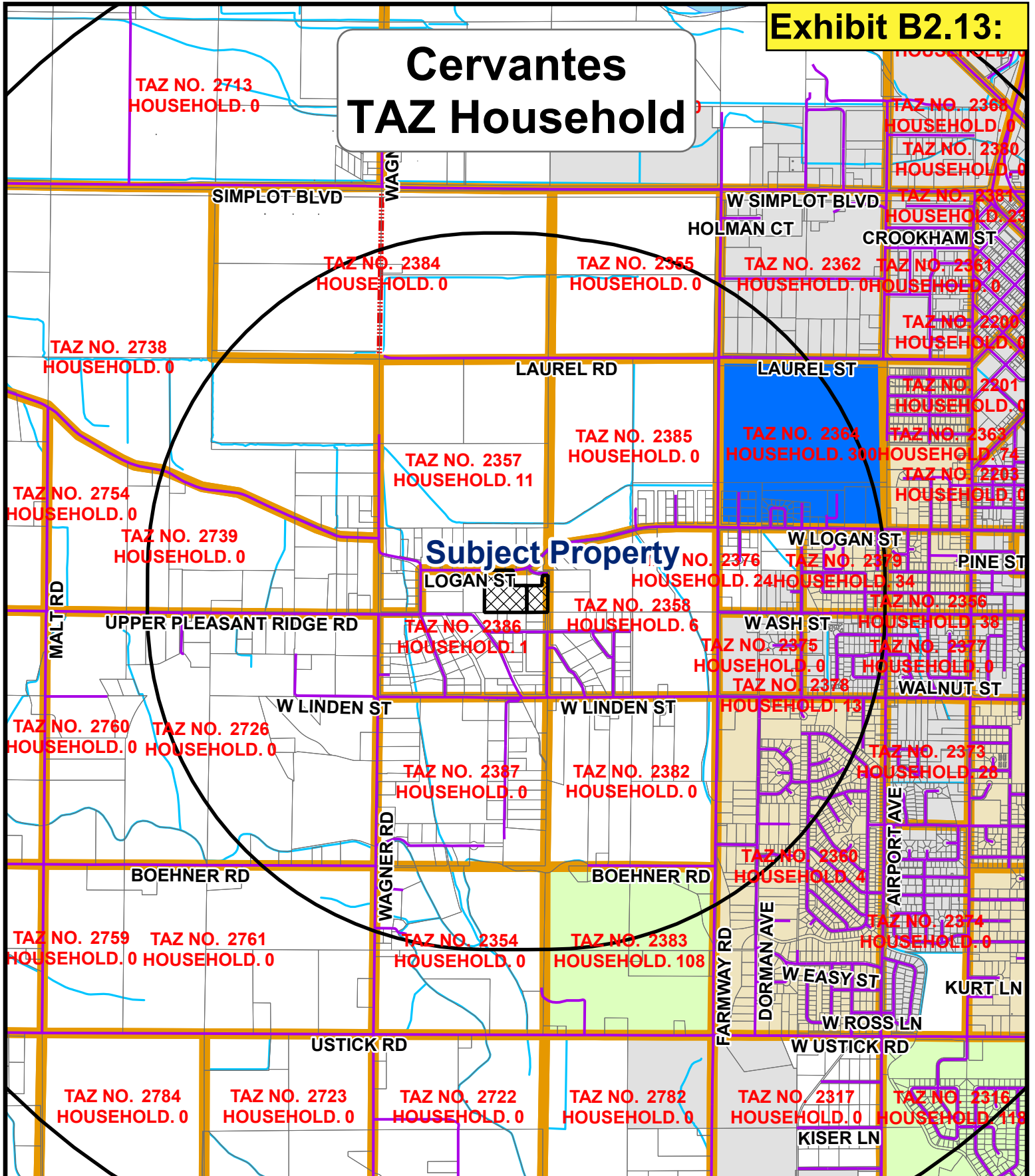


Cald Comp Plan

- | | |
|----------------------------|----------------------------|
| Residential Estates | Commercial & Service |
| Low Density Residential | Traditional Neighborhood |
| Medium Density Residential | Highway Corridor |
| High Density Residential | Manufacturing & Production |
| City Center | Industrial |
| Institutional | Rail Facilities |
| Business | Public |
| | Environmentally Sensitive |
| | Open Space |

