

HEARING EXAMINER
FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:
High Quality Utilities LLC – CU2026-0008

The Canyon County Hearing Examiner considers the following:

The applicant, Reynaldo Rodriguez, requests a contractor shop and staging area on approximately 3.89 acres of an "A" (Agricultural) zone to be able to stage equipment and materials for fiber-optic installation. The subject property is located at 11855 Marble Front Rd, also referenced as Parcel 34111, a portion of the NW quarter of Section 19, T4N, R2W, BM, Canyon County, Idaho.

Summary of the Record

I. The record is comprised of the following:

- A. The record includes all testimony, the staff report, exhibits, and documents in Case File CU2026-0008.
 - 1. All exhibits are located in the case staff report dated July 20, 2026.

Applicable Law

- I. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-07 (Conditional Use Permits), CCCO §07-02-03 (Definitions), CCCO §07-10-27 (Land Use Regulations (Matrix)), CCCO §07-14 (Use Standards), Idaho Code §67-6512 (Special Use Permits, Conditions, and Procedures), and CCCO §09-01-25 (Area of City Impact Agreement).
 - a. Notice of the public hearing was provided pursuant to CCCO §07-05-01, Idaho Code §67-6509 and 67-6512.
 - b. A special use permit may be granted to an applicant if the proposed use is conditionally permitted by the terms of the ordinance, subject to conditions pursuant to specific provisions of the ordinance, subject to the ability of political subdivisions, including school districts, to provide services for the proposed use, and when it is not in conflict with the plan. Idaho Code §67-6512.
 - c. Every use which requires the granting of a conditional use permit is declared to possess characteristics which require review and appraisal by the commission to determine whether or not the use would cause any damage, hazard, nuisance or other detriment to persons or property in the vicinity. *See* CCCO §07-07-01.
 - d. Upon the granting of a special use permit, conditions may be attached to a special use permit including, but not limited to, those: (1) Minimizing adverse impact on other development; (2) Controlling the sequence and timing of development; (3) Controlling the duration of development; (4) Assuring that development is maintained properly; (5) Designating the exact location and nature of development; (6) Requiring the provision for on-site or off-site public facilities or services; (7) Requiring more restrictive standards than those generally required in an ordinance; (8) Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction. *See* Idaho Code §67-6512, CCCO §07-07-17, and 07-07-19.
 - e. Use Standards – Contractor's Shop: The use shall be contained within a building or behind a sight obscuring fence. *See* CCCO §07-14-09.
 - f. Use Standards – Staging Area: (1) All work shall be conducted off site. (2) Business vehicles shall be operable and parked on site, not on a public or private road. (3) Persons not employed on the premises

may visit the premises for the purpose of picking up equipment and materials to be used elsewhere, including trucks offloading or transferring equipment and/or materials to other vehicles. (4) Employees may meet on the premises to share rides to and from job sites. (5) Employees' vehicles shall be parked on site and not on a public or private road. See CCCO §07-14-29.

2. Any hearing examiner appointed by the board shall perform such duties as assigned by the board pursuant to Idaho Code section 67-6520. See CCCO §07-03-07.
3. There are no mandates in the Local Planning Act as to when conditional permits may or may not be granted, aside from non-compliance with the community master plan. I.C. § 67-6512. Chambers v. Kootenai Cnty. Bd. of Comm'rs, 125 Idaho 115, 117, 867 P.2d 989, 991 (1994).
4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.
5. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.
6. The County's hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCCO 07-05-03(1)(I).

The application, CU2026-0008, was presented at a public hearing before the Hearing Examiner on July 20, 2026. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Hearing Examiner decide as follows:

