



Planning and Zoning Commission
Canyon County Development Services Dept.

Case #CU2023-0010

HEARING DATE March 21, 2024

OWNER Lyne Realty, L.P.

APPLICANT Seth Sheets, Preferred
Pump and Equipment

PLANNER Dan Lister, Principal
Planner

CASE NUMBER CU2023-0010

LOCATION 15900 & 15854
Gunfire Road,
Caldwell



PROJECT DESCRIPTION

The applicant requests a conditional use permit to allow a warehousing, wholesaling, and distribution facility on Parcels R34654201 and R34654202. The subject properties, approximately four (4) acres total, are located at 15854 and 15900 Gunfire Rd, Caldwell referenced as Lots 2 & 3, Block 1 of Commercial Park 20-26 Subdivision, a portion of the SW quarter of Section 9, T4N, R3W, BM, Canyon County, Idaho.

PROJECT INFORMATION (See Exhibit 1 for Parcel Information)

The subject properties are zoned “C-2” (Service Commercial). The properties are lots 2 and 3, Block 1 of 20/26 Commercial Park Subdivision (Exhibit 5).

Parcel R34654201 (2.02 acres): The parcel has a commercial shop and office building constructed in 2008 (BP2005-862). The building does not meet County front setback requirements but meets Caldwell’s required setbacks per CCZO §07-10-23.

Parcel R34654202 (2 acres): The parcel has a commercial storage building constructed in 2011 (BP2008-520).

The subject lots were purchased by the current owner, Lyne Realty, on May 26, 2023 (Exhibit 2e).

APPLICABLE CODE

CCZO §07-02-03 Definitions

CONDITIONAL USE: A use or occupancy of a structure, or use of land, permitted only upon issuance of a conditional use permit and subject to the limitations and conditions specified therein. See Idaho Code section 67-6512.

OPERATION PLAN: A plan of action to include, but not be limited to, time requirements, commencement of the operation, hours of operation, noise levels, dust levels, air and water quality, raw material delivery, finished product and marketing, site improvements, public and private facilities, public amenities and infrastructure.

WAREHOUSING: Storage of goods or merchandise.

CCZO §07-07-01 Conditional Use Permit – Purpose

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 property 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.

CCZO §07-07-03 Conditional Use Permit – Application Process

A conditional use permit application shall be subject to a public hearing, review, and approval, as provided by article 5 of this chapter. The application process shall be as follows:

- (1) *Form:* Applications for conditional use permits, including a development plan and/or an operation plan if applicable, shall be filed with DSD.
- (2) *Fee:* An application must be accompanied by a filing fee as established by the adopted fee schedule.

CCZO §07-07-05 Conditional Use Permit – Hearing Criteria

The presiding party shall consider each conditional use permit application by finding adequate evidence to answer the following questions in its FCOs:

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

CCZO §07-07-17 Conditional Use Permit – Special Conditions

Special conditions may be attached 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.*

CCZO §07-07-19 Conditional Use Permit – Additional Studies

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.

CCZO §07-07-21 Conditional Use Permit – Violation of Conditions

If any person, including staff or a member of the commission, files a written notice presenting sufficient evidence, as determined by the director, that the conditions of the conditional use permit have been violated, the presiding party that made the final decision, shall set the matter for a public hearing noticed in accordance with article 5 of this chapter.

CCZO §07-07-23 Conditional Use Permit – Land Use Time Limitations

- (1) *Commencement: 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. If the use is not commenced or completed within these time periods, the use and its approval shall expire as provided for in subsection (2) of this section. Upon expiration of the use or the approval of that use as provided by this section, the applicant can seek approval of the use only by filing a new initial application. However, gravel pits and public utility facilities are excepted from the commencement and time completion requirements. The presiding party has the discretionary power to establish commencement and completion requirements as specific conditions of approval for gravel pits and power plant public service facilities.*
- (2) *Expiration: After the three (3) year period has expired, if any person, including staff or member of the commission, files a written notice presenting sufficient evidence, as determined by the director, to establish that the land use or construction of its facility provided for in the conditional use permit, has not commenced or after the five (5) year period that said use has been abandoned, ended, or not completed, the use has expired.*
 - A. *Appeal by Affected Person: Any affected person who is aggrieved by the director's decision as to an application pursuant to this subsection, may file a written notice of appeal in accordance with section 07-05-07, "Appeal Of Director Administrative Decision", of this chapter.*
 - B. *Reversion: If an appeal is not received or if the commission finds that the use has been abandoned, ended, or not completed, the prior approval shall be set aside and the property shall revert to its prior status.*

CCZO §07-10-23 City Impact Areas

Within adopted City Impact Areas, the applicable city's setback and height requirements may be applied. Combinations of County setbacks and heights and city setbacks and heights are not allowed.

CCZO §07-10-25(6) Purposes of Zones – Service Commercial

The purpose of the C-2 (Service Commercial) Zone is to provide areas where activities of a service nature, which are more intensive in character than in other Commercial Zones, may be carried out.

CCZO §07-10-27 Land Use Regulations Matrix

This section lists uses within each land use zone: allowed uses (A), permitted uses through a conditional use permit (C), Director administrative decision (D), not applicable because covered by different use/section (n/a), or prohibited (-).

Zoning Classification	A	R-R	R-1	R-2	C-1	C-2	M-1	M-2	MU-A
Warehousing, wholesaling and distribution facilities	-	-	-	-	-	C	A	A	C

PROJECT OVERVIEW

On June 2, 2023, the applicant applied for a conditional use permit to establish a warehousing facility on Parcels R34654201 and R34654202. Per CCZO §07-10-27, a warehousing, wholesaling, and distribution facility is permitted in a “C-2” Zone subject to conditional use permit approval.

Per the applicant’s submittal packet (Exhibit 2), the warehousing facility will support Preferred Pump and Equipment, a nationwide wholesale distributor of pump and drilling materials. Approximately 10-15 employees will be located at the facility. Hours of operation are 7 am to 5 pm, Monday through Friday.

Comprehensive Plan

The property is designated as “commercial” in the future land use map within the 2023 Canyon County Comprehensive Plan (Exhibit 3c). *See Exhibit 7 for goal and policy alignment.*

The commercial designation is intended to encourage commercial uses which can provide goods and services to businesses, travelers, and residents of the County (Pg. 25 of the 2030 Comp. Plan).

The parcel is located in the City of Caldwell Area of City Impact. The property is designated as “manufacturing and production” in the future land use map within Caldwell’s Comprehensive Plan (Exhibit 3d).

This category includes land that is suitable for the manufacturing, processing, assembling, packaging, or fabricating of previously prepared materials, research and development activities, and warehousing. Manufacturing and production uses shall be unobtrusive and not detrimental to surrounding residential and commercial uses. Commercial and service activities that have frontage on collector and arterial roadways or are within a platted industrial park may be permitted (Pg. 47 of Caldwell’s 2040 Comp. Plan).

Immediate Surroundings – (Exhibit 3a & 6)

To the north, are parcels R34657 (6.08 acres) owned by Base Layer, and R34657010 (2.45 acres) owned by Idaho Power. The parcels are zoned “M-1” (Light Industrial) which was approved in 2022 (RZ2021-0052). North of those parcels is the West Canyon Canal/Farmers’ Cooperative Sebree Canal and parcels owned by Caldwell Housing Authority.

To the south are commercial lots within the 20/26 Commercial Park Subdivision approved in 2000 (Exhibit 5). Existing uses within the subdivision include Conmas Construction Supply (abuts the subject properties along the west boundary), Bennett Machine and Welding (abuts the subject properties on the east boundary), Coonse Drilling and Pump and Pacific Metal Works (south of the subject parcel), RV Truck N Stuff Parking and Storage, and Canyon Truck Upfitters. South of the subdivision is Highway 20/26 and properties used for mineral extraction zoned “M-1” (Exhibit 3e).

To the east are large parcels, including a closed mink farm, that was rezoned to “M-1” in 2022 (RZ2021-0052) and is currently working on annexation into the City of Caldwell.

To the west is Farmway Road, a public road, and large agricultural grounds such as R34606 and R34601 (87.2 acres) which includes Parcel R34600 conditionally rezoned to “CR-C-2” (Conditional

Rezone – Service Commercial) in 2018 to allow commercial uses (Blue Barn Produce, PH2017-42 & 43).

Surroundings - Zones

The properties and commercial subdivision are located in are zoned “C-2” (Exhibit 3e). North, south, and east of the subdivision are properties zoned “M-1”. To the west are properties zoned “A” (Agricultural). The area is Caldwell’s impact area where manufacturing and industrial-type uses are promoted in the City’s plan (Exhibit 4c & 3d).

Surrounding Recent Land Use Decisions (Exhibit 3f)

- RZ2021-0052 – EL64, LLC/Borton – Lakey Law: Rezone of six parcels, approximately 90.9 acres, from “A” to “M-1” (Light Industrial).
- PH2017-42 & 43 – Blue Barn Produce: Comprehensive Plan Amendment of a 7-acre parcel from an “agricultural” designation to a commercial designation (PH2017-42). The decision included a conditional rezone from an “A” Zone to “CR-C-2” (Conditional Rezone – Service Commercial) to establish retail uses (PH2017-43).

Surrounding Subdivisions (Exhibit 3g)

The properties are lots 2 and 3, Block 1 of 20/26 Commercial Park Subdivision (Exhibit 5). Within a one-mile radius, the nearest subdivisions are located east of I-84, approximately 3,400 feet from the 20/26 Commercial Park Subdivision.

Adequate Facilities

The applicant states in the letter of intent (Exhibit 2a), that the subject parcels are served by a private well and septic system. Any landscaping will be irrigated from the well.

Access/Traffic

The properties have direct access to Gunfire Road, a public road. The public road was established as part of the commercial plat, 20/26 Commercial Park Subdivision (Exhibit 5). Per the applicant’s submittal packet (Exhibit 2a), traffic generated will be from employees, LTL (Less-than-Truck Load)/common carriers, and local contractor pickup.

Prior to the commencement of use, Notus-Parma Highway District requires access to comply with 2022 ACCHD Standards including meeting minimum driveway spacing and providing recorded access easement (Exhibit 4b). Idaho Transportation Department (ITD) has no concerns or objections (Exhibit 4a).

Essential Services

The property is located within the Caldwell School District, Caldwell Rural Fire District, Canyon County Sheriff’s Department, and Canyon County Paramedics/EMT. No comments were received from the above-affected agencies. Comments received (Exhibit 4) do not find the request to be impactful subject to conditions (Exhibit 7).

COMMENTS

- Public:
 - The applicant has a neighborhood meeting per CCZO §07-01-015 on May 31, 2023. No one attended.
 - Properties within 600 feet of the request were sent notification on February 6, 2024, and February 21, 2024. A newspaper notice was published on February 9, 2024. The parcel was posted with a notice on February 15, 2024.
 - No comments were received.

- Agencies: On January 3, 2024, and February 6, 2024, the following agencies were notified: City of Caldwell, Caldwell School District, Southwest District Health, Caldwell Rural Fire District, Notus-Parma Highway District, CenturyLink, Intermountain Gas, Idaho Power, Ziply, Canyon Ditch Company, Farmer Cooperative Ditch Company, Idaho Transportation Department, Canyon County Sheriff, Canyon County Emergency Management Coordinator, Canyon County Paramedics/EMT, Canyon County DSD – Building, and Idaho Department of Environmental Quality.
 - The applicant met with Southwest District Health, Caldwell Rural Fire District, Canyon Ditch Company, Notus Parma Highway District, and the City of Caldwell (Exhibit 2d).
 - The following affected agencies submitted comments:
 - ITD (Exhibit 4a): No objection to the request.
 - Notus-Parma HWY (Exhibit 4b): Prior to the commencement of use, Notus-Parma Highway District requires access to comply with 2022 ACCHD Standards including meeting minimum driveway spacing and providing recorded access easement.
 - City of Caldwell (Exhibit 4c): Caldwell is not opposed to the requests subject to any outdoor storage being screened with a minimum six-foot-high sight-obscuring fence to help eliminate impacts to residential properties to the South. Additionally, landscaping shall be installed per Caldwell landscaping ordinances which is a 10’ minimum foot wide landscape buffer along Gunfire Road which includes 70’ grass sod, 2” caliper trees every 35 linear feet, and one shrub every 70 linear feet of buffer area.
 - DEQ (Exhibit 4d): Informational, not project-specific review.

POTENTIAL IMPACTS

The property is located within the Caldwell Area of City Impact where manufacturing and industrial-type uses are promoted in the City’s plan (Exhibit 4c & 3d). The location is the City’s urban renewal area (Inst. No. 2022-000961). Future manufacturing, production, and industrial uses will be required to meet city improvement requirements such as sight-obscuring fencing and landscaping.

Regarding this case, the City of Caldwell recommends a condition be applied that any outdoor storage be screened with a minimum six-foot-high sight-obscuring fence to help eliminate impacts to residential properties to the South (Exhibit 4c).

- Per Exhibit 6 of the staff report, most properties within the subdivision have chain-link security fences, but none of them have sight-obscuring fencing as defined by County Code:

CCZO §07-02-03: FENCE (SIGHT OBSCURING): *The construction of a solid barrier that blocks the visibility through the fence, and is erected to screen areas from public streets and abutting properties.*

- (1) *Allowed Materials: Fences and walls shall be made of high-quality, durable materials that require low maintenance. Acceptable materials for a fence include chain-link with slats, wood, brick, masonry block, stone, vinyl, composite/recycled materials (hardy board), or other manufactured material or a combination of materials commonly used for fencing.*
- (2) *Prohibited Materials: Fences and walls shall not be made of or contain:*
 - A. *Scrap materials such as scrap lumber and scrap metal.*
 - B. *Materials not typically used or designated/manufactured for fencing such as metal roofing panels, corrugated or sheet metal, tarps, or plywood.*

The City of Caldwell also recommends a condition be applied that landscaping shall be installed per Caldwell landscaping ordinances which is a 10’ minimum foot wide landscape buffer along Gunfire Road which includes 70’ grass sod, 2” caliper trees every 35 linear feet, and one shrub every 70 linear feet of buffer area.

- Per Exhibit 6 of the staff report, some properties have landscaping near the business signage. None of the existing businesses meet Caldwell’s landscaping requirements.

- CCZO §07-13-01(10) states: *Off-street parking areas may be required to screen any side adjoining any residential property by a wall, fence, or hedge to a height of six feet (6'), except for the front yard setback areas of the adjoining residential property, which shall be a maximum height of three feet (3').* The nearest residential area is 300 feet north of the subject properties.
 - The parcel in between the residential property and subject properties is Parcel R34657010 and R34657 which are both zoned “M-1”.

RECOMMENDATION

Staff recommends approval of Case No. CU2023-0010 subject to the recommended conditions of approval. Draft findings of fact, Conclusions of law, and Order are provided for the Planning and Zoning Commissioner’s consideration (Exhibit 7).

DECISION OPTIONS

The Planning and Zoning Commission may:

- Approve Case #CU2023-0010 with conditions of approval, as recommended or modified;
- Deny Case #CU2023-0010 and direct staff to bring back revised FCOs; or
- Table the hearing of Case #CU2023-0010 to a later date to request additional information.