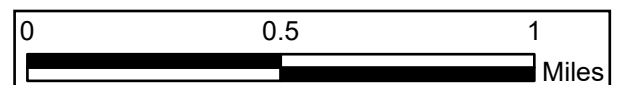


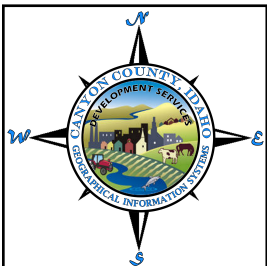
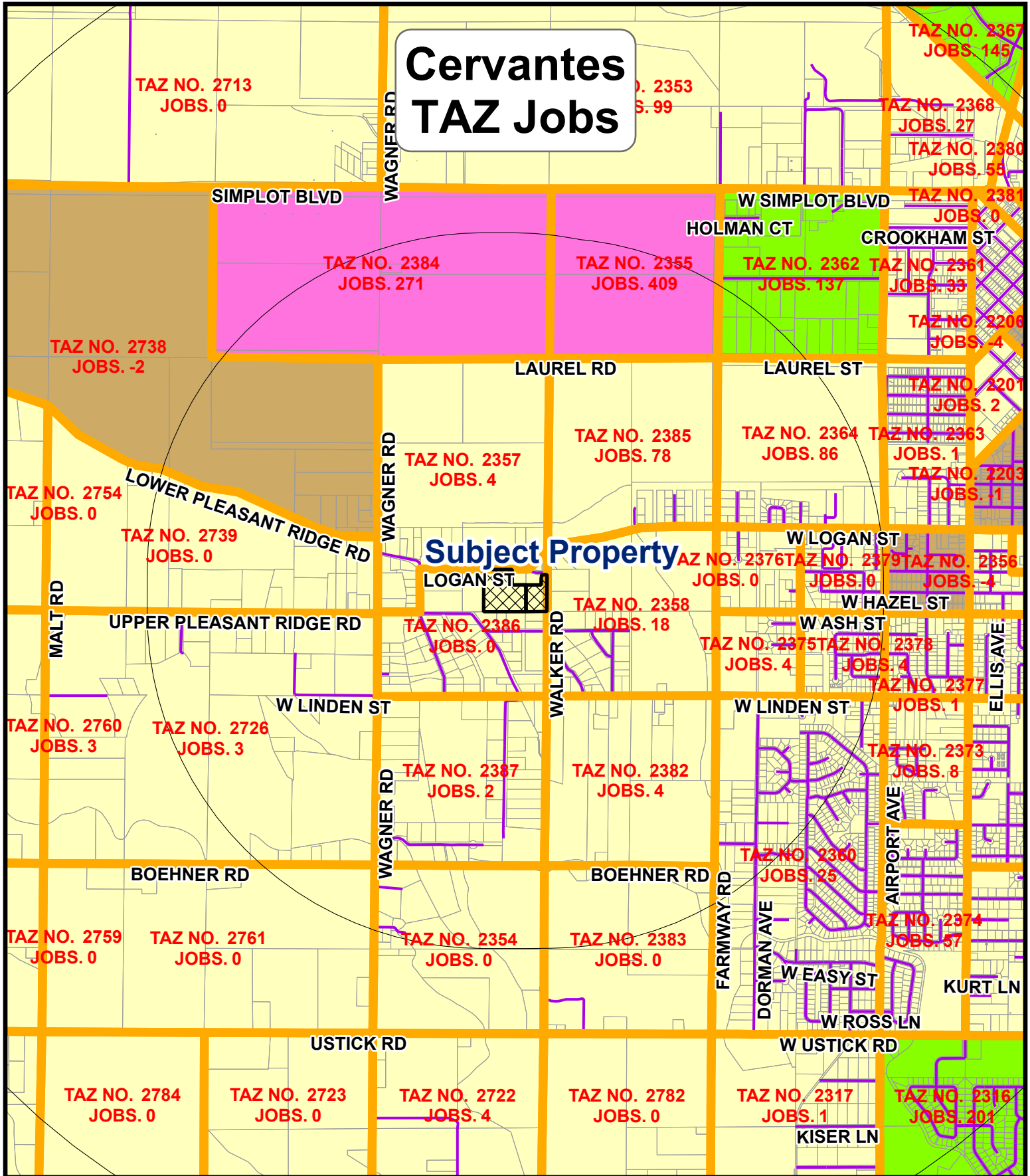
Cervantes TAZ Household



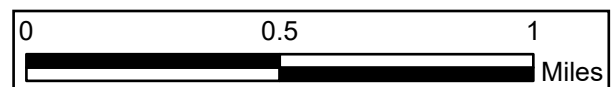
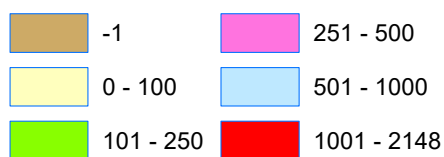
House Hold 2025-2050

	-4 - 50		251 - 500
	51 - 150		501 - 750
	151 - 250		751 - 1263





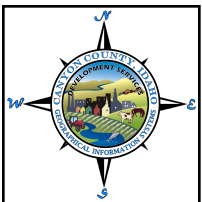
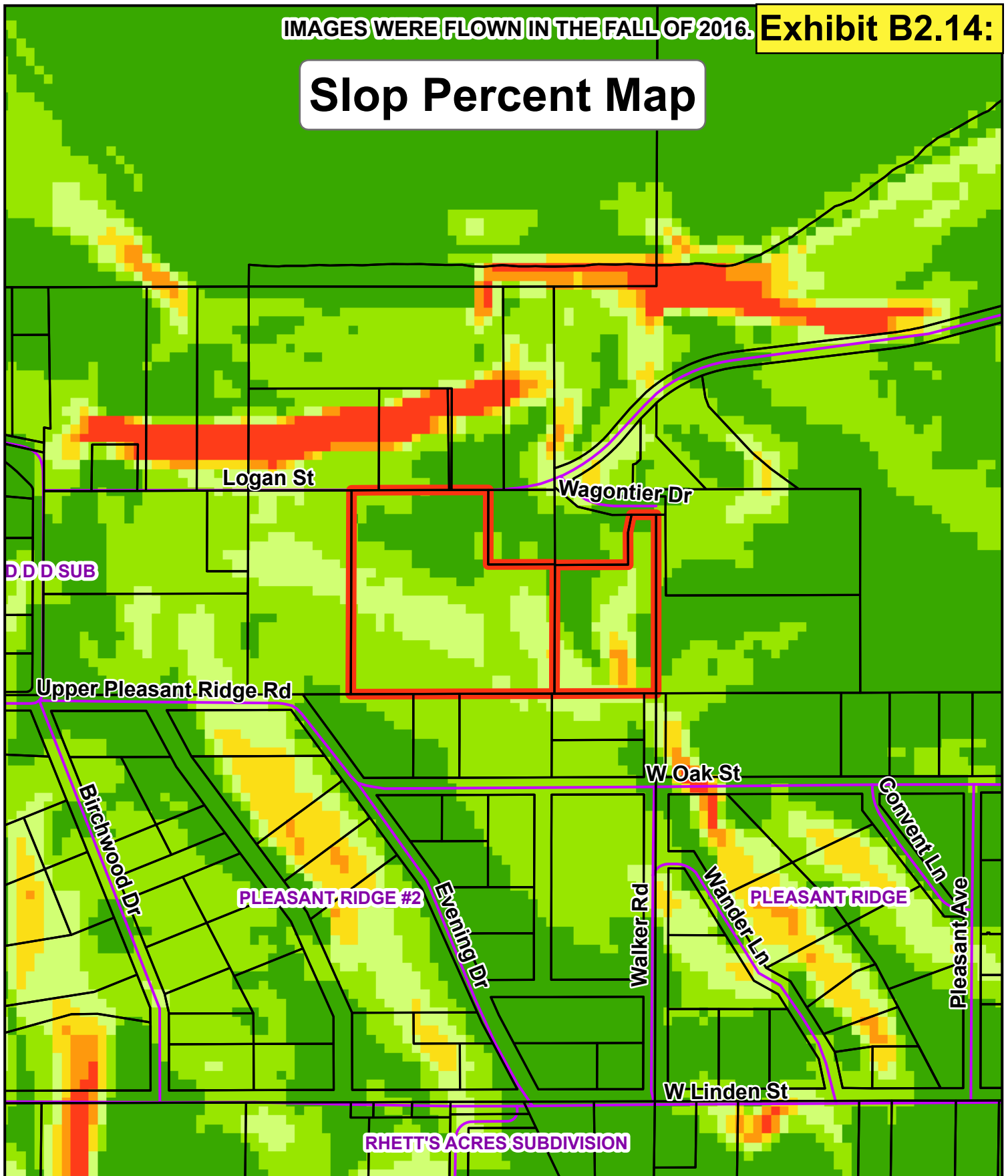
Jobs 2025-2050



IMAGES WERE FLOWN IN THE FALL OF 2016.

