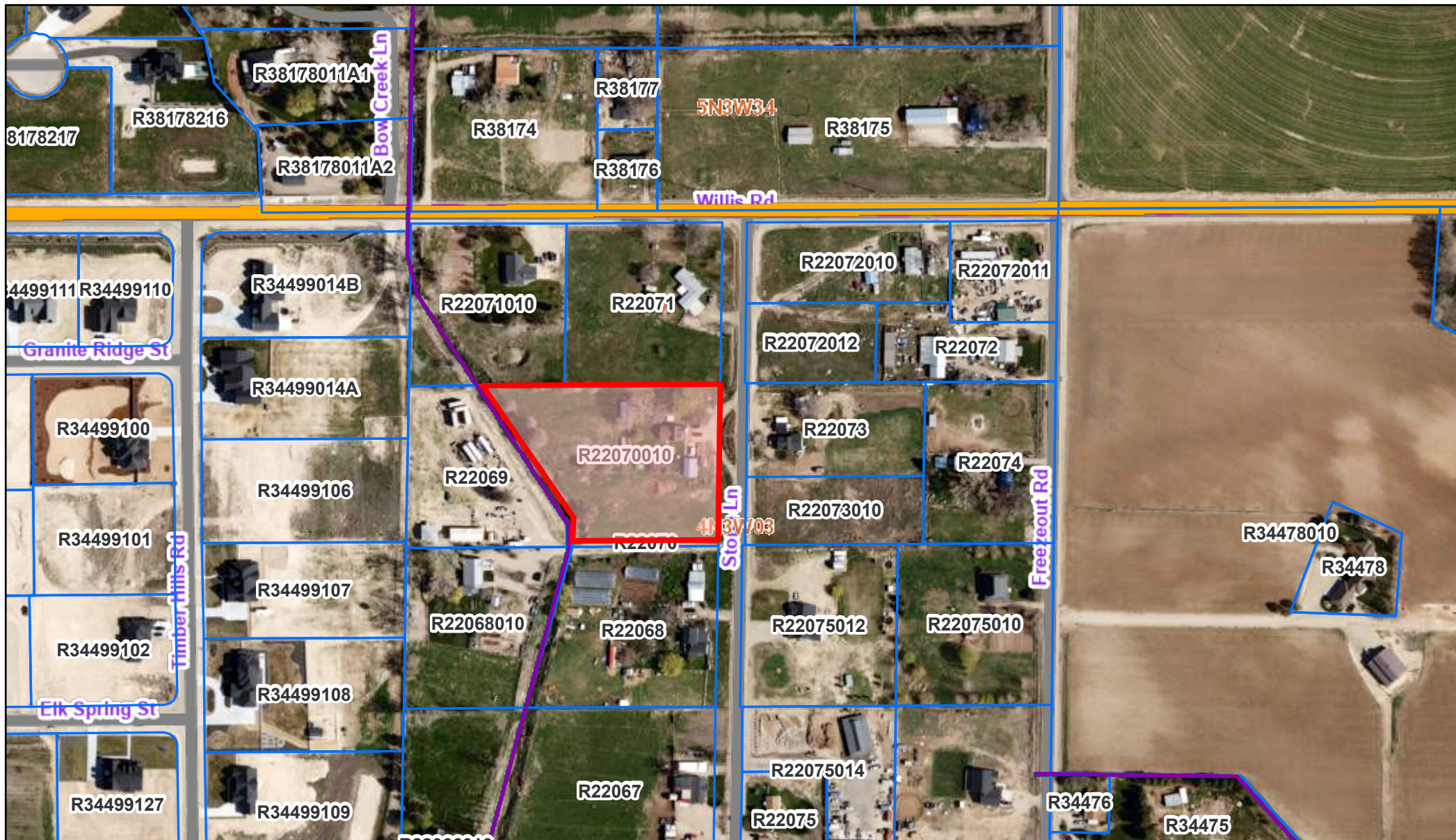
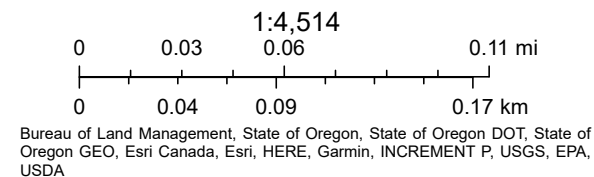
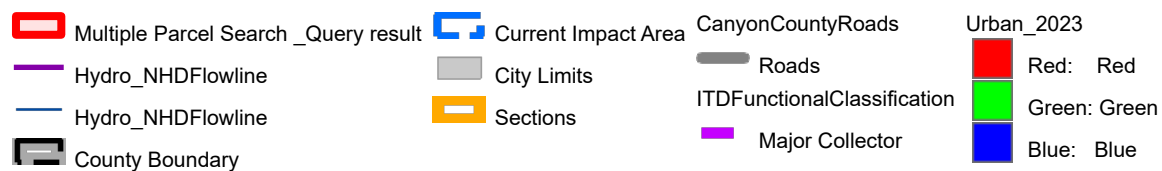


Canyon County, ID Web Map



1/12/2024, 11:18:59 AM





CONDITIONAL USE PERMIT PUBLIC HEARING - MASTER APPLICATION

PROPERTY OWNER	OWNER NAME: <u>Jose M Gutierrez</u>	
	MAILING ADDRESS: <u>23911 Stone Ln Caldwell ID 83607</u>	
	PHONE: [REDACTED]	EMAIL: [REDACTED]
<p>I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If the owner(s) is a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign.</p> <p>Signature: <u><i>Jose Gutierrez</i></u> Date: <u>12/20/23</u></p>		

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	APPLICANT NAME:	
	COMPANY NAME:	
	MAILING ADDRESS:	
	PHONE: [REDACTED]	EMAIL: [REDACTED]

SITE INFO	STREET ADDRESS: <u>23911 Stone Ln Caldwell ID 83607</u>	
	PARCEL NUMBER: <u>220700100</u>	
	PARCEL SIZE: <u>2.7300</u>	
	REQUESTED USE: <u>Storage Area for trees and shrubs</u>	
	FLOOD ZONE (YES/NO)	ZONING DISTRICT:

FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER: <u>CU2024-0001</u>	DATE RECEIVED: <u>12/27/23</u>
RECEIVED BY: <u>M. Barron</u>	APPLICATION FEE: <u>950.00</u> CK MO CC CASH



CONDITIONAL USE PERMIT

PUBLIC HEARING - CHECKLIST

CONDITIONAL USE PERMIT - CCZO Section 07-07-05

THE FOLLOWING ITEMS MUST BE SUBMITTED WITH THIS APPLICATION TO BE DEEMED COMPLETE (PLEASE CHECK OFF THE ITEMS REQUIRED):

Description	Applicant	Staff
Master Application completed and signed	✓	✓
Letter of Intent (see standards on next page)	✓	✓
Site Plan (see standards on next page)		needs work
Land Use Worksheet		needs work
Neighborhood Meeting sheet/letter completed and signed	✓	✓
Proof of application/communication with (varies per application):		
Southwest District Health		
Irrigation District		
Fire District		
Highway District/ Idaho Transportation Dept.		
Area of City Impact		
Deed or evidence of property interest to the subject property		
Fee: \$950.00		
\$600.00 (CUP Modification)		
Fees are non-refundable		

An application that requires additional Use Standards per Chapter 7, Article 14 of the Canyon County Code:

- ☐ Contractor Shop
- ☐ Mineral Extraction (Long Term)
- ☐ Wind Farm
- ☐ Staging Area
- ☐ Manufacturing or processing of hazardous chemicals or gases
- ☐ Ministorage Facility

**If applicable, review the Additional Use Standards Below, if not applicable, please disregard them.*

*DISCLAIMER: The subject property shall be in compliance with the public nuisance ordinance, the building code and the zoning code before the Director can accept the application.

LAND USE WORKSHEET

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

GENERAL INFORMATION

1. **DOMESTIC WATER:** ☐ Individual Domestic Well ☐ Centralized Public Water System ☐ City

☒ N/A – Explain why this is not applicable: Not Applicable

☐ How many Individual Domestic Wells are proposed? _____

2. **SEWER (Wastewater)** ☐ Individual Septic ☐ Centralized Sewer system

☒ N/A – Explain why this is not applicable: Not Applicable

3. **IRRIGATION WATER PROVIDED VIA:**

☐ Surface ☐ Irrigation Well ☒ None

4. **IF IRRIGATED, PROPOSED IRRIGATION:**

☐ Pressurized ☐ Gravity

5. **ACCESS:**

☐ Frontage ☐ Easement Easement width _____ Inst. # _____

6. **INTERNAL ROADS:**

☐ Public ☒ Private Road User's Maintenance Agreement Inst # _____

7. **FENCING**

☐ Fencing will be provided (Please show location on site plan)

Type: _____ Height: _____

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

☐ Other: _____

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

RESIDENTIAL USES

1. NUMBER OF LOTS REQUESTED:

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

2. FIRE SUPPRESSION:

- ☐ Water supply source: _____

3. INCLUDED IN YOUR PROPOSED PLAN?

- ☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☒ None

1. SPECIFIC USE: Landscaping Business Storage

2. DAYS AND HOURS OF OPERATION: Property Used For Storage, No Open Hours to Clients

- ☒ Monday 7 AM to 7 PM
☒ Tuesday 7 AM to 7 PM
☒ Wednesday 7 AM to 7 PM
☒ Thursday 7 AM to 7 PM
☒ Friday 7 AM to 7 PM
☒ Saturday 7 AM to 7 PM
☐ Sunday _____ to _____

*Employees
may access
Storage Area
During These
Hours*

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

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

Height: _____ ft Width: _____ ft Height above ground: _____ ft

What type of sign: _____ Wall _____ Freestanding _____ Other

5. PARKING AND LOADING:

How many parking spaces? 4 spaces for employees

Is there is a loading or unloading area? NO

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: _____

December 5, 2023

Canyon County Development Service Dept
111 North 11th Ave #310
Caldwell, ID 83605

To Whom It May Concern:

I would like to apply for a Conditional Use Permit for my property located at 23911 Stone Ln, Caldwell ID 83605. I own a small landscaping company – Progressive Lawn Care LLC. Trees and shrubs will be stored on my property. These job materials are used for landscaping projects and we rotate them as we use them up for jobs. This area is for storage purposes only as customers or clients never visit the property. We would appreciate the use this area for materials storage for my company.