EXHIBITS

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Parcel Information Report: R34654202 & R34654201 2. <u>Submittal Packet</u> <ol style="list-style-type: none"> a. Letter of Intent w/Plan b. Land Use Worksheet c. Neighborhood Meeting d. Agency Acknowledgment e. Deed 3. <u>Maps</u> <ol style="list-style-type: none"> a. Aerial b. Vicinity c. 2030 Comp Plan d. 2040 Caldwell Comp. Plan e. Zoning | <ol style="list-style-type: none"> f. Cases w/Report g. Plats w/Report h. Soils w/ Report i. Dairy, Feedlots, and Gravel Pits j. TAZ 4. <u>Comments</u> <ol style="list-style-type: none"> a. ITD b. Notus-Parma Highway District c. City of Caldwell d. DEQ 5. Commercial Park 20/26 Subdivision 6. Site Visit – March 1, 2024 7. Draft FCOs |
|---|---|

R34654201 PARCEL INFORMATION REPORT

2/12/2024 2:22:32 PM

PARCEL NUMBER: **R34654201**

OWNER NAME: **LYNE REALTY LP**

CO-OWNER:

MAILING ADDRESS: **2201 SCOTT AVE FORT WORTH TX 76103**

SITE ADDRESS: **15900 GUNFIRE RD**

TAX CODE: **2580000**

TWP: **4N** RNG: **3W** SEC: **09** QUARTER: **SW**

ACRES: **2.02**

HOME OWNERS EXEMPTION: **No**

AG-EXEMPT: **No**

DRAIN DISTRICT: **NOT In Drain Dist**

ZONING DESCRIPTION: **C2 / SERVICE COMMERCIAL**

HIGHWAY DISTRICT: **NOTUS-PARMA HWY**

FIRE DISTRICT: **CALDWELL RURAL FIRE**

SCHOOL DISTRICT: **CALDWELL SCHOOL**

IMPACT AREA: **CALDWELL**

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

FLU Overlay Zone Desc 2030:

FLU RR Zone Desc 2030:

FUTURE LAND USE 2030: **Com**

IRRIGATION DISTRICT: **CANYON DITCH CO**

FEMA FLOOD ZONE: **X** FLOODWAY: **NOT In** FLOODWAY FIRM PANEL: **16027C0230F**

WETLAND: **NOT In WETLAND**

NITRATE PRIORITY: **NO Nitrate Prio**

FUNCTIONAL Classification: **NOT In COLLECTOR**

INSTRUMENT NO. : **2023016706**

SCENIC BYWAY: **NOT In Scenic Byway**

LEGAL DESCRIPTION: **09-4N-3W SW COMMERCIAL PK 20/26 LT 2 BLK 1**

PLATTED SUBDIVISION: **COMMERCIAL PK 20/26**

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 SHERIFFS 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.

R34654202 PARCEL INFORMATION REPORT

2/12/2024 2:23:12 PM

PARCEL NUMBER: **R34654202**

OWNER NAME: **LYNE REALTY LP**

CO-OWNER:

MAILING ADDRESS: **2201 SCOTT AVE FORT WORTH TX 76103**

SITE ADDRESS: **15854 GUNFIRE RD**

TAX CODE: **2580000**

TWP: **4N** RNG: **3W** SEC: **09** QUARTER: **SW**

ACRES: **2.00**

HOME OWNERS EXEMPTION: **No**

AG-EXEMPT: **No**

DRAIN DISTRICT: **NOT In Drain Dist**

ZONING DESCRIPTION: **C2 / SERVICE COMMERCIAL**

HIGHWAY DISTRICT: **NOTUS-PARMA HWY**

FIRE DISTRICT: **CALDWELL RURAL FIRE**

SCHOOL DISTRICT: **CALDWELL SCHOOL**

IMPACT AREA: **CALDWELL**

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

FLU Overlay Zone Desc 2030:

FLU RR Zone Desc 2030:

FUTURE LAND USE 2030: **Com**

IRRIGATION DISTRICT: **CANYON DITCH CO**

FEMA FLOOD ZONE: **X** FLOODWAY: **NOT In** FLOODWAY FIRM PANEL: **16027C0230F**

WETLAND: **NOT In WETLAND**

NITRATE PRIORITY: **NO Nitrate Prio**

FUNCTIONAL Classification: **NOT In COLLECTOR**

INSTRUMENT NO. : **2023016706**

SCENIC BYWAY: **NOT In Scenic Byway**

LEGAL DESCRIPTION: **09-4N-3W SW COMMERCIAL PK 20/26 LT 3 BLK 1**

PLATTED SUBDIVISION: **COMMERCIAL PK 20/26**

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 SHERIFFS 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.



May 17th, 2023

RE: CUP Application for Preferred Pump and Equipment

Letter of Intent for a CUP Application for operation of wholesale distributor in a C-2 zone at existing facilities located at 15854 and 15900 Gunfire Rd. Caldwell, ID 83607.

This area is currently surrounded by many businesses of varying aspects. Preferred Pump and Equipment is a nationwide wholesale distributor of pump and drilling materials. We will have 10 to 15 employees working in this facility. Currently we are located in the Skyway business park. Our hours of operation are 7am to 5pm, Monday through Friday.

Incoming shipments are by means of LTL and common carriers. Outgoing shipments are by means of the same carriers as well as our midsize delivery trucks and pickups. Local contractors will also pick up materials directly at this facility. Overall daily traffic is limited and should have no potential impact to local traffic patterns.

Property is currently on a private well and septic system, and there is only a small patch of grass near the office which would be irrigated from the well. There will be no impact to the local utilities.

We thank you for your consideration of our request, and are happy to answer any questions.

Seth Sheets – Branch Manager – 208-477-4361

Dave Green – Group Manager – 509-551-6284

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: Warehouse/ wholesale

2. DAYS AND HOURS OF OPERATION:

- Monday 7am to 5pm
 Tuesday 7am to 5pm
 Wednesday 7am to 5pm
 Thursday 7am to 5pm
 Friday 7am to 5pm
 Saturday _____ to _____
 Sunday _____ to _____

3. WILL YOU HAVE EMPLOYEES? Yes If so, how many? 10 to 15 No

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

Height: 3 ft Width: 8 ft. Height above ground: 14 ft

What type of sign: Wall _____ Freestanding _____ Other _____

5. PARKING AND LOADING:

How many parking spaces? 10

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**

May 19th, 2023

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 (or other case type) is applied.

The Neighborhood Meeting details are as follows:

Date: Wednesday, May 31st, 2023

Time: 6:00pm

Meeting Location: 15900 Gunfire Rd. Caldwell, ID 83607

Project Location: 15854 and 15900 Gunfire Rd. Caldwell, ID 83607

Project Summary: Requesting Conditional Use Permit for wholesale distribution.

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 208-454-0000, or by email at ssheets@preferredpump.com.

Sincerely,

Seth Sheets

Branch Manager, Preferred Pump & Equipment

PARCEL_NO	OwnerName	Address	City	State	ZipCode
R34654203	BUSSE ROBERT	22926 OLD HWY 30	CALDWELL	ID	83607
R34654200	TK LAND LLC	29114 PHEASANT RDG	CALDWELL	ID	83607
R34654209	COONSE FAMILY LIVING TRUST	PO BOX 366	MIDDLETON	ID	83644
R34654205	WE THREE LLC	PO BOX 1513	NAMPA	ID	83653
R34654204	HOLT RANDALL D AND BARBARA J HOLT TRUST	13000 LAKEHOLME RD SW	LAKEWOOD	WA	98498
R34655	BUSHIDO LLC	1715 SENDERO LN	BOISE	ID	83712
R34606	MS MB FARMS LLC	23955 WAGNER RD	CALDWELL	ID	83607
R34658	HOUSING AUTHORITY OF CALD	22730 FARMWAY RD	CALDWELL	ID	83606
R34654011	JOSHNIK LLLP	3184 ELDER ST	BOISE	ID	83705
R34654202	COLD STEEL PROPERTIES LLC	19212 GOLDFINCH WAY	CALDWELL	ID	83605
R34654010	SPIERS DARREN K	22340 RACETRACK DR	CALDWELL	ID	83607
R34657010	IDAHO POWER COMPANY	1221 W IDAHO ST	BOISE	ID	83712
R34654208	SUNRISE SOLUTIONS LLC	21283 CESSNA CT	GREENLEAF	ID	83626
R34654211	KORN RALPH J	1104 N 9TH AVE	CALDWELL	ID	83605
R34654206	CLARR TRUST LLC	372 S EAGLE RD PMB 315	EAGLE	ID	83616
R34656010A	KELLY ROBERT W	14715 PURPLE SAGE RD	CALDWELL	ID	83607
R34654210	PALOMA ENTERPRISES INC	6700 N LINDER RD #156-117	MERIDIAN	ID	83646
R34654201	COLD STEEL PROPERTIES LLC	19212 GOLDFINCH WAY	CALDWELL	ID	83605
R34657	BASE LAYER CALDWELL LLC	1715 SENDERO LN	BOISE	ID	83712
R34654207	BOWERS PAMELA A	PO BOX 968	CALDWELL	ID	83606-0968
R34654212	MOORE DAVID A	PO BOX 1532	CALDWELL	ID	83606

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



SITE INFORMATION

Site Address: 15854 & 15900 Gunfire Rd	Parcel Number: R34654202 & R34654201	
City: Caldwell	State: Idaho	ZIP Code: 83607
Notices Mailed Date: 5-19-23	Number of Acres: 4.02	Current Zoning: C-2
Description of the Request: Applying for a conditional use permit to operate a wholesale business		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Seth Sheets		
Company Name: Preferred Pump & Equipment		
Current address: 4003 Skyway Street		
City: Caldwell	State: ID	ZIP Code: 83607
Phone: 208-454-0000	Cell: 208-477-4361	Fax:
Email: ssheets@preferredpump.com		

MEETING INFORMATION

DATE OF MEETING: 5/31/23	MEETING LOCATION: 15900 Gunfire Rd Caldwell, ID 83607	
MEETING START TIME: 6:00	MEETING END TIME: 6:30	
ATTENDEES: Ø		
NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. No Attendees		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		

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.

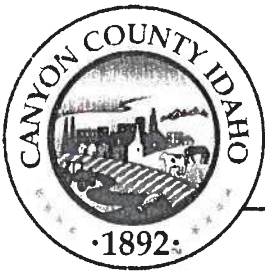
APPLICANT/REPRESENTATIVE (Please print):

Seth Sheets

APPLICANT/REPRESENTATIVE (Signature):



DATE: 5 / 31 / 23



AGENCY ACKNOWLEDGMENT

Date: 5-17-23
 Applicant: Seth Sheets
 Parcel Number: R34654202 & R34654201
 Site Address: 15900 Gunfire Rd Caldwell, ID 83607

OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

Southwest District Health:

Applicant submitted/met for official review.

Date: 05/24/2023 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: 5-18-23 Signed: [Signature]
 Authorized Fire District Representative
 (This signature does not guarantee project or permit approval)

Highway District:

District: _____

Applicant submitted/met for official review.

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

Irrigation District:

District: _____

Applicant submitted/met for official review.

Date: 5-22-23 Signed: R. Matt Brund
 Authorized Irrigation Representative
 (This signature does not guarantee project or permit approval)

Area of City Impact:

City: Caldwell

Applicant submitted/met for official review.

Date: 5-17-23 Signed: [Signature]
 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

DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED



AGENCY ACKNOWLEDGMENT

Date: 5-17-23
Applicant: Seth Sheets
Parcel Number: R34654202 & R34654201
Site Address: 15900 Gunfire Rd Caldwell, ID 83607

OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

Southwest District Health:

Applicant submitted/met for official review.

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

Fire District:

District: _____

Applicant submitted/met for official review.

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

Highway District:

District: Notes - Parma Highway District #2

Applicant submitted/met for official review.

Date: 5-12-23 Signed: _____
Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

District: _____

Applicant submitted/met for official review.

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

Area of City Impact:

City: Caldwell

Applicant submitted/met for official review.

Date: 5-17-23 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

DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED

READ AND APPROVED:

BY: S. Craig Shelton

BY: 3D476EDE08A4438

DATE: 5/25/2023

AFTER RECORDING MAIL TO:

Lyne Realty, L.P.
2201 Scott Ave.
Fort Worth, TX 76103

WARRANTY DEED

File No.: 4106-4042553 (RR)

Date: **May 26, 2023**

For Value Received, **Cold Steel Properties LLC, an Idaho limited liability company**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Lyne Realty, L.P., a Texas limited partnership**, hereinafter referred to as Grantee, whose current address is **2201 Scott Ave., Fort Worth, TX 76103**, the following described real property, together with the improvements thereon, situated in **Canyon County, Idaho**, to wit (the "**Property**"):

LEGAL DESCRIPTION: Real property in the County of Canyon, State of Idaho, described as follows:

Lots 2 and 3 in Block 1 of 20/26 Commercial Park, according to the plat thereof, filed in Book 28 of Plats at Page 27, records of Canyon County, Idaho.

This conveyance is made subject only to the encumbrances, easements, and other exceptions set forth on Exhibit A attached hereto and incorporated herein by this reference for all purposes, but only to the extent the same are valid and subsisting and affect the Property (collectively, the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the said Property, with its appurtenances, unto said Grantee, and the Grantee's heirs, successors, and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said Property; that said Property is free from all encumbrances except the Permitted Exceptions, and that Grantor will warrant and defend the same from all claims whatsoever.