Table 1. Conditional Use Permit Standards of Evaluation Analysis

Standards of Evaluation – 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:		
County Ordinance and Review		
Criteria Met?	Code Section	Criteria
Yes	1	Is the proposed use permitted in the zone by conditional use permit?
Analysis		<i>A 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.</i> The applicant submitted an application for a conditional use permit for a staging area on March 11, 2026 (Staff Report Exhibit A). On May 29, 2026, the applicant provided updated information to include a contractor shop within this application (Staff Report Exhibit A8.2). - 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." <i>See project description analysis contained in Section 07-070-05(2) detailing the nature of the request.</i>
Criteria Met?	2	What is the nature of the request?
Yes		
Analysis		The applicant, High Quality Utilities LLC, requests a conditional use permit to allow a staging area and contractor shop on Parcel R34111. <u>Use:</u> The nature of the request consists of using the subject property and existing shop to store equipment for the applicant's private utility company, High Quality Utilities LLC. <u>Business:</u> High Quality Utilities LLC performs fiber optic installation off-site. The nature of the business requires trucks, trailers, equipment, and the storage of materials (Staff Report Exhibit A). <u>Number of Employees:</u> According to email correspondence with the applicant, there will be 14 employees who come on site each day (Staff Report Exhibit A8.1).

	<u>Customers</u>: No customers will come on site (Staff Report Exhibit A). <u>Hours of Operation</u>: The proposed hours of operation are 8:00 AM to 4:30 PM, Monday through Friday (Staff Report Exhibit A). <u>Parking</u>: The proposed staging area includes parking for employees and a staging area to the East of the contractor shop (Staff Report Exhibit A). <u>Restrooms</u>: There will be a restroom on site, which is served by an individual well (Staff Report Exhibit A).	
Criteria Met? No	3	Is the proposed use consistent with the comprehensive plan?
Analysis	The proposed use is not consistent with the 2030 Canyon County Comprehensive Plan. The 2030 Canyon County Comprehensive Plan designates the subject parcel and surrounding area as Residential. The City of Caldwell designates the surrounding area as Neighborhood 2 place-type (Residential) within their Comprehensive Plan (Staff Report Exhibit D5). The subject property is located in an “AE” flood zone as well as the floodway; therefore, a hazardous area without mitigations (Staff Report Exhibit B2.2). The proposed use doesn’t align with the following actions, goals and policies outlined in the 2030 Comprehensive Plan: <u>Chapter 1: Property Rights</u> A1.01.00a <i>Require properties to conform to the zoning code before receiving additional zoning approvals.</i> The subject property has a code enforcement violation for operating a staging area without a conditional use permit and unpermitted structures on the property that have not been abated. The 2030 Comprehensive Plan does not support additional approvals prior to conforming to the code. <i>See Code Section five (5) for details.</i> <u>Chapter 5: Natural Resources and Hazardous Areas</u> P5.05.01 <i>Mitigate development in hazardous areas or require site planning or construction techniques to mitigate the hazard.</i> The subject property is located in a “AE” flood zone therefore, a floodplain development permit is required. <u>Chapter 4: Land Use and Community Design</u> A4.01.01b <i>Coordinate land-use planning with adjoining counties, cities, and other agencies and groups.</i> P4.04.01 <i>Support development in locations where services, utilities, and amenities are or can be provided.</i> P4.04.02 <i>Align planning efforts in areas of city impact.</i> P4.07.01 <i>Plan land uses that are compatible with the surrounding community.</i> The City of Caldwell has designated the subject property and the surrounding area as Residential. The City of Caldwell is opposed to the application as it would conflict with their future land use plans for the subject property and property in the immediate vicinity. The proposed use would be prohibited if annexed into the City of Caldwell. The proposed use may potentially align with the following actions, goals and policies outlined in the 2030 Comprehensive Plan: <u>Chapter 1: Property Rights</u> G1.01.00 <i>Protect the integrity of individual property rights while safeguarding public health, safety, and welfare. The use is not anticipated to negatively impact public health, safety and welfare with added conditions of approval.</i> P1.01.01 <i>No person should be deprived of private property without due process of law.</i> G1.02.00 <i>Acknowledge the responsibilities of each property owner as a steward of the land, use their property wisely, maintain it in good condition and preserve it for future generations without becoming a public nuisance.</i> “The right of control: Is the right to use the property legally (2030 Comprehensive Plan, pg. 10).” The applicant submitted a conditional use permit on March 11, 2026, to establish a staging area on the property legally. <u>Chapter 2: Population</u>	