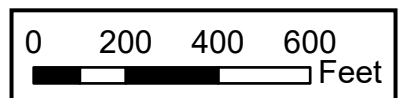
Exhibit B2.14:

Slop Percent Map

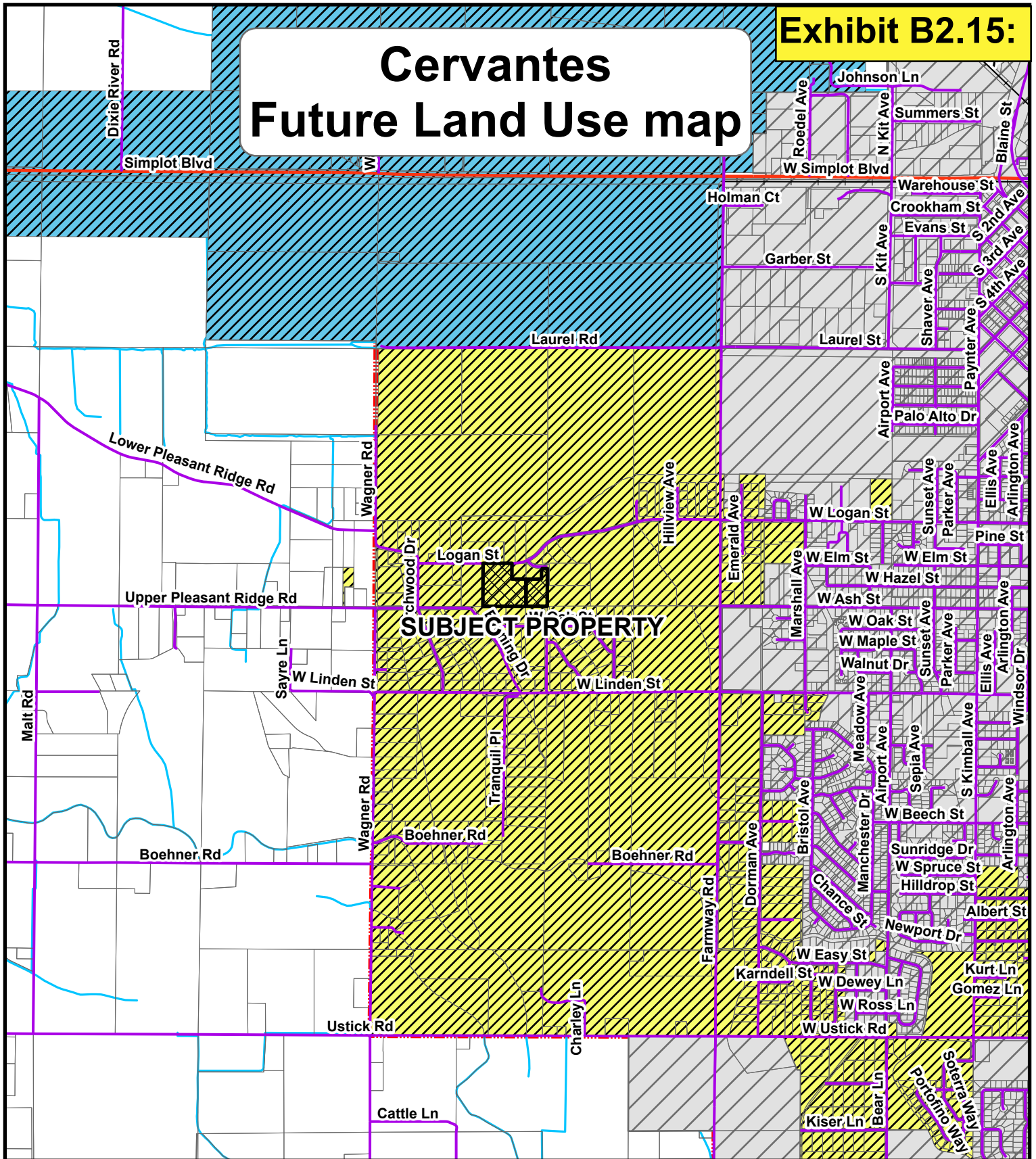


Slop Percent

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



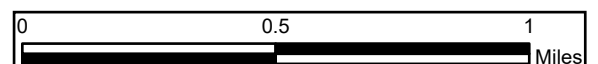
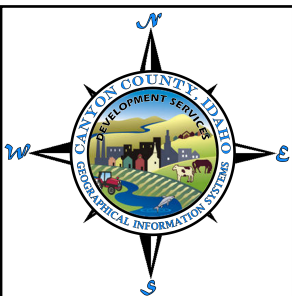
Cervantes Future Land Use map