**UNANIMOUS CONSENT
OF THE BOARD OF DIRECTORS OF
PPE GENPAR, INC.**

April 3, 2023

The undersigned, being all the members of the Board of Directors of PPE Genpar, Inc., a Texas corporation (the “**Company**”), hereby consent to the following actions taken without a meeting:

WHEREAS, the Company is the sole general partner of Lyne Realty, L.P., a Texas limited partnership (“**Lyne Realty**”);

WHEREAS, Lyne Realty has entered into that certain Commercial Purchase Agreement dated March 3, 2023 (the “**Purchase Agreement**”), by and between Cold Steel Properties, LLC, an Idaho limited liability company, as Seller (“**Seller**”), and Lyne Realty, as Purchaser (“**Purchaser**”), pursuant to which Lyne Realty has agreed to purchase from Seller that certain real property located at 15854 and 15900 Gunfire Road, Caldwell, Idaho, and being more particularly described in the Purchase Agreement; and

WHEREAS, the undersigned have determined that it is in the best interests of the Company to: (i) ratify the execution and delivery of the Purchase Agreement; and (ii) consummate the transactions contemplated by the Purchase Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the form, terms and provisions of the Purchase Agreement, the terms and conditions thereof relating to the consummation of the transactions as contemplated therein, and the mode of carrying the same into effect, are hereby approved, ratified and confirmed in all respects; and further

RESOLVED, that any officer of the Company, including, without limitation, Randall Lyne, in his capacity as President of the Company, and Craig Shelton, in his capacity as Vice President of the Company (collectively, the “**Authorized Representatives**”), jointly or severally, are hereby authorized, empowered and directed, for and in the name and on behalf of the Company and Lyne Realty, to consummate the transactions contemplated by the Purchase Agreement and, in connection therewith, to execute and deliver, as applicable; (i) any and all agreements, documents, certificates or forms of any nature whatsoever incidental to, required by, relating to, arising out of or in connection with, or that may be requested in connection with, (a) the consummation of the transactions contemplated by the Purchase Agreement or these resolutions, and/or (b) performance of Lyne Realty’s obligations under the Purchase Agreement in accordance with the terms thereof (all such agreements, documents, certificates or forms, collectively, the “**Ancillary Documents**”); (ii) waivers of (a) any conditions to the consummation of the transactions contemplated by the Purchase Agreement or the Ancillary Documents, or (b) the performance of or compliance with any of the agreements and conditions of any of the parties to the Purchase Agreement and the Ancillary Documents; and (iii) to execute and deliver, or cause to be executed and delivered, all such further papers, documents and instruments of any type and description to effect the purposes

and intent of the foregoing resolutions or to consummate any of the transactions contemplated by the Purchase Agreement; and further

RESOLVED, that, upon the execution and delivery, as applicable, by any Authorized Representative of any such Ancillary Document, waiver, amendment or supplement authorized in the foregoing resolution, (i) each such Ancillary Document, waiver, amendment and supplement shall constitute and evidence the act and deed of the Company for all purposes, and (ii) the execution and delivery thereof, as applicable, shall be considered conclusive evidence of such Authorized Representative's approval thereof and the approval and ratification thereof by the undersigned and the Company, as applicable; and further

RESOLVED, that any and all actions taken, done or performed in connection with the authority granted by the foregoing resolutions, as well as any and all actions, of any nature whatsoever, heretofore taken by the managers, officers, agents, attorneys or other representatives of the Company incidental to, contemplated by, arising out of or in connection with, or otherwise relating to, in any manner whatsoever, the subject of the foregoing resolutions, are hereby approved, ratified and confirmed in all respects as the act and deed of the Company.


SIGNATURES APPEAR ON THE FOLLOWING PAGE

IN WITNESS WHEREOF, the undersigned have executed this unanimous written consent in multiple counterparts, as of the respective dates set forth below, each of which together shall be considered on original, and whether by original, DocuSign, or facsimile signature shall be effective in all respects as though an original.

DATE:


DIRECTORS:

Apr 5, 2023


RANDY LYNE (Apr 5, 2023 10:03 CDT)

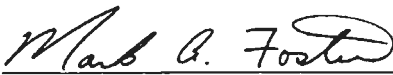
Randall C. Lyne

Apr 5, 2023



B. Scott Sizemore

Apr 5, 2023




Mark A. Foster

Apr 15, 2023


Bill Branum (Apr 15, 2023 20:05 CDT)

Bill M. Branum

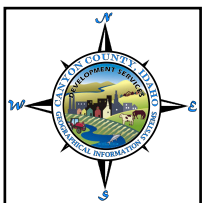
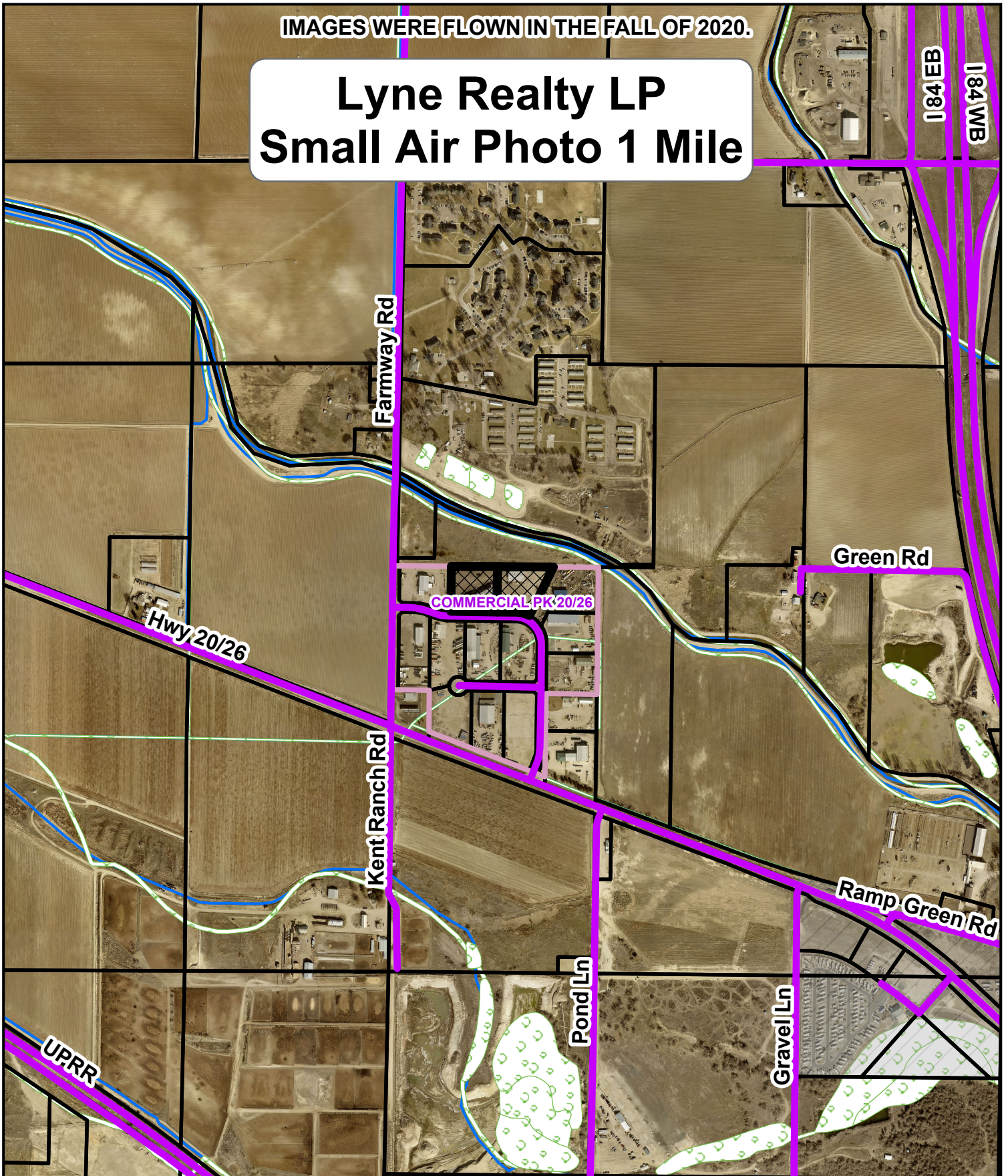
Apr 5, 2023


Craig Shelton (Apr 5, 2023 10:02 CDT)

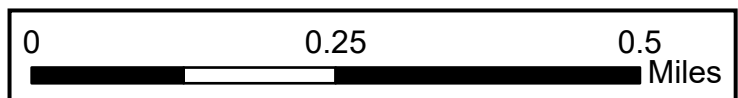
S. Craig Shelton

IMAGES WERE FLOWN IN THE FALL OF 2020.

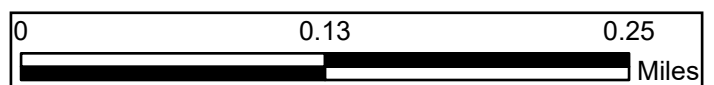
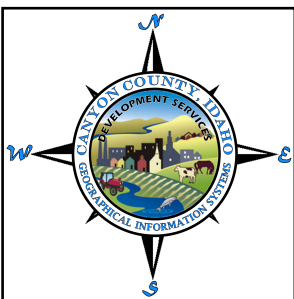
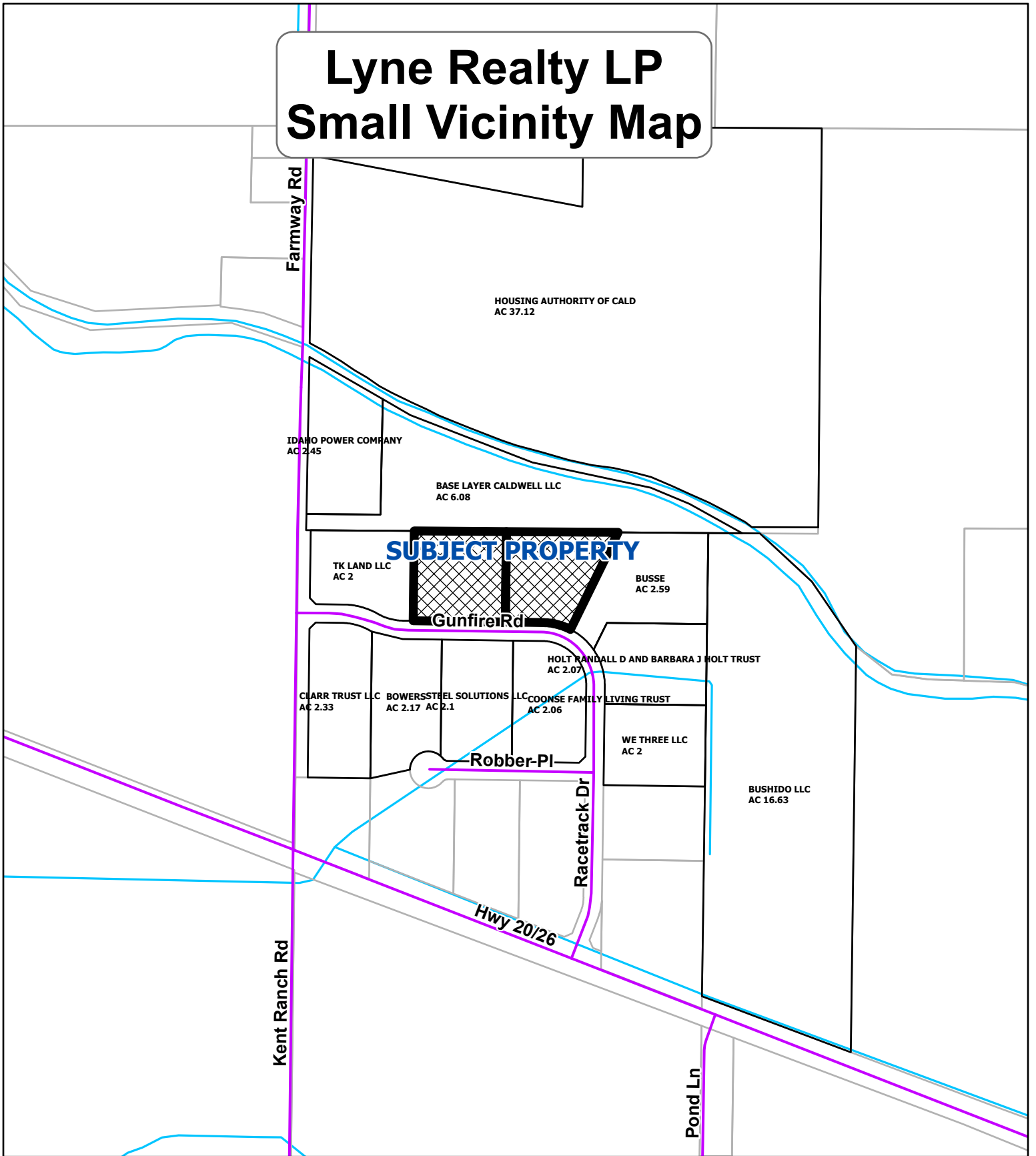
Lyne Realty LP Small Air Photo 1 Mile



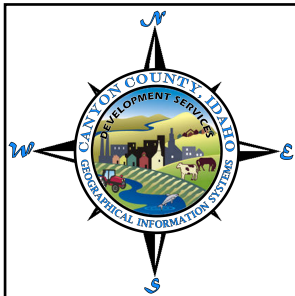
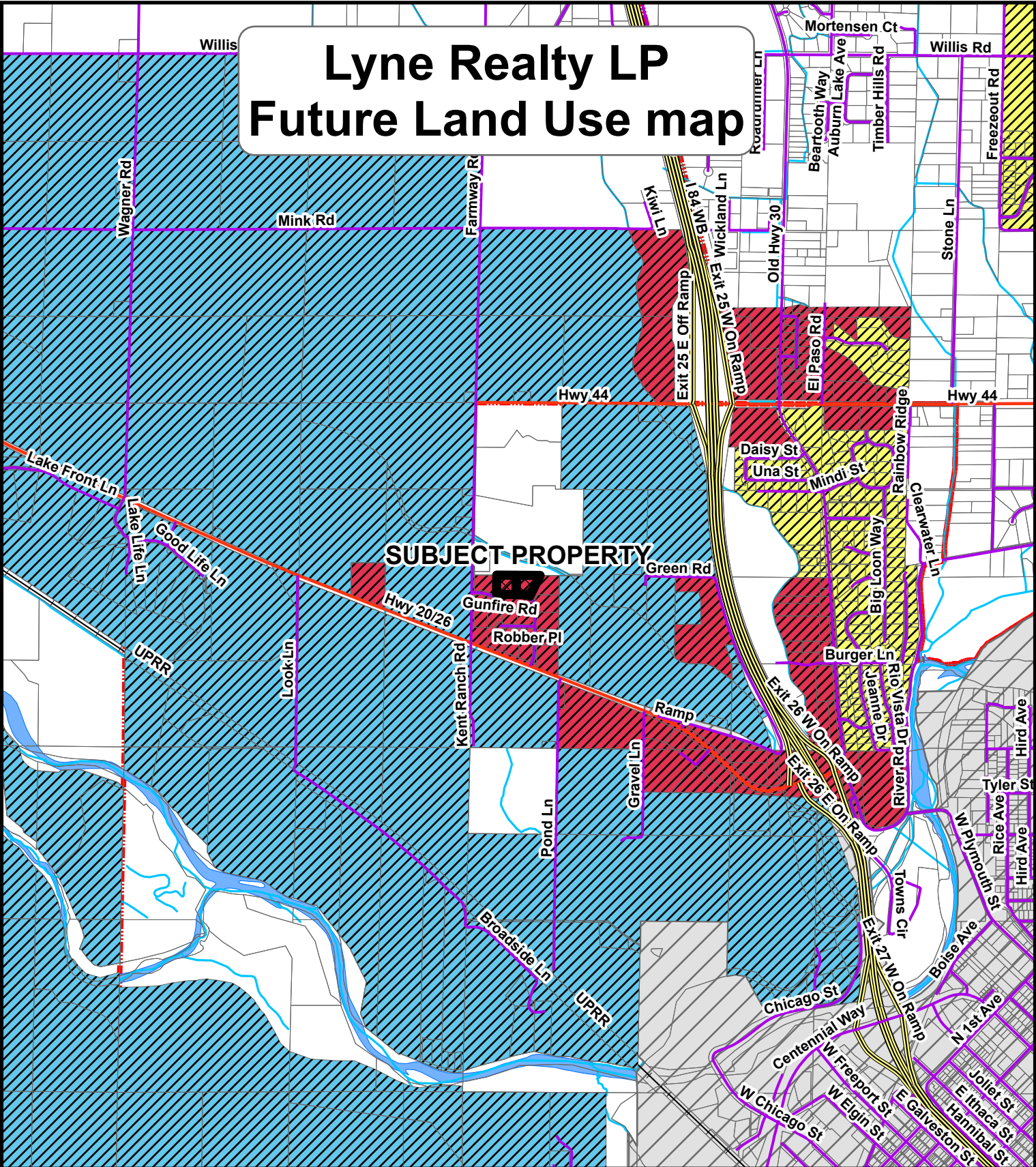
	City Limits
	Wetlands