	G2.02.00 <i>Promote housing, business, and service types needed to meet the demand of the future and existing population.</i> High Quality Utilities LLC installs fiber optic cable throughout the Treasure Valley (Staff Report Exhibit A). The business operations on the subject property are specifically utilized as a staging area to store equipment and inventory. Chapter 3: Economic Development P3.01.02 <i>Support suitable sites for economic growth and expansion compatible with the surrounding area.</i> According to the applicant, the property and the proposed use of a staging area and contractor shop is consistent with the 2030 Comprehensive Plan as the primary function of the property will remain residential in nature. Fieldwork will take place off-site, and the subject property as a staging area is incidental and will only be used to store equipment and material (Staff Report Exhibit A). Although there are goals, policies and actions outlined in the 2030 Comprehensive Plan that the proposed use aligns with; it is not generally consistent with the Comprehensive Plan.																						
Criteria Met?	4	Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?																					
No																							
Analysis	The proposed use may not be injurious to other properties in the immediate vicinity in the short term, but the proposed use will be injurious to the properties in the immediate vicinity in the long term due to the impacts of noise, dust, floodplain, and aesthetics as described in the staff report. Parcel R34111 is currently located within Caldwell’s Area of Impact, which is a designation for parcels where the applicable city can provide services for annexation within five (5) years. The analysis below details how approval of this application would be injurious to the property in the immediate vicinity and negatively change the essential character of the area. Summary: The surrounding land uses and zoning, as reviewed within a one and two-mile radius, indicate that the area is primarily residential, with future land use leaning towards increased residential uses as seen in Staff Report Exhibits B2.3, B2.13, & D5. Adjacent Existing Conditions: <table><tr><th>Direction</th><th>Existing Use</th><th>Primary Zone</th><th>Other Zone</th></tr><tr><td>N</td><td>Agricultural</td><td>City of Caldwell R-1</td><td></td></tr><tr><td>S</td><td>Residential</td><td>“A”</td><td>City of Caldwell R-1</td></tr><tr><td>E</td><td>Agricultural</td><td>City of Caldwell R-1</td><td></td></tr><tr><td>W</td><td>Residential</td><td>“A”</td><td>City of Caldwell R-1</td></tr></table> “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) Surrounding Land Use Cases: In the past five (5) years, there have been no land use applications applied for within a one (1) mile radius of the subject property in unincorporated Canyon County (Staff Report Exhibit B2.4). There are sixty-five (65) platted subdivisions within a one (1) mile radius, with an average lot size of 0.31 acres. Of the sixty-five (65) existing platted subdivisions, sixty-four (64) are located within Caldwell City limits, and one (1) is located within unincorporated Canyon County. There are seven (7) process plats within the one (1) mile radius, with an average lot size of 0.29 acres (Staff Report Exhibits B2.5 & B2.6). Character of the Area: The character of the area is primarily residential, with some active agricultural production occurring on the immediately surrounding properties. To the direct South of the subject property, there is an approximately 6.68-acre parcel, and during the site visit, cattle were seen grazing (Staff Report Exhibit C). About 230 feet to the South, there is a neighborhood located within Caldwell city limits and is zoned R-1. Directly to the West is a 3.27-acre agriculturally zoned property in unincorporated Canyon County. About 520 feet to			Direction	Existing Use	Primary Zone	Other Zone	N	Agricultural	City of Caldwell R-1		S	Residential	“A”	City of Caldwell R-1	E	Agricultural	City of Caldwell R-1		W	Residential	“A”	City of Caldwell R-1
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	the West, there is a neighborhood located within Caldwell city limits zoned R-1. To the North, there are active agricultural operations taking place; however, they are located within Caldwell City Limits and are currently zoned R-1. To the East, there are larger parcels located within Caldwell City Limits, but are zoned R-1 (Staff Report Exhibit B2.1). A contractor shop and staging area are not permitted uses in the residential zoning district and are out of character with the residential area. Impacts & Mitigation: Potential impacts identified during the site visit, staff analysis, and agency comments include noise, dust, aesthetic concerns, floodplain development, and unpermitted structures. • Noise: There are potential impacts related to noise regarding the use, such as starting equipment and loading/ unloading materials. With the property being enclaved by the City of Caldwell's residential zoning districts, noise created from the proposed use will be injurious to properties in the immediate vicinity. • Dust: Due to driving equipment, as well as loading/ unloading material, there is the potential for dust to have a negative impact on the properties in the immediate vicinity. Dust shall be controlled by applicable federal, state, and county laws, ordinances, rules, and regulations (CCCO Chapter 2 Article 1: Public Nuisances) and shall be consistent with Idaho Department of Environmental Quality (DEQ) requirements (Staff Report Exhibit D6). With the property being enclaved by the City of Caldwell's residential zoning districts, dust created from the proposed use will be injurious to properties in the immediate vicinity. • Aesthetic: Due to the storage of materials and the nature of the use, there is the potential for there to be aesthetic impacts on surrounding properties. With the property being enclaved by the City of Caldwell's residential zoning districts, the aesthetic impacts created from the proposed use will be injurious to properties in the immediate vicinity (Staff Report Exhibit C). • Floodplain: Due to a comment received from the Idaho Department of Water Resources, there appear to be active floodplain violations due to the staging and storage of materials within the floodway. With the property being enclaved by the City of Caldwell's residential zoning districts, the potential impacts from these violations on surrounding properties in the event of a flood would be injurious to properties in the immediate vicinity (Staff Report Exhibit D2 & D8).	
Criteria Met?	5	Will adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems be provided to accommodate the use?
Yes		
Analysis	As proposed, 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. Water: The applicant is proposing one (1) individual domestic well to adequately serve the proposed use (Staff Report Exhibit A8.1). Sewer: The applicant is proposing one (1) individual septic system to serve the proposed use (Staff Report Exhibit A8.1). Southwest District Health provided a comment on March 18, 2026, and no concerns were raised (Staff Report Exhibit D1). The Pre-Development notes from Southwest District Health state that the proposed use is not expected to negatively impact the existing septic system (Staff Report Exhibit D1). Irrigation: The Mason Creek Irrigation Ditch runs through the property (Staff Report Exhibit B2.1). The Mason Creek Ditch Co & Pioneer Irrigation District were noticed on March 17, 2026, and June 15, 2026. No comments were received. All associated easements will need to be preserved. Stormwater drainage facilities: According to the land use worksheet, stormwater will be retained on site via barrow ditches (Staff Report Exhibit A2).	
Criteria Met?	6	Does legal access to the subject property for the development exist or will it exist at the time of development?
Yes		