The permit that we are applying for is permitted in the zone.

The nature of the request is for storage for our small business.

The comprehensive plan is consistent with our proposed use.

The proposed use will not be injurious to any other property or will not negatively change the essential character of the area/property.

There is adequate water, sewer, irrigation, drainage, and stormwater drainage facilities to accommodate this request.

Legal access already exists for the property.

There will not be an undue interference with traffic patterns (existing or future).

Essential services will not be necessary to accommodate this request.

Thank you for your consideration in this request.

With Regard,



Jose Gutierrez, Owner
Progressive Lawn Care LLC

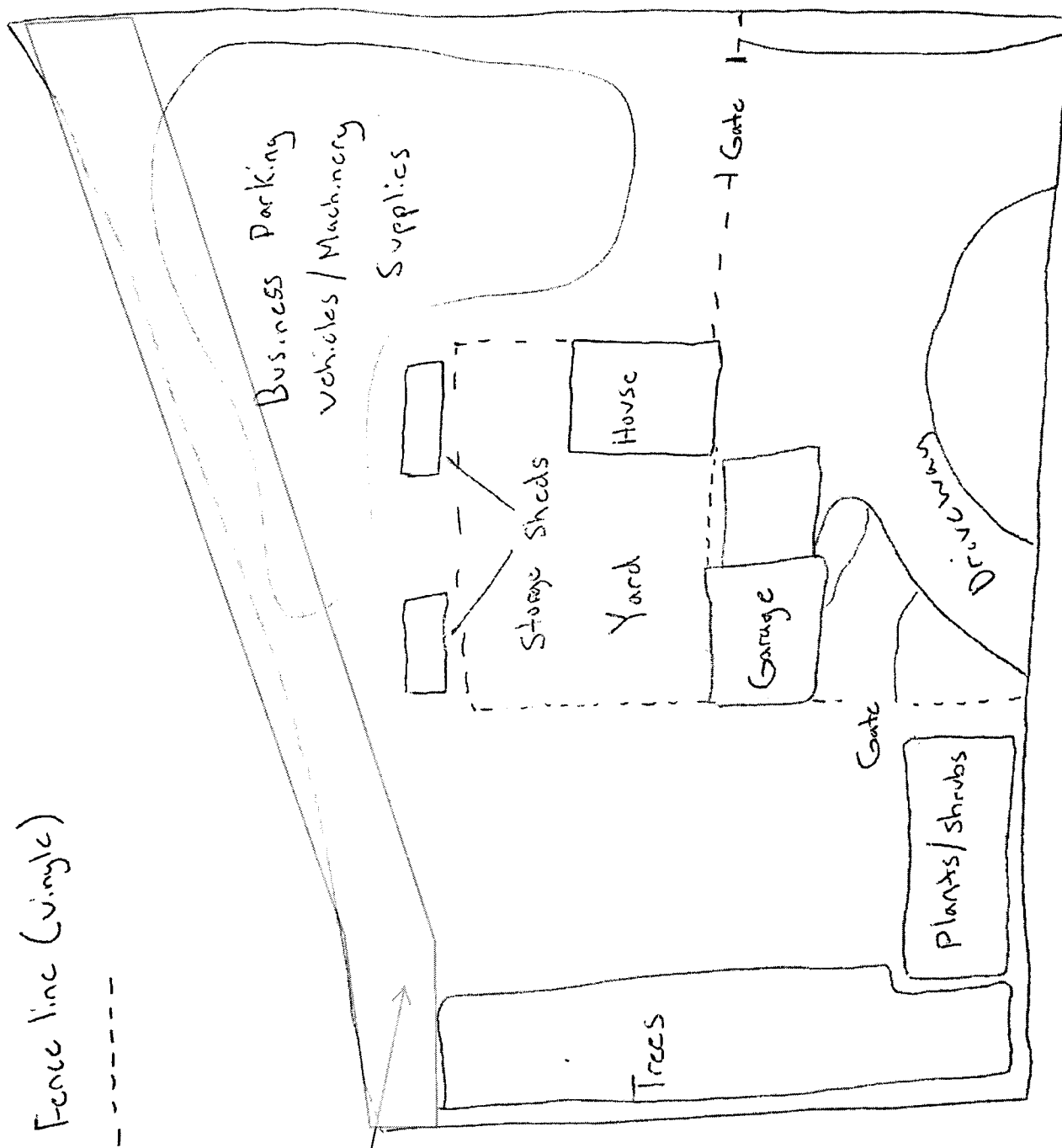
OPERATIONS PLAN

Our small landscaping company intends to use part of the property for the storage of trees, plants, shrubs and miscellaneous supplies and tools. We rotate the supplies as they are used up for landscaping jobs. This area is for storage purposes only. We do not have customers or clients ever visiting our personal property.

The hours of operation will generally 7:00 am to 7:00 pm Monday through Saturday. There should be minimal noise or dust levels. We have approximately seven employees that will normally park their cars at the house, but there is space to accommodate this. We would anticipate very little disruption, if any, to our own property. We would anticipate no disruption to any surrounding properties.

Fence line (single)

Stay 50' off back property line with all improvements.



Stone Lane

General Information

Owner: Gutierrez-Gonzalez Jose M

Mailing Address: 23911 Stone Ln Caldwell Id 83607

Property Address: 23911 Stone Ln

Neighborhood: 340000 Middleton Rural Tracts & Subs

Parcel ID: 22070010 0

Property Class: 537 Res Impr on Cat 15

Deeded Acres: 2.7300

District: 032-00

Last updated: 12/21/2023 05:56:24 PM

Map Info

Parcel ID

22070010 0

Link to Interactive Map (Click Below to Navigate to Map)

30341

Legal Descriptions

Description

03-4N-3W NW FRUITDALE FARM TAX 1 IN BLK 19 LS TAX 1A

Sales History

Instrument	Date	Owner	Grantee	Type
2023031424	9/27/23	Caudill Curtis R	Gutierrez-Gonzalez Jose M	Single

Exemption History

Net Taxable Value

Tax Year	Description	Value
2023	Original	340,680
2022	Original	355,220

Value History

Year	Reason	Land Value	Improvement Value	Total Value
2023	02- Assessment Update	225,280	240,400	465,680
2022	02- Assessment Update	264,420	215,800	480,220
2021	01- Revaluation	146,940	182,200	329,140
2020	02- Assessment Update	105,760	153,800	259,560
2019	02- Assessment Update	90,760	150,300	241,060

NEIGHBORHOOD MEETING SIGN-UP

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

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

zoninginfo@canyoncounty.id.gov

Phone: 208-454-7458

Fax: 208-454-6633



NEIGHBORHOOD MEETING SIGN UP SHEET

CANYON COUNTY ZONING ORDINANCE §07-01-15

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

SITE INFORMATION

Site Address: 23911 Stone Ln	Parcel Number: 22070010 0	
City: Caldwell	State: ID	ZIP Code: 83607
Notices Mailed Date: 12/5/23	Number of Acres: 2.73	Current Zoning:
Description of the Request: Conditional Use Permit requested for storage use for trees and shrubs for landscaping business		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Jose Gutierrez		
Company Name: Progressive Lawn Care LLC		
Current address: 23911 Stone Ln		
City: Caldwell	State: ID	ZIP Code: 83607
Phone: [REDACTED]	Cell:	Fax:
Email: [REDACTED]		

MEETING INFORMATION

DATE OF MEETING: 12/19/23	MEETING LOCATION: 23911 Stone Ln Caldwell ID 83607	
MEETING START TIME: 8:00 pm	MEETING END TIME:	
ATTENDEES:		
NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. John & Carol Styles	[Signature]	24025 Freezeout Rd Caldwell
2. [REDACTED]		
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):

APPLICANT/REPRESENTATIVE (Signature): 

DATE: ____/____/____

**Notice of Neighborhood Meeting
Conditional Use Permit
Pre-application requirement for a public hearing**

Date: 12/4/23

Dear Neighbor –

We are in the process of submitting an application for a Conditional Use Permit (or variance, zoning ordinance map amendment, expansion, or extension or nonconforming uses, etc.) to Canyon County Development Services (DSD). One of the requirements necessary prior to submit 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 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: 12/19 /23 (Tuesday)
Time: 8:00 pm
Location: 23911 Stone Ln, Caldwell ID 83607

The project is summarized below:

Site Location: 23911 Stone Ln, Caldwell ID 83607

We are proposing to have a storage area for our trees and shrubs on our property. The trees and shrubs will be neatly organized into rows. This is a storage area only. Landscaping customers or clients never visit our property. We rotate the inventory of trees and shrubs frequently as we use these materials for landscaping projects.

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

Please do not call the 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.

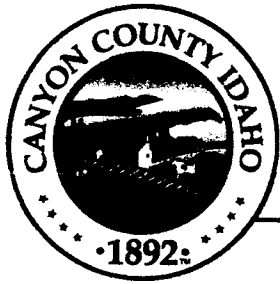
If you have questions prior to this meeting, please contact me at 208-869-3334.