Lyne Realty LP Small Vicinity Map

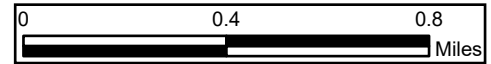


Lyne Realty LP Future Land Use map



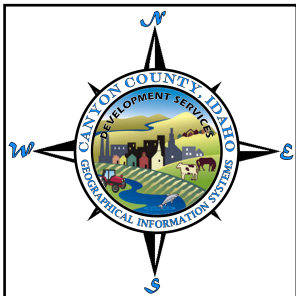
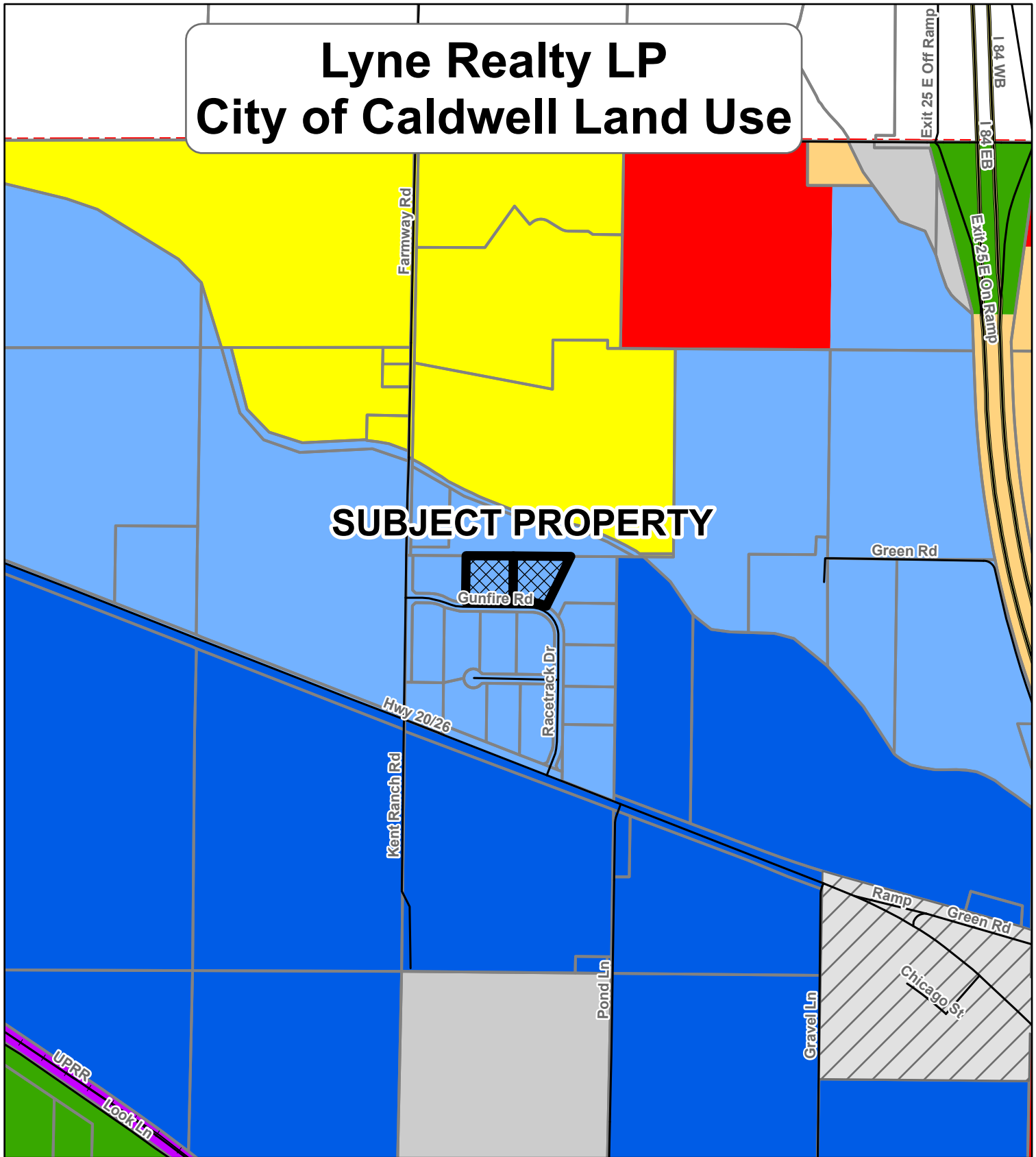
Legend
Future Land Use 2030

- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL

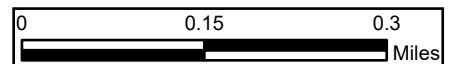


Lyne Realty LP City of Caldwell Land Use

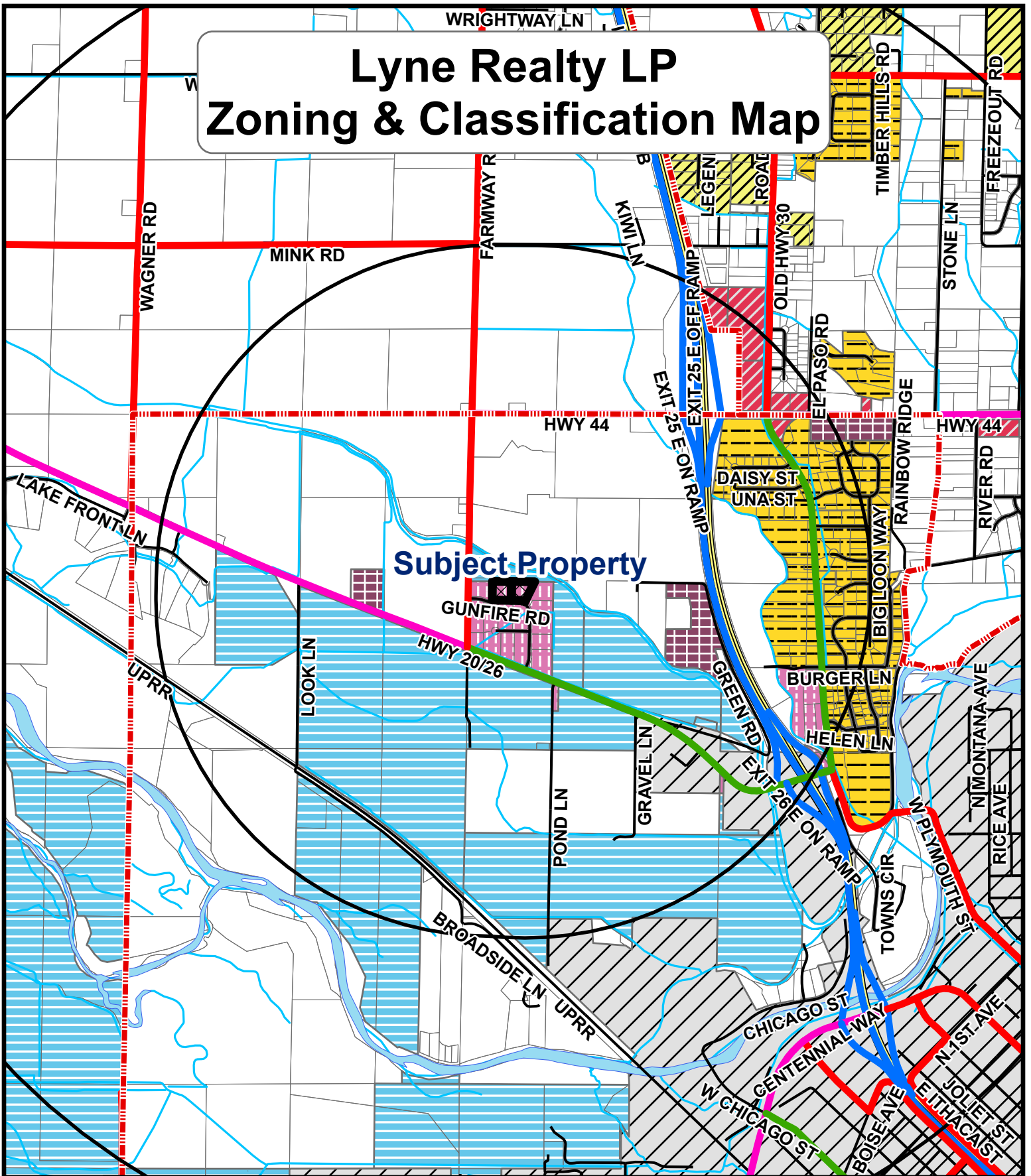
SUBJECT PROPERTY



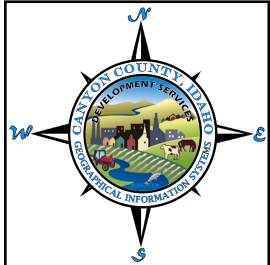
Cald Comp Plan	
■ Residential Estates	■ Commercial & Service
■ Low Density Residential	■ Traditional Neighborhood
■ Medium Density Residential	■ Highway Corridor
■ High Density Residential	■ Manufacturing & Production
■ City Center	■ Industrial
■ Institutional	■ Rail Facilities
■ Business	■ Public
	■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



Lyne Realty LP Zoning & Classification Map



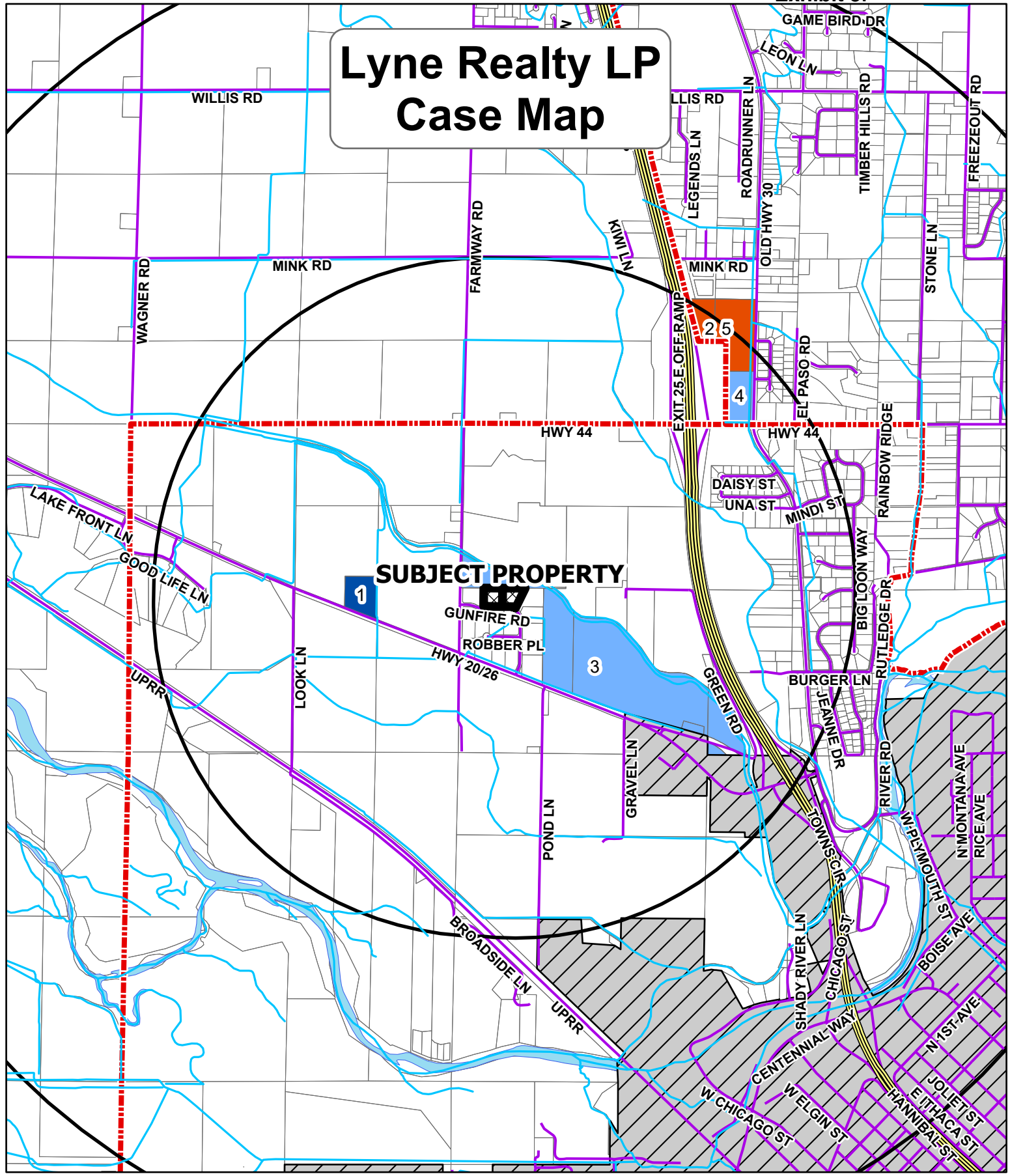
Subject Property



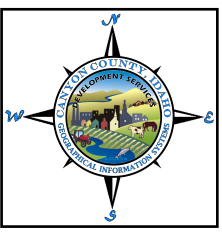
Current Zoning	C1	AG	ITD Functional Classification
RR	CR-C1	Interstate	
CR-RR	C2	Major Collector	
R1	CR-C2	Minor Arterial	
CR-R1	M1	Minor Collector	
R2	CR-M1	Other Principal Arterials	
C	M2		



