



Planning & Zoning Commission
Hearing Date: January 16, 2025
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER: CU2023-0020

APPLICANT/ PROPERTY OWNER: Joshua Martin & Charmolita Martin, All Rail Construction, LLC
REPRESENTATIVE: Srinivasa Nookala, LDK Ventures, LLC

APPLICATION: Conditional use permit

LOCATION: 24574 Farmway Rd., Caldwell Id 83607; Parcel No. R38153

ANALYST: Carl Anderson, Planning Supervisor
REVIEWED BY: Jay Gibbons, Interim DSD Director

REQUEST:

The applicant Joshua Martin requests a conditional use permit (CUP) to allow for the operation a staging area for a construction company within the Agricultural "A" zoning district. Canyon County ordinance allows for staging areas & contractor shops as a CUP.

PUBLIC NOTIFICATION:

Neighborhood meeting conducted on:	August 8, 2023
Neighbor notification within 600' feet mailed on:	December 13, 2024
Newspaper notice published on:	December 17, 2024
Notice posted on site on:	December 17, 2024

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1. BACKGROUND:

The applicant, Joshua Martin, request a conditional use permit to allow the operation of a staging area for a construction company, All Rail Construction LLC, within the Agricultural "A" zoning district. The subject property is located at 24574 Farmway Road, parcel no. R38153 and is thirty-five and half (30.5) acres (more or less).

The established use is currently not permitted for the subject site. Pursuant to Canyon County Ordinance 07-01-05(1) which states that no person shall construct, alter, move, or change the use of a structure or commence any development or use, unless otherwise preempted by federal, state, or local law, unless: B. Any approval required by this chapter is first obtained and any applicable conditions of approval are met.

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There is an open code enforcement violation on the subject property (CDEF2023-0066) for the operation of a staging area in the agricultural zoning designation without an approved Conditional Use Permit (CUP). The subject application, if approved, will provide resolution to the open code enforcement case. (**Exhibit B4.1**)

The applicant's letter of Intent (**Exhibit A3.1**) the property was acquired by the applicant in 2019. Based on Google Street View for the subject property, the proposed use of a staging area began sometime between 2012 and 2022 (**Exhibit B3**).

During the Site visit conducted on January 3, 2025, it was observed that there appears to be an occupied RV located on the premises, located to the southwest-most corner of the property. The applicant is hereby made aware that the subject RV Shall be removed from the premises, or an approved temporary permit be obtained within sixty (60-days) of approval of this CUP (**Condition 13**).

2. HEARING BODY ACTION:

Pursuant to Canyon County Ordinance Article 07-07-01 every use which requires the granting of a conditional use permit is declared to possess characteristics which require review and appraisal by the commission to determine whether or not the use would cause any damage, hazard, nuisance or other detriment to persons or property in the vicinity. The commission may require higher standards of site development than those listed specifically in this chapter in order to assure that the proposed use will be compatible with other property and uses in the vicinity. The commission may revoke or modify its approval of a conditional use permit in accordance with the procedures set forth in the hearing and appeals procedures found in article 5 of this chapter.

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

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

OPTIONAL MOTIONS:

Approval of the Application: "I move to approve for CU2023-0020, Joshua Martin, finding the application **does** meet the criteria for approval under Article 07.07.05 of Canyon County zoning Regulations, **with the conditions listed in the staff report, finding that;** [*Cite reasons for approval & Insert any additional conditions of approval*].

Denial of the Application: "I move to deny CU2023-0020, Joshua Martin finding the application **does not** meet the criteria for approval under Article 07.07.05 of Canyon County zoning Regulations, **finding that**

[cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5)).

Table the Application: “I move to continue CU2023-0020, Joshua Martin to a [date certain or uncertain]

3. HEARING CRITERIA

Table 1. Conditional Use Permit Review Criteria Analysis

HEARING CRITERIA (07-07-05): The presiding party shall consider each conditional use permit application by finding adequate evidence to answer the following questions in its FCOs:				
Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
			07-07-05(1)	Is the proposed use permitted in the zone by conditional use permit;
			Staff Analysis	<p>The proposed use of a “staging area “is permitted in the agricultural “A” zoning district by conditional use permit, pursuant to County Ordinance 07-10-27. A staging area is defined as an area where equipment and/or materials are stored for use conducted entirely off site. Canyon County ordinance defines a “permitted use”, as a use for which the utilization of land which shall be permitted to take place in any district as set forth by this chapter after obtaining a conditional use permit. Additionally, a conditional use or occupancy of a structure, or use of land, is permitted only upon issuance of a conditional use permit and subject to the limitations and conditions specified therein. See also Idaho Code section 67-6512 (CC 07-02-03).</p> <p>Additionally, upon review of the request, the applicant has included the use of a contractor shop which is defined as, “a building where a contractor conducts his business, including offices and parking of equipment and employee parking.” A contractor shop is also permitted in the agricultural zone by a conditional use permit.</p> <p>Pursuant to Canyon County ordinance 07-10-25 the purposes of the agricultural zone are to: A. Promote the public health, safety, and welfare of the people of the County by encouraging the protection of viable farmland and farming operations; B. Limit urban density development to Areas of City Impact in accordance with the comprehensive plan; C. Protect fish, wildlife, and recreation resources, consistent with the purposes of the "Local Land Use Planning Act", Idaho Code title 67, chapter 65; D. Protect agricultural land uses, and rangeland uses, and wildlife management areas from unreasonable adverse impacts from development; and E. Provide for the development of schools, churches, and other public and quasi-public uses consistent with the comprehensive plan.</p> <p>See review and analysis of the project description contained in Section 07-07-05(2) detailing the nature of the request for further review.</p> <p>While the use of a staging area as defined is not specifically listed under the purpose of the agricultural zoning district, the use is identified as a permitted use in Canyon County ordinance 07-10-27 zoning and land use matrix, and is therefore permitted in the zoning district by conditional use permit.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(2)	What is the nature of the request;
			Staff Analysis	<p>The subject request is to operate a staging area to support the operation of a construction company. The subject business, as indicated by the applicant, is a specialty highway construction contractor that works on improvements to state and local government infrastructure projects. The applicant has indicated that the site was identified due to it having an electrical transmission corridor and being positioned between interstate 84 and a collector road (Exhibit A.2).</p> <p>The subject property is located along Farmway Road, a major collector road (Exhibit B2.6). The applicant has indicated that there is an existing manufactured home on the property that is being used as an office building, providing services to employees. See Comment from the Canyon County Building Department (Exhibit D.6) related to necessary building code compliance. The applicant indicates that operations will include 10 to 20 employees. Employees will be expected to load material for a project and will typically be assigned to work offsite from Monday through Friday. Hours of operation are proposed to be 8am – 5pm, Monday - Friday. The subject business operation is not open to the public at this location (Exhibit A1 & A.2).</p> <p>Signage associated with the subject operation are proposed to be located on the approach roads to direct delivery of raw materials. The signage is shown to be 3’ by 4’ and to be fence mounted (Exhibit A1 & A.2). All signage associated with the proposed use shall require an approved sign permit prior to installation (see condition no.7).</p> <p>Based on application and supporting materials submitted, the project site will include the following: 5’-6’ fencing along Farmway Road, building with septic and well, two storage buildings, a storage shed, vehicle parking of up to 10-20 spaces, jersey barrier storage; guard rail storage; and truck parking (Exhibit A1 & A.2).</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(3)	Is the proposed use consistent with the comprehensive plan;
			Staff Analysis	<p>The proposed use is consistent with the 2030 Comprehensive plan.</p> <p>The subject property has an Agricultural Designation on the 2030 Comprehensive Plan Land Use Map (Exhibit B2.3) and is zoned agricultural. The proposed use is conditionally permitted in the Agricultural zoning district. The property is not located within an established area of city impact (Exhibit B.1).</p> <p>The request aligns with the following goals of the 2030 Comprehensive Plan:</p> <p><u>Property Rights Goals and Policies:</u></p> <p>Goal No. 1.1: <i>“Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.”</i></p> <ul style="list-style-type: none"> ○ Action No. 1.1.00a: “Require properties to conform to the zoning code before receiving additional zoning approvals”. ○ Action No. 1.1.00b: Canyon County will take appropriate measures to enforce all nuisance ordinances to protect the quality of life and private property rights”.

			<ul style="list-style-type: none"> ○ Policy No. 1.1.1: <i>“No person shall be deprived of private property without due process of law.”</i> ○ Policy No. 1.3: <i>“Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals.”</i> <p>Goal No. 1.2: <i>“Acknowledge the responsibilities of each applicant as a steward of the land, use their property wisely, maintain it in good condition and preserve it for future generations without becoming a public nuisance.”</i></p> <p><u>Population Component Goals:</u></p> <p>Goal No. 2.1 <i>“Incorporate population growth trends & projections when making land-use decisions”.</i></p> <ul style="list-style-type: none"> ○ Policy No. 2.1.1: <i>“Plan for anticipated population and households that the community can support with adequate services and amenities.”</i> <p>Goal No. 2.2: <i>“Promote housing, business, and service types needed to meet the demand of the future and existing population.”</i></p> <p>Canyon County promotes business and service types that the community can support with adequate services and amenities. However, the Planning and Zoning Commission must decide if conditions can be added to this application to mitigate negative impacts on surrounding properties and if this is the best-suited location for this proposed staging area/contractor shop.</p> <p><u>Economic Development Goal and Policy:</u></p> <p>Goal No. 3.1: <i>“Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations.”</i></p> <ul style="list-style-type: none"> ○ Policy No. 3.1.1: <i>“Direct business development to locations that can provide necessary services and infrastructure”.</i> ○ Policy No. 3.1.2: <i>“Supportive suitable sites for economic growth and expansion compatible with the surrounding area.”</i> <p>Goal No. 3.5: <i>“Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability”.</i></p> <p>Canyon County supports retaining, expanding, and recruiting businesses and economic growth and expansion. Economic Development must be accomplished in a way that is compatible with the surrounding area, which may include adding mitigation conditions to this conditional use permit that address the community’s concerns (noise, traffic, dust, etc.).</p> <p><u>Land Use & Community Design Goals:</u></p> <p>Goal No. 4.1: <i>“Support livability and high quality of life as the community changes over time”.</i></p> <ul style="list-style-type: none"> ○ Policy No. 4.1.2: <i>“Planning, zoning, and land-use decisions should balance the community’s interests and protect private property rights”.</i> <p>Goal No. 4.2: <i>“Ensure that growth maintains and enhances the unique character throughout the County”.</i></p>
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				<ul style="list-style-type: none"> ○ Policy No. 4.2.1: <i>“Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses.”</i> <p>Goal No. 4.3: <i>“Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning.”</i></p> <ul style="list-style-type: none"> ○ Policy No. 3.2: <i>“Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns”.</i> ○ Policy No. 3.3: <i>“Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility”.</i> <p>Goal No. 4.4: <i>“Concentrate future higher density residential growth in appropriate areas in and around existing communities while preserving and enhancing the County’s agricultural and rural character”.</i></p> <ul style="list-style-type: none"> ○ Policy No. 4.5: <i>“Encourage buffering and/or transitional uses between residential and more impactful uses to promote the health and well-being of existing and future residents”.</i> <p>Goal No. 4.5: <i>“Support a diversity of agricultural uses to sustain the agricultural and agriculturally related economy”.</i></p> <ul style="list-style-type: none"> ○ Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators”. <p>Goal No. 4.6: <i>“Development design should improve the area’s character and be compatible with the community’s visual appearance and the natural environment”.</i></p> <p>Canyon County supports growth and development as long as it is compatible with the surrounding area and appropriate conditions are added to mitigate adverse impacts that affect other land uses and the surrounding community.</p> <p><u>Natural Resources and Hazards:</u></p> <p>Goal No.5.1: <i>“Protect, enhance, and steward natural resources”.</i></p> <ul style="list-style-type: none"> ○ Policy No. 5.1.3: <i>“Encourage the protection of groundwater and surface water quality and quantity in land use through drought-tolerant design and community systems”.</i> ○ Policy No. 5.1.3a: <i>“Coordinate with water supply providers to ensure policies align for successful water management”.</i> <p>Goal No. 6: <i>“Encourage downward-facing lighting to improve public safety”.</i></p> <ul style="list-style-type: none"> ○ Policy No. 5.6.1: <i>“Lighting design should reduce the negative impact of light pollution, including sky glow, glare, impacts on public health and safety, disruption of ecosystems and hazards to wildlife”.</i> <p>Canyon County supports the development that protects, enhance and serve as a steward for natural resources as long as it is mitigates adverse impacts to groundwater and surface water, as well as limit light pollution.</p>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(4)	Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area;																					
			Staff Analysis	<p>As conditioned, the proposed use is not anticipated to be injurious to other property in the immediate vicinity and will not negatively change the essential character of the area.</p> <p>Summary:</p> <p>The surrounding land uses as reviewed within a one-mile radius indicate that land uses in the area are trending towards residential, though there are still agricultural operations occurring to the south and west. As conditioned it is not anticipated that the proposal will be injurious to other property within the immediate vicinity, nor will it change the essential character of the area.</p> <table><tr><th colspan="4">Adjacent Existing Conditions:</th></tr><tr><th>Direction</th><th>Existing Use</th><th>Primary Zone</th><th>Other Zone</th></tr><tr><td>N</td><td>Residential</td><td>AG - Agricultural</td><td></td></tr><tr><td>S</td><td>Residential & Agricultural</td><td>AG - Agricultural</td><td></td></tr><tr><td>E</td><td>Residential</td><td>R1 Single Family Residential</td><td>RR - Rural Residential</td></tr><tr><td>W</td><td>Residential, Agricultural, & Commercial</td><td>AG - Agricultural</td><td></td></tr></table> <p>“A” (Agricultural), “R-R” (Rural Residential), “R-1” (Single-Family Residential), “C-1” (Neighborhood Commercial), “C-2” (Service Commercial), “M-1” (Light Industrial), “CR” (Conditional Rezone)</p>	Adjacent Existing Conditions:				Direction	Existing Use	Primary Zone	Other Zone	N	Residential	AG - Agricultural		S	Residential & Agricultural	AG - Agricultural		E	Residential	R1 Single Family Residential	RR - Rural Residential	W
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W	Residential, Agricultural, & Commercial	AG - Agricultural																							