Sincerely,

Jose Gutierrez, Owner
Progressive Lawn Care LLC

PARCEL_NO	OwnerName	Address	City	State	ZipCode
✓ R22068	MILLER JEREMIAH J	23851 STONE LN	CALDWELL	ID	83607
✓ R22075012	LUCORE TIMOTHY	23854 STONE LN	CALDWELL	ID	83607
✓ R38178011A1	JENSEN S DELORE AND SANDRA TRUST	24051 BOW CREEK LN	CALDWELL	ID	83605
✓ R34499107	SMART STACY	23844 TIMBER HILLS RD	CALDWELL	ID	83607
✓ R38177	CORTEZ PATRICIA AVALOS	14668 WILLIS RD	CALDWELL	ID	83607
✓ R38176	JOHNSON TAMARA	14666 WILLIS RD	CALDWELL	ID	83607
✓ R22072011	ARNDT GEORGE L	15150 OASIS RD	CALDWELL	ID	83607
✓ R38175	STYLES FAMILY TRUST	24025 FREEZEOUT RD	CALDWELL	ID	83607
✓ R22071	RANDALL ROBERT L	23981 STONE LN	CALDWELL	ID	83607
✓ R22066010	STEPHENS FAMILY 2015 TRUST	23756 TIMBER HILLS RD	CALDWELL	ID	83607
✓ R22072010	ANDERSON CHARLENE	14557 WILLIS RD	CALDWELL	ID	83607
✓ R38174	HART TREYCE	14750 WILLIS RD	CALDWELL	ID	83607
✓ R38178216	BRENT NICHOLE	14948 MORTENSEN CT	CALDWELL	ID	83607
R22070010	GUTIERREZ-GONZALEZ JOSE M	23911 STONE LN	CALDWELL	ID	83607
✓ R34499014B	KUBITSCHKY LYNZIE ANN	23990 TIMBER HILLS RD	CALDWELL	ID	83607
✓ R34499109	SMITH GERAD S	23770 TIMBER HILLS RD	CALDWELL	ID	83607
✓ R22072	GUIJARRO MARK A	23941 FREEZEOUT RD	CALDWELL	ID	83607
✓ R22067	HUITRON IGNACIO	1514 BOISE AVE	CALDWELL	ID	83605
✓ R34499014A	SLEEP MICHAEL SHANE	23980 TIMBER HILLS RD	CALDWELL	ID	83607
R38178011A2	JENSEN S DELORE AND SANDRA TRUST	24051 BOW CREEK LN	CALDWELL	ID	83605
✓ R22075011	STODDARD CHRIS	23737 FREEZEOUT RD	CALDWELL	ID	83607
✓ R22068010	TEETER FAMILY LIVING TRUST	23853 STONE LN	CALDWELL	ID	83607
✓ R34499106	HESS PROPERTIES LLC	23536 CANYON LN	CALDWELL	ID	83607
✓ R22073	FKA FAMILY TRUST	23930 STONE LN	CALDWELL	ID	83607
✓ R22072012	GUIJARRO MARK A	23941 FREEZEOUT RD	CALDWELL	ID	83607
✓ R22071010	PANCHERI DEBBIE D	14713 WILLIS RD	CALDWELL	ID	83607
✓ R22070	OLLER JEREMY L	23883 STONE LN	CALDWELL	ID	83607
✓ R22075	HUGHES MICHAEL A	23774 STONE LN	CALDWELL	ID	83605
✓ R22075010	SHURTLEFF BENJAMIN L	23861 FREEZEOUT RD	CALDWELL	ID	83607
✓ R34499108	OCHIPINTI BRIAN C	23786 TIMBER HILLS RD	CALDWELL	ID	83607
✓ R22073010	TRIDENT HOMES LLC	9840 W OVERLAND RD STE 1	BOISE	ID	83709
✓ R22069	OLLER JEREMY L	23883 STONE LN	CALDWELL	ID	83607
✓ R22074	DORY JULIE M	23913 FREEZEOUT RD	CALDWELL	ID	83607
✓ R22075014	WANGSGARD BRENT	PO BOX 305	CALDWELL	ID	83606





AGENCY ACKNOWLEDGMENT

Date: 08-28-2024

Applicant: JOSE GUTIERREZ / Progressive Lawn Care

Parcel Number: 22270010 0

Site Address: 23915th St NE Camaswell ID 83607

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

The purpose of this form is to facilitate communication between applicants and agencies so that relevant requirements, application processes, and other feedback can be provided to applicants early in the planning process. Record of communication with an agency regarding the project can be submitted instead of a signature. After the application is submitted, impacted agencies will be sent a hearing notification by DSD staff and will have the opportunity to submit comments.

Southwest District Health:

☒ Applicant submitted/met for informal review.

Date: 08/28/2024 Signed: _____

Anthony Lee
Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District:

District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District:

District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

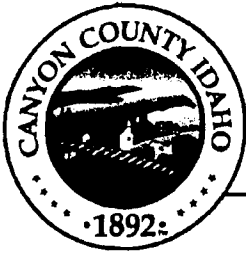
Area of City Impact

City: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)



AGENCY ACKNOWLEDGMENT

Date: 9/23/24

Applicant: Jose M. Gutierrez-Gonzalez / Progressive Lawn Care LLC

Parcel Number: R22070010

Site Address: 23911 Stone Ln, Caldwell ID 83607

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

The purpose of this form is to facilitate communication between applicants and agencies so that relevant requirements, application processes, and other feedback can be provided to applicants early in the planning process. Record of communication with an agency regarding the project can be submitted instead of a signature. After the application is submitted, impacted agencies will be sent a hearing notification by DSD staff and will have the opportunity to submit comments.

Southwest District Health:

☐ Applicant submitted/met for informal review.

Date: _____

Signed: _____

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

Fire District:

District: Middleton Rural Fire District

☒ Applicant submitted/met for informal review.

Date: 09/23/2024

Signed: Victor Islas, Deputy Chief

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District:

District: _____

☐ Applicant submitted/met for informal review.

Date: _____

Signed: _____

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

District: Black Canyon Irrigation District

☒ Applicant submitted/met for informal review.

Date: 8.27.2024

Signed: _____

Donald S. Poynt District Engineer
Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact

City: _____

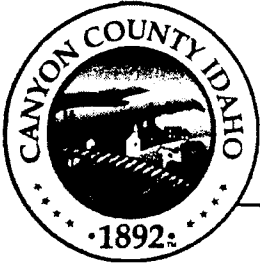
☐ Applicant submitted/met for informal review.

Date: _____

Signed: _____

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

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



AGENCY ACKNOWLEDGMENT

Date: 9/5/24

Applicant: Progressive Lawn Care LLC

Parcel Number:

Site Address: 23911 Stone Lane Caldwell 83605

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

The purpose of this form is to facilitate communication between applicants and agencies so that relevant requirements, application processes, and other feedback can be provided to applicants early in the planning process. Record of communication with an agency regarding the project can be submitted instead of a signature. After the application is submitted, impacted agencies will be sent a hearing notification by DSD staff and will have the opportunity to submit comments.

Southwest District Health:

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

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

Fire District:

District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District:

District: Highway District No. 4

☒ Applicant submitted/met for informal review.

Date: 9/5/24 Signed: _____

Chris Hopper, District Engineer
Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

District: Black Canyon Irrigation District

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact

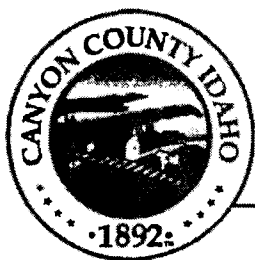
City: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

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



AGENCY ACKNOWLEDGMENT

Date: 8.27.24

Applicant: PROGRESSIVE LAWN CARE LLC

Parcel Number: _____

Site Address: 23911 Stone Ln Caldwell ID 83405

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

The purpose of this form is to facilitate communication between applicants and agencies so that relevant requirements, application processes, and other feedback can be provided to applicants early in the planning process. Record of communication with an agency regarding the project can be submitted instead of a signature. After the application is submitted, impacted agencies will be sent a hearing notification by DSD staff and will have the opportunity to submit comments.

Southwest District Health:

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

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

Fire District:

District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District:

District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

District: Black Canyon Irrigation District

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact

City: _____

☒ Applicant submitted/met for informal review.

Date: 8/30/24 Signed: _____

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

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



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

AFFIDAVIT OF LEGAL INTEREST

I, Jose Gutierrez / Progressive Lawn Care, 23911 Stone Ln
(name) (address)
Caldwell, ID 83607
(city) (state) (zip code)

being first duly sworn upon oath, depose and say:

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

Krista Odell, 314 Caldwell Blvd
(name) (address)

to submit the accompanying application pertaining to the subject property.

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

Dated this 15 day of OCT, 20 24.

Jose Gutierrez
(signature)

STATE OF IDAHO)

ss

COUNTY OF CANYON)

On this 15th day of October, in the year 20 24, before me Graciela DelHoyo
a notary public, personally appeared Jose Gutierrez, 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: [Signature]

My Commission Expires: 11-16-2024

Progressive Lawn Care LLC

23911 Stone Ln
Caldwell, ID 83607
(208) 869-3334

In response to questions associated with my application for the conditional use permit –

- The outbuildings are used for the storage of the landscaping tools and supplies.
- Regarding the evacuation plan for items stored in flood zone. If needed, all tools and supplies can be easily moved to the east/front side of the property.
- The asphalt, concrete, and tree stumps that appear in the photographs from the end of last year have been disposed of and are no longer there. Occasionally these types of objects maybe stored on the property but are also quickly disposed of appropriately.

Please let me know if you have more questions.