Legend

Future Land Use 2030

- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL



Neighborhood Notification Map

Parcel No. R35477010;R35479011

Buffer Distance 600 Feet

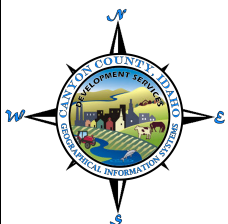
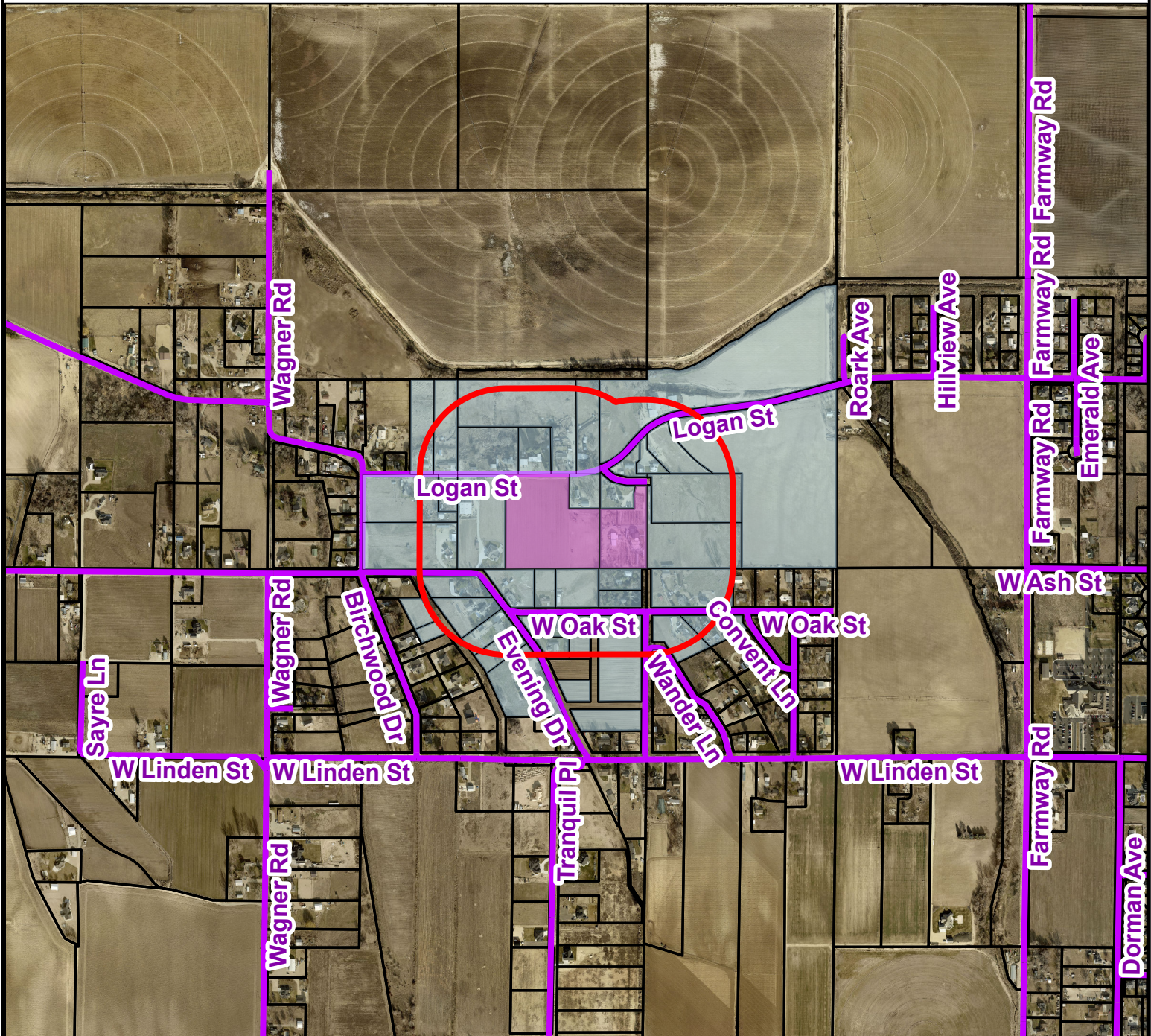
Canyon County
Development Services
111 North 11th Ave, #140
Caldwell, ID 83605

Exhibit B2.16:



This map is for informational purposes only and does not suggest approval of the project.

Date: 5/9/2025
By: mvanderveen



Legend

	NOTIFICATION BUFFER		Highway
	SUBJECT_PROPERTY		Interstate
	NOTIFIED PARCELS		Local Road
	TAX PARCELS		

SCALE

Scale: 1 in = 1,000 Feet

The maps are provided "as-is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the user accessing this information. Canyon County, ID makes no warranties, express or implied, as to the use of the maps. There are no implied warranties of merchantability or fitness for a particular purpose. The user acknowledges and accepts all inherent limitations of the maps, including the act that the maps are dynamic and in a constant state of maintenance, correction and revision. The maps do not represent a survey. Neither Canyon County, ID nor its officers and employees assume any liability for the accuracy of the data delineated on any map. In no event shall the Canyon County, ID or its officers or employees be liable for any damages arising in any way out of the use of this information.

EXHIBIT C

Site Visit Photos: May 23, 2025

Hearing Examiner

Case# CU2024-0020

Hearing date: July 7, 2025

Site Visit Photos: May 23, 2025

Photo 1: Taken on Logan St
from the entrance of
Wagontier Dr facing northeast.



Photo 2: Taken on Logan St
from the entrance of
Wagontier Dr facing northeast.



Photo 3: Taken on Logan St
from the entrance of
Wagontier Dr facing
northwest.



Photo 4: Taken on Logan St
from the entrance of
Wagontier Dr facing west.



Photo 5: Taken on Logan St
from the entrance of
Wagontier Dr facing southeast
towards Wagontier Dr.



Photo 6: Taken on Logan St
from the entrance of
Wagontier Dr facing east.



Photo 7: Taken on Wagontier Dr from parcels approach facing northwest from the subject property.



Photo 8: Taken on Wagontier Dr from parcels approach facing north from the subject property.



Photo 8: Taken on Wagonier Dr from parcels approach facing east from the subject property.



Photo 9: Taken on Wagonier Dr from parcels approach facing south from the subject property.



Photo 10: Taken on Wagonier Dr from parcels approach facing south from the subject property.



Photo 11: Taken on Wagonier Dr from parcels approach facing southwest from the subject property.



Photo 12: Taken on Wagontier Dr from parcels approach facing west from the subject property.



Photo 13: Taken on Wagontier Dr from parcels approach facing west from the subject property.



Photo 14: Taken on Wagontier Dr from parcels approach facing southwest from the subject property.



Photo 15: Taken on Wagontier Dr from parcels approach facing west from the subject property.



Photo 16: Taken on the subject property facing west.



Photo 17: Taken on the subject property facing southwest.



Photo 18: Taken on the subject property facing south.



Photo 19: Taken on the subject property facing east. In this photo you can see the de-icer tank that was discussed in exhibit D3.1.



Photo 20: Taken on the subject property facing east.



Photo 21: Taken on the subject property facing south. In this photo you can see the gas tanks that were discussed in exhibit D3.1.



Photo 22: Taken on the subject property facing south.



Photo 23: Taken on the subject property facing west. In this photo you can see the primary residence.



Photo 24: Taken on the subject property facing northwest.



Photo 25: Taken on the subject property facing north.



Photo 26: Taken on the subject property facing east.



Photo 27: Taken on the subject property facing south.



Photo 28: Taken on the subject property facing southwest. In this photo you can see the primary residence.



Photo 29: Taken on the subject property facing south.



Photo 30: Taken on the subject property facing southwest. In this photo you can see the greenhouse that will need to be permitted as seen in condition # 3a.



Photo 31: Taken on the subject property facing west.



Photo 32: Taken on the subject property facing south.



Photo 33: Taken on the subject property facing west.



Photo 34: Taken on the subject property facing northwest. In this photo you can see the greenhouse that will need to be permitted as seen in condition # 3a.