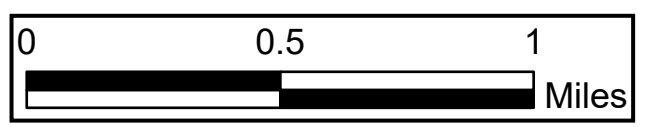
Lyne Realty LP Case Map



SUBJECT PROPERTY



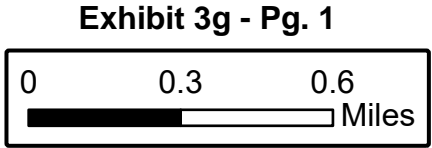
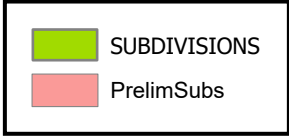
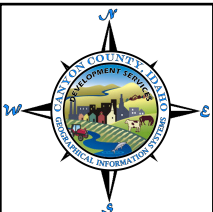
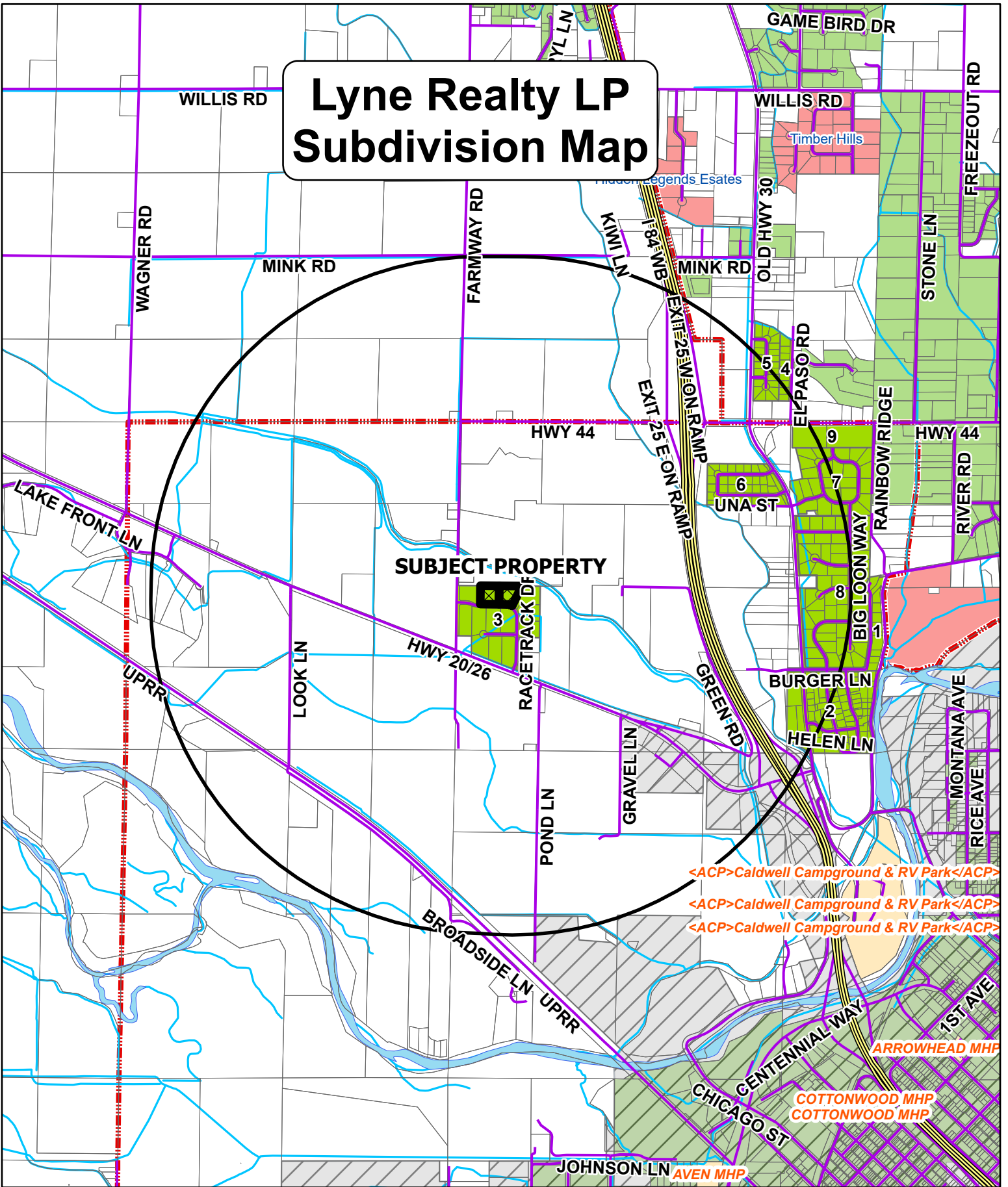
YEAR	
2023	2020
2022	2019
2021	2018



CASE SUMMARY

ID	CASENUM	REQUEST	CASENAME	FINALDECIS
1	PH2017-43	Rezone AG to CR-C2 & Comp Plan Change AG to Com	Blue Barn Produce	APPROVE
2	RZ2018-0040	Rezone AG to C1	BAAS Group LLC	APPROVED
3	RZ2021-0052	Rezone & Comp Plan Change to AG & Com to Ind	EL64, LLC	APPROVED
4	RZ2022-0009	Rezone AG to C1	Oregon Trail Chruch of God	APPROVED
5	CU2021-0009	Planned Unit Development	Sage Gate Storage & Business Park	DENIED

Lyne Realty LP Subdivision Map



SUBDIVISION & LOT REPORT

NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
9	221.16	261	0.85
NUMBER OF SUBS IN PLATTING	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
0	0	0	0
NUMBER OF LOTS NOTIFIED	AVERAGE	MEDIAN	MINIMUM
21	8.31	2.10	1.58
NUMBER OF MOBILE HOME PARKS	ACRES IN MHP	NUMBER OF SITES	AVG HOMES PER ACRE
0	0	0	0
		MAXIMUM	MAXIMUM
		0	47.22

PLATTED SUBDIVISIONS

SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF...	Year
RUTLEDGE RANCH SUB	1	4N3W10	10.75	13	0.83	COUNTY (Canyon)	1965
RIO VISTA ACRES SUB	2	4N3W10	41.64	88	0.47	COUNTY (Canyon)	1961
COMMERCIAL PK 20/26	3	4N3W09	31.97	14	2.28	COUNTY (Canyon)	2000
FOREST HILLS ESTATES	4	4N3W04	4.82	9	0.54	COUNTY (Canyon)	1987
FOREST HILLS ESTATES #2	5	4N3W04	11.35	21	0.54	COUNTY (Canyon)	1996
MOUNTAIN GEM ESTATES	6	4N3W09	17.72	37	0.48	COUNTY (Canyon)	1996
SOUTHWICK ESTATES	7	4N3W09	29.57	24	1.23	COUNTY (Canyon)	2007
TAYLOR RIDGE SUBDIVISION	8	4N3W10	62.78	53	1.18	COUNTY (Canyon)	2007
NORTH SOUTHWICK COMMERCIAL SUBDIVISION	9	4N3W10	10.55	2	5.27	COUNTY (Canyon)	2017

SUBDIVISIONS IN PLATTING

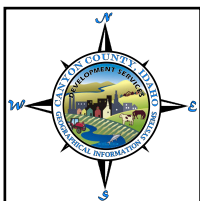
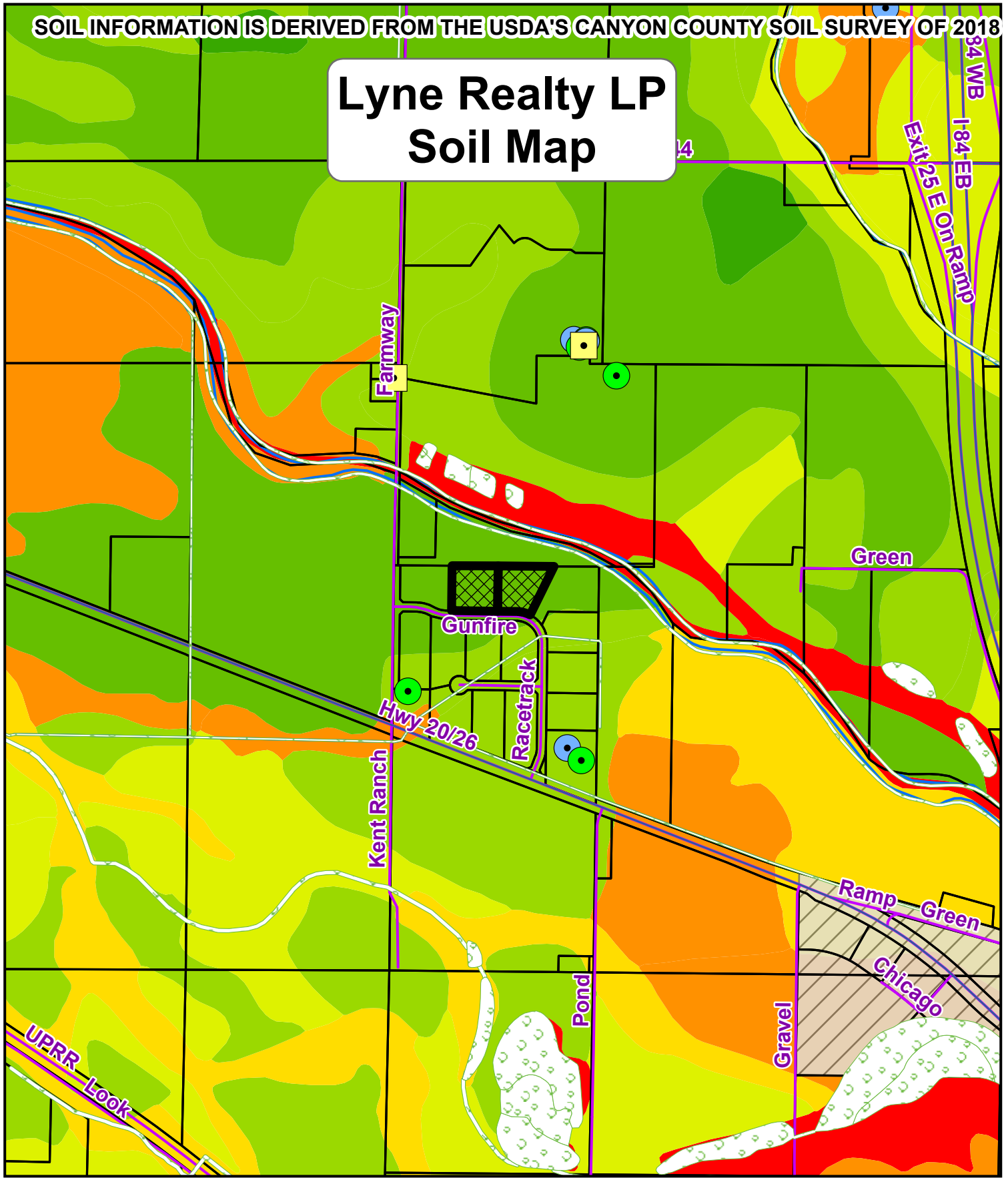
SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE





MOBILE HOME & RV PARKS

SUBDIVISION NAME	SITE ADDRESS	ACRES	NO. OF SPACES	UNITS PER ACRE	CITY OF...

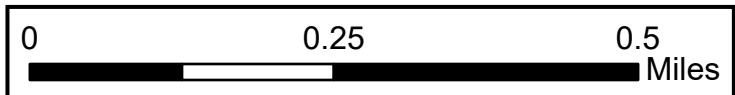
SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018

Lyne Realty LP Soil Map

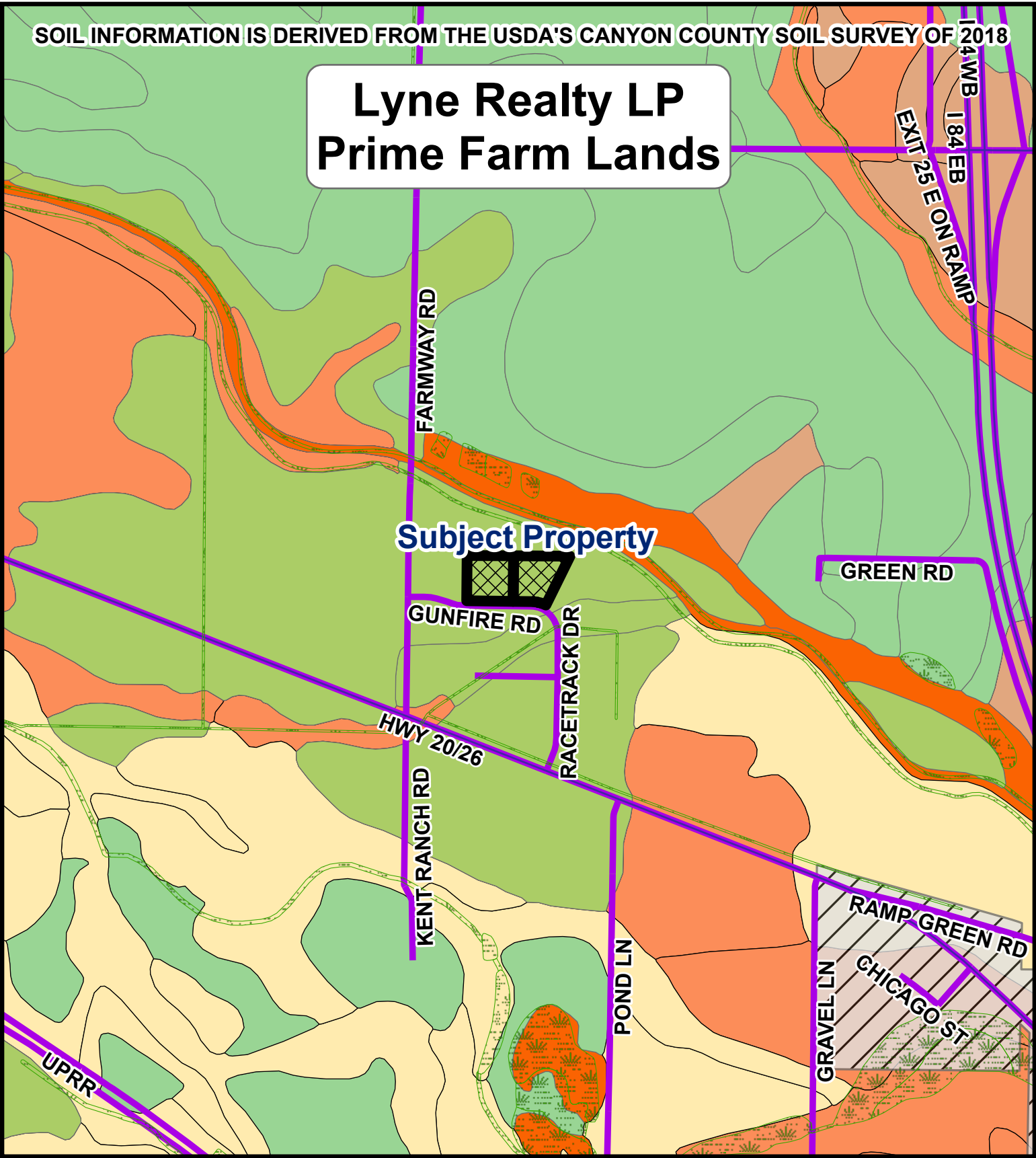


- Nitrate Priority Wells**
-  0.005000 - 2.000000
 -  2.000001 - 5.000000
 -  5.000001 - 10.000000
 -  10.000001 - 49.800000

-  IDWR_2C_Geothermal_
-  Wetlands



Lyne Realty LP Prime Farm Lands

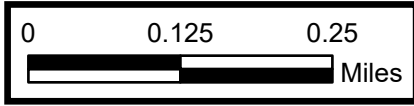


Subject Property



- TAXLOTS
- City Limits
- WETLANDS
- 2C_Hydro

- 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



SOIL REPORT

SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE
2	BEST SUITED SOIL	175067.64	4.02
		175067.64	4.02