Thank you,



Jose Gutierrez
Owner

Emily Bunn

From: Krista ODell <globalpayrollservices@gmail.com>
Sent: Thursday, October 31, 2024 7:08 PM
To: Emily Bunn
Subject: Re: [External] Re: Legal Affidavit

Hi Emily -

If you could call Jose when you are headed to his property, he will meet you there if you would like - Jose [REDACTED]
[REDACTED] Thanks!

Does the property owner live on the property? **He does live there. It is his only residence.**

What are the estimated amount of trips employees will take to the property per day? **The employees are there in the morning when they meet for work and return there after the work day.**

Do you have examples of what type of equipment is stored on-site? **General landscaping equipment and tools. You can clarify with Jose at the on-site visit if you would like to.**

Do the hours of operations stay consistent? Or are they seasonal? If they are seasonal, what are the hours of operation for those seasons? **The property is used for storage only. There are no hours of operation as clients do not come to Jose's home. They only need the permit to be allowed to continue to store landscaping tools and materials as needed.**

What access point do you use on the property? I see there is a driveway on the southern boundary, is this the primary access? Or is the access driveway on the eastern boundary? **The main driveway is the only access point.**

Krista O'Dell

Global Tax & Business Services LLC
318 Caldwell Blvd
Nampa, ID 83651
[REDACTED]

On Thu, Oct 31, 2024 at 3:39 PM Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

I wanted you to be aware that I am going to be doing a site visit tomorrow, November 1, 2024 to take photos to include in the staff report for the Planning and Zoning Commission.

I am unsure of an estimated timeframe right now, but it will likely be tomorrow mid-morning or early afternoon.

I just wanted you to be aware,

Also, when you get a chance to answer the questions below, it would be much appreciated as I am working on drafting the staff report now.

Thank you,



Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Development Services Department (DSD)

NEW public office hours

Effective Jan. 3, 2023

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

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

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From: Emily Bunn
Sent: Wednesday, October 30, 2024 4:05 PM
To: 'Krista ODell' <globalpayrollservices@gmail.com>
Cc: 'Jose Gutierrez' <progressivelawncarejose@gmail.com>
Subject: RE: [External] Re: Legal Affidavit

Hello,

A couple of questions on the property:

Does the property owner live on the property?

What are the estimated amount of trips employees will take to the property per day?

Do you have examples of what type of equipment is stored on-site?

Do the hours of operations stay consistent? Or are they seasonal? If they are seasonal, what are the hours of operation for those seasons?

What access point do you use on the property? I see there is a driveway on the southern boundary, is this the primary access? Or is the access driveway on the eastern boundary?



Thank you,



Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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From: Emily Bunn

Sent: Tuesday, October 29, 2024 3:28 PM

To: 'Krista ODell' <globalpayrollservices@gmail.com>

Cc: Jose Gutierrez <progressivelawncarejose@gmail.com>

Subject: RE: [External] Re: Legal Affidavit

Hello,

With unpermitted structures, they are inherited by the property owner. So if the previous property owner built the accessory structures on the property without building permits, they are still considered in violation of Canyon County's

Building Code with the new owner. Therefore, building permits would still need to be applied for to bring those structures up to standards either before the public hearing or after the public hearing if the CUP is approved within a certain timeframe.

Please let me know if you have any questions.

Sincerely,



Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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From: Krista ODell <globalpayrollservices@gmail.com>
Sent: Tuesday, October 29, 2024 3:15 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Cc: Jose Gutierrez <progressivelawncarejose@gmail.com>
Subject: Re: [External] Re: Legal Affidavit

Hi Emily -

Jose has not built any new structures/sheds on the property since purchasing it in 2023. Any accessory structures that are on the property were there prior to him owning the property, so I am not sure what building permits he would have needed to apply for? Please clarify I guess. Thank you!

And yes, let's proceed with getting approval before working through the floodplain requirements.

Thanks,

Krista O'Dell

Global Tax & Business Services LLC

318 Caldwell Blvd

Nampa, ID 83651

(208) 468-9481 office

(208) 906-8648 fax #

On Tue, Oct 29, 2024 at 2:52 PM Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

It was also brought to my attention that a few accessory structures (sheds and a lean-to building) were built between 2002-2012 without a building permit. If over 200 square feet, these structures will need a building permit.

It would be highly suggested that you submit building permits for these prior to the public hearing, as if not resolved before the public hearing there will be multiple violations on the property. If this is not done prior to the public hearing, bringing those buildings into compliance will likely become a condition of approval if the conditional use permit gets approved.

If a completed building permit application is turned in to Canyon County's Building Department, it will take about 3-4 weeks for the permit to be processed. If you have questions on the building permit process, please reach out to Canyon County's Building Department at buildinginfo@canyoncounty.id.gov or (208) 402-4163.

I know I have sent you a lot of information recently, but if you have any questions feel free to reach out via email or a phone call. If you need an in-person meeting, we can also work out a time for a meeting.

Also, I checked with my planning supervisor on the floodplain requirements (associated with Canyon County's Engineering Department Letter I sent last Friday). If you would like to wait to see if you can get approval for the conditional use permit before working through the floodplain requirements that should be okay as that is something we can make a condition of approval.

Again, if I don't hear anything by November 8, 2024, then I will assume you are fine moving forward to the public hearing without some of these items being addressed (which as I said above, can usually be conditioned with a condition of approval if the CUP is approved).

Thank you,



Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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From: Emily Bunn
Sent: Friday, October 25, 2024 4:31 PM
To: 'Krista ODell' <globalpayrollservices@gmail.com>
Cc: Jose Gutierrez <progressivelawncarejose@gmail.com>
Subject: RE: [External] Re: Legal Affidavit

Thank you for the additional information.

Canyon County's Engineer sent the attached comment letter regarding floodplain requirements. She would like the requirements to be addressed before the public hearing, so please begin on this process as soon as possible. If you have questions on what is required for this, please email Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>

Attached is also the Black Canyon Irrigation District letter on the conditional use permit. They also have some requirements that will need to be addressed. As the business is already operating without a conditional use permit, you are more than welcome to get started on these requirements. However, there is potential for denial (as with any public hearing), so it may also be proposed as a condition of approval depending on if their requirements are addressed before the hearing or not.

If you could keep me updated on what your plans are for both of these agency requirements, that would be great. If I don't hear anything by November 8, 2024, then I will assume you are fine moving forward to the public hearing without this information.

Sincerely,



Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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From: Krista ODell <globalpayrollservices@gmail.com>

Sent: Tuesday, October 22, 2024 2:50 PM

To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>

Cc: Jose Gutierrez <progressivelawncarejose@gmail.com>

Subject: Re: [External] Re: Legal Affidavit

Hi Emily -

Attached is a response regarding the questions asked.

Thank you!

Krista O'Dell

Global Tax & Business Services LLC

318 Caldwell Blvd

Nampa, ID 83651

(208) 468-9481 office

(208) 906-8648 fax #

On Thu, Oct 17, 2024 at 3:47 PM Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello again,

I have received an additional letter from Canyon County's Engineer regarding the property being in a floodplain that will need to be addressed (this is attached). Please provide responses to these agency requests in 14 days.

Also, a code enforcement officer at the end of last year did a site inspection on the property and found asphalt, concrete, and tree stumps dumped on the property. Is this something that is also stored on the property in association with the business? See attached photos to see what I am referencing.

If I don't receive information responding to these comments, I am going to assume the property owner is okay moving forward with scheduling the public hearing with what materials have already been submitted.

Sincerely,



Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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8am – 5pm

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From: Emily Bunn

Sent: Wednesday, October 16, 2024 9:26 AM

To: 'Krista ODell' <globalpayrollservices@gmail.com>

Cc: Jose Gutierrez <progressivelawncarejose@gmail.com>

Subject: RE: [External] Re: Legal Affidavit

Thank you!

I have received the following questions/comments from agencies that will need to be addressed:

One of the agencies (Canyon County's Emergency Management Coordinator) asked if the outbuildings on the property will be used for the storage of tools? Can you please let me know what the outbuildings are used for?

The subject property is in the "A" flood zone. Per the attached agency response letter Idaho Department of Water Resources' NFIP Floodplain Specialist, the applicant should provide Canyon County with an evacuation plan that indicates where the stored equipment, materials, plants, etc. will be relocated to in the event of flooding, or how the items will be contained on the parcel. There are also additional requirements listed in the attached letter you should review.

Please let me know if you have any questions,



Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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From: Krista ODell <globalpayrollservices@gmail.com>
Sent: Tuesday, October 15, 2024 6:33 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: [External] Re: Legal Affidavit

Hi Emily -

Signed form is attached. Thank you!

Krista O'Dell

Global Tax & Business Services LLC

318 Caldwell Blvd

Nampa, ID 83651

(208) 468-9481 office

(208) 906-8648 fax #

On Tue, Oct 15, 2024 at 9:34 AM Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

Has the legal affidavit been completed?

There are agency responses I will send separately to Mr. Gutierrez until I get the legal affidavit.

Thank you,



Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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From: Emily Bunn

Sent: Monday, October 7, 2024 1:59 PM

To: Jose Gutierrez <progressivelawncarejose@gmail.com>; 'Krista ODell' <globalpayrollservices@gmail.com>

Subject: Legal Affidavit

Hello,

From what I understand, Krista will continue to help with paperwork and email responses for your conditional use permit application. For her to continue to do this, I will need the legal affidavit of interest signed so I can have it in our records that she is helping you through the process and you are giving your permission to her to send paperwork and any future documentation on your behalf.

Krista is not on the hook for presenting at the public hearing, nor does she need to be there, this is just so we have documentation that you have permitted Krista to send documents on your behalf.

I have some agency comments to send over to both of you once this legal affidavit is completed.