				<p>Surrounding Land Use Cases (Land Use Cases within a 1-mile radius & within the past 5 years):</p> <p>Within a 1-mile radius of the property there have been ten (10) land use cases that have been approved with six (6) of these being subdivisions, three (3) being rezone applications, and one (1) being a conditional use permit modification. (Exhibit B.2.6 7 & B.2.7). Of the land use cases listed below and detailed within the Land Use Case summary 9 of the 10 are located east of Interstate 84 and located within the City of Middleton Area of Impact.</p> <ul style="list-style-type: none"> • SD2019-0043 Purple Sage Estates No. 4 – Approved • RZ2019-0037 County Club Water Association (RR to R2) – Approved • SD2019-0008 – Trison Estates Sub – Approved • SD2020-0026 Purple Sage Estates No.5 – Approved • SD2020-0038 Desert Pine Est No. 2 – Approved • SD2021-0017 Burris Ranch Estates – Approved • RZ2021-0029 Burris Ranch (RR & C1 to CR-R1) – Approved • RZ2022-0003 Franks (RR to CR-R1) - Approved • SD2022-0003 Hidden Legends Estates – Approved • CU2023-0035 Olsen (CU2002-42 Modification – Approved <p>Character of the Area:</p> <p>The area is characterized by a mix of uses ranging from residential to agricultural, agricultural structures on large lots, and some limited commercial operations to the south and west.</p> <p>The subject parcel is not within an area of city impact. The City of Middleton area of impact is located east of the subject property, separated from the site by interstate 84. The City of Caldwell area of impact is located south of the site approximately 1.55 miles south off the site when measured along Farmway Road.</p> <p>The subject property is zoned Agricultural “A” (Exhibit B2.5 & B1) and has a designation of Agricultural on the 2030 Future Land Use Map. Within a one-mile radius of the property there are thirty-three (33) platted subdivisions, two (2) mobile home parks, and six (6) subdivisions in platting (Exhibit B2.10). The average lot size within platted subdivisions is 1.14 acres. See also Exhibit B2.6 Lot Classification Map for visual representation of the Functional Classification designations and an illustration of lot sizes in the within a one-mile radius of the site.</p> <p>The soils on the subject property range from “prime farmland if irrigated” and “farmland of statewide importance if irrigated”, with soil capability being moderately suited, soil class 3 and 4 respectively (Exhibit B2.12,13&14).</p> <p>The Conway Gulch Lateral runs adjacent to the subject parcel through some elevation changes along the west and northern property lines and is managed by the Black Canyon Irrigation District. (See Exhibit D.5)</p>
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			<p>As shown in Exhibit B2.15, the Dairy, Feedlot, and Gravel Pit Map, there is one feedlot within a one-mile radius from the site, located to the northwest of the subject property. There is a similar use that existing located across Farmway road at the southeast corner of the property, being a palette manufacturing operation established through CU2005-155 (Exhibit B5).</p> <p>Potential Impacts:</p> <p>As proposed, the staging area and contactor shop are not anticipated to significantly increase the sound levels in the immediate vicinity. Per the letter of intent, the nature of the work is remote around the states of Idaho and Oregon. The business anticipates an average of two deliver/ships coming in and out of the property, though it is assumed that this is per day, as it was not specified in the applicant’s letter of intent. The applicant indicates that the normal course of operations includes 10 to 20 employees who will load material for a project and will typically be assigned work offsite from Monday through Friday, with assignments being offsite. The proposed operation is not open to the public. As conditioned, the hours of operation are limited to 8 a.m. to 5:00 p.m. Monday through Friday (as proposed in the land use worksheet), and the proposed development shall be in general conformance with the applicant’s site plan (meaning it cannot expand outside of the area shown without amending the conditional use permit). See proposed conditions #8 & 9. (Exhibits A2 and A3).</p> <p>That applicant has indicated in their letter of intent that a site obscuring fence has been installed (Exhibit A2 & A3), however, upon completion of the site visit conducted on January 3, 2025, the slats do not extend the full length of the fencing (Exhibit C). Canyon County Comprehensive Plan 2024 Goal No. 4.6 outlines that, “Development design <u>should improve the area’s character and be compatible with the community’s visual appearance and the natural environment</u>”. In order to improve compatibility with adjacent residential properties to the north, west, and south, and to improve the visual aesthetic of the frontage of the property staff recommends that a condition be added to enhance the screening of the subject property. See proposed condition #15.</p> <p>The contractor shop and staging area may increase the dust levels in the immediate vicinity as the access to the area designated for the contractor shop and staging area the to the property is a dirt access (Exhibit A4 & C1). The area has not been proposed to be graveled per the letter of intent (Exhibit A3). As conditioned, dust shall be controlled per applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to operations including but not limited to nuisance regulations (CCCO Chapter 2 Article 1: Public Nuisances) and shall be consistent with Idaho Department of Environmental Quality (DEQ) and Environmental Protection Agency (EPA) requirements. To mitigate the potential for dust, tracking mud and debris off-site, and erosion and sediment control concerns, staff recommends that the applicant install a dustless surface along all travel ways and employee parking areas, as shown on their site plan, within six-months (6-months) of approval of the CUP. See proposed condition No. 14. It is recommended that the approach to the site be paved in order to reduce the tracking of debris and mud to and from the site unless otherwise</p>
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				<p>waived by the highway district. See further analysis under section 07-07-05(06 & 07) for discussion and recommended conditions.</p> <p>The applicant has not indicated that they plan to install lighting for the associated use, and lighting was not observed during the site visit conducted on January 3, 2025. As conditioned, all exterior lighting, if installed, shall be downward facing and directed away from surrounding properties. Compliance shall be demonstrated in the building plans submitted as part of the building permit submittal. Review and approval by DSD shall be completed before building permit issuance. See proposed condition #5.</p> <p>See CCCO §07-07-05(7) for traffic impacts.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(5)	Will adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems be provided to accommodate the use;
			Staff Analysis	<p>The project will have adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems to accommodate the proposed use based on the analysis contained herein.</p> <p>Water: The applicant's proposal indicates that an individual well will be provided by individual domestic well (Exhibit A2 – Land Use Worksheet). See condition No. 1.</p> <p>Sewer: The applicant has proposed that on-site sewer/sanitation will be provided by individual septic (Exhibit A2 – Land Use Worksheet). Southwest District Health provided an agency response on August 14, 2024, indicating that a nutrient pathogen study is not required. In relation to the adequacy of sanitary systems to accommodate the use, Southwest District Health indicated that septic systems have not been proposed for this project (Exhibit D.1). Whereas the applicant has indicated in the land use worksheet (Exhibit A2) that sewer will be provided via a septic system and their revised letter of intent that essential services to employees, workers and deliver drivers such as restrooms and drinking water, the appropriate approvals shall be obtained prior to commencement of use. Condition 16 has been recommended to ensure adequate sewer/septic systems are provided to accommodate the proposed use.</p> <p>Irrigation: The applicant has indicated that irrigation water is provided via gravity surface irrigation (Exhibit A2 – Land Use Worksheet). The Black Canyon Irrigation District (BCID) has indicated that according to their records the parcel receives irrigation water from the District. See the BCID agency response dated September 11, 2024, for further agency comment related to irrigation water (Exhibit D.4). See proposed condition No. 6 related to irrigation water to ensure that adequate irrigation is provided to the property.</p> <p>There is a private driveway that is located along the northwest most property line of the subject property benefiting the residence located at 24584 Farmway Road (R38153010), which may be located within the twenty-five-foot (25') irrigation</p>

				<p>lateral easement as shown on record of survey 2003-72726. Additionally, there is a twenty-eight-foot (28') ingress/egress easement running parallel to the aforementioned lateral easement. Based on the applicant's site plan and measuring using GIS, it appears that the applicant's fencing, parking and some storage may be located within the 28' ingress/egress easement. In order to mitigate potential impacts to lateral easement and preserve the approved ingress/egress easement staff recommends that condition No. 17 be included.</p> <p>Drainage & Stormwater drainage facilities: All stormwater and Drainage shall be retained on-site. All future improvements to the site shall require review and approval of stormwater and drainage plans.</p> <p>Utility Systems: The property owner will need to work with Idaho Power and other utility providers to gain any additional private utilities as needed.</p> <p>Building Code: See analysis and comment contained within Table 2, criteria 07-14-09(1).</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(6)	Does legal access to the subject property for the development exist or will it exist at the time of development;
			Staff Analysis	<p>The subject property does have legal access for the development via frontage along Farmway Road (Exhibit B2& B6). However, Pursuant to comment received from Notus Parma Highway District No. 2 <u>the intended use</u> of the site does not have an approved legal access (Exhibit D7). The subject west-most portion of the property includes a section of farmway Road. Staff recommends that condition number 18 be included to ensure that an approved approach permit is obtained for the intended use. See further comment located in section 07-07-05(7).</p> <p>The applicant has indicated that there is an existing twenty-eight-foot (28') ingress/egress easement to the property (Exhibit A3.1). See also Exhibit B6 related to the prior land division.</p> <p>Agency notice was sent to Notus Parma Highway District on August 13, 2024, and December 17th, 2024. Comment was received on January 6, 2025 and may be found in Exhibit D.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(7)	Will there be undue interference with existing or future traffic patterns; and
			Staff Analysis	<p>It is unknown if there will be undue interference with the existing or future traffic patterns.</p> <p>Agency notice was sent to Notus Parma Highway District and the Idaho Transportation Department (ITD) on August 13, 2024, and December 17th, 2024. and comments was from the Notus Parma Highway District No.2 (Exhibit D7). The Idaho State Transportation Department commented that they have no objections as long as there is no encroachment of any property into ITD Right of Way (Exhibit D.3).</p> <p>Staff recommends that condition number 18 be included to evaluate and mitigate potential undue interference with existing and future traffic patterns.</p>

			07-07-05(8)	Will essential services be provided to accommodate the use including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use? (Ord. 16-001, 1-8-2016)
			Staff Analysis	<p>Essential services will be provided to accommodate the use including, but not limited to school facilities, police and fire protection, emergency medical services, irrigation facilities. The services will not be negatively impacted by such use, nor will they require additional public funding in order to meet the needs created by the requested use.</p> <p>School Facilities: Not applicable. The proposed use is not anticipated to require additional accommodations from the Middleton School District. Middleton School District was notified of the application and did not comment.</p> <p>Police and Fire protection: Police and fire protection are provided to the property. Canyon County Sheriff, Middleton Fire Protection District were notified of the application and did not respond. The applicant has indicated that fire suppression will be provided by domestic well (Exhibit A2 – Land Use worksheet). Agency notice was sent on August 13, 2024, and December 17th, 2024, and comment has not been received from the Middleton Fire District. All development shall comply with the 2018 International Fire Code and codes set forth by Canyon County. See also comment letter from the Canyon County Building Department (Exhibit D.6) indicating that Fire Department approval shall be required at the time of building permit.</p> <p>Emergency Medical Services: Emergency Medical Services are provided to the property. Canyon County Paramedics/EMT and the Emergency Management Coordinator were notified of the application and did not comment. The use is not anticipated to be significant enough to cause a negative impact or require additional public funding.</p> <p>Irrigation Facilities: See review and analysis related to irrigation water contained within criteria 07-07-05(5). As conditioned, it is not anticipated that the proposed existing services will be negatively impacted by the proposed use, nor require additional public funding in order to meet the needs of the requested use.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**Table 2. Article 14 Use Standards Criteria Analysis
- Contractor Shop -**

USE STANDARDS 07-14-03(1): The provisions of this article apply to all properties where a use is listed as an allowed use, a conditional use, or a director's decision in section 07-10-27 of this chapter (land use matrix). (Ord. 16-001, 1-8-2016)				
Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-09(1)	Contractor Shop: (1) The use shall be contained within a building or behind a sight obscuring fence. (Ord.16-0001, 1-8-1026)
			Staff Analysis	<p>Per the letter of intent (Exhibit A5), all work on site is done off-site or within the office building, other than storage of equipment which falls under the staging area portion of the application (Table 3).</p> <p>Building Compliance: Canyon County's Building Department sent a comment letter (Exhibit D.6) on December 31st, 2024 and recommended the following conditions of approval: (1) All proposed and existing structures that will be used, will require a commercial building permit and/or Commercial Change of Occupancy permit. A code analysis to be required to be submitted with plans provided by a licensed architect/engineer. Applicable agency approvals will be required at the time of permit: Middleton Fire Department, Southwest district Health, and Notus-Parma Highway District #2; (2) Any fencing over 7' tall shall require a building permit; (3) A building permit for a sign may be required upon review by DSD, or if the sign is over six (6') in height and permanently affixed to the ground. See proposed Conditions #2, 3 & 4.</p> <p>As conditioned, the applicant shall obtain building permits for unpermitted structures (such as those identified in Exhibit D6) and any future structures/improvements (including fencing). Evidence shall be an approval document from the Canyon County Building Department, Middleton Fire District, Notus Parma Highway District, and Southwest District Health. See proposed condition #9. (see Exhibit D6).</p>

Table 3. Article 14 Use Standards Criteria Analysis
- Staging Area -

USE STANDARDS 07-14-03(1): The provisions of this article apply to all properties where a use is listed as an allowed use, a conditional use, or a director's decision in section 07-10-27 of this chapter (land use matrix). (Ord. 16-001, 1-8-2016)				
Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-29(1)	All work shall be conducted off-site.
			Staff Analysis	<p>Per the letter of intent and site plan (Exhibit A3.1 & 4) the proposal indicates that operations will include 10 to 20 employees. Employees will be expected to load material for a project and will typically be assigned to work offsite from Monday through Friday. Hours of operation are proposed to be 8am – 5pm, Monday - Friday. The subject business operation is not open to the public at this location. The site is intended to support the construction operations of All Rail Construction, LLC., a highway construction contractor, on improvements to state and local government infrastructure projects. The site will be utilized to store guardrail, concrete barriers, bridge railing, crash cushions and fencing.</p> <p>The work that is done on site is done within the shop building and falls under the contractor shop portion of the application (Table 2). Regarding further analysis of</p>

				the existing manufactured home, utilized as an office building, see criteria 07-14-09(1) .
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-29(2)	Business vehicles shall be operable and parked on site, not on a public or private road.
			Staff Analysis	There are between 10-20 parking spaces according to the land use worksheet (Exhibit A5) and plenty of space for more parking if needed. The parking spaces are located along the northmost edge of the property. Per Condition 11 , business vehicles shall be operable and parked according to this criterion.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-29(3)	Persons not employed on the premises may visit the premises for the purpose of picking up equipment and materials to be used elsewhere, including trucks offloading or transferring equipment and/or materials to other vehicles.
			Staff Analysis	The applicant's letter of intent indicates that the proposed business does not operate as open to the public (Exhibit A3). The operations of the proposed use may include incidental operations as permitted by this section.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-29(4)	Employees may meet on the premises to share rides to and from job sites.
			Staff Analysis	The above may occur.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-29(5)	Employees' vehicles shall be parked on site and not on a public or private road. (Ord. 16-001, 1-8-2016)
			Staff Analysis	There are between 10-20 parking spaces according to the land use worksheet (Exhibit A2) and space for more parking if needed. The parking spaces are located along the northmost edge of the property. Per Condition 11 , employees' vehicles shall be parked according to this criterion.