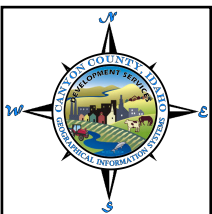
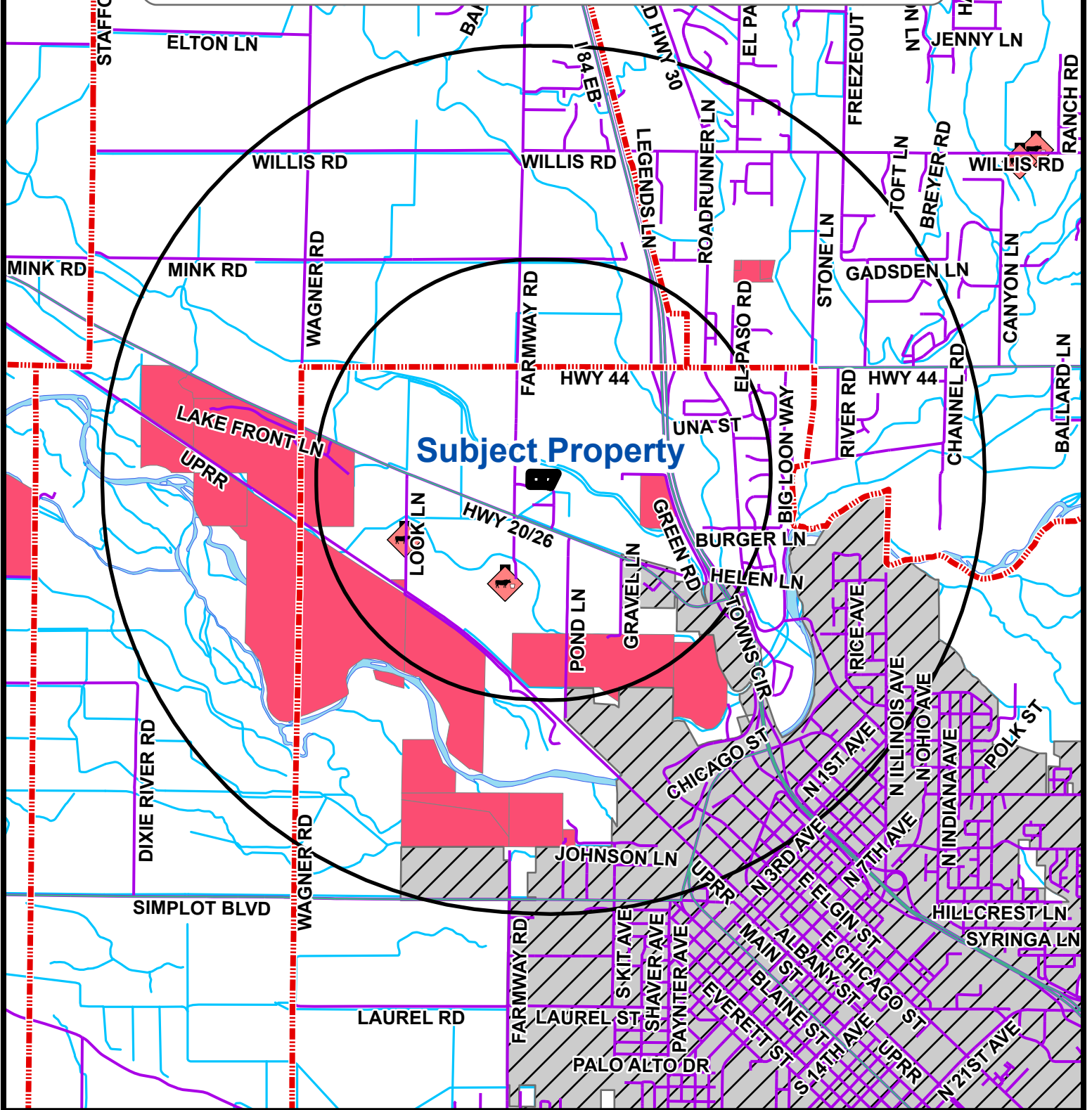
FARMLAND REPORT




SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE
BrA	Prime farmland if irrigated and reclaimed of excess salts and sodium	175067.64	4.02
		175067.64	4.02

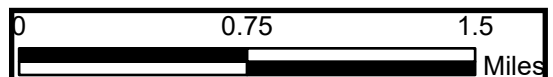
SOIL INFORMATION IS DERIVED FROM THE USDA's CANYON COUNTY SOIL SURVEY OF 2018

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

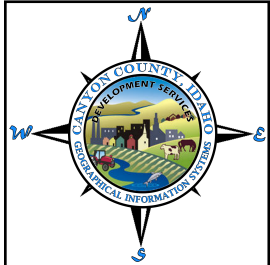
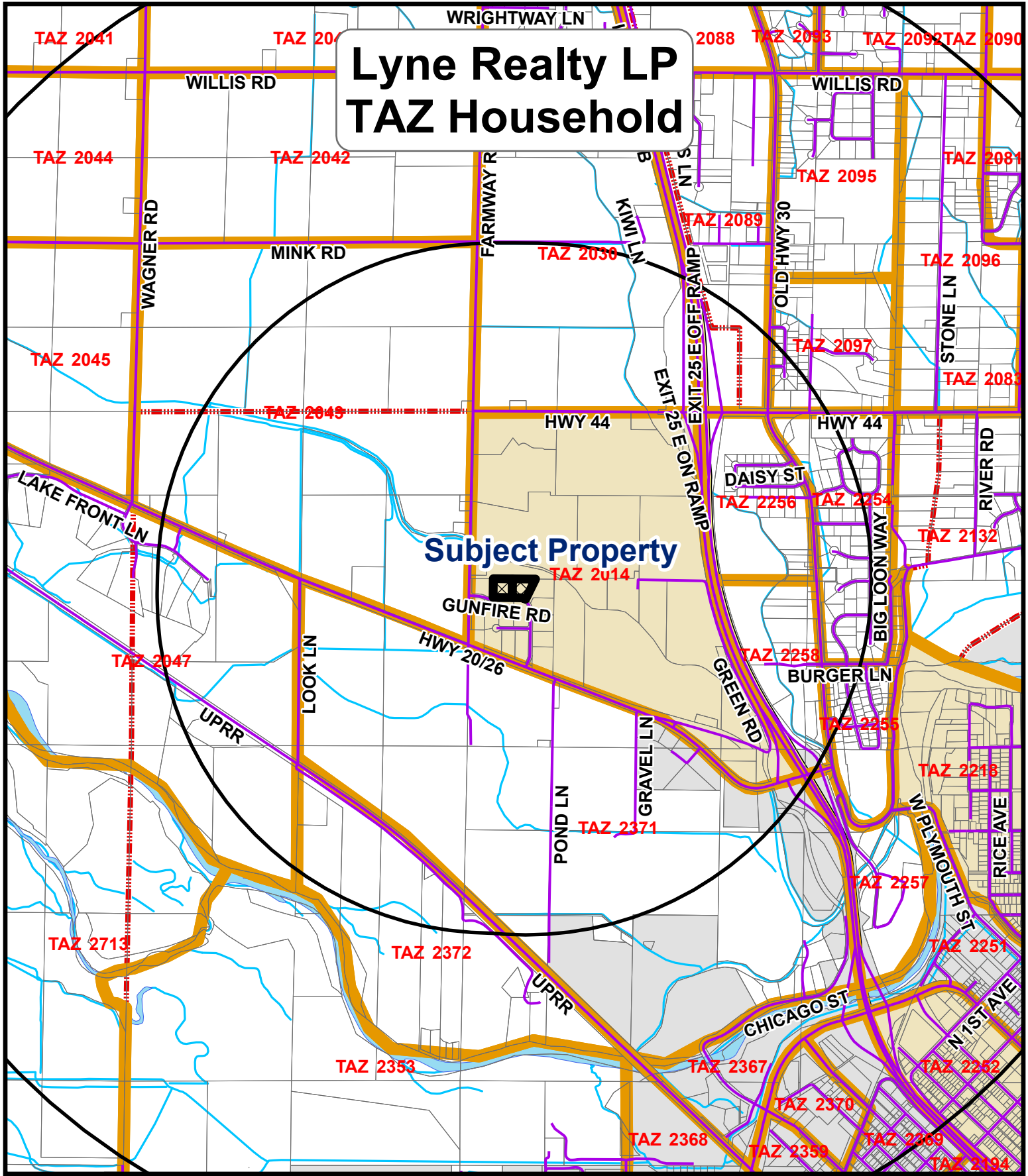
Lyne Realty LP Dairy, Feedlot, and Gravel Pit Map



-  FEEDLOTS
-  DAIRIES
-  GRAVELPITS



Lyne Realty LP TAZ Household



House Hold 2025-2050

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





**Your Safety • Your Mobility
Your Economic Opportunity**

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

February 20, 2024

Dan Lister
Principal Planner, Canyon County Development Services Department
111 North 11th Ave., Ste 310
Caldwell, Idaho 83605

VIA EMAIL

Development Application	CU2023-0010
Project Name	Lyne Realty
Project Location	Approx .16 miles N of US20/26 MP 21.07
Project Description	CU permit for wholesale distributor in an Industrial parcel
Applicant	Seth Sheets; Preferred Pump

The Idaho Transportation Department (ITD) reviewed the referenced application(s) and has the following comments:

1. This project does not abut the State Highway system.
2. Traffic generation numbers were not provided with this application. ITD needs more information to determine how this proposed use will impact the State Highway system. If the project will generate significant traffic impacts, mitigations to maintain the safety and mobility of the highway may be recommended.
3. ITD reserves the right to make further comments upon review of the requested traffic generation data.
4. UPDATED: ITD withdraws any objection to the proposed application as all access concerns have been addressed with ITD Staff.

If you have any questions, you may contact me at 208-334-8337.

Sincerely,

Niki Benyakhlef

Niki Benyakhlef
Development Services Coordinator
Niki.Benyakhlef@itd.idaho.gov



J-U-B ENGINEERS, INC.

J-U-B COMPANIES



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

January 5, 2024

Canyon County Development Services Department
Attn: Daniel Lister, Planner
111 North 11th Ave., Ste. 310
Caldwell, ID 83605
Phone: (208) 455-6034
Email: daniel.lister@canyoncounty.id.gov

RE: Case Name: Seth Sheets., Case Number: CU2023-0010, Parcel #: R34654201 & R34654202

Ms. Root:

On behalf of the Notus Parma Highway District No. 2 (NPHD), J-U-B Engineers, Inc. has reviewed the supporting information associated with the subject Conditional Use Permit application to allow a warehousing, wholesaling, and distribution facility on parcel R34654201 & R34654202 submitted to NPHD in an email dated January 4, 2024. The subject parcel is located at 15854 and 15900 Gunfire Road, approximately 600 feet east of the Farmway Road intersection in the SW1/4 of Section 9, T4N, R3W, BM, Canyon County, ID and is approximately 4-acres in size.

Gunfire Road is classified as a Local Road per the 2022 ACCHD Standards. Minimum driveway spacing is 140-ft for Minimum Use <50 vehicle trips/day or 5 trips in the peak hour or 270-ft for a Minor Generator 51 to 2,500 vehicle trips per day.

Based upon the information provided, the following findings and conditions of approval apply:

1. Application requirements shall meet 2022 ACCHD Standards.
2. Additional information including a narrative explaining the intent of the proposed easements is required.
3. Access easements for the proposed parcels need to be prepared and recorded by a licensed Idaho professional land surveyor that include legal descriptions and exhibits.
4. A site visit attended by designated representatives of NPHD is required to address possible site distance issues, if any.

NPHD reserves the right to provide amended comments/conditions of approval in the event of application revision or when additional information becomes available.

NPHD requests Canyon County Development Services incorporate these comments and any subsequent comments into proposed Conditions of Approval for consideration/approval by Canyon County.

Respectfully,

Timothy Blair, P.E.

Program Manager/Regional Lead – Southern ID/OR

CC: Lynn Troxel, NPHD Director of Highways
CC: Jay Kiiha, White Peterson



CITY OF *Caldwell, Idaho*

JAROM WAGONER
Mayor

208.455.3011
(f) 208.455.3003

City Hall
411 Blaine Street
Caldwell, Idaho 83605

Post Office Box
P.O. Box 1179
Caldwell, Idaho 83606

For a list of the City
Council members, visit:
Website
www.cityofcaldwell.org

January 4, 2024

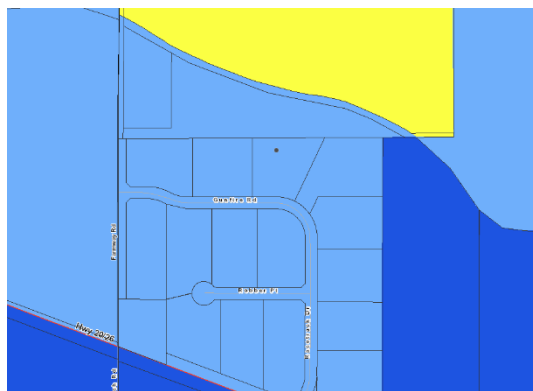
Daniel Lister
Staff Planner
Canyon County Development Services Dept.
111 North 11th Ave. Ste. 340
Caldwell, Idaho 83605

Re: CU2023-0010
Warehousing, Wholesaling and Distribution Facility
15854 and 15900 Gunfire Road
Caldwell, Idaho

Dear Mr. Lister

Our office received your notification regarding the conditional use application for a Warehousing, Wholesaling and Distribution Facility at 15854 and 15900 Gunfire Road.

This parcel is located within the City of Caldwell’s Area of City Impact and within close proximity to the City of Caldwell’s incorporated limits.



Comprehensive Plan Map Legend:

Light Blue = Manufacturing & Production

Dark Blue = Industrial

Yellow = Medium Density Residential

The subject parcels are designated as Manufacturing & Production in the City of Caldwell’s Comprehensive Plan, and the corresponding zoning designation would allow for distribution and warehousing.

“The Treasure of the Valley”

While the City is not opposed to the proposed land use, the City would ask that any outdoor storage areas be screened with a minimum six foot high sight obscuring fence to help eliminate the impacts to the residential properties to the South.

In addition, the City of Caldwell would request that landscaping be installed in accordance with the City of Caldwell landscaping ordinances. This would include a minimum 10' foot wide landscape buffer along Gunfire Road which includes a minimum of seventy percent (70%) grass sod, 2" caliper trees every thirty-five linear feet and one shrub for every seven linear feet of buffer area.