Please let me know if you have any questions,



Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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Emily Bunn

From: Krista ODell <globalpayrollservices@gmail.com>
Sent: Tuesday, November 5, 2024 2:24 PM
To: Emily Bunn
Subject: Re: [External] Re: Legal Affidavit

Hi Emily -

Per Jose:

There's a friend staying in an RV but it was temporary and he is leaving this week. Regarding the sheds, Jose says that they are the type of sheds that were assembled, not built (when he went to look at them after your initial email). Pre-made ones that are just put together. Not sure what he needs to do with that. Employee normally get to the house around 8:00am and they finish up and return to their cars near 6:00/6:30 each night. It is seasonal so during the winter months, their hours are minimal or sporadic.

Let me know if you need anything else! Thank you!!!

by hours of operations is at what point do the business operations start and end for the day? For example, do employees come on the property at 7:00 a.m. to pick up the equipment needed for jobs and then at 7:00 p.m. come back to the property and drop everything off and then leave? Or does it vary depending on the day or season? If it does vary, what are some examples of the hours of operations? I am asking these questions, as I know the Planning and Zoning Commission will likely ask about this.

Krista O'Dell

Global Tax & Business Services LLC

318 Caldwell Blvd

Nampa, ID 83651

(208) 468-9481 office

(208) 906-8648 fax #

On Mon, Nov 4, 2024 at 9:27 AM Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

I forgot to grab the phone number on the way over the property from other site visits on Friday, so I apologize for not letting you know when I would be stopping by the property.

I did want to ask about one thing that I noticed on the property: I noticed there was an RV behind the white fence on the property. Is this RV occupied? If so, a temporary use permit to live in the RV for 90 days will need to be applied for to bring the RV in compliance with the Canyon County Zoning (CCZO) Code or the RV will need to be no longer occupied. This should be addressed as soon as possible, but if it cannot be addressed before the public hearing then if

approved, a condition of approval will likely be added to bring the occupied RV into compliance within a certain timeframe. I will work on scheduling the case for a public hearing once I get my draft staff report and FCOs completed.

If I could also get this question answered, this would be great, which is in the email below. I just wanted some further clarification on this topic so the Planning and Zoning Commission has this information for the hearing: **What I mean by hours of operations is at what point do the business operations start and end for the day? For example, do employees come on the property at 7:00 a.m. to pick up the equipment needed for jobs and then at 7:00 p.m. come back to the property and drop everything off and then leave? Or does it vary depending on the day or season? If it does vary, what are some examples of the hours of operations? I am asking these questions, as I know the Planning and Zoning Commission will likely ask about this.**

Thank you,



Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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Emily Bunn

From: Krista ODell <globalpayrollservices@gmail.com>
Sent: Friday, November 8, 2024 11:01 AM
To: Emily Bunn
Subject: Re: [External] Re: Legal Affidavit

1. I want to verify that employees are on the property about two (2) times a day, once for meeting up in the morning and once when they end work for the day? I want to verify as the land use worksheet you turned in (attached) shows employees accessing the property throughout the work day as needed. Thank you for the clarification on this. **Yes, the employees meet at the house before work and return to the house after work.**
2. I am looking at scheduling the public hearing for the conditional use permit on Thursday, December 19, 2024. Does that work for the property owner? **Dec 19 will not work as Jose will be out of town. It would have to be before December 5th OR after January 10th.**

Thank you!

Krista O'Dell

Global Tax & Business Services LLC
318 Caldwell Blvd
Nampa, ID 83651
(208) 468-9481 office
(208) 906-8648 fax #

On Tue, Nov 5, 2024 at 3:50 PM Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

Thank you for the email Krista.

Last two (2) questions for now:

1. I want to verify that employees are on the property about two (2) times a day, once for meeting up in the morning and once when they end work for the day? I want to verify as the land use worksheet you turned in (attached) shows employees accessing the property throughout the work day as needed. Thank you for the clarification on this.
2. I am looking at scheduling the public hearing for the conditional use permit on Thursday, December 19, 2024. Does that work for the property owner?

Thank you,





IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 3, 2024

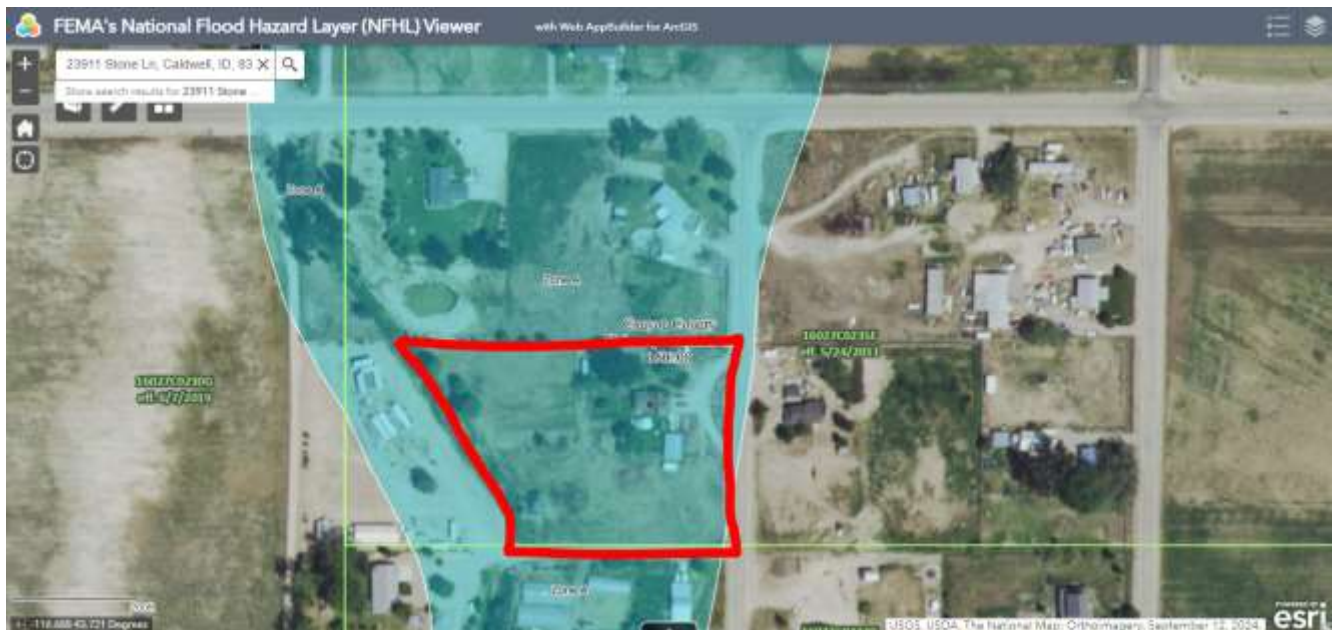
Emily Kiester, Planner
Canyon County Development Services Dept.
111 N 11th Avenue #310
Caldwell, ID 83605

Re: CU2024-0001: 23911 Stone Lane, Caldwell; Progressive Lawn Care LLC

Dear Ms. Kiester,

The storage area for trees, plants, and shrubs neatly organized into rows, miscellaneous supplies, equipment and tools used for landscaping projects that will be rotated in and out as used on 2.73-acre parcel is located in an A Zone floodplain without Base Flood Elevation (BFE).

The applicant should provide Canyon County an evacuation plan which indicates where the stored equipment, materials and plants, et cetera will be relocated to in the event of flooding, or how will these items be contained on the parcel.



The following NFIP regulations apply to this proposed development:

Title 44 of the Code of Federal Regulations §60.3 Flood plain management criteria for flood-prone areas.

... Minimum standards for communities are as follows:

(a) ... the community shall:

(2) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334;

(3) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall

(i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy,

(ii) be constructed with materials resistant to flood damage,

(iii) be constructed by methods and practices that minimize flood damages, and

(iv) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(b) ... the community shall:

(1) Require permits for all proposed construction and other developments including the placement of manufactured homes, within Zone A on the community's FHBM or FIRM;

(2) Require the application of the standards in paragraphs (a) (2), and (3), of this section to development within Zone A on the community's FHBM or FIRM;

Should you have any questions, please do not hesitate to contact me at (208) 287-4928, or through email at maureen.oshea@idwr.idaho.gov

Thank you,

Maureen O'Shea

Maureen O'Shea, CFM
NFIP Floodplain Specialist

Cc via email:

Dalia Alnajjar, Floodplain Administrator

File

Emily Bunn

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Friday, October 4, 2024 11:49 AM
To: Emily Bunn
Cc: Amber Lewter
Subject: [External] RE: Initial Agency Notification CU2024-0001 Gutierrez

Hello Emily,

After careful review of the transmittal submitted to ITD on October 2, 2024, regarding CU2024-0001 Gutierrez, the Department has no comments or concerns to make at this time.