4. AGENCY COMMENTS:

Agencies including the Canyon County Sheriff's Office, Canyon County Paramedics/EMT, Middleton Fire District, Black Canyon Irrigation District BCID, Notus Parma Highway District, Middleton School District, Idaho Transportation Department, Idaho Power, Intermountain Gas, Canyon County Assessor's Office, Canyon County Building Department, Canyon County Code Enforcement Department, Idaho Department of Environmental Quality (IDEQ), Environmental Protection Agency (EPA), Southwest District Health, and the City of Middleton were notified of the subject application.

Staff received agency comments from: Southwest District Health Department; Idaho Department of Environmental Quality; Idaho Department of Transportation; Canyon County Engineering Division; Black Canyon Irrigation District; the County's Building Division; and the Notus Parma Highway District No. 2. All agency comments received by the aforementioned materials deadline are located in **Exhibit D**.

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

5. PUBLIC COMMENTS:

Staff received "two" (2) total written public comments by the materials deadline of January 6, 2025. The comments received were opposed to the request. All public comments received by the aforementioned materials deadline are located in **Exhibit E**.

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

6. SUMMARY & RECOMMENDED CONDITIONS:

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

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

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use;
2. A change of occupancy from residential to commercial occupancy, fire district permits and approval for Certificate of Occupancy for the mobile home building use for the business office. All appropriate building permits shall be obtained within 180 days from the approval of the CUP;
3. The applicant shall obtain a fire district permit to be provided at the time of building permit submittal;
4. The applicant shall comply with applicable Notus Parma Highway District No.2 access requirements. The applicant shall obtain a permit to be provided at the time of building permit submittal;
5. All exterior lighting, if installed, shall be downward facing and directed away from surrounding properties. Compliance shall be demonstrated in the building plans submitted as part of the building permit submittal. Review and approval by DSD shall be completed before building permit issuance;
6. The applicant shall not impede, disrupt, or otherwise disturb the existing irrigation structures on and adjacent to the subject property without written approval from the irrigation district with jurisdiction. All necessary permits shall be obtained from Black Canyon Irrigation District shall be obtained prior to the within six (6) months of approval of this CUP;
7. Signage shall meet CCZO §07-10-13 requirements, and shall not exceed 32 sq. feet and 10 ft in height unless an additional sign permit is applied for and approved by the Director. If it exceeds 6 ft in height, a building permit is required;
8. The hours of operation shall be 8 a.m. to 5 p.m. Monday through Friday, as proposed in the applicant's land use worksheet and letter of intent (**Exhibit A3.1**);
9. The proposed development shall be in general conformance with the applicant's site plan and letter of intent (**Exhibit A2**);
10. All applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the operations including but not limited to nuisance regulations (CCCO Chapter 2 Article 1: Public Nuisances) and Idaho Department of Environmental Quality (DEQ) and Environmental Protection Agency (EPA) requirements shall be adhered to;
11. Employees' vehicles shall be parked on site and not on a public or private road. Business vehicles shall be operable and parked on site, not on a public or private road;

12. This conditional use permit must follow land use time limitation as stated in CCZO 07-07-23:
“When a conditional use permit is granted, the land use or construction of its facility proposed in the application must have commenced within three (3) years of the date of the final decision by the presiding party or a court of appropriate jurisdiction. The improvements for the approved use must be completed within five (5) years of the same date;
 - a. Commencement shall be the date a zoning compliance is issued for a change of occupancy for the shop building used for the business.
13. The staging area shall be maintained in compliance with CCCO Chapter 2 Article 1: Public Nuisances, including, but not limited to obtaining a temporary use permit for an occupied RV at the time of commencement of the conditional use permit;
14. The applicant shall install a dustless surface along all travel ways and employee parking areas, as shown on the site plan, within six-months (6-months) of approval of the CUP;
15. A site plan detailing screening locations and elevations shall be reviewed and approved by the Development Services Department within 180 days of approval of the subject CUP;
16. The applicant shall meet Southwest District Health (SWDH) requirements for the proposed uses on the property as evidenced by the applicant providing Development Services a letter of review and approval from SWDH prior to the commencement of contractor shop and staging area activities: and
17. The applicant shall work with a surveyor and that all facilitates associated with the operation of the subject CUP shall be located outside of the approved ingress/egress easement running along the northwest most property line, or otherwise, amend the LS2004-87. Evidence of compliance shall be a survey and/or site plan, drawn to scale, shall be provide to DSD and if needed a site inspection complete by DSD verify that all materials have been relocated. This shall occur within six (6) months of approval of the CUP.
18. Within six (6) months of approval of the CUP, the applicant shall coordinate with the Notus Parma Highway District No. 2 and obtain the necessary approvals for the intended use. Evidence shall be an approved approach permit from the subject highway district.

7. EXHIBITS:

A. Application Packet & Supporting Materials

1. Master Application
2. Land Use Worksheet
3. Letter of Intent – Date: Unknown
4. Site Plan – Dated August 5, 2024
5. Neighborhood Meeting
6. Agency Acknowledgement
7. Additional Communication
8. Presentation

B. Supplemental Documents

1. Parcel Tool
2. Cases Maps/Reports
 - 2.1. Aerial Map
 - 2.2. Vicinity Map
 - 2.3. Canyon County Future Land Use Map
 - 2.4. City of Middleton Future Land Use Map

- 2.5. Zoning & Classification Map
- 2.6. Lot Classification Map
- 2.7. Case Map
- 2.8. Case Summary
- 2.9. Subdivision Map
- 2.10. Subdivision & Lot Report
- 2.11. Contour Map
- 2.12. Prime Farm Lands
- 2.13. Soil Map
- 2.14. Soil & Farmland Report
- 2.15. Dairies, Feedlots, & Gravel Pit Map
- 2.16. TAZ Household
- 2.17. Neighborhood Notification Map
- 3. Google Street View
 - 3.1. Google Street View Clip 2012
 - 3.2. Google Street View Clip 2022
- 4. CDEF2023-0066
 - 4.1. Courtesy Notice: Dated April 19, 2023
 - 4.2. Courtesy Notice Reminder: Dated July 3, 2023
- 5. CU2005-155 Pallet Manufacturing: Parcel No. R38113
- 6. LS2004-87: Decision Administrative Land Division – Roy Cook
- C. Site Visit Photos**
 - 1. Site Visit Photos by Planning Staff, January 3, 2025
- D. Agency Comments Received by: January 6, 2025**
 - 1. South West District Health; Received: August 14, 2024
 - 2. Idaho Department of Environmental Quality (IDEQ); Received: August 20, 2024
 - 3. Idaho Department of Transportation (ITD); Received: September 4, 2024
 - 4. Canyon County Engineering Division - Amended; Received: September 9, 2024
 - 5. Black Canyon Irrigation District (BCID); Received: September 11, 2024
 - 6. Canyon County Building Department; Received: December 31, 2024
 - 7. Notus Parma Highway District No. 2; Received: January 6, 2025
- E. Public Comments Received by: January 6, 2025**
 - 1. Dale R. Dickson & Charles F. Stewart; Received: January 3, 2025
 - 2. Bann Johnson; Received: January 3, 2025

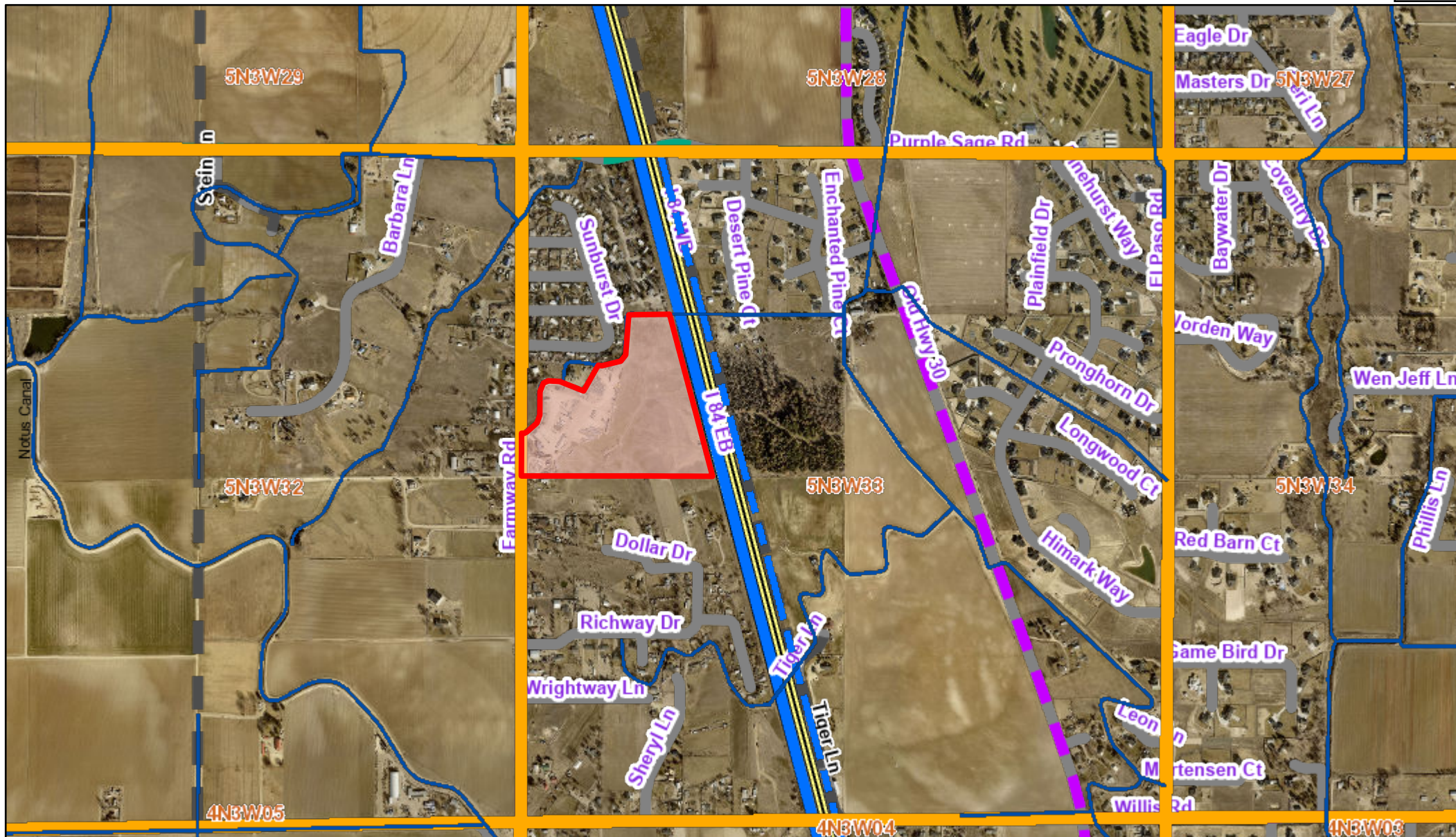
EXHIBIT A

Application Packet & Supporting Materials

Planning & Zoning Commission

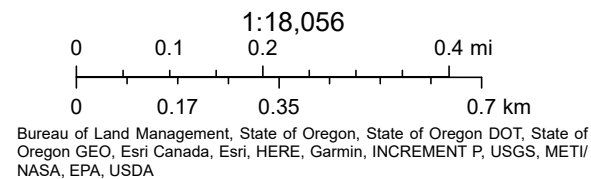
Case# CU2023-0020

Hearing date: January 16, 2025



9/18/2023, 9:03:01 AM

- | | | | |
|-------------------------------------|-------------------|-----------------------------|----------------------------|
| Multiple Parcel Search_Query result | City Limits | Roads | Major Collector |
| Hydro_NHDFlowline | Sections | CC_PrivateRoads | Minor Arterial |
| County Boundary | CanyonCountyRoads | ITDFunctionalClassification | Canyon County Imagery 2022 |
| Current Impact Area | Interstate | Interstate | Red: Band_1 |





CONDITIONAL USE PERMIT PUBLIC HEARING - APPLICATION

PROPERTY OWNER	OWNER NAME:	Joshua Martin	
	MAILING ADDRESS:	24574 Farmway Rd. 83607	
	PHONE:	208-813-0078	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>			
Signature: <u>[Signature]</u> Date: <u>8/1/2023</u>			

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	APPLICANT NAME:	Joshua Martin	
	COMPANY NAME:	All Rail Construction LLC	
	MAILING ADDRESS:	24574 Farmway Rd. Caldwell, ID 83607	
	PHONE:	208-813-0078	EMAIL:

SITE INFO	STREET ADDRESS:	24574 Farmway Rd. Caldwell, ID 83607	
	PARCEL NUMBER:	R 38153000 0 05N03W334050	
	PARCEL SIZE:	30.5	
	REQUESTED USE:	Staging Area	
	FLOOD ZONE (YES/NO)	No	ZONING DISTRICT:

FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER	CU 2023-0020	DATE RECEIVED:	9/15/23
RECEIVED BY:	Ivan K.	APPLICATION FEE:	\$950
			CK MO CC CASH



RETURN SERVICE ONLY
PO BOX 100104, Duluth, GA 30096-9377



8-834-11699-0000866-001-1-000-000-000-000

JOSHUA C MARTIN
CHARMOLITA MARTIN
24574 FARMWAY RD
CALDWELL ID 83607-8814

Evidence
of
Property Interest

Mortgage Statement

Statement Date: 08/28/2023

Property Address:

24594 FARMWAY RD

CALDWELL, ID 83607

If payment is received after 9/16/23, \$67.37 late fee will be charged.

Account Information

Current Balance: \$290,217.12

*The principal balance above is not the total amount required to pay your loan in full.

Explanation of Amount Due

Loan Set Up on Automatic Payment/ACH*

YES

*If your account is set up on Automatic Payment/ACH as indicated above, your account will continue to draft as scheduled.