Sincerely,

Robin Collins
Director
City of Caldwell Planning and Zoning Department

1445 N. Orchard St.
Boise ID 83706 • (208) 373-0550



Brad Little, Governor
Jess Byrne, Director

January 17, 2024

Daniel Lister, Assistant Planning Manager
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
Daniel.Lister@canyoncounty.id.gov

Subject: Case No. CU2023-0010 Lyne Realty

Dear Mr. Lister:

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), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

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 Construction General Permit from DEQ may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
 - 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 Rebecca Blankenau, 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,



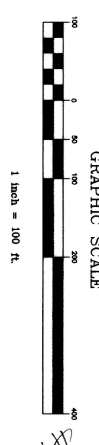
Aaron Scheff
Regional Administrator

c:

2021AEK

PLAT SHOWING
20/26 COMMERCIAL PARK
 LYING IN A PORTION OF THE SW 1/4 OF SECTION 9,
 T.4N., R.3W., B.M., CANYON COUNTY, IDAHO
 2000

RECORDED
 00 JUL 13 PM 3 46
 CANYON COUNTY RECORDER
 G NOEL HALES
 BY
 200024601



- LEGEND**
- ▲ CALCULATION POINT - NOT SET
 - FOUND BRASS CAP
 - SET 5/8" X 30" REBAR W/CAP
 - SET 1/2" X 24" REBAR W/CAP
 - FND. 5/8" X 30" REBAR W/CAP
 - EASEMENT LINE
 - PROPERTY BOUNDARY
 - CENTERLINE
 - LOT LINE
 - ③ BLOCK NUMBER

NOTES

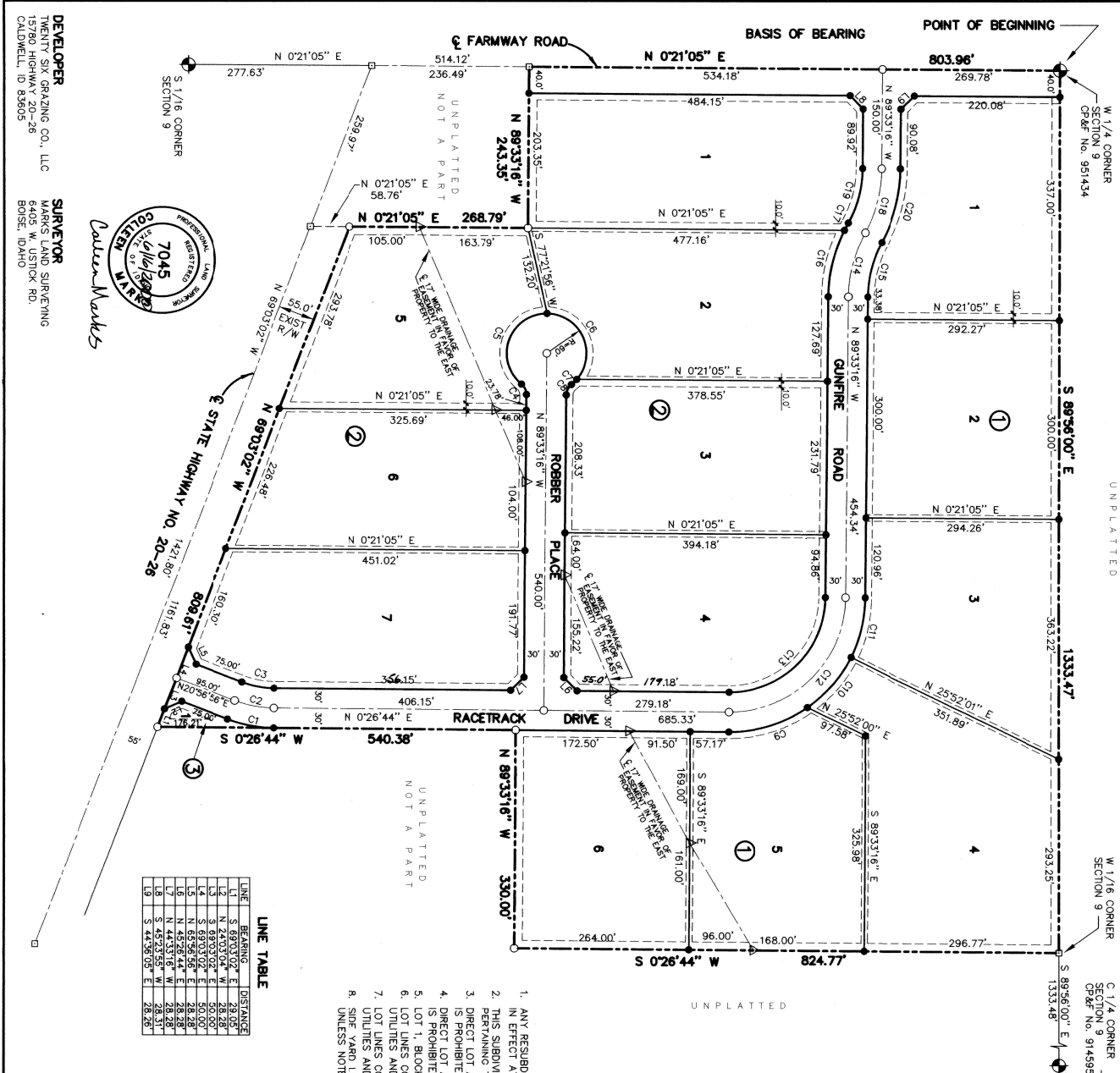
1. ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RESUBDIVISION.
2. THIS SUBDIVISION IS SUBJECT TO COMPLIANCE WITH THE IDAHO CODE SECTION 31-3805 PERTAINING TO IRRIGATION WATERS.
3. DIRECT LOT ACCESS FROM STATE HIGHWAY 20-26 TO LOTS 5, 6 AND 7, BLOCK 2
4. DIRECT LOT ACCESS FROM FARMLAND ROAD TO LOT 1, BLOCK 1 AND LOT 1, BLOCK 2
5. UNPLATTED
6. LOT 1, BLOCK 3 IS A NON-BUILDABLE OPEN AREA LOT
7. LOT LINES COMMON TO THE SUBJECT UNLESS NOTED OTHERWISE
8. UTILITY LINES COMMON TO A PUBLIC RIGHT OF WAY HAVE A 10' WIDE PERMANENT PUBLIC UTILITIES AND DRAINAGE EASEMENT UNLESS NOTED OTHERWISE
9. UNPLATTED
10. SIDE YARD LOT LINES HAVE A 5' WIDE PERMANENT PUBLIC UTILITIES AND DRAINAGE EASEMENT, UNLESS NOTED OTHERWISE.

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	CHD. BEARING	DELTA
C1	200.00'	71.57'	36.17'	71.19'	N 10°41'50" E	20°30'12"
C2	170.00'	60.83'	30.75'	60.51'	N 10°41'50" E	20°30'12"
C3	140.00'	50.10'	25.32'	49.83'	N 10°41'50" E	20°30'12"
C4	110.00'	39.37'	19.89'	39.10'	N 10°41'50" E	20°30'12"
C5	80.00'	28.64'	14.46'	28.37'	N 10°41'50" E	20°30'12"
C6	50.00'	17.91'	8.93'	17.64'	N 10°41'50" E	20°30'12"
C7	20.00'	7.18'	3.60'	7.07'	N 10°41'50" E	20°30'12"
C8	200.00'	142.91'	68.61'	142.32'	S 69°53'16" E	51°19'12"
C9	200.00'	101.46'	50.72'	100.87'	S 69°53'16" E	51°19'12"
C10	200.00'	101.46'	50.72'	100.87'	N 28°52'01" E	28°52'01"
C11	205.00'	101.46'	50.72'	100.87'	N 28°52'01" E	28°52'01"
C12	175.00'	87.48'	43.82'	87.14'	N 28°52'01" E	28°52'01"
C13	145.00'	73.72'	37.00'	73.35'	N 28°52'01" E	28°52'01"
C14	115.00'	60.00'	30.00'	59.63'	N 28°52'01" E	28°52'01"
C15	85.00'	46.25'	23.12'	45.87'	N 28°52'01" E	28°52'01"
C16	55.00'	32.50'	16.25'	32.12'	N 28°52'01" E	28°52'01"
C17	25.00'	14.25'	7.12'	14.06'	N 28°52'01" E	28°52'01"
C18	200.00'	101.07'	50.54'	100.50'	N 75°04'37" W	28°52'18"
C19	200.00'	101.07'	50.54'	100.50'	N 75°04'37" W	28°52'18"
C20	230.00'	116.23'	58.12'	115.00'	N 75°04'37" W	28°52'18"

LINE TABLE

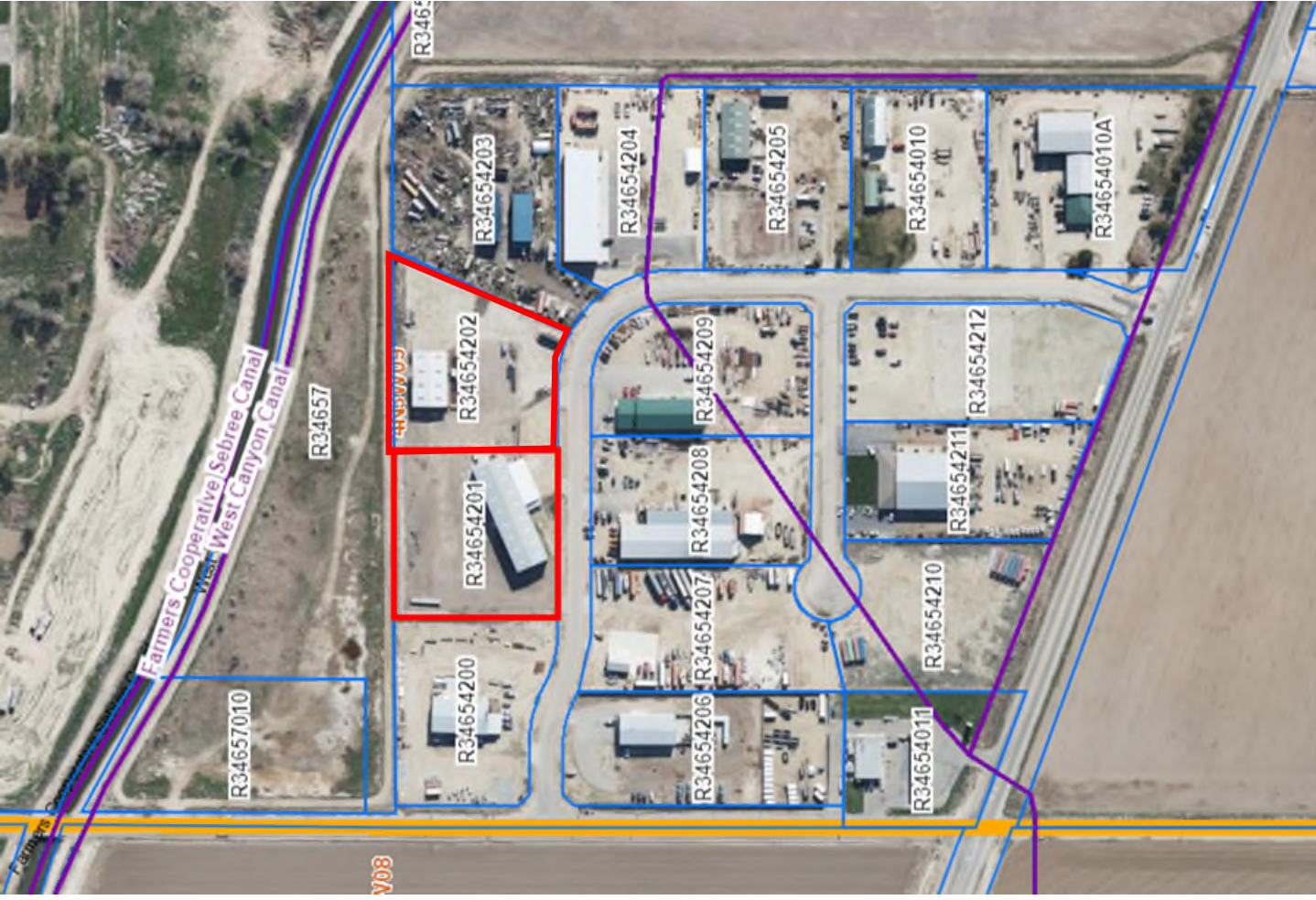
LINE	BEARING	DISTANCE
L1	S 89°33'16" E	29.05'
L2	S 89°33'16" E	28.28'
L3	N 2°03'04" W	28.28'
L4	S 89°33'16" E	50.00'
L5	N 65°56'45" E	28.28'
L6	N 45°56'44" E	28.28'
L7	N 44°33'16" W	28.28'
L8	S 45°33'55" E	28.31'
L9	S 44°30'55" E	28.28'



DEVELOPER
 TWENTY SIX GRAZING CO., LLC
 15780 HIGHWAY 20-26
 CALDWELL, ID 83605

SURVEYOR
 MARKS LAND SURVEYING
 6405 W. USTICK RD.
 BOISE, IDAHO





Site Visit
CU2023-0010
3/1/2024

View of Parcel R34654202 of the request (north to northeast). The parcel and neighbors have chain-link fencing. East as Gunfire Road bends south, Bennett Machine is adjacent.





Parcel R34654201 access

Parcel R34654202 access



View of Parcel R34654201 and 202 (north to west). Shows both access point leading to the existing building and yard previous use for Outland Steel.

Gunfire Road is show going west toward Farmway Road, both public roads.



View along south boundary of the subject parcel, the building and property is surrounded by chain-link fencing. Weeds and grass existing on-site.

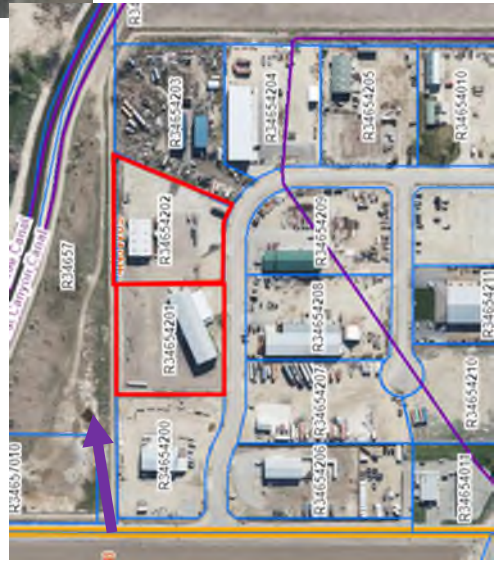




View of Parcel R34654201 (north east to east). Picture taken from back access point leading of the existing building and yard previous use for Outland Steel. Gunfire Road is show going east toward Bennett Machine where it bends south toward HWY 20/26.



View of Parcel R34654201 (north east to east). Picture taken from back access point near the existing building and yard previous use for Outland Steel. West boundary appears to have a ditch with weeds as it abuts Conmas Supply.



View of the back parcels north of the existing commercial subdivision. The area includes the West Canyon Canal and Farmers Cooperative Sebree Canal. At the top of the grade is Caldwell Housing Authority property.



Across the street (south) is Coonse Drilling and Pump Co.





Across the street (south) is PMW – Pacific Metal Works, Inc.





Across the street
(southwest) is RV
Truck N stuff –
Parking & Storage





500 ft South on Robber Place is Canyon Truck UpFitters





300 ft southwest on
Gunfire Road is Blue
Ribbon and
Independent Metal
Fab





**PLANNING OR ZONING COMMISSION
FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

In the matter of the application of:

Lyne Realty, L.P. – CU2023-0010

The Canyon County Planning and Zoning Commission considers the following:

- 1) Conditional Use Permit to allow a warehousing, wholesaling, and distribution facility on Parcels R34654201 and R34654202, approximately four (4) acres total.

[Case #CU2023-0010, 15854 and 15900 Gunfire Road, Caldwell, a portion of the SW quarter of Section 9, T4N, R3W, BM, Canyon County, Idaho.]