Thank you,



Niki Benyakhlef
Development Services Coordinator

District 3 Development Services

O: 208.334.8337 | C: 208.296.9750

Email: niki.benyakhlef@itd.idaho.gov

Website: itd.idaho.gov

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Sent: Wednesday, October 2, 2024 8:56 AM
To: 'jhutchison@middletoncity.com' <jhutchison@middletoncity.com>; 'jreynolds@middletoncity.com' <jreynolds@middletoncity.com>; 'mhobbs@middletoncity.org' <mhobbs@middletoncity.org>; 'rstewart@middletoncity.com' <rstewart@middletoncity.com>; 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'Chris Hopper' <chopper@hwydistrict4.org>; 'Lenny Riccio' <lrccio@hwydistrict4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingram@idahopower.com' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'mkelly@idahopower.com' <mkelly@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'contract.administration.bid.box@ziply.com' <contract.administration.bid.box@ziply.com>; 'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; 'projectmgr@boiseriver.org' <projectmgr@boiseriver.org>; 'scott_sbi@outlook.com' <scott_sbi@outlook.com>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Cassie Lamb <Cassie.Lamb@canyoncounty.id.gov>; Eric Arthur <Eric.Arthur@canyoncounty.id.gov>; Kathy Husted <Kathleen.Husted@canyoncounty.id.gov>; Tony Almeida <tony.almeida@canyoncounty.id.gov>; Sage Huggins <Sage.Huggins@canyoncounty.id.gov>; Assessor Website <2cAsr@canyoncounty.id.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'john.graves@fema.dhs.gov' <john.graves@fema.dhs.gov>; 'peter.Jackson@idwr.idaho.gov' <peter.Jackson@idwr.idaho.gov>; 'maureen.oshea@idwr.idaho.gov'

<maureen.oshea@idwr.idaho.gov>

Subject: Initial Agency Notification CU2024-0001 Gutierrez

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Please direct your comments or questions to Planner **Emily Kiester** at emily.kiester@canyoncounty.id.gov.

Thank you,



Amber Lewter

Hearing Specialist

Canyon County Development Services Department

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

Direct Line: 208-454-6631

Fax: 208-454-6633

Email: amber.lewter@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Development Services Department (DSD)

NEW public office hours

Effective Jan. 3, 2023

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

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

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Emily Bunn

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Friday, October 4, 2024 7:26 AM
To: Emily Bunn
Subject: [External] RE: Initial Agency Notification CU2024-0001 Gutierrez

Hi Emily,

Per request for comments:

- 1.) Will a Nutrient Pathogen Study be required?
 - a. **A Nutrient Pathogen Study will NOT be required for this project.**
- 2.) Will adequate sanitary systems be provided to accommodate the use?
 - a. **A septic system has NOT been proposed for this project.**
- 3.) Any concerns about the use or request for a staging area? If so, are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and nearby city?
 - a. **There are no concerns about the use for a staging area as the existing septic system is NOT encroaching upon the parking area.**

Let me know if you have any questions.

Thank you,



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

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

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Sent: Wednesday, October 2, 2024 8:56 AM
To: 'jhutchison@middletoncity.com' <jhutchison@middletoncity.com>; 'jreynolds@middletoncity.com' <jreynolds@middletoncity.com>; 'mhobbs@middletoncity.org' <mhobbs@middletoncity.org>; 'rstewart@middletoncity.com' <rstewart@middletoncity.com>; 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'Chris Hopper' <chopper@hwydistrict4.org>; 'Lenny Riccio' <lrccio@hwydistrict4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingram@idahopower.com' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'mkelly@idahopower.com' <mkelly@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'contract.administration.bid.box@ziply.com' <contract.administration.bid.box@ziply.com>;

'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>; Mitch Kiester <Mitch.Kiester@swdh.id.gov>; Anthony Lee <Anthony.Lee@swdh.id.gov>; 'projectmgr@boiseriver.org' <projectmgr@boiseriver.org>; 'scott_sbi@outlook.com' <scott_sbi@outlook.com>; 'D3Development.services@itd.idaho.gov' <D3Development.services@itd.idaho.gov>; 'niki.benyakhlef@itd.idaho.gov' <niki.benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; christine.wendelsdorf@canyoncounty.id.gov; Michael Stowell <mstowell@ccparamedics.com>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Cassie Lamb <Cassie.Lamb@canyoncounty.id.gov>; Eric Arthur <Eric.Arthur@canyoncounty.id.gov>; Kathy Husted <Kathleen.Husted@canyoncounty.id.gov>; Tony Almeida <tony.almeida@canyoncounty.id.gov>; Sage Huggins <Sage.Huggins@canyoncounty.id.gov>; Assessor Website <2cAsr@canyoncounty.id.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'john.graves@fema.dhs.gov' <john.graves@fema.dhs.gov>; 'peter.Jackson@idwr.idaho.gov' <peter.Jackson@idwr.idaho.gov>; 'maureen.oshea@idwr.idaho.gov' <maureen.oshea@idwr.idaho.gov>

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Amber Lewter

Hearing Specialist

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Emily Bunn

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Tuesday, November 5, 2024 1:02 PM
To: Emily Bunn
Subject: RE: [External] RE: Initial Agency Notification CU2024-0001 Gutierrez

Hi Emily,

I do not see any concerns with employees using the restrooms inside the existing house in regards to increasing wastewater flows. A porta-potty may be used temporarily.

Let me know if you have any questions.

Thank you,



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

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

From: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Sent: Monday, November 4, 2024 11:00 AM
To: Anthony Lee <Anthony.Lee@swdh.id.gov>
Subject: RE: [External] RE: Initial Agency Notification CU2024-0001 Gutierrez

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Hello,

Quick question: this business is proposing to have about seven (7) employees on site.

I am curious if Southwest District Health would require there to be porta-potties on site? Or is the septic tank on site adequate for what they are proposing (the employees would not be on site all day, only when they need to pick up equipment, meet for work, etc.)?

Thank you,



Emily Bunn,

Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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Subject: [External] RE: Initial Agency Notification CU2024-0001 Gutierrez

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 - a. **There are no concerns about the use for a staging area as the existing septic system is NOT encroaching upon the parking area.**

Let me know if you have any questions.

Thank you,



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o 208.455.5384 | c 208.899.1285 | f 208.455.5300

anthony.lee@swdh.id.gov | SWDH.org

13307 Miami Ln., Caldwell, ID 83607

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

Sent: Wednesday, October 2, 2024 8:56 AM

To: 'jhutchison@middletoncity.com' <jhutchison@middletoncity.com>; 'jreynolds@middletoncity.com' <jreynolds@middletoncity.com>; 'mhobbs@middletoncity.org' <mhobbs@middletoncity.org>; 'rstewart@middletoncity.com' <rstewart@middletoncity.com>; 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'Chris Hopper' <chopper@hwydistrict4.org>; 'Lenny Riccio' <lriccio@hwydistrict4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'e Ingram@idahopower.com' <e Ingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'mkelly@idahopower.com' <mkelly@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'contract.administration.bid.box@ziply.com' <contract.administration.bid.box@ziply.com>; 'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>; Mitch Kiester <Mitch.Kiester@swdh.id.gov>; Anthony Lee <Anthony.Lee@swdh.id.gov>; 'projectmgr@boiseriver.org' <projectmgr@boiseriver.org>; 'scott_sbi@outlook.com' <scott_sbi@outlook.com>; 'D3Development.services@itd.idaho.gov' <D3Development.services@itd.idaho.gov>; 'niki.benyakhlef@itd.idaho.gov' <niki.benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; 'christine.wendelsdorf@canyoncounty.id.gov' <christine.wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Cassie Lamb <Cassie.Lamb@canyoncounty.id.gov>; Eric Arthur <Eric.Arthur@canyoncounty.id.gov>; Kathy Husted <Kathleen.Husted@canyoncounty.id.gov>; Tony Almeida <tony.almeida@canyoncounty.id.gov>; Sage Huggins <Sage.Huggins@canyoncounty.id.gov>; Assessor Website <2cAsr@canyoncounty.id.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'john.graves@fema.dhs.gov' <john.graves@fema.dhs.gov>; 'peter.Jackson@idwr.idaho.gov' <peter.Jackson@idwr.idaho.gov>; 'maureen.oshea@idwr.idaho.gov' <maureen.oshea@idwr.idaho.gov>

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Thank you,



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Hearing Specialist

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October 4, 2024

Emily Kiester, Planner
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
emily.kiester@canyoncounty.id.gov

Subject: Case No. CU2024-0001:

Dear Ms. Kiester:

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 Multi-Sector General Permit from DEQ may be required for facilities that have an allowable discharge of storm water or authorized non-storm water associated with the primary industrial activity and co-located industrial activity.

For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.

- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at:
<https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

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

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact 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

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

October 21, 2024

Canyon County Development Services Department
111 North 11th Avenue, Suite 140
Caldwell, ID 83605
(208) 454-7458

RE: Conditional Use Permit. Parcel 22070010
Case No. CU2024-0001
Applicant: Jose Gutierrez
Planner: Emily Kiester

The property is located at 23911 Stone Lane, Caldwell ID, 83607. The Black Canyon Irrigation District (District) has the following comments regarding this proposed land use change.

According to existing records, the parcel receives irrigation water from the District. The turnout is located along the C.E.10.2-6.2 lateral.

*****Prior to District concurrence of the conditional use permit:**

1. Based on our records, the District has not received a New Project Application Form for the conditional use permit for the development of a staging area and shops for the Applicant's construction company on Parcel No. 22070010. The District requests the Applicant to complete the form found on the District's website (<https://blackcanyonirrigation.com/development>).
2. District mapping indicates that the Hartley Gulch Drain is located adjacent to the western property boundary and has a historical 100-foot easement (50-feet from centerline) as shown on the applicant's site plan. The Applicant will need to prepare and provide to the District a legal description and exhibit for the easement along the Hartley Gulch Drain. All documents must be stamped and signed by a land surveyor licensed in the State of Idaho. These documents will be attached to the District standard easement language and recorded with Canyon County.
3. The District recommends that the applicant fence the property along the easement to prevent any encroachments as the staging area is developed.

General Comments:

- Any and all **maintenance road rights-of-way, lateral rights-of-way, and drainage rights-of-way** will need to be protected (including the restriction of all encroachments). Also, any crossing agreement(s) and/or piping agreement(s) will need to be acquired from the Bureau of Reclamation (Bureau), once approved by the District, to cross over or under any existing lateral, pipe any lateral, or encroach, in any way, the rights-of way of the District or the Bureau.