Contact Us

Online: www.myfairwayservicing.com
Mobile App: MyFairwayServicing
By Email: customersupport@myfairwayservicing.com
By Phone: 877-297-5350
Hours of Operation: Monday through Friday 8:30 AM to 5:00 PM CT

Activity since your last statement (08/24/2023 - 08/28/2023)

Date	Due Date	Description	Amount	Principal	Interest	Escrow	Fees	Unapplied	Other
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Past Payment Breakdown

	Paid Last Month	Paid Year to Date
Principal		
Interest		
Escrow		
Fees		
Total		

Ready to refinance? Need a new loan? Let's talk!

Nathan Smith
NMLS ID # 9767
Ph: 208-968-7762
Email: nathans@fairwaymc.com



Important Messages

If you are experiencing a hardship or are impacted by COVID-19 and need assistance, please reach out to us to discuss assistance options at 877-297-5350.

While it's important to make timely payments, if you are experiencing a hardship or having trouble making your mortgage payment on time, assistance options may be available. If you would like mortgage counseling or assistance at no cost to you, or if you need assistance with translation or other language assistance, you can find a list of counselors in your area on the U.S. Department of Housing and Urban Development (HUD) website at www.hud.gov/counseling, by phone at 800-569-4287. You may also be eligible for mortgage assistance from your state's housing finance agency or other state/local agency (See reverse for more information). For additional educational information, including help for servicemembers, you may also visit Fannie Mae's website <https://www.fanniemae.com>, if Fannie Mae is the owner of your mortgage loan or Freddie Mac's website <http://myhome.freddie.com>, if Freddie Mac is the owner of your loan.

Canyon County Development Services

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

Building Division Email: buildinginfo@canyoncounty.id **Planning Division Email:** zoninginfo@canyoncounty.id

Receipt Number: 80534

Date: 9/15/2023

Date Created: 9/15/2023

Receipt Type: Normal Receipt

Status: Active

Customer's Name: Joshua Martin

Comments:

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	CU2023-0020	\$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>
Credit Card	142657246	\$950.00

Total Payments: \$950.00

ADJUSTMENTS

Receipt Balance: \$0.00

Issued By: Jalmeida

LAND USE WORKSHEET

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

GENERAL INFORMATION

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

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

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

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

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

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

7. **FENCING** ☒ Fencing will be provided (Please show location on site plan)
Type: Chain link / Wood Height: 6' / 5'

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)
Black Canyon Irrigation Canal

RESIDENTIAL USES

1. NUMBER OF LOTS REQUESTED:

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

2. FIRE SUPPRESSION:

- ☒ Water supply source: Domestic Well

3. INCLUDED IN YOUR PROPOSED PLAN?

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

NON-RESIDENTIAL USES

1. SPECIFIC USE: Staging and Shop for Construction Company

2. DAYS AND HOURS OF OPERATION:

- ☒ Monday 8 AM to 5 PM
☒ Tuesday 8 AM to 5 PM
☒ Wednesday 8 AM to 5 PM
☒ Thursday 8 AM to 5 PM
☒ Friday 8 AM to 5 PM
☐ Saturday _____ to _____
☐ Sunday _____ to _____

3. WILL YOU HAVE EMPLOYEES? ☒ Yes If so, how many? 10-20 ☐ No

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

Height: 3 ft Width: 4 ft. Height above ground: 2 ft

What type of sign: _____ Wall _____ Freestanding ☒ Other Fence Mount

5. PARKING AND LOADING:

How many parking spaces? 10-20

Is there is a loading or unloading area? Yes

ANIMAL CARE-RELATED USES

1. MAXIMUM NUMBER OF ANIMALS: 5

2. HOW WILL ANIMALS BE HOUSED AT THE LOCATION?

☐ Building ☒ Kennel ☐ Individual Housing ☒ Other Pasture

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: _____

talked to applicant
4 COWS will be removed that are
currently there
1 dog will be removed as well
application reflects what the
applicant currently has, not
what he is asking for
Ivan K.



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)	✓	✓
Land Use Worksheet	✓	✓
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.*

STANDARDS

SITE/OPERATION PLAN – CCZO Section 07-02-03

A scaled drawing showing:

- The parcel and all existing and proposed uses and structures and roads all with dimensions, distances, and private and public road names.
- Includes lot lines, lot area, parking spaces, private roadways, walkways, topographic features, reserved open space, buildings and other structures, major landscape features, and the location of proposed utility easements.

A plan of action to include:

- Time requirements, the commencement of the operation, hours of operation, noise levels, dust levels, air and water quality, raw material delivery, finished product and marketing, site improvements, public and private facilities, public amenities, and infrastructure.

LETTER OF INTENT – CCZO Section 07-07-05

State the nature of the request. Include, a description of business operations, such as a number of employees, hours of operation, delivery and shipping.

Consistency with the Comprehensive Plan (CCZO Section 07-07-05(3))

Address potential impacts to property in the immediate vicinity and character of the area (CCZO Section 07-07-05(4))

Demonstrate how facility and utilities such as water, sewer, irrigation, drainage and stormwater drainage, will be provided.

Demonstrate legal access

Address potential impacts to existing or future traffic patterns.

Address potential impacts to essential services such as schools, irrigation facilities and emergency services.

If the use will create impacts, provide measures to mitigate impacts.

CONTRACTOR SHOP (07-14-09) - REQUIRED

Applicant

Staff

Demonstrate how the use will be contained within a building or behind a sight-obscuring fence.

MINERAL EXTRACTION (07-14-19) - REQUIRED

Applicant

Staff

Show how the 30' setbacks on all sides will be met.

Name of operator/extractor

Duration of proposed use: Commencement & Completion dates

Provide an approved reclamation from Idaho Dept. Of Lands

Location of proposed pits and accessory uses

WIND FARM (07-14-33) - REQUIRED

Applicant

Staff

Need to include on the site plan: lot size, configuration, proximity to structures, topography, viewsheds.

MINISTORAGE FACILITY (07-14-29) - REQUIRED

Applicant

Staff

Demonstrate how materials will not be sold or delivered to customers directly from the storage compartment.

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

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

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

Revised 3/29/23

MANUFACTURING/PROCESSING OF HAZARDOUS CHEMICALS/GASES (07-14-15) - REQUIRED	Applicant	Staff
Show 300' setbacks from any property line		
Show 1,000 setback from any residential district		
Demonstrate how chemicals/gases will be stored within an enclosed structure.		
Demonstrate how the use will be gated and fenced with 8' high security fencing.		
Provide documentation from the local fire district approving the location and plan.		
Include maps and engineering drawings showing proposed drainage, proposed sewer system design, the depth of the water table, soil composition, all existing surface water, and all existing uses within one-fourth (1/4) mile of the property. The applicant shall also furnish evidence that the dangerous characteristics of the particular process or activity in question have been, or shall be, eliminated or minimized sufficiently so as not to create a public nuisance or be detrimental to the public health, safety, or welfare.		
The facility must register and maintain current hazardous waste generation notification as required by Environmental Protection Agency and/or Idaho Department of Environmental Quality and provide such proof of registration		

STAGING AREA (07-14-15) - REQUIRED	Applicant	Staff
Demonstrate how all work will be conducted off-site, business vehicles will remain operable and parked on-site, and employees/persons on the premises for parking and business vehicle pickup all maintained on-site.	✓	

24574 Farmway Rd, Caldwell, ID 83607 Ph: 208-629-9178

RE: Letter of Intent – CU2023-0040

The “**property**”, located at 24574 Farmway Rd, Caldwell ID 83607 and approximately 30 acres, is collectively owned by a married couple, Joshua & Charmolita Martin, the “**owners**”. The owners also operate a “**company**” registered under All Rail Construction LLC.

The property is currently zoned Ag (agriculture). Historically, the land has been used to cultivate alpha-alpha, as well as a grazing pasture for cattle. The current 2030 and 2040 future land use map contemplate the zoning to remain Ag. There have been instances around this property where Canyon County has reviewed & approved CUP applications to allow use of certain commercial operations in Ag zoned parcels.

The company operated by the owners is a specialty highway construction contractor that works on the improvements to state and local government infrastructure projects. The company provides services related to highway guardrail, concrete barriers, bridge railing, crash cushions and fencing. With the nature of company’s business, there was a need to identify land to store materials that would be used in highway guardrail construction activities, such as guardrail, concrete barriers, flat bed trucks for transportation of such materials, and associated other equipment and material. Upon thorough review of available land parcels in the market, as well as being cognizant of the location that would benefit the business and community, the owners have identified this parcel to purchase, as it already has an Electrical Transmission Corridor, and positioned between Interstate 84 and a low volume collector road. The property was acquired in 2019.

To this effect, the owners are seeking a conditional use permit for a staging yard at the address located at 24574 Farmway Road, Caldwell ID 83607. Included as part of this letter of intent and the CUP application is a site plan that demonstrates the current use of the property and indicates details such as the ingress/egress easements, roads, fencing along property frontage, current location of materials, equipment, employee parking, and structures within the property bounds.

This location provides for easy access to the interstate system and is supported by other businesses situated nearby. Couple of examples for similar land use type businesses, include a pallet manufacturer that is across the street, as well as an automotive repair shop. 2.5 miles further down Farmway Road, there is an industrial park that provides additional supportive services as well as a Sinclair Fuel station.

Based on these preliminary instances, we strongly believe that our intended use would be consistent and more importantly beneficial with regards to the county’s comprehensive plan.

With the intended use of a staging yard, there would be minimal impact to adjoining properties, and would not have a negative impact to the essential character of this area. The use would not



24574 Farmway Rd, Caldwell, ID 83607 Ph: 208-629-9178

generate any more activity than what would be expected from standard and typical hay farming activities in terms of equipment noise and dust levels. Additionally, the owners have installed a sight-obscuring fence along the frontage of the property on Farmway Road as well as the irrigation easement right-of-way.

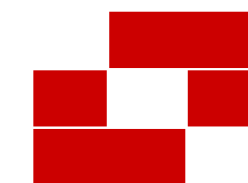
There is an existing manufacturing home on the property that is being used as an office building, along with providing essential services to employees, workers and delivery drivers such as restrooms, and drinking water. There is onsite well that is being used for providing potable water; an onsite septic tank associated with the manufacturing home to collect sewage from facilities; and irrigation water from the canal. Other essential services such as power, and internet are already existing, and no new services would be required or needed as part of this CUP application. Drainage and stormwater facilities are contained on site as required via the permeable surfaces.

There are legal 28ft ingress/egress easements to the property, that are also identified within the site plan, which already exist and provide access for the intended use. No additional access provisions are planned or needed at this current time.

The section of Farmway Road that is north of the Exit 44 Road, is a low volume road which we will have little impact on due to the nature of our work being remote around the state of Idaho and Oregon. The business anticipates an average of two delivery/shipments coming in and out of the property, which would be considered minimal traffic addition and doesn't necessitate an interference to existing and current traffic patterns or volume. The normal course of operations includes 10 to 20 employees who will load material for a project and will typically be assigned to work offsite from Monday through Friday working on various projects around the state. We are not an "Open to the Public" operation. The only signs are on the approach roads to direct the deliveries of raw materials.

The owners through their company provide employment opportunities to three high-density low-income areas; The Caldwell Housing Authority, Purple Sage Manor, and the Sunbeam Manufactured Home Park. This use will not be impacting essential services or irrigation facilities. All activities are retained within the property and will have no impact on existing public services or utilities.

In summary, the intended use of the CUP request does not necessitate any new facilities or impacts to existing facilities, and fits well within the overall community, and consistent with other businesses and will provide for a beneficial outcome in the long-term comprehensive plan to the county.



Babcock Design

Boise
800 W MAIN STREET
SUITE 940
BOISE, ID 83702
208.424.7675

Salt Lake City
52 Exchange Place
Salt Lake City, UT 84111
801.531.1144

babcockdesign.com

sheet information:

revisions:	num.	description	date
	1		
	2		

date: 8.5.2024

project number:

project status: SITE PLAN

The information and content represented herein is considered to be the correct information of service and use the property of Babcock Design. It is provided to the client for review and approval for use. It is not to be used for any other purpose or project without the written consent of Babcock Design. It is not to be used for any other purpose or project without the written consent of Babcock Design.

stamp:

project information:

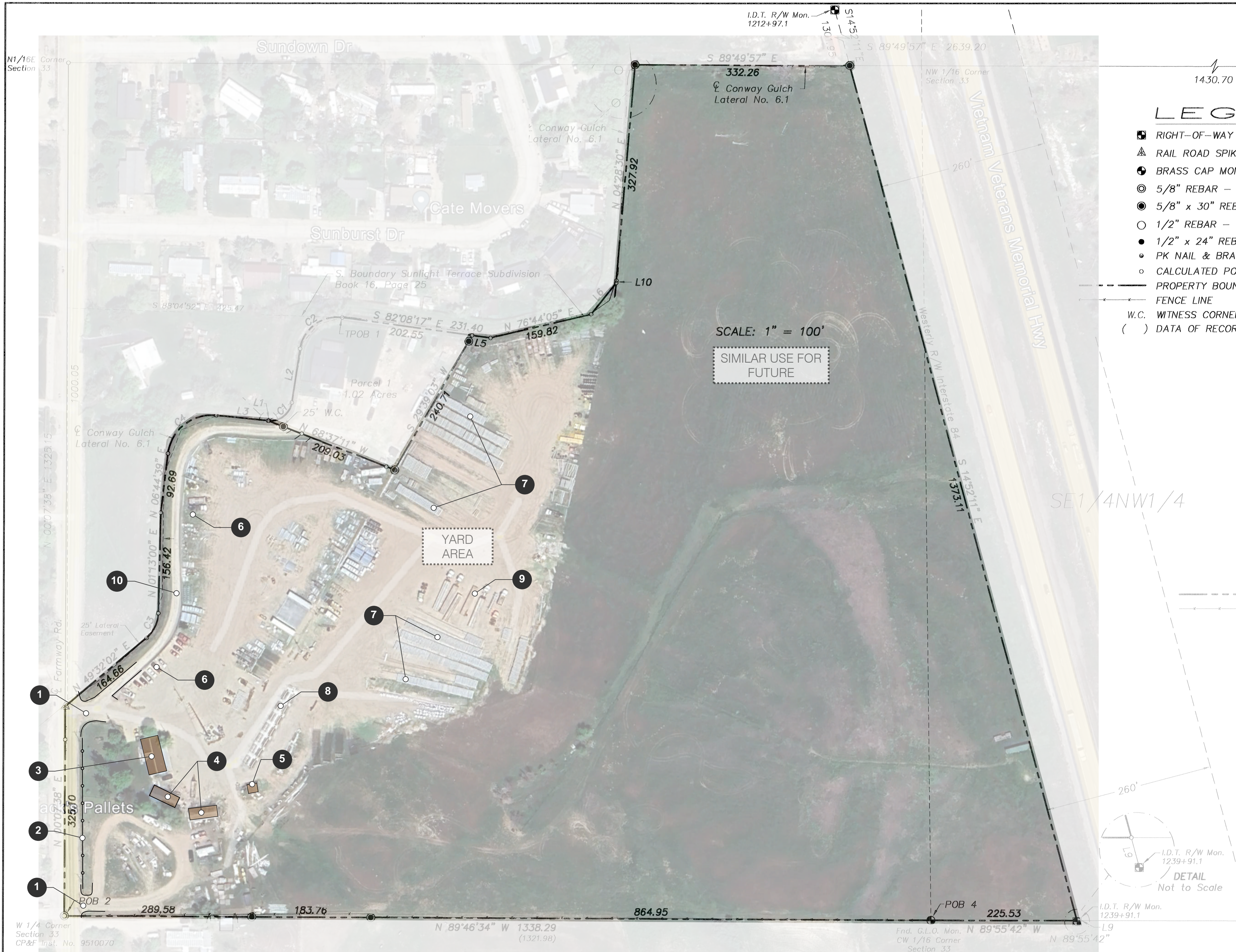
Caldwell IDAHO

24594 FARMWAY ROAD PARCEL
CALDWELL, ID 83607

Sheet Title: SITE PLAN

sheet number:

AS101



KEY NOTES

- | | | |
|-------------------------------|--------------------------|------------------------------------|
| 1 DRIVE ENTRY | 5 STORAGE SHED | 9 TRUCK PARKING |
| 2 FENCE ALONG ROAD EDGE | 6 CAR PARKING | 10 NEIGHBOR ACCESS/ EASEMENT DRIVE |
| 3 BUILDING W/ SEPTIC AND WELL | 7 JERSEY BARRIER STORAGE | |
| 4 STORAGE BUILDING | 8 GUARD RAIL STORAGE | |

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

August 11, 2023

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 of nonconforming uses, etc.) to Canyon County Development Services (DSD). One of the requirements necessary prior to submitting the application is to hold a "neighborhood meeting" and provide information to our surrounding neighbors (Canyon County Zoning Ordinance § 07-01-15).

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

The Neighborhood Meeting details are as follows:

Date: 08/23/2023

Time: 3:00 PM

Location: 24574 Farmway Road, Caldwell, Idaho

Property description: Parcel along Farmway Road and I-84. South of Purple Sage and North of SH-44.

The project is summarized below:

Site Location: 24574 Farmway Road, Caldwell, Idaho

Proposed access: Existing driveway on Farmway Road

Total acreage: 20

Proposed lots: 1

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

Please do not call Canyon County Development Services regarding this meeting. This is a PREAPPLICATION requirement and we have not submitted the application for consideration at this time. The County currently has no information on this project. If you have any questions prior to the meeting, please contact me at 208-813-0078.

Sincerely,

A handwritten signature in black ink, appearing to be a stylized 'J' or 'K' followed by a large loop.

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: 24574 Farmway Rd	Parcel Number: R 38153000 0	
City: Caldwell	State: Idaho	ZIP Code: 83607
Notices Mailed Date: 8/11/23	Number of Acres: 30.5	Current Zoning: Ag
Description of the Request: Contractors staging area		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Joshua Martin		
Company Name: All Rail Construction LLC		
Current address: 24574 Farmway Rd		
City: Caldwell	State: Idaho	ZIP Code: 83607
Phone: 208-629-9178	Cell: 208-813-0078	Fax:
Email:		

MEETING INFORMATION

DATE OF MEETING: 8/23/23	MEETING LOCATION: 24574 Farmway Rd	
MEETING START TIME: 3:00 PM	MEETING END TIME:	
ATTENDEES:		
NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. Bryan Clappitt	Bryan Clappitt	24472 Farmway Rd
2. Dale & Paula Nickerson		24683 Farmway Rd.
3. Jeremy Snow	Jeremy Snow	24527 Farmway Rd.
4.		
5.		
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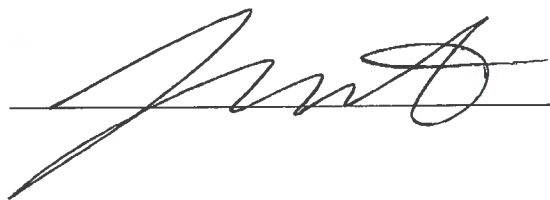
NEIGHBORHOOD MEETING CERTIFICATION:

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):

Joshua Martin

APPLICANT/REPRESENTATIVE (Signature):



DATE: 8 / 23 / 2023



AGENCY ACKNOWLEDGMENT

Date: 8/23/23
 Applicant: Joshua Martin
 Parcel Number: R 381530000
 Site Address: 24574 Farmway Rd, Caldwell, ID 83607

OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

Southwest District Health:

☒ Applicant submitted/met for official review.

Date: 09/13/2023 Signed: Anthony Lee
 Authorized Southwest District Health Representative
 (This signature does not guarantee project or permit approval)

Fire District:

☒ Applicant Submitted/met for official review.

District: Middleton Rural Fire Dist

Date: 9/13/23 Signed: [Signature]
 Authorized Fire District Representative
 (This signature does not guarantee project or permit approval)

Highway District:

☒ Applicant submitted/met for official review.

District: _____

Date: 9-6-23 Signed: [Signature]
 Authorized Highway District Representative
 (This signature does not guarantee project or permit approval)

Irrigation District:

☐ Applicant submitted/met for official review.

District: Notus-Parma Highway District #2

Date: 9/13/23 Signed: [Signature]
 Authorized Irrigation Representative
 (This signature does not guarantee project or permit approval)

Area of City Impact:

☐ Applicant submitted/met for official review.

City: Notus

Date: 9/13/23 Signed: [Signature]
 Authorized AOCI Representative
 (This signature does not guarantee project or permit approval)

Received by Canyon County Development Services:

Date: _____ Signed: _____
 Canyon County Development Services Staff

Carl Anderson

From: Srinivasa Nookala <SNookala@ldkventures.com>
Sent: Tuesday, December 24, 2024 10:14 AM
To: Carl Anderson
Cc: 'joshuamartincm@outlook.com'
Subject: [External] RE: CU2023-0020
Attachments: CU2023-0020 – CUP Application Presentation.pptx

Follow Up Flag: Follow up
Flag Status: Flagged

Carl – good morning.

Please see attached our presentation for the CUP application public hearing that is scheduled for Jan 16th.

Thank you, and have a merry Christmas.

From: Carl Anderson <Carl.Anderson@canyoncounty.id.gov>
Sent: Thursday, December 12, 2024 1:02 PM
To: Srinivasa Nookala <SNookala@ldkventures.com>
Cc: 'joshuamartincm@outlook.com' <joshuamartincm@outlook.com>
Subject: CU2023-0020

Hello,

Attached you will find the hearing schedule letter which outlines the hearing date, material deadline and information related to the hearing.

Please let me know if you have any questions.

Thank you,

Carl Anderson, AICP, CNU-A

Planning Supervisor
Canyon County Development Services Department
Email: Carl.Anderson@canyoncounty.id.gov
Phone: 208-454-6607



Carl Anderson

From: Carl Anderson
Sent: Monday, January 6, 2025 4:43 PM
To: 'Srinivasa Nookala'
Cc: 'joshuamartincm@outlook.com'
Subject: RE: [External] FW: Canyon County Agency Response CU2023-0020 - Joshua Martin
Attachments: Engineering Dept. - CU2023-0020 Amended.pdf; CU2023-0020 Building Department.pdf; CU2023-002 Martin_Farmway Rd_06Jan2025.pdf

Hello,

Please see comment received from Notus Parma Highway District No.2, Canyon County Building Department and Engineering Department (amended).

Thank you,

Carl

From: Srinivasa Nookala <SNookala@ldkventures.com>
Sent: Tuesday, December 31, 2024 1:52 PM
To: Carl Anderson <Carl.Anderson@canyoncounty.id.gov>
Cc: 'joshuamartincm@outlook.com' <joshuamartincm@outlook.com>
Subject: RE: [External] FW: Canyon County Agency Response CU2023-0020 - Joshua Martin

Carl,

Josh just reminded me that we do have an acknowledgement from Notus Parma HD when he originally met with them last year in September. Josh explained the land use change request to them, and they haven't voiced any concerns and signed off on the acknowledgement on 9/6/13.

I will reach out to the building department to see what they need us to do to approve an office use of the manufactured home on the property.

Thank you.
Srini

From: Carl Anderson <Carl.Anderson@canyoncounty.id.gov>
Sent: Thursday, December 12, 2024 11:34 AM
To: Srinivasa Nookala <SNookala@ldkventures.com>
Cc: 'joshuamartincm@outlook.com' <joshuamartincm@outlook.com>
Subject: RE: [External] FW: Canyon County Agency Response CU2023-0020 - Joshua Martin

Hello,

Very timely email. We are scheduling your case for January 16th and you will be receiving a scheduling letter via email this week.

The staff report will not be posted until the week prior to the hearing.

Thank you,

Carl

From: Srinivasa Nookala <SNookala@ldkventures.com>
Sent: Thursday, December 12, 2024 11:11 AM
To: Carl Anderson <Carl.Anderson@canyoncounty.id.gov>
Cc: 'joshuamartincm@outlook.com' <joshuamartincm@outlook.com>
Subject: RE: [External] FW: Canyon County Agency Response CU2023-0020 - Joshua Martin

Hello Carl,

Have you been able to schedule our application for a hearing in January, or will it be February 2025? Please let us know.

Also, do you have your preliminary staff report compiled, or when can we expect that?

Regards

From: Srinivasa Nookala <SNookala@ldkventures.com>
Sent: Wednesday, November 13, 2024 2:42 PM
To: Carl Anderson <Carl.Anderson@canyoncounty.id.gov>
Cc: 'joshuamartincm@outlook.com' <joshuamartincm@outlook.com>
Subject: RE: [External] FW: Canyon County Agency Response CU2023-0020 - Joshua Martin

Carl,

After reviewing all the comments, I wanted to provide more clarification, which we have captured within the LOI that we submitted along with the CUP application.

- The rezone we are seeking is to allow for a laydown storage yard, and we are not building any new structures. Majority of the comments with regards to water, waste, etc. wouldn't apply.
- We would like the approval to be conditional where the dust control, IDEA, IDQ, etc. would be applicable for future expansion of the yard, and not for the existing yard that is already operational.
- The ingress/egress easement that the outparcel owner has and uses for their residence is encroaching within the irrigation canal easement but that is not a newly created issue by us and shouldn't be held against us for the purpose of approving the CUP application.
- Pertaining to the comment about ordering a traffic impact study would also be something we need to consider for a future expansion upon new permit, and not for the current use that is already existing. TIS could be conditional for future development on the property.
- The email thread below along with what I have previously shared with the BCID should provide responses to all of their comments.

Please let me know if you see anything differently. Would like to discuss this one more time after you have had a chance to review, so we can finalize to move forward with scheduling the hearing for this application.

Thank you.

From: Carl Anderson <Carl.Anderson@canyoncounty.id.gov>
Sent: Tuesday, November 12, 2024 3:26 PM
To: Srinivasa Nookala <SNookala@ldkventures.com>
Cc: 'joshuamartincm@outlook.com' <joshuamartincm@outlook.com>
Subject: RE: [External] FW: Canyon County Agency Response CU2023-0020 - Joshua Martin

You don't often get email from carl.anderson@canyoncounty.id.gov. [Learn why this is important](#)

Good afternoon Srin,

I am emailing you to follow-up on case CU2023-0020. I wanted to provide you with the agency comments received to date for the subject case. Please advise if you would like time to respond to the comments received thus far prior to moving forward with scheduling of the public hearing.

Thank you,

Carl Anderson, AICP, CNU-A

Planning Supervisor

Canyon County Development Services Department

Email: Carl.Anderson@canyoncounty.id.gov

Phone: 208-454-6607



From: Debbie Root

Sent: Wednesday, September 18, 2024 3:12 PM

To: 'Srinivasa Nookala' <SNookala@ldkventures.com>

Cc: 'joshuamartincm@outlook.com' <joshuamartincm@outlook.com>

Subject: RE: [External] FW: Canyon County Agency Response CU2023-0020 - Joshua Martin

Srini,

Thank you for reaching out. Your case has not yet been reassigned to a planner. When assigned the planner will reach out and let you know that they have taken over the review and processing of your application.

Respectfully,

Deb Root, MBA

Canyon County Development Services

debbie.root@canyoncounty.id.gov

208-455-6034

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 ****

From: Srinivasa Nookala <SNookala@ldkventures.com>

Sent: Wednesday, September 18, 2024 2:45 PM

To: Canyon County Zoning Info <ZoningInfo@canyoncounty.id.gov>

Cc: joshuamartincm@outlook.com

Subject: [External] FW: Canyon County Agency Response CU2023-0020 - Joshua Martin

Hello.

We were assigned Doug Exton as the planner responsible for reviewing our CUP application. Can you please advise which planner has assumed this application considering Doug has left his role with the county?

Thank you.
Srini

Srinivasa Nookala, PE, MBA
VP, Development, **LDK Ventures, LLC**
Managing Member, **DN Capital, LLC**
c: (208) 369-6620
snookala@ldkventures.com
nsbshyam@gmail.com

From: Srinivasa Nookala
Sent: Wednesday, September 18, 2024 2:43 PM
To: Derick Corell <dcorell@rh2.com>
Cc: joshuamartincm@outlook.com; dpopoff@rh2.com; tyler@blackcanyonirrigation.com; mikem@blackcanyonirrigation.com
Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

Hello Derick.

Following up to see if you had a chance to discuss what can be done with the existing access to the home/parcel encroaching within the lateral easement?

From: Srinivasa Nookala
Sent: Thursday, September 12, 2024 1:34 PM
To: Derick Corell <dcorell@rh2.com>
Cc: joshuamartincm@outlook.com; dpopoff@rh2.com; tyler@blackcanyonirrigation.com; mikem@blackcanyonirrigation.com
Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

Attached is ROS for reference as well.

From: Srinivasa Nookala <SNookala@ldkventures.com>
Sent: Thursday, September 12, 2024 1:33 PM
To: Derick Corell <dcorell@rh2.com>
Cc: joshuamartincm@outlook.com; dpopoff@rh2.com; tyler@blackcanyonirrigation.com; mikem@blackcanyonirrigation.com
Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

Derick,

Thank you for your time earlier today to go over the attached comments from your team. I am a development consultant that Joshua hired to help him get through this process, and responding on his behalf.