Photo 35: Taken on the subject property facing north. In this photo you can see inside the greenhouse.



Photo 36: Taken on the subject property facing west.



Photo 37: Taken on the subject property facing northwest.



Photo 38: Taken on the subject property facing north.



Photo 39: Taken on the subject property facing west.



Photo 40: Taken on the subject property facing northwest. In this photo you can see the parking for the company vehicles and employee parking.



Photo 41: Taken on the subject property facing north. In this photo you can see the shop. Half is permitted and the other half is in the permit process. You can also see the parking location is behind the shop.



Photo 42: Taken on the subject property facing northwest. In this photo you can see the parking for the company vehicles and employee parking.



Photo 43: Taken on the subject property facing northeast. In this photo you can see the shop.



Photo 44: Taken on the subject property facing northwest.



Photo 45: Taken on the subject property facing southwest. In this photo you can see the property that will be part of the expansion. See condition 3. You can also see the irrigation ditch.



Photo 46: Taken on the subject property facing south. In this photo you can see the property that will be part of the expansion. See condition 3. You can also see the irrigation ditch.



Photo 47: Taken on the subject property facing north. In this photo you can see the irrigation ditch.



EXHIBIT D

Agency Comments Received by: June 27, 2025

Hearing Examiner

Case# CU2024-0020

Hearing date: July 7, 2025

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Friday, April 11, 2025 7:10 AM
To: Madelyn Vander Veen
Subject: [External] RE: Agency Notification of CU2024-0020 / Cervantes
Attachments: Pre.Development.Notes.Signed.06.24.2024.pdf

Hi Madelyn,

Request for the questions below.

- 1.) Will a Nutrient Pathogen Study be required? **A Nutrient Pathogen Study is NOT required.**
- 2.) Will adequate sanitary systems be provided to accommodate the use? **No structures requiring wastewater disposal systems were proposed.**
- 3.) 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? **No concerns with the rezoning if the applicant meets all SWDH requirements.**

I've attached the pre-development notes.

Please let me know if you have any questions.

Thank you,



Check out our new online self-service portal here! [PORTAL](#)

Anthony Lee, RS/BS | Land Development Senior
o 208.455.5384 | c 208.899.1285 | f 208.455.5300
anthony.lee@swdh.id.gov | SWDH.org
13307 Miami Ln., Caldwell, ID 83607

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Wednesday, April 9, 2025 2:44 PM
To: 'rcollins@cityofcaldwell.org' <rcollins@cityofcaldwell.org>; 'P&Z@cityofcaldwell.org' <P&Z@cityofcaldwell.org>; dgeyer@cityofcaldwell.org; Joe Dodson <jdodson@cityofcaldwell.org>; 'mbessaw@cityofcaldwell.org' <mbessaw@cityofcaldwell.org>; 'lrichard@cityofcaldwell.org' <lrichard@cityofcaldwell.org>; 'aperry@cityofcaldwell.org' <aperry@cityofcaldwell.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'chopper@hwydistrict4.org' <chopper@hwydistrict4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingleam@idahopower.com' <eingleam@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>;

'arobins@idahopower.com' <arobins@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'Contract.Administration.Bid.Box@ziply.com' <Contract.Administration.Bid.Box@ziply.com>; 'kirk@pioneerirrigation.com' <kirk@pioneerirrigation.com>; Mitch Kiester <Mitch.Kiester@swdh.id.gov>; Anthony Lee <Anthony.Lee@swdh.id.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; christine.wendelsdorf@canyoncounty.id.gov; Michael Stowell <mstowell@ccparamedics.com>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Eric Arthur <Eric.Arthur@canyoncounty.id.gov>; Kathy Husted <Kathleen.Husted@canyoncounty.id.gov>; Tony Almeida <tony.almeida@canyoncounty.id.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>

Subject: Agency Notification of CU2024-0020 / Cervantes

CAUTION: This email originated outside Southwest District Health's network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact IT with any concerns.

Please see the attached agency notice. You are invited to provide written testimony or comments by **May 9, 2025**, although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day. The deadline for written testimony or additional exhibits is to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

Please direct your comments or questions to Planner **Madelyn Vander Veen** at madelyn.vanderveen@canyoncounty.id.gov.

Thank you,



Caitlin Ross

Hearing Specialist

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

Direct Line: 208-454-7463

Email: Caitlin.Ross@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Development Services Department (DSD)

NEW public office hours

Effective Jan. 3, 2023

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

****We will not be closed during lunch hour ****

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.



Date 4/10/2025

Canyon County – Development Services
Re: Case Number: CU2024-0020, 16503 Wagontier Dr.

Dear, Canyon County Development Services Department

The Caldwell City Fire Department District has reviewed and can approve the application subject to compliance with all the following code requirements and conditions of approval. Any deviation from this plan is subject to Fire Department approval. Please note that unless stated otherwise, this memo represents the requirements of the 2018 International Fire Code (IFC) as adopted by the Idaho State Fire Marshal's Office.

Response Details:

- Nearest Fire Station: CFD Station 1
- Distance: 2.4 miles
- Estimated response time from station: 7 min.

Conditions:

1. Water supply is required: Fire hydrants, capable of producing the required fire flow, shall be located along approved fire lanes. Fire hydrant spacing shall meet the requirements of IFC table C105.1.1 (IFC 507.3, IFC B105.2, IFC C105).
 - a. Private water mains shall be provided in accordance with NFPA 24 507.2.1
2. Dead-end fire apparatus access roads exceeding 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC 503.2.5)
3. Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1)



4. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (IFC 503.2.1)
5. The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. (IFC 503.2.4)
6. Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface and can support the imposed load of fire apparatus weighing at least 80,000 pounds. Please provide documentation the road surface meets this standard. (IFC D102.1)
7. Fire apparatus access roads shall not exceed 10 percent in grade. (IFC D103.2)
8. Access gates shall comply with requirements of the IFC. If gates are electronically operated, they shall be equipped with an automatic opening mechanism activated by the Opticom or eKnox System.

General Requirement:

Fire Department required fire hydrants, access, and street identification shall be installed prior to construction or storage of combustible materials on site. Provisions may be made for temporary access and identification measures.