60,000 IRRIGABLE ACRES

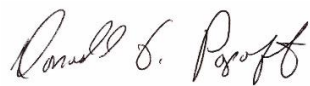
ORGANIZED IN 1910

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

All of the above requirements shall be met, including any others that arise during future review.

Thank You,



Donald Popoff P.E.
District Engineer
Black Canyon Irrigation District

Emily Bunn

From: Christine Wendelsdorf
Sent: Thursday, October 31, 2024 11:49 AM
To: Emily Bunn
Subject: RE: Initial Agency Notification CU2024-0001 Gutierrez

No it sounds like everyone is on the same page. Thank you so very much!

Christine Wendelsdorf
Emergency Management Coordinator
Canyon County Sheriff's Office



1115 Albany Street, Caldwell, ID 83605
Office: 208-454-7271 **Cell:** 208-989-2132
Email: christine.wendelsdorf@canyoncounty.id.gov

From: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Sent: Thursday, October 31, 2024 11:37 AM
To: Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>
Subject: RE: Initial Agency Notification CU2024-0001 Gutierrez

Hello,

Thank you for the clarification.

A condition of approval will be proposed by staff that the applicants will have to address the floodplain development requirements within a certain timeframe. I also received comments from both IDWR and Canyon County's Engineering Supervisor to include in the staff report about the floodplain which the Planning and Zoning Commission will be able to review as well.

Was there anything else you wanted to comment on?

Thank you!



Emily Bunn,
Associate Planner
Canyon County Development Services Department
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Email: emily.bunn@canyoncounty.id.gov

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Sent: Thursday, October 31, 2024 11:11 AM

To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>

Subject: RE: Initial Agency Notification CU2024-0001 Gutierrez

Hi Emily,

I did ask about the storage of tools and outbuildings due to that area being in the floodplain. I wanted to make sure that the buildings (if they are going to be built) will meet the requirements of the flood zone if that makes sense?

Thank you,

Christine

Christine Wendelsdorf

Emergency Management Coordinator

Canyon County Sheriff's Office



1115 Albany Street, Caldwell, ID 83605

Office: 208-454-7271 Cell: 208-989-2132

Email: christine.wendelsdorf@canyoncounty.id.gov

From: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>

Sent: Thursday, October 31, 2024 10:49 AM

To: Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>

Subject: FW: Initial Agency Notification CU2024-0001 Gutierrez

Hello,

I wanted to touch base and see if you had any follow-up questions or comments on this case. I know you asked the question about the storage of tools, so I answered that question below.

If you have any comments or no comments, could you please let me know so I can include them in the staff report?

Thank you,



Emily Bunn,
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

Development Services Department (DSD)
NEW public office hours
Effective Jan. 3, 2023
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Wednesday
1pm – 5pm
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From: Emily Bunn
Sent: Tuesday, October 22, 2024 3:12 PM
To: Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>
Subject: RE: Initial Agency Notification CU2024-0001 Gutierrez

Hello,

I apologize for the delay in responding to you, but I finally got confirmation from the applicant that the outbuildings are used for the storage of the landscaping tools and supplies associated with their business.

You can find the master application packet attached in case you need to review the property again.

Let me know if you have any comments.

Thank you,



Emily Bunn,
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Sent: Wednesday, October 2, 2024 11:49 AM
To: Emily Bunn <Emily.Kiester@canyoncounty.id.gov>
Cc: Carl Anderson <Carl.Anderson@canyoncounty.id.gov>
Subject: FW: Initial Agency Notification CU2024-0001 Gutierrez

Hi Carl,

I added you to this because I know Emily is out this week. Hope that is ok.

Thank you,

Amber

From: Christine Wendelsdorf
Sent: Wednesday, October 2, 2024 10:52 AM
To: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Subject: RE: Initial Agency Notification CU2024-0001 Gutierrez

Hi Amber,

I may have missed it, but was he planning on having outbuildings on this property for the storage of tools?

Christine Wendelsdorf
Emergency Management Coordinator
Canyon County Sheriff's Office



1115 Albany Street, Caldwell, ID 83605

Office: 208-454-7271 Cell: 208-989-2132
Email: christine.wendelsdorf@canyoncounty.id.gov

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Sent: Wednesday, October 2, 2024 8:56 AM
To: 'jhutchison@middletoncity.com' <jhutchison@middletoncity.com>; 'jreynolds@middletoncity.com' <jreynolds@middletoncity.com>; 'mhobbs@middletoncity.org' <mhobbs@middletoncity.org>; 'rstewart@middletoncity.com' <rstewart@middletoncity.com>; 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'Chris Hopper' <chopper@hwydistrict4.org>; 'Lenny Riccio' <lriccio@hwydistrict4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingram@idahopower.com' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'mkelly@idahopower.com' <mkelly@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'contract.administration.bid.box@ziply.com' <contract.administration.bid.box@ziply.com>; 'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; 'projectmgr@boiseriver.org' <projectmgr@boiseriver.org>; 'scott_sbi@outlook.com' <scott_sbi@outlook.com>; 'D3Development.services@itd.idaho.gov' <D3Development.services@itd.idaho.gov>; 'niki.benyakhlef@itd.idaho.gov' <niki.benyakhlef@itd.idaho.gov>; Brian Crowthorn <Brian.Crowthorn@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Cassie Lamb <Cassie.Lamb@canyoncounty.id.gov>; Eric Arthur <Eric.Arthur@canyoncounty.id.gov>; Kathy Husted <Kathleen.Husted@canyoncounty.id.gov>; Tony Almeida <tony.almeida@canyoncounty.id.gov>; Sage Huggins <Sage.Huggins@canyoncounty.id.gov>; Assessor Website <2cAsr@canyoncounty.id.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'john.graves@fema.dhs.gov' <john.graves@fema.dhs.gov>; 'peter.Jackson@idwr.idaho.gov' <peter.Jackson@idwr.idaho.gov>; 'maureen.oshea@idwr.idaho.gov' <maureen.oshea@idwr.idaho.gov>
Subject: Initial Agency Notification CU2024-0001 Gutierrez

Please see the attached agency notice. You are invited to provide written testimony or comments by **November 1, 2024** although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day. The deadline for written testimony or additional exhibits is to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

Please direct your comments or questions to Planner **Emily Kiester** at emily.kiester@canyoncounty.id.gov.

Thank you,



Amber Lewter

Hearing Specialist

Canyon County Development Services Department

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

Direct Line: 208-454-6631

Fax: 208-454-6633

Email: amber.lewter@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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▪ Engineering Division ▪

November 4, 2024

RE: Floodplain Development

Case No. CU2024-0001 – Conditional Use Permit Request for a Staging Area

Applicant: Jose M. Gutierrez

Property Address: 23911 Stone Ln, Caldwell, ID 83607

Parcel: R22070010

Flood Hazard Zone: A

Dear Emily Kiester,

After reviewing the materials submitted for Case No. CU2024-0001, in which Jose M. Gutierrez has requested a conditional use permit for a 2.73-acre staging area in an Agricultural ("A") zone at 23911 Stone Ln, Caldwell, I recommend several steps to ensure compliance with floodplain safety requirements. As the property is located in Flood Hazard Zone A, it is essential to prioritize safety and align with the Canyon County Zoning Ordinance to protect both the applicant's property and the surrounding area.

Safety Recommendations:

1. Immediate Application for a Floodplain Development Permit (FDP):

To proceed safely and in accordance with Canyon County Zoning Ordinance 07-10A-09, the applicant must submit a floodplain development permit as soon as possible. This application should include a detailed plot plan showing the nature, location, dimensions, and elevations of the development area, along with the boundary of the special flood hazard area.

2. Flood Monitoring and Protection Plan:

I recommend that the applicant submit a comprehensive plan for monitoring and site protection during flood events. This plan should detail actions to safeguard equipment and the staging area from potential flood damage.

3. Design Adjustments to Mitigate Flood Risks:

The staging area design should avoid storing equipment or materials in flood-prone



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

▪ Engineering Division ▪

sections, as this could pose risks of hazardous conditions or environmental contamination in flood events.

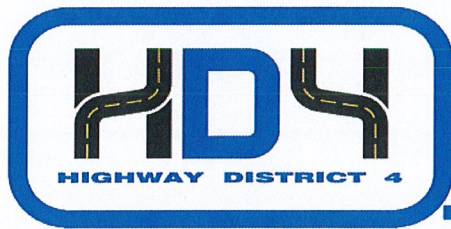
4. Use of Permeable Ground Coverings:

I also suggest using permeable materials for any ground cover to reduce surface runoff and further minimize flood risks to the property.

By taking these safety measures, the applicant will help mitigate flood hazards and ensure compliance with both local and federal flood management standards. **I strongly encourage Mr. Gutierrez** to reach out to our Development Services team as soon as possible to discuss these requirements and proceed with the FDP application.

Please feel free to reach out to me if you have any questions or require further clarification.

Sincerely,
Dalia Alnajjar
Engineering Supervisor
Canyon County Development Services
P(208) 454-7459
F(208) 454-6633
E: dalia.alnajjar@canyoncounty.id.gov



HIGHWAY DISTRICT No.4
15435 HIGHWAY 44
CALDWELL, IDAHO 83607

TELEPHONE 208.454.8135
FAX 208.454.2008

November 4, 2024

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

RE: CU2024-0001 Jose Gutierrez- Contractor Yard and Staging Area
Canyon County Parcel R22070010 aka 23911 Stone Lane

Dear Commissioners:

Highway District No. 4 (HD4) has reviewed the application for a conditional use of the above described parcels for purposes of establishing a contractor yard and staging area within an Agricultural zone. The subject property is located on the west side of Stone Lane south of Willis Rd in the NW ¼ Section 3 T4N R3W. HD4 offers the following comments on the proposed use:

General

The subject property consists of one parcel, totaling approximately 2.7 acres. The parcel has approximately 316 feet of frontage on Stone Road at the east boundary. The property is a part of Lot 19 of the Fruitdale Subdivision Plat, and has historically been in agricultural/residential use.