Analysis	The subject property does have legal access for the development and will exist at the time of the development. The subject parcel has frontage along Marble Front Road and takes access via two (2) approaches. The applicant submitted pre-development notes from Highway District No. 4, and they provided improvement requirements such as an access permit, paved apron, and an additional 15 feet of Right-Of-Way (Staff Report Exhibit A6). Highway District No. 4 was noticed on March 18, 2026, and June 15, 2026, and provided comments, which can be found in Staff Report Exhibit D7.	
Criteria Met?	7	Will there be undue interference with existing or future traffic patterns?
Yes		
Analysis	As conditioned, there will not be undue interference with existing or future traffic patterns. It is anticipated that there will be a total of fourteen (14) employees, most of whom will be coming to pick up trucks and equipment, then leaving to go to job sites for the day. There will be no customers who will come on site (Staff Report Exhibit A8.1). The subject parcel has frontage along Marble Front Road and takes access via two (2) approaches. The applicant submitted pre-development notes from Highway District No. 4 detailing required improvements. Highway District No. 4 was noticed on March 18, 2026, and June 15, 2026, and provided comments, which can be found in Staff Report Exhibit D7. The Idaho Transportation Department provided a comment on March 18, 2026, and stated that they have no comments or concerns regarding this application, and the application does not meet the requirements for a Traffic Impact Study (Staff Report Exhibit D3).	
Criteria Met?	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?
Yes		
Analysis	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. School Facilities: Due to the nature of the request and proposed use, this application will not negatively impact surrounding school facilities. Vallivue School District was noticed on March 17, 2026, and June 15, 2026. No comment was received. Police and Fire protection: The proposed use of this property as a contractor shop and staging area will not negatively impact Police and Fire Protection. Canyon County Sheriff's Office (CCSO) and Caldwell Fire Department were notified on March 17, 2026, and June 15, 2026. CCSO did not provide a comment, and Caldwell Fire Department provided a comment stating that the property was 1.5 miles from Caldwell Fire Department Station 13 with an approximate response time of 4 minutes (Staff Report Exhibit D4). Emergency Medical Services: The proposed use of this property as a contractor shop and staging area is not anticipated to negatively impact Police and Fire protection. Canyon County's Emergency Management Coordination and Canyon County Paramedics were noticed on March 17, 2026, and June 15, 2026, and did not provide comment. Irrigation Facilities: The Mason Creek Ditch Co & Pioneer Irrigation District were noticed on March 17, 2026, and June 15, 2026. No comments were received. However, Mason Creek Irrigation Ditch runs through the subject property (Staff Report Exhibit B2.1).	