Summary of the Record

1. The record is comprised of the following:

A. The record includes all testimony, the staff report, exhibits, and documents in Case File CU2023-0010.

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code §01-17 (Land Use/Land Division Hearing Procedures), Canyon County Code §07-05 (Notice, Hearing and Appeal Procedures), Canyon County Code §07-07 (Conditional Use Permits), Canyon County Code §07-02-03 (Definitions), Canyon County Code §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6512 (Special Use Permits, Conditions, and Procedures), and Canyon County Code §09-01-25, Caldwell - Area of City Impact Agreement).
 - a. Notice of the public hearing was provided pursuant to CCZO §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* CCZO §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, CCZO §07-07-17, and 07-07-19.
2. The commission shall have those powers and perform those duties assigned by the board that are provided for in the local land use planning act, Idaho Code, title 67, chapter 65, and county ordinances. CCZO §07-03-01, 07-07-01.
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 County 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, including whether the proposed use is essential or desirable to the public welfare, are satisfied. CCZO §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. CCZO 07-05-03(1)(I).

The application, Case No. CU2023-0010, was presented at a public hearing before the Canyon County Planning and Zoning Commission on March 21, 2024. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Canyon County Planning and Zoning Commission decided as follows:

CONDITIONAL USE PERMIT HEARING CRITERIA – CCZO §07-07-05

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

Conclusion: The property is zoned “C-2” (Service Commercial). A warehousing, wholesaling, and distribution facility is permitted in a “C-2” Zone subject to conditional use permit approval.

Findings:

- (1) On June 2, 2023, an application was submitted by the applicant requesting a conditional use permit on Parcels R34654201 and R34654202 to establish a warehousing facility (Exhibit 2, Staff Report). Per CCZO §07-10-27, a warehousing, wholesaling, and distribution facility is permitted in a “C-2” Zone subject to conditional use permit approval.
- (2) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0010.

2. What is the nature of the request?

Conclusion: Per the applicant’s submittal packet (Exhibit 2, Staff Report), the warehousing facility will support Preferred Pump and Equipment, a nationwide wholesale distributor of pump and drilling materials. Approximately 10-15 employees will be located at the facility. Hours of operation are 7 am to 5 pm, Monday through Friday. The subject parcels are served by a private well and septic system. Any landscaping will be irrigated from the well. Traffic generated will be from employees, LTL (Less-than-Truck Load)/common carriers, and local contractor pickup.

Findings:

- (1) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0010.

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

Conclusion: The request is consistent with the 2030 Canyon County Comprehensive Plan.

Findings:

- (1) The property is designated as “commercial” in the future land use map within the 2023 Canyon County Comprehensive Plan (Exhibit 3c, Staff Report). *The commercial designation is intended to encourage commercial uses which can provide goods and services to businesses, travelers, and residents of the County (Pg. 25 of the 2030 Comp. Plan).*
- (2) The request aligns with the following goals and policies of the 2030 Comprehensive Plan:
 - *G1.01.00: Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.*
 - *G1.02.00: Acknowledge the responsibilities of each property owner as a steward of the land, use their property wisely, maintain it in good condition and preserve it for future generations without becoming a public nuisance.*

- *G2.02.00: Promote housing, business, and service types needed to meet the demand of the future and existing population.*
- *G3.05.00: Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability.*
- *G4.02.00: Ensure that growth maintains and enhances the unique character throughout the County.*
- *G4.03.00: Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning.*
- *P4.04.00: Align planning efforts in areas of city impact.*
- *G5.06.00: Encourage downward-facing lighting to improve public safety.*
- *G8.02.00: Provide safe transportation improvements for all users and connections to adjacent areas.*

(3) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0010.

(4) Evidence includes associated findings and evidence supported within this document.

4. Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?

Conclusion: The request is located within a commercial subdivision and the area is zoned for heavy commercial and industrial uses.

- Findings:**
- (1) The subject properties are located in 20/26 Commercial Park Subdivision approved in 2000 (Exhibit 5, Staff Report) zoned “C-2” (Exhibit 3e, Staff Report). include Conmas Construction Supply (abuts the subject properties along the west boundary), Bennett Machine and Welding (abuts the subject properties on the east boundary), Coonse Drilling and Pump and Pacific Metal Works (south of the subject parcel), RV Truck N Stuff Parking and Storage, and Canyon Truck Upfitters.
 - (2) North, south, and east of the subdivision are properties zoned “M-1”. To the north, are parcels R34657 (6.08 acres) owned by Base Layer, and R34657010 (2.45 acres) owned by Idaho Power. The parcels are zoned “M-1” (Light Industrial) which was approved in 2022 (RZ2021-0052). To the east are large parcels, including a closed mink farm that was rezoned to “M-1” in 2022 (RZ2021-0052). To the west are properties zoned “A” (Agricultural) which includes Parcel R34600 conditionally rezoned to “CR-C-2” (Conditional Rezone – Service Commercial) in 2018 to allow commercial uses for Blue Barn Produce (PH2017-42 & 43).
 - (3) The parcel is located within the City of Caldwell Area of City Impact. The property is designated as “manufacturing and production” in the future land use map within Caldwell’s Comprehensive Plan (Exhibit 3d, Staff Report). The area is located in the Caldwell urban renewal area (Inst. No. 2022-000961).
 - (4) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on January 3, 2024, and February 6, 2024. The newspaper notice was published on February 9, 2024. Property owners within 600’ were notified by mail on February 6, 2024, and February 21, 2024. The property was posted on February 15, 2024.
 - a. No comments were received from the public of property owners within 600 feet.
 - b. Comments were received from the Idaho Transportation Department (ITD), Notus-Parma Highway District, City of Caldwell, and Idaho Department of Environmental Quality (DEQ). *See Exhibit 4 of the Staff Report.*

- i. The City of Caldwell is not opposed to the requests subject to any outdoor storage being screened with a minimum six-foot-high sight-obscuring fence to help eliminate impacts to residential properties to the South. Additionally, landscaping shall be installed per Caldwell landscaping ordinances which is a 10' minimum foot wide landscape buffer along Gunfire Road which includes 70' grass sod, 2" caliper trees every 35 linear feet, and one shrub every 70 linear feet of buffer area (Exhibit 4c, Staff Report).
- ii. Prior to the commencement of use, Notus-Parma Highway District requires access to comply with 2022 ACCHD Standards including meeting minimum driveway spacing and providing recorded access easement (Exhibit 4b, Staff Report).
- c. Conditions of approval applied to this case ensure minimum local, state, and federal requirements are met and the use minimizes potential impacts, such as parking and lighting, to the surrounding area.

(5) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0010.

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

Conclusion: Prior to the commencement of use, adequate facilities and systems will be provided to accommodate the use.

- Findings:**
- (1) The applicant states in the letter of intent (Exhibit 2, Staff Report), that the subject parcels are served by a private well and septic system. Any landscaping will be irrigated from the well.
 - (2) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on January 3, 2024, and February 6, 2024. The newspaper notice was published on February 9, 2024. Property owners within 600' were notified by mail on February 6, 2024, and February 21, 2024. The property was posted on February 15, 2024.
 - a. No comment was received from Southwest District Health. As a condition of approval, the use shall meet all applicable permits and approval prior to the commencement of use (See Condition 8).
 - (3) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0010.
 - (4) Evidence includes associated findings and evidence supported within this document.

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

Conclusion: The properties have direct access to Gunfire Road, a public road.

- Findings:**
- (1) The properties have direct access to Gunfire Road, a public road. The public road was established as part of the commercial plat, 20/26 Commercial Park Subdivision (Exhibit 2 & 5, Staff Report).
 - (2) Parking shall meet the minimum requirements of the Off-street Parking Ordinance (CCZO 07-13-01 and 07-13-03). As a condition of approval, a parking and circulation plan shall be provided to the Development Services Department demonstrating consistency with the Off-Street Parking Ordinance (See Condition 9).
 - (3) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on January 3, 2024, and February 6, 2024. The newspaper notice was published on February 9, 2024. Property owners within 600' were notified by mail on February 6, 2024, and February 21, 2024. The property was posted on February 15, 2024.

- a. Prior to the commencement of use, Notus-Parma Highway District requires access to comply with 2022 ACCHD Standards including meeting minimum driveway spacing and providing recorded access easement (Exhibit 4b, Staff Report). Approval by Notus-Parma Highway District is required as a condition of approval (See Conditions 4 & 9b).
- (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0010.

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

Conclusion: The request is not anticipated to create interference with existing or future traffic patterns.

Findings: (1) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on January 3, 2024, and February 6, 2024. The newspaper notice was published on February 9, 2024. Property owners within 600' were notified by mail on February 6, 2024, and February 21, 2024. The property was posted on February 15, 2024.

- a. Prior to the commencement of use, Notus-Parma Highway District requires access to comply with 2022 ACCHD Standards including meeting minimum driveway spacing and providing recorded access easement (Exhibit 4b, Staff Report). The properties have direct access to Gunfire Road, a public road. The public road was established as part of the commercial plat, 20/26 Commercial Park Subdivision (Exhibit 5, Staff Report). The Notus-Parma Highway District can mitigate any potential traffic impact before the commencement of use through an access/approach permit process. Their comment letter does not find traffic concerns. Approval by Notus-Parma Highway District is required as a condition of approval (See Conditions 4 & 9b).
- b. The Idaho Transportation Department (ITD) has no concerns or objections (Exhibit 4a, Staff Report).

- (2) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0010.

8. Will essential services be provided to accommodate the use including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use?

Conclusion: The request, as conditioned, is not anticipated to impact essential services.

- Findings:**
- (1) The property is located within the Caldwell School District, Caldwell Rural Fire District, Canyon County Sheriff's Department, and Canyon County Paramedics/EMT. No comments were received from the above-affected agencies.
 - (2) As a condition of approval, applicable permits and approvals are required to be obtained from Caldwell Rural Fire District prior to the commencement of use (See Conditions 3 & 9a).
 - (3) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on January 3, 2024, and February 6, 2024. The newspaper notice was published on February 9, 2024. Property owners within 600' were notified by mail on February 6, 2024, and February 21, 2024. The property was posted on February 15, 2024.
 - a. Comments received (Exhibit 4, Staff Report) do not find the request to be impactful subject to conditions.
 - (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0010.

Canyon County Code §09-01-25- CALDWELL AREA OF CITY IMPACT AGREEMENT ORDINANCE

Conclusion: The property is located within the Caldwell Area of City Impact. A notice was sent to the City of Caldwell per Canyon County Code §09-01-25.

- Findings:**
- (1) The subject property is located in the Caldwell Area of City Impact (Exhibit 3d, Staff Report). The Caldwell Area of City Impact Ordinance was adopted in 2005 (Ord No. 05-013). Section 09-01-03(2) of the Ordinance states the purpose of the agreement is to “*promote the public health, safety, general welfare, peace, good order, comfort and convenience of Canyon County and the inhabitants thereof by establishing regulations for the Caldwell area of city impact, and further, to: A. Facilitate Legal Duties Or Parties: To facilitate the legal duties, responsibilities, and authority of Canyon County, Idaho and city of Caldwell, Idaho as is prescribed and provided by the Idaho legislature regarding impact areas; and B. Processing Of Land Use And Land Division Applications: To provide steps and procedures required for processing zoning applications, comprehensive plan and zoning amendments and subdivision plats and land division within the Caldwell area of city impact in accordance with Idaho Code section 67-6526; and C. Economical And Compatible Infrastructure: To identify an urban fringe in the unincorporated area surrounding the city of Caldwell within which there is potential for development or changes in land use that must be planned, designed and constructed in an orderly manner compatible with the city of Caldwell for the city of Caldwell to assure timely and/or economical provision of public services, such as water supply, sewage and storm water collection and treatment, public safety services, airport, parks, and other community service facilities.*”
 - (2) Section 09-01-25 of the Ordinance states: *The following procedures shall be adhered to in processing applications within the Caldwell area of city impact: (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.*

According to Section 09-01-17(3) of the Ordinance, notice shall be provided to the City of Caldwell at least 30 days before the first public hearing. An official notice was provided on January 3, 2024. A Planning and Zoning Commission hearing notice was provided on February 6, 2024.
 - (3) On January 4, 2024, the City of Caldwell submitted a comment letter (Exhibit 4c, Staff Report) stating the subject property is designated as “Manufacturing & Production” in the City’s Comprehensive Plan. The City of Caldwell is not opposed to the requests subject to any outdoor storage being screened with a minimum six-foot-high sight-obscuring fence to help eliminate impacts to residential properties to the South. Additionally, landscaping shall be installed per Caldwell landscaping ordinances which is a 10’ minimum foot wide landscape buffer along Gunfire Road which includes 70’ grass sod, 2” caliper trees every 35 linear feet, and one shrub every 70 linear feet of buffer area.
 - Manufacturing and Production: *This category includes land that is suitable for the manufacturing, processing, assembling, packaging, or fabricating of previously prepared materials, research and development activities, and warehousing. Manufacturing and production uses shall be unobtrusive and not detrimental to surrounding residential and commercial uses. Commercial and service activities that have frontage on collector and arterial roadways or are within a platted industrial park may be permitted (Page 47 of the City’s Plan).*
 - (4) Section 09-01-17(3) states: *If a 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.* The City of

Caldwell's requested conditions of approval have been included as conditions of approval (See Condition 9c).

- (5) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CU2023-0010.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission **approves** Case # CU2023-0010, a conditional use permit to allow a warehousing, wholesaling, and distribution facility on Parcels R34654201 and R34654202 subject to the following conditions as enumerated:

Conditions of Approval

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
2. Before the commencement of use, the applicant shall obtain a building permit (if applicable).
3. The applicant shall comply with applicable Caldwell Rural Fire District requirements. The applicant shall obtain a fire district permit before the construction of the facility. A copy of the permit shall be provided at the time of building permit submittal or commencement of use, whichever occurs first.
4. The applicant shall comply with applicable Notus-Parma Highway District access requirements (Exhibit 4b, Staff Report). The applicant shall obtain all applicable permits. A copy of the permit shall be provided at the time of building permit submittal or commencement of use, whichever occurs first.
5. Signage shall meet CCZO §07-10-13 requirements, and shall not exceed 64 sq. feet and not exceed 10' unless an additional sign permit is applied for and approved by the Director.
6. 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.
7. The applicant shall obtain applicable permits from Southwest District Health prior to building permit issuance or commencement of use, whichever occurs first. Evidence shall be submitted to Canyon County DSD.
8. Prior to the building permit issuance or commencement of use, whichever occurs first, parking shall meet the minimum requirements of the Off-street Parking Ordinance (CCZO 07-13-01 and 07-13-03). A parking and circulation plan shall be provided to the Development Services Department demonstrating consistency with the Off-Street Parking Ordinance.
 - a. The plan shall be reviewed and approved by the Middleton Fire District before submitting to DSD.
 - b. The plan must be reviewed and approved by the Notus-Parma Highway District before submitting to DSD.
 - c. The plan shall include the location of sight-obscuring fencing (as defined by CCZO §07-02-03), landscaping buffer, and landscaping plan in compliance with comments from the City of Caldwell (Exhibit 4c, Staff Report).
 - i. Fencing shall be maintained and kept in good repair. The fence line shall be kept weed-free and/or maintained with weeds being 6" in height or less
 - ii. Once the plan is approved by DSD, sight-obscuring fencing and landscaping shall be installed prior to the building permit certificate of occupancy or within one year of approval, whichever occurs first.

DATED this _____ day of _____, 2024.

**PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO**

Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this _____ day of _____, in the year 2024, before me _____, a notary public, personally appeared _____, 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: _____

My Commission Expires: _____