Stone Lane is classified as a local road on the functional classification maps adopted by Canyon County and HD4. ROW was dedicated as a part of the Fruitdale Farms Plat in total width of 50' (25-ft half width). The ultimate ROW width for a local public road is 60' (30-ft half width). Parcel R2073000 located immediately opposite the subject property on Stone Lane dedicated an additional 5' of ROW as a part of a past administrative land division.

Access

The subject property is currently served by a circular gravel driveway onto Stone Lane approximately 450-ft south of Willis Rd. This existing approach can be utilized for the proposed commercial activity subject to the following conditions:

1. Improve the approach to meet ACCHD SD-106 to include a paved apron on at least one leg of the circular driveway. If only one leg is paved, this should be the only approach used by the commercial traffic. This serves to protect the existing edge of the mainline pavement on Stone Lane from damage by trucks or equipment.
2. An access permit from HD4 documenting the commercial use is required.

Transportation Impacts

The conditional use application provided by the applicants indicates portions of the property would be used for storage and distribution of landscaping trees, plants, and materials. A total of 4 employees are predicted to use this area during a typical day. Based on information provided, the site would support the existing 22,880 sf storage building and a 11,500 sf contractor shop. Traffic impacts from development projects are typically estimated using the ITE Trip Generation

Manual (11th Edition). The categories below are the best available in that reference to compare the proposed use:

Use	ITE Code	Units	# of Units Proposed	PM Peak Trips	Daily Trips
Specialty Trade Contractor	180	Employees	4	3	15

Canyon County Ordinance 22-014 (July 21, 2022) established transportation impact fees to fund improvements to the highway system made necessary from new growth and development within the Mid-Star Service Area, which includes the subject property. The adopted impact fee schedule does not have any land use types similar to the applicant's request; therefore the impact fee can be calculated directly from the base impact fee formula:

Cost per Vehicle Mile Traveled	x	Peak Hour Trips	x	New Trip Factor	x	Average Trip Length	x	Network Adjustment Factor	=	Traffic Impact Fee
\$2,883	x	1.5	x	1.0	x	8.4	x	0.177	=	\$4,326

Peak hour trips can be estimated from the ITE code 180 (Specialty Trade Contractor) most closely equivalent to the proposed use, 3 peak hour trips, and counting each trip as having two ends, 1.5 trips are attributable to the proposed use.. The new trip factor is held at 1.0 (no reduction) as pass by trips are not anticipated from surrounding properties. The average trip length of 8.4 miles is consistent with other uses that are unique to the service area (only one exists) from the Mid-Star Impact Fee Schedule. The network adjustment factor represents the proportion of the total trip length on the local system, assuming 2/3 of the trips are routed to SH 44 approximately 0.90 miles to the south, and the remainder utilize the local system for the average 8.4 mile trip. Complete information on the Mid-Star Impact Fees Program and the Capital Improvement plan can be found on the HD4 website at www.hwydistrict4.org/impact-fees

Individual Assessment of Impact Fees: If an applicant feels their development will have a less than typical impact on the roadway network, they may choose to complete an individual assessment for their development. To initiate an Individual Assessment, the applicant may prepare and submit a written request for an Individual Assessment within 30 days of paying an impact fee; within 30 days upon receipt of a final notice of assessment, or after receipt of a preliminary assessment. An Individual Assessment is a traffic study, performed by a traffic engineer at the applicant's expense. See the Individual Assessment Guidelines for details on which traffic generation factors may be considered.
(<https://www.hwydistrict4.org/download/individual-assessment-guidelines>)

This impact fee is based on the information provided by the applicant regarding the size and intended use of the proposed new development at the time of this report. The final impact fee assessment will be based on the traffic impacts determined to be generated by the proposed development at the time of access permit issuance. The final impact fee may be different from the estimate provided above if the size of the development changes, the type of use changes, or adjustments based on an Individual Assessment are determined to affect the proportionate share of traffic impacts from the development.

Base Impact Fee: **\$ 4,326**

Right-of-Way Dedication-

No adjacent CIP Projects

CIP Right-of-Way Credit: \$0

System Frontage Improvements Credit

None Required \$0

Offsite System Improvements Credit

None Required \$0

Total Estimated Impact Fee: **\$4,326**

For comparative purposes, this is equivalent to the impact fee for 85% of a single family residence. A final determination of the impact fee assessment will be made upon receipt of an access permit application for the change in use.

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

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

Respectfully,



Chris Hopper, P.E.
District Engineer

File: Stone Lane- CU2024-0001 Gutierrez Contractor Yard

Emily Bunn

From: Chris Hopper <chopper@hwydistrict4.org>
Sent: Thursday, November 14, 2024 2:58 PM
To: Emily Bunn
Subject: RE: [External] CU2024-0001 Gutierrez

No concerns with buildings on the site. Impact fee calculations shown are approximate and based on information provided with the application. Actual impact fees will be determined at the time of issuance of an access permit.

Respectfully,

Chris Hopper, P.E.
District Engineer



Highway District No. 4
15435 Hwy 44
Caldwell, Idaho 83607
208-454-8135 Ext. 104

From: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Sent: Thursday, November 14, 2024 2:21 PM
To: Chris Hopper <chopper@hwydistrict4.org>
Subject: RE: [External] CU2024-0001 Gutierrez

Hello,

I just wanted to follow-up on my questions below on HD#4's comment letter.

Thank you,



Emily Bunn,
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Emily Bunn
Sent: Monday, November 4, 2024 3:56 PM
To: 'Chris Hopper' <chopper@hwydistrict4.org>
Subject: RE: [External] CU2024-0001 Gutierrez

Hello again,

Also, I think there is a reference in the comment letter regarding the buildings on the property that may need to be updated. They have a few sheds and outbuildings on the property they use for the staging area, and I don't believe they have a large storage building or contractor shop.

Thank you,



Emily Bunn,
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
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From: Emily Bunn
Sent: Monday, November 4, 2024 3:29 PM
To: 'Chris Hopper' <chopper@hwydistrict4.org>
Subject: RE: [External] CU2024-0001 Gutierrez

Hello,

Thank you for the comment, much appreciated.

I did want to ask, it looks like there will be about 7 employees on site for this business, instead of the 4 employees listed in your comment letter. Does this change the transportation impacts section of your comment letter? Or is it pretty comparable to if there were 7 employees instead of 4? He hasn't specific to me if the employees car pool or not to the property, FYI.

Sincerely,



Emily Bunn,
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Chris Hopper <chopper@hwydistrict4.org>
Sent: Monday, November 4, 2024 11:52 AM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: [External] CU2024-0001 Gutierrez

Emily-
Please see the attached comments from HD4

Respectfully,

Chris Hopper, P.E.
District Engineer



Highway District No. 4
15435 Hwy 44
Caldwell, Idaho 83607
208-454-8135 Ext. 104



Canyon County, 111 North 11th Ave Suite 310 Caldwell, ID 83605

(208) 454 7458

Case No CU2024-0001

Location: 23911 Stone Ln Caldwell

Acreage: 2.73

Zoned: A

Dear Mrs. Bunn,

Canyon County Building Division has reviewed the subject conditional use permit application for a proposed landscaping business, Progressive Lawn Care, LLC and would recommend the following comments as conditions of approval, if conditional use permit is approved.

1. The two existing unpermitted structures shall be permitted prior to the use being established onsite if approved.



2. Any fencing over 7' tall shall require a building permit.

Planning • Zoning • Building • Code Enforcement

Dedicated to providing quality, efficient and equitable service to the citizens of Canyon County by planning for orderly growth and development through consistent administration and enforcement of County Ordinances.

3. A building permit for a sign may be required upon review by DSD, or if the sign is over six feet (6') in height and permanently affixed to the ground.

Upon site improvements taking place or use of any structures, review for if a building permit is required or not shall be coordinated with the building division prior to commencement of work and/or use.

If you have any questions, please let us know,

Canyon County Building Official, Tom Crosby
Canyon County Permit Tech Supervisor, Cassie Lamb

Planning • Zoning • Building • Code Enforcement

Dedicated to providing quality, efficient and equitable service to the citizens of Canyon County by planning for orderly growth and development through consistent administration and enforcement of County Ordinances.

Canyon County Development Services

111 N. 11th Ave. Room 310, Caldwell, ID 83605
(208) 454-7458

Building Divsn Email: buildinginfo@canyoncounty.id.gov **Planning Divsn Email:** zoninginfo@canyoncounty.id.gov

Receipt Number: 81486

Date: 1/10/2024

Date Created: 1/10/2024

Receipt Type: Normal Receipt

Status: Active

Customer's Name: Jose M Guitierrez

Comments: CU2024-0001

Site Address: 23911 STONE LN, Caldwell ID / Parcel Number: 22070010 0

CHARGES

<u>Item Being Paid For:</u>	<u>Application Number:</u>	<u>Amount Paid:</u>	<u>Prevs Pymnts:</u>	<u>Unpaid Amnt:</u>
Planning - Conditional Use Permit	CU2024-0001	\$950.00	\$0.00	\$0.00

Sub Total: \$950.00

Sales Tax: \$0.00

Total Charges: \$950.00

PAYMENTS

<u>Type of Payment:</u>	<u>Check/Ref Number:</u>	<u>Amount:</u>
Check	3802	\$950.00

Total Payments: \$950.00

ADJUSTMENTS

Receipt Balance: \$0.00