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

Regards,

Alan Perry
Deputy Chief
Fire Marshal
Caldwell Rural Fire Protection District
Aperry@cityofcaldwell.org



April 14, 2025

Madelyn Vander Veen
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
madelyn.vanderveen@canyoncounty.id.gov

Subject: Agency Notification of CU2024-0020 / Cervantes

Dear Ms. Vander Veen:

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

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

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), and open burning (58.01.01.600-617).
- IDAPA 58.01.01.614 sets out the rules for prescribed burning in Idaho. Please ensure all prescribed burning is done in compliance with the rules, and in compliance with the 2010 Operations Guide of the Montana/Idaho Airshed Group.

For questions, contact David Luft, Air Quality Manager, at 373-0550.

2. WASTEWATER AND RECYCLED WATER

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

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

3. DRINKING WATER

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

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

4. SURFACE WATER

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

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

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

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

6. ADDITIONAL NOTES

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

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

Sincerely,

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

Troy Smith
Regional Administrator

Archived: Wednesday, June 18, 2025 12:13:11 PM
From: [Matthew Pabich](#)
Mail received time: Thu, 29 May 2025 09:37:11
Sent: Thu, 29 May 2025 15:37:02
To: [Amber Lewter](#)
Subject: [External] FW: CU2024-0020 Cervantes
Importance: Normal
Sensitivity: None

Hi Amber:

~

Your inquiry about permitting regarding the ASTs was routed over to me. ASTs are under the purview of the EPA. There are no permits for ASTs, however SPCC may apply. Stephen Ball, EPA outlines the requirements below.

~

Matthew Pabich | Waste & Remediation Manager

Idaho Department of Environmental Quality
1445 N. Orchard St.

Boise, Idaho 83706
Office phone: (208) 373-0510
<http://www.deq.idaho.gov/>

~

From: Ball, Stephen <Ball.Stephen@epa.gov>
Sent: Thursday, May 29, 2025 9:31 AM
To: Matthew Pabich <Matthew.Pabich@deq.idaho.gov>
Subject: Re: CU2024-0020 Cervantes

~

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

~

Matthew,

~

They facility may be subject to SPCC for oil storage. There are no permits required for SPCC, but the facility would need to meet all SPCC requirements before starting operations if subject.~

~

<https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/does-spill-prevention-control-and-countermeasure>

~

Feel free to refer the county to me if they have additional questions.~

~

Thanks,

~

Stephen Ball

EPA On-Scene Coordinator

(208)530-9107

From: Matthew Pabich <Matthew.Pabich@deq.idaho.gov>

Sent: Thursday, May 29, 2025 9:25:35 AM

To: Ball, Stephen <Ball.Stephen@epa.gov>

Subject: FW: CU2024-0020 Cervantes

~

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

~

Hi Stephen:

~

We received the inquiry below from Canyon County. The de-icer is a product, not waste.

~

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>

Sent: Wednesday, May 28, 2025 4:14 PM

To: BRO Admin <BRO.Admin@deq.idaho.gov>

Subject: CU2024-0020 Cervantes

~

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

~

Hello,

~

I was hoping to get clarification if the applicant will need to get permits for their gas tanks and de-ice tank as seen in the pictures.

~



~

~

Thank you,

~



Amber Lewter

Associate Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID~ 83605

~

Direct Line:~ 208-454-6631~\~\~\~\~\~\~

Fax:~ 208-454-6633

Email:~ amber.lewter@canyoncounty.id.gov

Website:\~ www.canyoncounty.id.gov

\~

Development Services Department (DSD)

NEW public office hours

Effective Jan. 3, 2023

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

****We will not be closed during lunch hour ****

\~

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.\~

\~

\~

From: Joe Dodson <jdodson@cityofcaldwell.org>
Sent: Monday, April 21, 2025 9:42 AM
To: Madelyn Vander Veen
Subject: [External] RE: CU2024-0020 / Cervantes

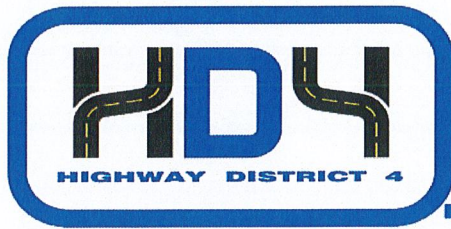
Good morning,

Due to the location of this project and the relative minimal impact of the depicted expansion, the City of Caldwell has no comments on this project request at this time.

Thank you,



**** Please note that my schedule allows that I work a half day every Wednesday and am out of the office at 11am. If immediate assistance is needed on Wednesdays following 11am, please reach out to the PZ@cityofcaldwell.org general email. Thank you!**



April 28, 2025

Canyon County Commissioners, P&Z Commission, & Development Services
111 N. 11th Ave Suite 140
Caldwell, Idaho 83605
Attention: Madelyn Van Der Veen, Planner

RE: CU2024-0020 Jose Cervantes Retail/Wholesale Nursery
Canyon County Parcel R35479011 and R35477010 aka 16503 Wagontier Drive

Dear Commissioners:

Highway District No. 4 (HD4) has reviewed the application for a conditional use of a Retail/Wholesale Nursery within an agricultural zone located on the above described parcels. The subject property is located south of Logan St in Section 29 T4N R3W. HD4 offers the following comments on the proposed use:

General

The subject property consists of one parcel, totaling approximately 3.49 acres. The application materials indicate if the conditional use is approved, an additional parcel (R35477) would be added, or a portion of this parcel added. As the application materials are not clear as to the size of the proposed facility, these comments are limited to the original 3.5 acres at 16503 Wagontier Drive. If additional property is included with the conditional use approval, further requirements from the highway district, including additional impact fees, may apply.

The subject parcel has approximately 80 feet of frontage Wagontier Drive along the northerly boundary. Wagontier Drive is classified as a local road on the functional classification maps adopted by HD4 and Canyon County. The culdesac at the east end of Wagontier is constructed within an easement intended to be vacated if/when Wagontier is extended east in the future.

Access

The subject property is served by a gravel driveway approach to Wagontier Drive at the culdesac on the east end. This approach is suitable for use for the proposed commercial nursery provided that it is improved with a paved apron to meet ACCHD Standard Drawing SD-106. An access permit from HD4 is required for these improvements to the approach, and to document the change in use for the property.