Table 2. Use Standards – Contractor Shop: CCCO §07-14-09 & Staging Area: CCCO §07-14-29

Per 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).		
County Ordinance and Review - §07-14-09		
Criteria Met?	Code Section	Criteria

Yes	1	The use shall be contained within a building or behind a sight-obscuring fence.
Analysis	There shall be a sight-obscuring fence that all vehicles and equipment will be contained behind. The applicant has a pre-existing shop for storage of equipment and inventory (Staff Report Exhibit 8.2). The pre-existing shop would be required to have a change of occupancy permit applied for through the Canyon County Building Department (Staff Report Exhibit D9).	
County Ordinance and Review - §07-14-29		
Yes	1	All work shall be conducted off site.
Analysis	Per the applicant's letter of intent, all work will be conducted off-site, with the exception of what is allowed with the contractor shop criteria (Staff Report Exhibit A8).	
Criteria Met?	2	Business vehicles shall be operable and parked on site, not on a public or private road.
Yes		
Analysis	Per the applicant's letter of intent and site plan, all business parking will be on site. No parking will take place on a public or private road (Staff Report Exhibit A8 & A7).	
Criteria Met?	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.
Yes		
Analysis	Per the applicant's letter of intent and email correspondence, the only persons who will be coming and going from the property will be 14 employees who perform work either off-site or within what is allowed under the contractor shop criteria (Staff Report Exhibit A8).	
Criteria Met?	4	Employees may meet on the premises to share rides to and from job sites.
Yes		
Analysis	Per the applicant's letter of intent, the above may happen (Staff Report Exhibit A8).	
Criteria Met?	5	Employees' vehicles shall be parked on site and not on a public or private road.
Yes		
Analysis	Per the applicant's letter of intent, site plan, and email correspondence, there will be ample parking spaces for employee vehicles (Staff Report Exhibit A8, A7, & A8.1).	

Table 3. Area of City Impact

CCCO §09-01-19: Caldwell Area of City Impact (Plans and Ordinances/Map) Ordinance Applicable Ordinances and Standards: Within the Caldwell area of city impact, the following ordinances apply, but the City of Caldwell ordinances are subject to the waiver provisions in subsection (6) of this section.		
County Ordinance and Review		
Criteria Met?	Code Section	Analysis
Yes	09-01-19	Applicable Ordinances and Standards: (1) Canyon County zoning ordinance, as lawfully amended. (2) City of Caldwell's subdivision ordinance, ordinance 1758, in the form existing as of April 1, 2005, except for simple division (lot split) provisions and except for hearing procedures. The county's hearing procedures shall apply. (3) The following City of Caldwell ordinances apply, even when in conflict with otherwise applicable county provisions: A. City road widths and profiles found in 11-03-03(2), (3), (4), and (5) of the City of Caldwell municipal code, in the form existing as of April 1, 2005; B. Caldwell city ordinance 2541, and all standards and specifications adopted thereby, in the form existing as of April 1, 2005. C. Caldwell city ordinance 2548, in the form existing as of April 1, 2005. D. Municipal code of the city of Caldwell, chapter 10, article 7, "Caldwell Landscape Ordinance", in the form existing as of April 1, 2005. E. Municipal code of the City of Caldwell, chapter 10, article 8, "Caldwell Tree Ordinance", in the form existing as of April 1, 2005.