Firstly, do you know who the county has assigned this CUP application to since Doug left?

Secondly, attached is the new project application form for CUP. We will follow up with a check payment of \$300 to the address noted in the application.

Lastly, below are our responses to the comments within the letter –

1. Application – completed and attached.
2. The current use and intended use of storage/staging yard will not bear any impacts to the irrigation laterals, and wouldn't affect any downstream users, as the development doesn't tap into the irrigation system beyond what has historically been used.
 - a. The existing historical drainage in the middle of the property that we discussed, after talking to the owner, Joshua Martin, it was noted that it was a ditch dug by the previous owner to siphon water from the irrigation canal to collect water for cattle to drink, and is in fact not a historical drainage facility. All runoff and drainage for any new yard that would be built on the undeveloped area of the property will still have drainage through the permeable surface.
3. I understand there is a 40ft prescriptive easement, but the ROS issued by the title company during the land purchase indicated a 25ft lateral easement, along with a 28ft access easement to the 1-acre parcel that it serves. We do note that this access easement is currently encroaching into the lateral easement, but this is a road that we do not use and is solely for the benefit of the homeowner. We are willing to prepare a legal description for the lateral easement, access easement, meets & bounds, and associated exhibits and prepare the easement agreements to get them formally recorded. We are hoping BCID considers allowing the existing access to remain within the easement for the purpose of accessing the homeowner. We can limit this easement via the language in the agreement if needed.
4. Considering we are not developing anything new, or vertically, we haven't anticipated preparing any civil construction drawings. We will remove any existing material from within the easement, as discussed during our conversation.
5. Once we receive direction on what BCID is willing to do for the existing access easement, we will proceed with drafting the legal descriptions and exhibits necessary and record.
6. We are not installing any fencing along the irrigation lateral easement so this comment should apply. The existing fence is along the frontage of the property.

I am attaching the site plan in high resolution so you can see the legend and details better.

Regards
Srini

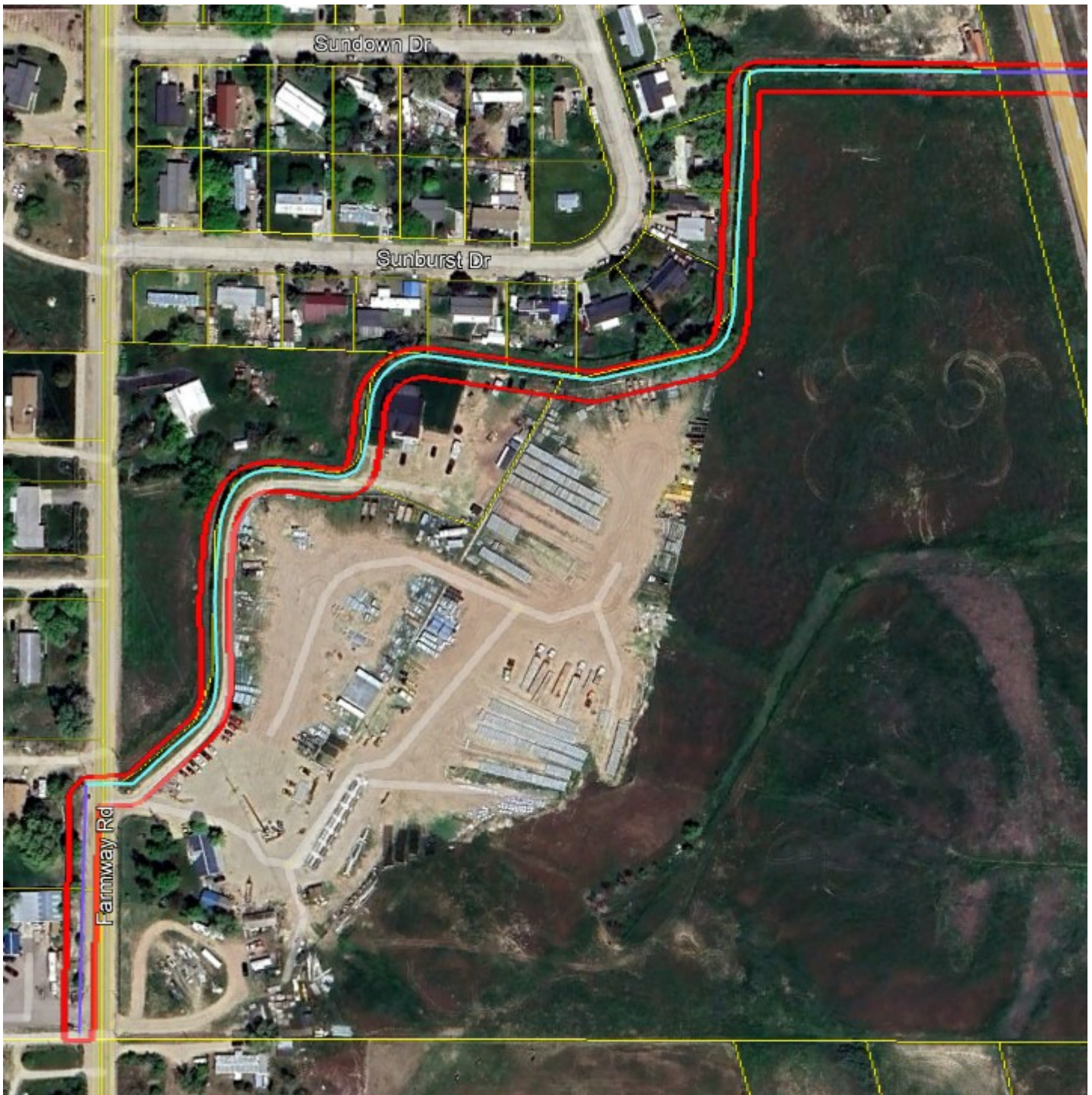
Srinivasa Nookala, PE, MBA
VP, Development, **LDK Ventures, LLC**
Managing Member, **DN Capital, LLC**
c: (208) 369-6620
snookala@ldkventures.com
nsbshyam@gmail.com

From: Derick Corell <dcorell@rh2.com>

Sent: Thursday, September 12, 2024 11:49 AM

To: Srinivasa Nookala <SNookala@ldkventures.com>

Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin



From: Srinivasa Nookala <SNookala@ldkventures.com>
Sent: Thursday, September 12, 2024 11:42 AM
To: Derick Corell <dcorell@rh2.com>
Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

From: Srinivasa Nookala
Sent: Thursday, September 12, 2024 11:29 AM

To: dcorell@rh2.com

Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

You can send me a teams meeting.

Srinivasa Nookala, PE, MBA

VP, Development, **LDK Ventures, LLC**

Managing Member, **DN Capital, LLC**

c: (208) 369-6620

snookala@ldkventures.com

nsbshyam@gmail.com

From: Srinivasa Nookala

Sent: Thursday, September 12, 2024 11:28 AM

To: 'dcorell@rh2.com' <dcorell@rh2.com>

Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

From: Joshua Martin <joshua@bccsgroup.com>

Sent: Thursday, September 12, 2024 11:21 AM

To: Srinivasa Nookala <snookala@ldkventures.com>

Subject: Fwd: Canyon County Agency Response CU2023-0020 - Joshua Martin

Get [Outlook for iOS](#)

From: Derick Corell <dcorell@rh2.com>

Sent: Wednesday, September 11, 2024 3:52:33 PM

To: Doug Exton <Doug.Exton@canyoncounty.id.gov>

Cc: Mike Meyers <mikem@blackcanyonirrigation.com>; tyler@blackcanyonirrigation.com

<tyler@blackcanyonirrigation.com>; Don Popoff <dpopoff@rh2.com>; Joshua Martin <joshua@bccsgroup.com>

Subject: Canyon County Agency Response CU2023-0020 - Joshua Martin

Doug –

Please see the attached Black Canyon Irrigation District response to the CU2023-0020 Agency Notification. I have included to applicant for ease of communication.

Thanks,

Derick



Derick Corell EIT

Civil Staff Engineer 3 | RH2 Engineering, Inc.

16150 N. High Desert Street, Suite 201
Nampa, Idaho 83687
C: 986.777.0464
O: 208.907.0520
dcorell@rh2.com
www.rh2.com

Carl Anderson

From: Srinivasa Nookala <SNookala@ldkventures.com>
Sent: Thursday, January 2, 2025 1:13 PM
To: Derick Corell
Cc: joshuamartincm@outlook.com; Don Popoff; mikem@blackcanyonirrigation.com; Isaac Josifek; Carl Anderson
Subject: [External] RE: Canyon County Agency Response CU2023-0020 - Joshua Martin
Attachments: Alphamax3_Docket_200408293.PDF

Follow Up Flag: Follow up
Flag Status: Completed

Derick,
Instrument #200408293 specifically describes the ingress/egress easement. Attached is that instrument for your record.

From: Srinivasa Nookala <SNookala@ldkventures.com>
Sent: Thursday, January 2, 2025 1:09 PM
To: Derick Corell <dcorell@rh2.com>
Cc: joshuamartincm@outlook.com; Don Popoff <dpopoff@rh2.com>; mikem@blackcanyonirrigation.com; Isaac Josifek <IJosifek@ardurra.com>; Carl Anderson <Carl.Anderson@canyoncounty.id.gov>
Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

Derick,

Instrument # 815642 is a quit claim deed, see attached.

This encroachment is from the ingress/egress of the homeowner and has nothing to do with our property.

Regards

From: Derick Corell <dcorell@rh2.com>
Sent: Thursday, December 26, 2024 11:15 AM
To: Srinivasa Nookala <SNookala@ldkventures.com>
Cc: joshuamartincm@outlook.com; Don Popoff <dpopoff@rh2.com>; mikem@blackcanyonirrigation.com; Isaac Josifek <IJosifek@ardurra.com>
Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

Srinivasa –

Sorry for the delayed follow up. Looks like I missed this email in my inbox.
I received notice from the county for the upcoming hearing regarding this CUP.

Looking at the ROS provided this will not satisfy the ingress and egress encroachment inside the District's easement. However, there was reference to Inst. No. 815642 on the ROS, this document may specifically spell out the terms of this ingress and egress.

Regarding, the submitted title policy, I will need the actual recorded deed for easement procurement.

Thanks,
Derick

Derick Corell EIT | RH2 Engineering, Inc.

C: 986.777.0464

O: 208.907.0520

dcorell@rh2.com

From: Srinivasa Nookala <SNookala@ldkventures.com>

Sent: Wednesday, October 23, 2024 5:14 PM

To: Derick Corell <dcorell@rh2.com>

Cc: joshuamartincm@outlook.com; Don Popoff <dpopoff@rh2.com>; mikem@blackcanyonirrigation.com; Isaac Josifek <IJosifek@ardurra.com>

Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

Derick,

Attached is the survey which is a recorded instrument and part of the title policy when current owner of the 30-acre parcel purchased the property.

The ROS has a date of 10/17/03, over 20yrs, so this becomes a prescriptive easement considering the continuous use over > 5yrs.

Will this information be adequate to accept this encroachment, so we can move forward with the boundary survey to satisfy the other conditions you had in your letter?

Thank you.

From: Derick Corell <dcorell@rh2.com>

Sent: Thursday, October 3, 2024 3:57 PM

To: Srinivasa Nookala <SNookala@ldkventures.com>

Cc: joshuamartincm@outlook.com; Don Popoff <dpopoff@rh2.com>; mikem@blackcanyonirrigation.com; Isaac Josifek <IJosifek@ardurra.com>

Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

Srinivasa –

I spoke with the District manager on this issue. The District, at a minimum, will want to get the ingress and egress permitted to be inside the District's easement.

Neither the Bureau or District have documentation for the ingress and egress easement. Do you know if the adjacent property owner has any documentation for this aside from the ROS?

If documentation showing concurrence/acceptance of this encroachment from the Black Canyon Irrigation District can be produced that will work for the District.

Thanks,
Derick

Derick Corell EIT | RH2 Engineering, Inc.

C: 986.777.0464

O: 208.907.0520

dcorell@rh2.com

From: Srinivasa Nookala <SNookala@ldkventures.com>

Sent: Wednesday, September 25, 2024 9:46 AM

To: Derick Corell <dcorell@rh2.com>

Cc: joshuamartincm@outlook.com; Don Popoff <dpopoff@rh2.com>; tyler@blackcanyonirrigation.com; mikem@blackcanyonirrigation.com

Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

Derick,

Can you kindly let us know what BCID suggests on the homeowner's access encroachment into the lateral easement? We will need a response so we can proceed further.

Thank you.

From: Srinivasa Nookala

Sent: Wednesday, September 18, 2024 2:43 PM

To: Derick Corell <dcorell@rh2.com>

Cc: joshuamartincm@outlook.com; dpopoff@rh2.com; tyler@blackcanyonirrigation.com; mikem@blackcanyonirrigation.com

Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

Hello Derick.

Following up to see if you had a chance to discuss what can be done with the existing access to the home/parcel encroaching within the lateral easement?

From: Srinivasa Nookala

Sent: Thursday, September 12, 2024 1:34 PM

To: Derick Corell <dcorell@rh2.com>

Cc: joshuamartincm@outlook.com; dpopoff@rh2.com; tyler@blackcanyonirrigation.com; mikem@blackcanyonirrigation.com

Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

Attached is ROS for reference as well.

From: Srinivasa Nookala <SNookala@ldkventures.com>

Sent: Thursday, September 12, 2024 1:33 PM

To: Derick Corell <dcorell@rh2.com>

Cc: joshuamartincm@outlook.com; dpopoff@rh2.com; tyler@blackcanyonirrigation.com; mikem@blackcanyonirrigation.com

Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

Derick,

Thank you for your time earlier today to go over the attached comments from your team. I am a development consultant that Joshua hired to help him get through this process, and responding on his behalf.

Firstly, do you know who the county has assigned this CUP application to since Doug left?

Secondly, attached is the new project application form for CUP. We will follow up with a check payment of \$300 to the address noted in the application.