Transportation Impacts

The rezone application provided by the applicants indicates the property will be used to support a retail/wholesale nursery. Traffic impacts from development projects are typically estimated using the ITE Trip Generation Manual (11th Edition). The categories below are the best available in that reference to compare the proposed use:

Use	ITE Code	Units	# of Units Proposed	PM Peak Trips	Daily Trips
Nursery (Wholesale)	818	Acres*	2.5	2	6
Nursery (Wholesale)	818	Employees	7	4	22
Nursery (Garden Center)**	817	Employees	7	18	153

*Cites studies included only Nurseries with 10 or more acres, not considered reliable

**Based on estimated trips this is similar to a retail nursery with 2,500 sf of retail space

Using acreage (3.5 total acres less 1 acre residential = 2.5 acre facility) in estimating trips from the facility may be unreliable as the studies cited in the 11th Edition Trip Generation Manual all include sites with 10 or more acres. The number of employees may provide a more accurate assessment of the new vehicle traffic associated with the change in use due to the small parcel size. The full retail nursery (ITE Code 817) appears more suitable for a larger retail facility, not consistent with the current uses observed on the property.

HD4 recommends the use of ITE Code 818 for trip generation estimates for the proposed use on the 3.5 acre parcel, which will generate approximately 4 peak hour trips, equivalent to 4 single family residences. Future expansion of the operations on the property, particularly to the larger 8 acre Parcel 35477010 to the west, could significantly increase new traffic growth associated with this use, generally in proportion to the increase in area of use. That additional trip generation is not considered here due to the uncertainties presented in the application.

HD4 does not have traffic impact fees in effect for this portion of Canyon County, but has completed a planning study and is beginning the process to seek approval of a Capital Improvement Plan and Impact Fee for this area.

HD4 does not oppose the requested land use changes, but requests that the Planning & Zoning Commission and Canyon County Commissioners consider these comments, and make any conditional approval of the applicant's request subject to the requirements listed above.

Please feel free to contact me with any questions on this matter.

Respectfully,



Chris Hopper, P.E.
District Engineer

File: Logan St- CU2024-0020 Cervantes Nursery (Wagontier Drive)

Archived: Wednesday, June 18, 2025 12:13:24 PM

From: [Tom Crosby](#)

Mail received time: Wed, 4 Jun 2025 10:50:27

Sent: Wed, 4 Jun 2025 10:50:26

To: [Amber Lewter](#)

Subject: RE: Agency Notice CU2024-0020 / Cervantes

Importance: Normal

Sensitivity: None

Amber,

~

Any new structures that will be used by the public or employee's will require application for commercial building permit, any existing buildings that are going to be used by the public or employee's will require application for a change of occupancy building permit. Please let me know if you have any questions.

~

Thanks,

Tom

~

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

Sent: Monday, June 2, 2025 4:29 PM

To: 'Richard@cityofcaldwell.org' <Richard@cityofcaldwell.org>; 'aperry@cityofcaldwell.org' <aperry@cityofcaldwell.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'chopper@hwydistrict4.org' <chopper@hwydistrict4.org>; 'lriccio@hwydistrict4.org' <lriccio@hwydistrict4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'e Ingram@idahopower.com' <e Ingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'arobins@idahopower.com' <arobins@idahopower.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'Contract.Administration.Bid.Box@ziply.com' <Contract.Administration.Bid.Box@ziply.com>; 'kirk@pioneerirrigation.com' <kirk@pioneerirrigation.com>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; Brian Crawford <Brian.Crawford@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; Dalia Alhajjar <Dalia.Alhajjar@canyoncounty.id.gov>; Lucy Ostyn <lucy.ostyn@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Eric Arthur <Eric.Arthur@canyoncounty.id.gov>; Kathy Husted <kathy.husted@canyoncounty.id.gov>; GIS and Addressing Division <GISAddressing@canyoncounty.id.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'makline2@marathonpetroleum.com' <makline2@marathonpetroleum.com>

Subject: Agency Notice CU2024-0020 / Cervantes

~

Dear Agencies,

~

Please see the attached agency notice regarding the scheduled Hearing Examiner hearing on this project. We had previously requested your agency provide comments for the noticed land use application and if any agency comments were received, they were included in the Staff report. No response is required unless there is an update to your original comments.

~

This is the notification that a hearing date of **July 7, 2025** at 1:00 pm has been set for this case along with a final deadline of **June 27, 2025** for agency comments. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day.

~

Please direct your comments or questions to Planner **Amber Lewter** at amber.lewter@canyoncounty.id.gov

~

Thank you,

~



Caitlin Ross

Hearing Specialist

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

~

Direct Line: 208-454-7463

Email: Caitlin.Ross@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

~

Development Services Department (DSD)

NEW public office hours

Effective Jan. 3, 2023

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

****We will not be closed during lunch hour ****

~

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.~

~

EXHIBIT E

Public Comments Received by: June 27, 2025

Hearing Examiner

Case# CU2024-0020

Hearing date: July 7, 2025

June 10, 2025

Canyon County Development Services
Attn: Amber Lewter
CU2024-0020

To Whom It May Concern:

We have no objection to your granting a Conditional Use Permit to Mike (Jose) and Sylvia Cervantes. They maintain a beautiful place, and I hope they are allowed to continue.

Thank you,

A handwritten signature in cursive script that reads "Scott + Shellye Wilson". The ink is dark and the signature is fluid.

Scott and Shellye Wilson
(Neighbors to the West)

June 21, 2025

RECEIVED
JUN 24 2025
BY: W

Canyon County Development Services Department

RE: Case No. CU2024-0020 Jose Cervantes 16503 Wagontier Drive, Caldwell, Idaho

To Whom It May Concern:

My name is Richard Smith and I reside at 16541 Wagontier Drive, Caldwell, Idaho, I have lived in this location for 6 years with my wife Mae Smith. We are Jose Cervantes most immediate neighbor and share the Wagontier Drive roadway with Jose. We are the only two residents that use that roadway unless our neighbor Ken Boyce utilizes the road to access the south-eastern part of his property.

We have never had a problem sharing this roadway with Jose or any of his vehicles coming or going to and from either of our properties. Jose actually clears the roadway in the winter time when snow falls by snow removal. On Jose's property he has trees currently and we personally love the smell and look of the trees. Jose keeps the property clean and sightly and his property rivals our local parks in the area. His property looks very nice.

In short , myself or my wife do not have a problem with Jose requesting a conditional use permit. He is a good neighbor and he will help you out in a heart beat if you need anything.

Thank you,

Richard Smith and Mae Smith



Exhibit E3:

To: Canyon County Development Services Department

From: Brett Mathis, Safety Manager

Date: June 26, 2025

Re: Case No. CU2024-0020

Dear Sir or Madam:

The Crookham Company does not have concerns regarding the intent of the Rezone application referenced above. However, we would like to express our concern about the proposed use of Wagonier Drive as an access point to the business.