	F. Municipal code of the City of Caldwell, chapter 10, article 10, "Transportation Policies And Practices", in the form existing as of April 1, 2005. G. Municipal code of the city of Caldwell, chapter 4, article 17, "Caldwell Irrigation Utility Ordinance", in the form existing as of April 1, 2005. (4) Except as set forth above, all other standards of applicable Canyon County codes and ordinances; and (5) For subdivisions and planned unit developments applied for in the Caldwell area of city impact, Canyon County will require on the face of each final plat a certification line for execution by the city of Caldwell engineer attesting to the plat's conformance with the city standards set forth above. Also, Canyon County will not sign a final plat, or authorize the plat to be recorded, prior to the city engineer's signing the plat (6) Waiver of City of Caldwell Ordinance Provisions: The requirements listed in the Caldwell ordinances, identified in subsections (2) and (3) of this section, may be waived by the Canyon County board of commissioners in its discretion. An applicant for such waiver bears the burden of persuasion and must specifically state the reasons why a waiver is necessary and prove said waiver will not cause an adverse effect to the health, safety and welfare of the community and that the requirements sought to be waived constitute an undue hardship. For the purpose of this section, increased financial expense associated with a requirement, by itself, does not constitute an undue hardship. Notice of the requested waiver must be given to the City of Caldwell not less than thirty (30) days prior to the hearing on the waiver application. Any further notice on the proposed waiver will be provided to the city of Caldwell at least seven (7) days prior to any public hearing. Written objections from the city of Caldwell will be considered by the Canyon County commissioners. The application for waiver must show that prior to filing the application, the applicant first sought consent from the city of Caldwell to the waiver, indicating the date of the request and the response, if any, from the city of Caldwell. In granting any waiver, the county may impose any conditions the county deems necessary to help mitigate any adverse effect to the health, safety and welfare of the community. The application for waiver will first be considered by the Canyon County planning and zoning commission at a public hearing, which shall make recommendations to the Canyon County board of commissioners for their consideration at a public hearing. The public hearings held before the Canyon County planning and zoning commission and the Canyon County board of commissioners will be conducted in accordance with the notice and hearing procedures provided by subsections 07-17-09(4) and (5) of this code. (Ord. 05-013, 6-1-2005) 09-01-21 Zoning Ordinance Amendment Proposals: All proposed amendments to the text and/or map of the Canyon County zoning ordinance or subdivision regulations, which may relate to the Caldwell area of city impact, shall be referred by the county to the city of Caldwell in the same manner as provided for in subsection (3) of this article. Any recommendation of the city of Caldwell shall be considered in the same manner as provided for in subsection <u>09-01-17(3)</u> of this article. (Ord. 05-013, 6-1-2005)
Analysis	Area of City Impact: The Caldwell area of city impact consists of an area in unincorporated Canyon County where development or use of land affects, or may affect, the City of Caldwell in consideration of trade areas, geographic factors, and areas that can reasonably be expected to be annexed to the City of Caldwell within five (5) years. The subject parcel is located within Caldwell's area of city impact. The City of Caldwell was noticed on March 17, 2026, and June 15, 2026, and the City of Caldwell submitted a letter on April 17, 2026, stating that they are opposed to this request for a staging area and contractor shop, due to the subject property being within their comprehensive plan as Neighborhood 2 place-type (Staff Report Exhibit A5). Staff reached out to the City of Caldwell on June 10, 2026, to inquire about the broader plan for the current farmland that has been annexed directly North of the property. The City of Caldwell responded, stating that there are 265 single-family units and 14 townhome units planned for these parcels (Staff Report Exhibit A5.1).

Order

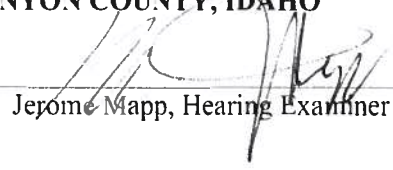
Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Hearing Examiner **denies** Case #CU2026-0008, a conditional use permit for a staging area and contractor shop, as it is inappropriate to introduce an industrial use in a predominantly residential area. Canyon County Code Enforcement will communicate with the applicant on a timeline to cease business activities on Parcel R34111.

Under Idaho Code Section 67-6519, the following actions may be taken to obtain approval:

1. The applicant may decrease business operations to what would be allowed under Canyon County's Home Business code (CCCO §07-14-11) and apply for a Home Business Director's Decision.

DATED this 10 day of August, 2026.

HEARING EXAMINER
CANYON COUNTY, IDAHO


Jerome Mapp, Hearing Examiner

State of Idaho)

SS

County of Canyon County)

On this 10 day of August, in the year 2026, before me Caitlin Ross, a notary public, personally appeared Jerome Mapp, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.



Notary: Caitlin Ross

My Commission Expires: 5/7/2031