Lastly, below are our responses to the comments within the letter –

1. Application – completed and attached.
2. The current use and intended use of storage/staging yard will not bear any impacts to the irrigation laterals, and wouldn't affect any downstream users, as the development doesn't tap into the irrigation system beyond what has historically been used.
 - a. The existing historical drainage in the middle of the property that we discussed, after talking to the owner, Joshua Martin, it was noted that it was a ditch dug by the previous owner to siphon water from the irrigation canal to collect water for cattle to drink, and is in fact not a historical drainage facility. All runoff and drainage for any new yard that would be built on the undeveloped area of the property will still have drainage through the permeable surface.
3. I understand there is a 40ft prescriptive easement, but the ROS issued by the title company during the land purchase indicated a 25ft lateral easement, along with a 28ft access easement to the 1-acre parcel that it serves. We do note that this access easement is currently encroaching into the lateral easement, but this is a road that we do not use and is solely for the benefit of the homeowner. We are willing to prepare a legal description for the lateral easement, access easement, meets & bounds, and associated exhibits and prepare the easement agreements to get them formally recorded. We are hoping BCID considers allowing the existing access to remain within the easement for the purpose of accessing the homeowner. We can limit this easement via the language in the agreement if needed.
4. Considering we are not developing anything new, or vertically, we haven't anticipated preparing any civil construction drawings. We will remove any existing material from within the easement, as discussed during our conversation.
5. Once we receive direction on what BCID is willing to do for the existing access easement, we will proceed with drafting the legal descriptions and exhibits necessary and record.
6. We are not installing any fencing along the irrigation lateral easement so this comment should apply. The existing fence is along the frontage of the property.

I am attaching the site plan in high resolution so you can see the legend and details better.

Regards

Srini

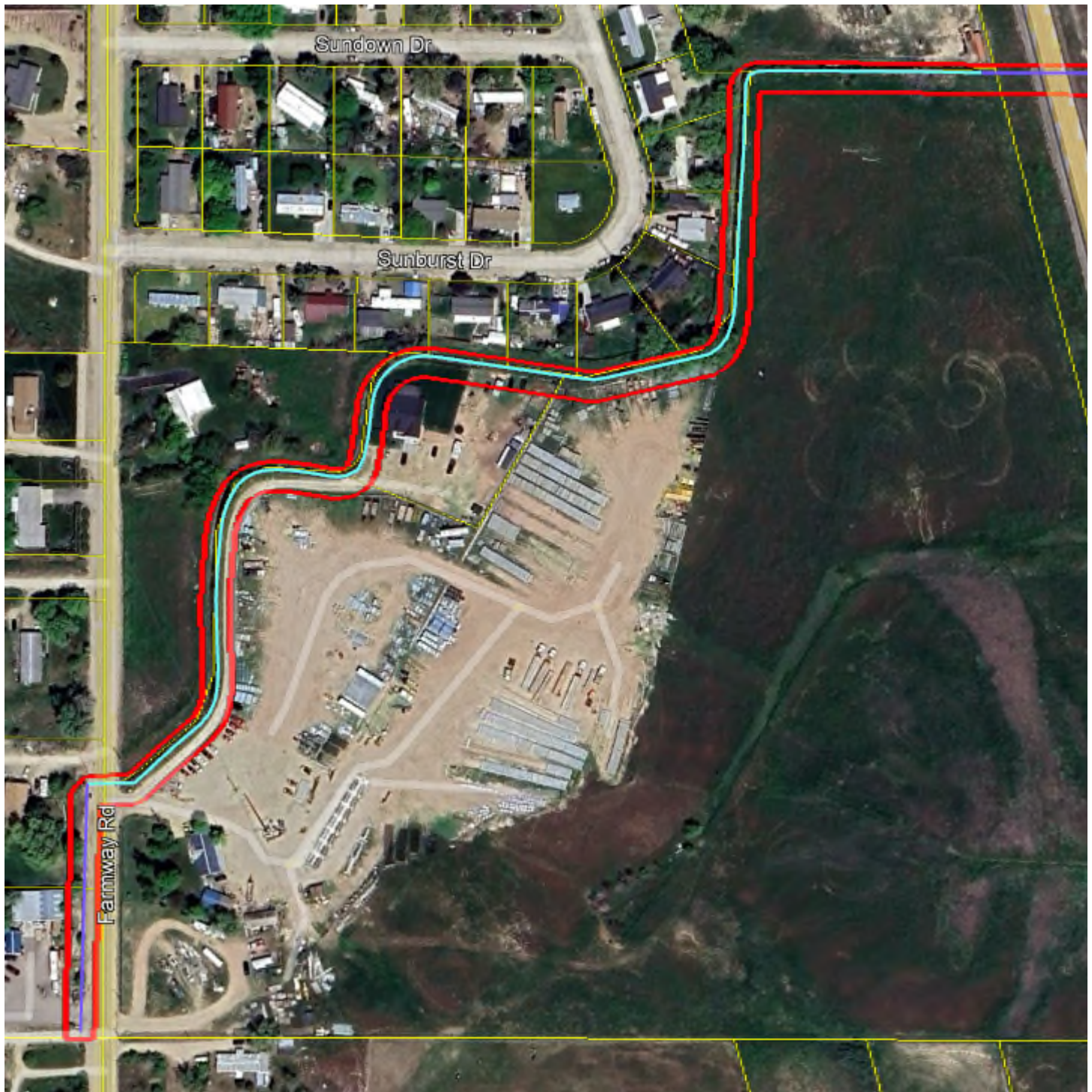
Srinivasa Nookala, PE, MBA
VP, Development, **LDK Ventures, LLC**
Managing Member, **DN Capital, LLC**
c: (208) 369-6620
snookala@ldkventures.com
nsbshyam@gmail.com

From: Derick Corell <dcorell@rh2.com>

Sent: Thursday, September 12, 2024 11:49 AM

To: Srinivasa Nookala <SNookala@ldkventures.com>

Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin



From: Srinivasa Nookala <SNookala@ldkventures.com>
Sent: Thursday, September 12, 2024 11:42 AM
To: Derick Corell <dcorell@rh2.com>
Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

From: Srinivasa Nookala
Sent: Thursday, September 12, 2024 11:29 AM
To: dcorell@rh2.com
Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

You can send me a teams meeting.

Srinivasa Nookala, PE, MBA
VP, Development, **LDK Ventures, LLC**
Managing Member, **DN Capital, LLC**
c: (208) 369-6620
snookala@ldkventures.com
nsbshyam@gmail.com

From: Srinivasa Nookala
Sent: Thursday, September 12, 2024 11:28 AM
To: 'dcorell@rh2.com' <dcorell@rh2.com>
Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

From: Joshua Martin <joshua@bccsgroup.com>
Sent: Thursday, September 12, 2024 11:21 AM
To: Srinivasa Nookala <snookala@ldkventures.com>
Subject: Fwd: Canyon County Agency Response CU2023-0020 - Joshua Martin

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From: Derick Corell <dcorell@rh2.com>
Sent: Wednesday, September 11, 2024 3:52:33 PM
To: Doug Exton <Doug.Exton@canyoncounty.id.gov>
Cc: Mike Meyers <mikem@blackcanyonirrigation.com>; tyler@blackcanyonirrigation.com
<tyler@blackcanyonirrigation.com>; Don Popoff <dpopoff@rh2.com>; Joshua Martin
<joshua@bccsgroup.com>
Subject: Canyon County Agency Response CU2023-0020 - Joshua Martin

Doug –

Please see the attached Black Canyon Irrigation District response to the CU2023-0020 Agency Notification. I have included to applicant for ease of communication.

Thanks,
Derick



Derick Corell EIT

Civil Staff Engineer 3 | RH2 Engineering, Inc.

16150 N. High Desert Street, Suite 201

Nampa, Idaho 83687

C: 986.777.0464

O: 208.907.0520

dcorell@rh2.com

www.rh2.com

(Optional)					
Recorded	<input type="checkbox"/>	Platted	<input type="checkbox"/>	Key Punched	<input type="checkbox"/>
Microfilmed	<input type="checkbox"/>	Deed Card	<input type="checkbox"/>	Master File	<input type="checkbox"/>
Indexed	<input type="checkbox"/>	Compared	<input type="checkbox"/>	Abstracted	<input type="checkbox"/>
				To Treasurer	<input type="checkbox"/>

INSTRUMENT NO. 815612

QUITCLAIM DEED

THIS INDENTURE, Made this 5th day of October

in the year of our Lord one thousand nine hundred and seventy-seven, between

FLORENCE H. TRUDELL, a divorced woman

of Caldwell

County of Canyon

State of Idaho, the party
FRANCIS J. TRUDELL, a divorced man
of Caldwell

of the first part, and

County of Canyon

State of Idaho, the party of the second part.

WITNESSETH That the said party of the first part, for and in consideration of the sum of

TEN AND NO/100-----DOLLARS,
lawful money of the United States of America, to him in hand paid by the said party of
the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release
and forever QUITCLAIM, unto the said party of the second part, and to his heirs and
assigns all that certain lot, piece or parcel of land, situate, lying and being in
-----, County of Canyon, State of Idaho, bounded and particularly
described as follows, to-wit:

This parcel is situated in the West Half of the Northwest
Quarter of Section 33, Township 5 North, Range 3 West of
the Boise Meridian, being more particularly described as
follows:

Beginning at the Northwest corner of said Section 33;
thence South along the Westerly boundary of said Section 33,
1705.66 feet to the REAL POINT OF BEGINNING: thence South
88°12'46" East a distance of 425.47 feet to a point on the
centerline of an irrigation lateral known as the Conway Gulch
Lateral No. 6.1; thence along the centerline of said lateral
the following courses and distances: South 56°54'10" West
73.06 feet; South 11°32'09" West, 120.77 feet; North 88°28'51"
West, 121.02 feet; South 64°01'37" West, 46.56 feet; South
20°40'27" West, 73.93 feet; South 0°37'32" West, 189.76 feet;
South 19°09'38" West, 68.01 feet; South 48°23'38" West, 108.81
feet; South 59°00'37" West, 24.73 feet; South 89°35'30" West,
24.01 feet to a point on the Westerly boundary of said Section 33;
thence North along said Westerly boundary of said Section 33, a
distance of 597.03 feet to the REAL POINT OF BEGINNING.

Location of above described property

House No.

Street

MAIL DEED TO:

MAIL, TAX NOTICE TO:

Name Hunter

Address 2401 S. Oversee St. #68

City & State Boise Id

83705

815642

FILED

Nov 28 10 17 AM '77

WALTER FRY
CLERK OF DISTRICT COURT

H. O'Brien

RECORDED

AT THE REQUEST OF

Kerr Realty

OF

Caldwell

FEE \$2.00

GRANTOR

Trudell, Florence H

GRANTEE

Trudell, Francis J

deed

RETURN TO

County

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal on the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Florence H. Trudell [Seal]

[Seal]

[Seal]

[Seal]

STATE OF IDAHO

County of Canyon

ss.

On this 11th day of October in the year 1977, before me

Logan E. Kerr

a Notary Public

in and for said State, personally appeared Florence H. Trudell

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Logan E. Kerr

Notary Public for the State of Idaho.
Residing at Caldwell, Idaho.

No.

QUITCLAIM DEED

-TO-

Dated 19

STATE OF IDAHO,

County of

I hereby certify that this instrument was filed for record at request of

at minutes past

o'clock M., this day

of A.D. 19

in my office, and duly recorded in Book

of at page

By Ex-Officio Recorder.

Fees, \$ Deputy.

Mail to

STANDARD COMPANY, BOISE

INSTRUMENT NO. 200408293

WARRANTY DEED

FOR VALUE RECEIVED Roy G. Cook and Norma Jean Cook,
Husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto
Carole K. Cook, a single person

the Grantee, whose address is 24594 Farmway Rd., Caldwell, Id. 83607

the following described premises, to-wit:

(See attached exhibits)

- A - page 1 & 2 - Legal Discription: Parcel 1
2 B - 28.00 - foot ingress-egress Easement

REQUEST Carole Cook
TYPE Fee FEE 12.00

CANYON COUNTY RECORDER
BY G. Noel Hales
10/24/2024

10/24/2024 FEB 13 PM 12:00

RECORDED

200408293

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
her heirs and assigns forever. And the said Grantors do hereby covenant to
and with the said Grantee, that she is the owner in fee simple of said premises; that
said premises are free from all encumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 2-13-04

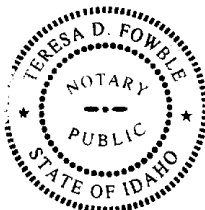
Roy G. Cook
Norma Jean Cook

STATE OF IDAHO, COUNTY OF Canyon

On this 13th day of February, 2004
before me, a notary public in and for said State, personally
appeared Roy G. Cook and
Norma Jean Cook, h/w
known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Teresa D. Fowble
Notary Public

Residing at Caldwell, Idaho
Comm. Expires 5/20/2008



PIONEER TITLE COMPANY
OF CANYON COUNTY

423 So. Kimball
Caldwell, Idaho 83605

100 - 10th Ave. South
Nampa, Idaho 83651

Skinner Land
Survey Co. Inc.

2512 South Georgia
Cullwell, ID 83605
(208) 454-0933
Fax (208) 454-9492

Greg L. Skinner, PLS
Fritz Brownell, PLS
Rodney Kahle-Clark, PE

October 2, 2003

Legal Description
Job No. SE0503

Parcel 1

This parcel is a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the southwest corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North 00° 07' 38" East along the west boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 944.65 feet (of record 944.46 feet) to the southwest corner of Sunlight Terrace Subdivision on file in Book 16, Page 25 in the Office of the Recorder, Canyon County, Idaho;

thence South 88° 04' 52" East along the south boundary of said Sunlight Terrace Subdivision a distance of 425.47 feet to the TRUE POINT OF BEGINNING;

thence South 82° 08' 17" East along said south boundary a distance of 202.55 feet;

thence leaving said south boundary and bearing South 29° 39' 03" West a distance of 240.71 feet;

thence North 68° 37' 11" West a distance of 209.03 feet to a point on the centerline of the Conway Gulch Lateral as it now exists;

thence traversing said centerline as follows:

North 84° 04' 44" West a distance of 1.09 feet;

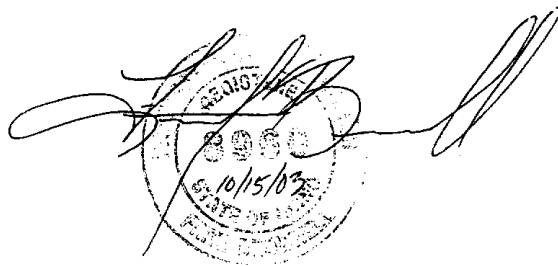
along a curve to the left having a central angle of 87° 36' 21", a radius of 33.54 feet, an arc length of 51.28 feet and a long chord which bears North 52° 12' 21" East a distance of 46.43 feet;

North 08° 29' 25" East a distance of 84.37 feet;

Legal Description
Job No. SE0503
Parcel 1, page 2 of 2

along a curve to the right having a central angle of $89^{\circ} 21' 44''$, a radius of 57.76 feet, an arc length of 90.09 feet and a long chord which bears North $53^{\circ} 10' 34''$ East a distance of 81.23 feet to the **TRUE POINT OF BEGINNING**.