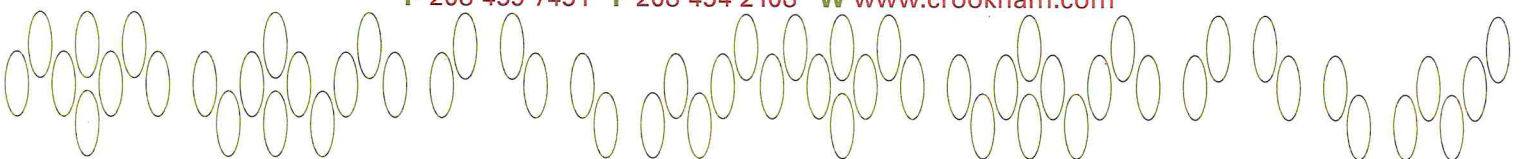
Our experience operating in this area over several decades has shown that the “S curve” just north of the subject property poses a significant safety hazard. We have encountered numerous near misses when accessing our property located just north of this curve. The potential increase in traffic along Logan Street—particularly vehicles turning in and out of Wagonier Drive near the “S curve”—will only heighten the risk and make safe access to our property more difficult.

We respectfully ask whether the access point could be relocated to the northwest portion of the subject property. This change would help mitigate safety risks and better accommodate traffic flow in the area.

Best regards,

Brett Mathis

HOME OFFICE: P.O. Box 520 Caldwell, ID 83606-0520 USA
P 208 459 7451 F 208 454 2108 W www.crookham.com



Canyon County Development Services
RE: CU2024-0020
June 16, 2025

Dear Development Department,

We are formally submitting our written comments regarding the conditional use permit case # CU2024-0020.

As owners and executors of the Dugan Family Trust, property location 16688 Logan St. we are in opposition to granting a conditional use permit for this case. Our concerns are as follows.

- a. Wagontier drive is a dead-end road with only one entrance/exit onto West Logan St. we would request the hearing committee obtain the last 6-year accident reports from the Canyon County Sheriff department. Wagontier entrance is on a dogleg sweeping curve of Logan where several accidents have occurred in this section of roadway. The added traffic entering or exiting Wagontier will increase the possibility of more accidents. Logan street has seen above normal traffic with expansion of housing to the west where the road has become an arterial route that may not be designed for the increased traffic flows.
- b. The "wholesale" nursery is currently operating its business at the adjacent requested property where added buildings have been erected, and outdoor lighting has been installed that disrupts the rural living conditions where light pollution has become an annoyance. We are concerned that the use permitting will increase additional lighting on the property.
- c. The nursery operates equipment well into the evening/night hours and the sound of equipment back up alarms can be heard throughout the neighborhood. We are concerned about an expansion of the business and the equipment noise will increase as the business increases in scale and equipment/hours are added.
- d. The development department needs to verify the subject property that is listed in the public hearing mailed notice, it is incorrect. After investigation you will find that a section of the property listed should not be listed in the permit request.

We request that the hearing committee take into consideration our comments and reject the conditional use permit. If any further questions or details are requested, please contact us.

Respectfully,



Dugan Family Trust
Roy and Heidi Dugan
16688 Logan St.
Caldwell Idaho 83607

Archived: Wednesday, June 18, 2025 11:25:05 AM

From: [Tyler Jamie Smith](#)

Mail received time: Tue, 17 Jun 2025 14:46:02

Sent: Tue, 17 Jun 2025 14:45:48

To: [Amber Lewter](#)

Subject: [External] Written Testimony for Case CU2024-0020

Importance: Normal

Sensitivity: None

Hello Amber,

\~I received a letter last week in the mail and it says I need to provide written testimony by June 27, 2025, or oral testimony at the public hearing on Monday, July 7, 2025.\~

I have attached a Google Doc at the bottom of this email that is my written testimony for this case, please confirm that you received it and the document opened correctly for you. I sent the shared settings for anyone with the link, but I know Google can sometimes be funny with their shared settings.\~

I also was wondering: (1) when a decision would be made on this case, (2) what it looks like the decision may end up being, and (3) if I will need to go on Monday, July 7, since I have done this written testimony?

Thank you!

Google Document:\~[\~](https://docs.google.com/document/d/1-OzrMhiKTrvxOgOujYPN_qKPRJIdpRn_osBtBq_Prg/edit?usp=drivesdk)

Case No. CU2024-0020

Case Planner: Amber Lewter

Property Location: 16503 Wagontier Drive, Caldwell, ID 83607

To Whom it May Concern:

With the recent closure of Farmway Road for construction, it has resulted in an increase in traffic on Logan and Upper Pleasant Ridge Road. Adding a commercial industry right off of Logan would make this increase in traffic permanent. A nursery would not pull from only Farmway Road, but would pull from all around the region—Wilder, Greenleaf, and Homedale (along with Caldwell) would patronize this nursery. The resulting increase in traffic will be in a neighborhood and farming community, not an industrial or commercial area.

For example, I am not aware of any industries that are being constructed along Franklin Road to be built within the neighborhoods of places like KCID Road or Ward Lane. They are building along the main corridor where cars and people already are. It does not seem prudent to be putting an industry in the heart of a neighborhood, it certainly doesn't seem like a great way to support your citizens by putting commerce next to a place where they live when they clearly are buying and moving to locations that are not next to commerce. It seems that we should be trying a little harder to preserve farmland and open space, such as how Marsing and similar locations are trying to do.

On a personal note, I live at the intersection of Upper Pleasant Road and Birchwood Drive. The increase in traffic has resulted in an increase in reckless driving as well, that is always unavoidable when it comes to cars and increased traffic. There are several young families in this region and permanently increased traffic would make everything a little more dangerous for our children. I also very specifically bought a place that was away from the main roads on purpose, Upper Pleasant has seen a serious increase in traffic because of the Farmway Road closures and the idea that the increase in traffic would stay permanent is not a very pleasing thought. I do not see this as the cost of improvement (or growth) either—I see it as the cost of shortsightedness within the city itself.

If the city and county decide to approve this commercial industry, at the very least they need to put in a four way stop at the intersection of Upper Pleasant Road and Birchwood Road and possibly even do another three-way stop at the intersection of Birchwood and Logan. This would discourage reckless drivers with the increase in traffic regulatory signs.

In conclusion, I want to emphasize my desire to discourage the nursery altogether, it is not a good choice for this neighborhood. I also want to emphasize that the nursery, if it did happen to go in, must not just go in and be left alone, But needs to result in increased safety and regulatory signage in the roads surrounding it. Thank you.

Tyler Smith

19248 Birchwood Drive, Caldwell, ID 83607