This parcel contains 1.02 acres, more or less, and is subject to all easements and rights-of-way of record or implied.



A handwritten signature in black ink is written over a circular notary seal. The seal contains the text "GEORGE H. SMITH", "NOTARY PUBLIC", "STATE OF GEORGIA", and the date "10/15/03".

2512 South Georgia
Caldwell, ID 83605
(208) 454-0933
Fax (208) 454-9492

Skinner Land
Survey Co. Inc.



Geoff L. Skinner, PLS
Pete Brownell, PLS
Rodney Kahle-Clark, PE

October 15, 2003

Legal Description
Job No. SE0503

28.00-foot ingress easement

This easement is a portion of the SW 1/4 NW 1/4 of Section 33, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, the centerline being more particularly described as follows:

COMMENCING at the southwest corner of said SW 1/4 NW 1/4;

thence North 00° 07' 38" East along the west boundary of said SW 1/4 NW 1/4 a distance of 273.74 feet to the TRUE POINT OF BEGINNING;

thence North 49° 32' 02" East a distance of 198.08 feet;

thence along a curve to the left having a central angle of 48° 18' 57", a radius of 90.68 feet, an arc length of 76.47 feet and a long chord which bears North 25° 22' 31" East a distance of 74.22 feet;

thence North 01° 13' 00" East a distance of 154.53 feet;

thence North 06° 44' 39" East a distance of 90.81 feet;

thence along a curve to the right having a central angle of 89° 10' 09", a radius of 28.88 feet, an arc length of 44.95 feet and a long chord which bears North 51° 19' 58" East a distance of 40.55 feet;

thence South 84° 06' 55" East a distance of 80.79 feet;

thence along a curve to the left having a central angle of 48° 06' 28", a radius of 72.54 feet, an arc length of 60.91 feet and a long chord which bears North 71° 35' 11" East a distance of 59.13 feet to the POINT OF TERMINUS.

Carl Anderson

From: Srinivasa Nookala <SNookala@ldkventures.com>
Sent: Wednesday, November 27, 2024 4:43 PM
To: Carl Anderson
Cc: Joshua Martin
Subject: [External] Fwd: CU2023-0040 Documents Needed

Follow Up Flag: Follow up
Flag Status: Completed

Carl - see email below for Josh's approval for me to act as their representative.
Let me know if this suffices.

Begin forwarded message:

From: Joshua Martin <joshuamartincm@outlook.com>
Date: August 5, 2024 at 12:11:09 PM MDT
To: Joshua Martin <joshua@bccsgroup.com>, Doug Exton <Doug.Exton@canyoncounty.id.gov>
Cc: Srinivasa Nookala <SNookala@ldkventures.com>
Subject: Re: CU2023-0040 Documents Needed

Additionally,
You can speak to Srini Nookala on behalf of myself for this CUP as well.

Joshua Martin

From: Joshua Martin <joshua@bccsgroup.com>
Sent: Monday, August 5, 2024 12:09:12 PM
To: Doug Exton <Doug.Exton@canyoncounty.id.gov>
Cc: 'joshuamartincm@outlook.com' <joshuamartincm@outlook.com>; snookala@ldkventures.com <snookala@ldkventures.com>
Subject: Re: CU2023-0040 Documents Needed

Doug,
Can I get a couple more weeks on the response?
I have engaged the help of a professional as this is not my areas of expertise.
Does this CUP require a meeting in front of the commissioners or will this be a staff level review?

Joshua Martin
208-813-0078

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From: Doug Exton <Doug.Exton@canyoncounty.id.gov>
Sent: Thursday, July 25, 2024 2:52 PM
To: Joshua Martin <joshua@bccsgroup.com>

Cc: 'joshuamartincm@outlook.com' <joshuamartincm@outlook.com>

Subject: RE: CU2023-0040 Documents Needed

Hello Joshua,

I wanted to follow up with you on this.

Upon review of the letter of intent, I still need more information in it to write my analysis, and for the Planning and Zoning Commission to make their findings. I have included the eight criteria the commission will use to come to a decision regarding your CUP. The burden of proof is on the applicant to provide evidence related to these criteria. An answer of "yes" or "no" is not enough detail to fully address the criteria.

CCZO 07-07-05 The presiding party shall consider each conditional use permit application by finding adequate evidence to answer the following questions in its FCOs:

- (1) Is the proposed use permitted in the zone by conditional use permit;
- (2) What is the nature of the request;
- (3) Is the proposed use consistent with the comprehensive plan;
- (4) Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area;
- (5) Will adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems be provided to accommodate the use;
- (6) Does legal access to the subject property for the development exist or will it exist at the time of development;
- (7) Will there be undue interference with existing or future traffic patterns; and
- (8) Will essential services be provided to accommodate the use including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use?

Furthermore, I will still need the updated site plan to meet our standards and the operations plan.

If you can get those to me by the end of the day on August 7th, that would be wonderful. If not, I will proceed with the documents already included in the application.

Let me know if you have any questions,

Doug Exton

Associate Planner,

[Canyon County Development Services](#)

doug.exton@canyoncounty.id.gov | Direct: 208-614-5030



DSD public office hours:

Monday, Tuesday, Thursday and Friday: 8 am – 5 pm

Wednesday: 1 pm – 5 pm

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

From: Doug Exton

Sent: Monday, July 15, 2024 12:56 PM

To: 'joshua@bccsgroup.com' <joshua@bccsgroup.com>

Subject: CU2023-0040 Documents Needed

Hello Joshua,

I am the planner attached to your Conditional use permit case. In reviewing your application, I will need an updated letter of intent, operations plan, and site plan that meet the standards (attached).

Let me know if you have any questions.

Doug Exton
Associate Planner,
[Canyon County Development Services](#)
doug.exton@canyoncounty.id.gov | Direct: 208-614-5030

<image002.png>

DSD public office hours:

Monday, Tuesday, Thursday and Friday: 8 am – 5 pm

Wednesday: 1 pm – 5 pm

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

Carl Anderson

From: Srinivasa Nookala <SNookala@ldkventures.com>
Sent: Tuesday, December 31, 2024 1:52 PM
To: Carl Anderson
Cc: 'joshuamartincm@outlook.com'
Subject: RE: [External] FW: Canyon County Agency Response CU2023-0020 - Joshua Martin

Follow Up Flag: Follow up
Flag Status: Completed

Carl,

Josh just reminded me that we do have an acknowledgement from Notus Parma HD when he originally met with them last year in September. Josh explained the land use change request to them, and they haven't voiced any concerns and signed off on the acknowledgement on 9/6/13.

I will reach out to the building department to see what they need us to do to approve an office use of the manufactured home on the property.

Thank you.
Srini

From: Carl Anderson <Carl.Anderson@canyoncounty.id.gov>
Sent: Thursday, December 12, 2024 11:34 AM
To: Srinivasa Nookala <SNookala@ldkventures.com>
Cc: 'joshuamartincm@outlook.com' <joshuamartincm@outlook.com>
Subject: RE: [External] FW: Canyon County Agency Response CU2023-0020 - Joshua Martin

Hello,

Very timely email. We are scheduling your case for January 16th and you will be receiving a scheduling letter via email this week.

The staff report will not be posted until the week prior to the hearing.

Thank you,

Carl

From: Srinivasa Nookala <SNookala@ldkventures.com>
Sent: Thursday, December 12, 2024 11:11 AM
To: Carl Anderson <Carl.Anderson@canyoncounty.id.gov>
Cc: 'joshuamartincm@outlook.com' <joshuamartincm@outlook.com>
Subject: RE: [External] FW: Canyon County Agency Response CU2023-0020 - Joshua Martin

Hello Carl,

Have you been able to schedule our application for a hearing in January, or will it be February 2025? Please let us know.

Also, do you have your preliminary staff report compiled, or when can we expect that?

Regards

From: Srinivasa Nookala <SNookala@ldkventures.com>
Sent: Wednesday, November 13, 2024 2:42 PM
To: Carl Anderson <Carl.Anderson@canyoncounty.id.gov>
Cc: 'joshuamartincm@outlook.com' <joshuamartincm@outlook.com>
Subject: RE: [External] FW: Canyon County Agency Response CU2023-0020 - Joshua Martin

Carl,

After reviewing all the comments, I wanted to provide more clarification, which we have captured within the LOI that we submitted along with the CUP application.

- The rezone we are seeking is to allow for a laydown storage yard, and we are not building any new structures. Majority of the comments with regards to water, waste, etc. wouldn't apply.
- We would like the approval to be conditional where the dust control, IDEA, IDQ, etc. would be applicable for future expansion of the yard, and not for the existing yard that is already operational.
- The ingress/egress easement that the outparcel owner has and uses for their residence is encroaching within the irrigation canal easement but that is not a newly created issue by us and shouldn't be held against us for the purpose of approving the CUP application.
- Pertaining to the comment about ordering a traffic impact study would also be something we need to consider for a future expansion upon new permit, and not for the current use that is already existing. TIS could be conditional for future development on the property.
- The email thread below along with what I have previously shared with the BCID should provide responses to all of their comments.

Please let me know if you see anything differently. Would like to discuss this one more time after you have had a chance to review, so we can finalize to move forward with scheduling the hearing for this application.

Thank you.

From: Carl Anderson <Carl.Anderson@canyoncounty.id.gov>
Sent: Tuesday, November 12, 2024 3:26 PM
To: Srinivasa Nookala <SNookala@ldkventures.com>
Cc: 'joshuamartincm@outlook.com' <joshuamartincm@outlook.com>
Subject: RE: [External] FW: Canyon County Agency Response CU2023-0020 - Joshua Martin

You don't often get email from carl.anderson@canyoncounty.id.gov. [Learn why this is important](#)

Good afternoon Srin,

I am emailing you to follow-up on case CU2023-0020. I wanted to provide you with the agency comments received to date for the subject case. Please advise if you would like time to respond to the comments received thus far prior to moving forward with scheduling of the public hearing.

Thank you,

Carl Anderson, AICP, CNU-A

Planning Supervisor

Canyon County Development Services Department

Email: Carl.Anderson@canyoncounty.id.gov

Phone: 208-454-6607



From: Debbie Root

Sent: Wednesday, September 18, 2024 3:12 PM

To: 'Srinivasa Nookala' <SNookala@ldkventures.com>

Cc: 'joshuamartincm@outlook.com' <joshuamartincm@outlook.com>

Subject: RE: [External] FW: Canyon County Agency Response CU2023-0020 - Joshua Martin

Srini,

Thank you for reaching out. Your case has not yet been reassigned to a planner. When assigned the planner will reach out and let you know that they have taken over the review and processing of your application.

Respectfully,

Deb Root, MBA

Canyon County Development Services

debbie.root@canyoncounty.id.gov

208-455-6034

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 ****

From: Srinivasa Nookala <SNookala@ldkventures.com>

Sent: Wednesday, September 18, 2024 2:45 PM

To: Canyon County Zoning Info <ZoningInfo@canyoncounty.id.gov>

Cc: joshuamartincm@outlook.com

Subject: [External] FW: Canyon County Agency Response CU2023-0020 - Joshua Martin

Hello.

We were assigned Doug Exton as the planner responsible for reviewing our CUP application. Can you please advise which planner has assumed this application considering Doug has left his role with the county?

Thank you.
Srini

Srinivasa Nookala, PE, MBA
VP, Development, **LDK Ventures, LLC**
Managing Member, **DN Capital, LLC**
c: (208) 369-6620
snookala@ldkventures.com
nsbshyam@gmail.com

From: Srinivasa Nookala
Sent: Wednesday, September 18, 2024 2:43 PM
To: Derick Corell <dcorell@rh2.com>
Cc: joshuamartincm@outlook.com; dpopoff@rh2.com; tyler@blackcanyonirrigation.com; mikem@blackcanyonirrigation.com
Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

Hello Derick.

Following up to see if you had a chance to discuss what can be done with the existing access to the home/parcel encroaching within the lateral easement?

From: Srinivasa Nookala
Sent: Thursday, September 12, 2024 1:34 PM
To: Derick Corell <dcorell@rh2.com>
Cc: joshuamartincm@outlook.com; dpopoff@rh2.com; tyler@blackcanyonirrigation.com; mikem@blackcanyonirrigation.com
Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

Attached is ROS for reference as well.

From: Srinivasa Nookala <SNookala@ldkventures.com>
Sent: Thursday, September 12, 2024 1:33 PM
To: Derick Corell <dcorell@rh2.com>
Cc: joshuamartincm@outlook.com; dpopoff@rh2.com; tyler@blackcanyonirrigation.com; mikem@blackcanyonirrigation.com
Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

Derick,

Thank you for your time earlier today to go over the attached comments from your team. I am a development consultant that Joshua hired to help him get through this process, and responding on his behalf.

Firstly, do you know who the county has assigned this CUP application to since Doug left?

Secondly, attached is the new project application form for CUP. We will follow up with a check payment of \$300 to the address noted in the application.

Lastly, below are our responses to the comments within the letter –

1. Application – completed and attached.
2. The current use and intended use of storage/staging yard will not bear any impacts to the irrigation laterals, and wouldn't affect any downstream users, as the development doesn't tap into the irrigation system beyond what has historically been used.
 - a. The existing historical drainage in the middle of the property that we discussed, after talking to the owner, Joshua Martin, it was noted that it was a ditch dug by the previous owner to siphon water from the irrigation canal to collect water for cattle to drink, and is in fact not a historical drainage facility. All runoff and drainage for any new yard that would be built on the undeveloped area of the property will still have drainage through the permeable surface.
3. I understand there is a 40ft prescriptive easement, but the ROS issued by the title company during the land purchase indicated a 25ft lateral easement, along with a 28ft access easement to the 1-acre parcel that it serves. We do note that this access easement is currently encroaching into the lateral easement, but this is a road that we do not use and is solely for the benefit of the homeowner. We are willing to prepare a legal description for the lateral easement, access easement, meets & bounds, and associated exhibits and prepare the easement agreements to get them formally recorded. We are hoping BCID considers allowing the existing access to remain within the easement for the purpose of accessing the homeowner. We can limit this easement via the language in the agreement if needed.
4. Considering we are not developing anything new, or vertically, we haven't anticipated preparing any civil construction drawings. We will remove any existing material from within the easement, as discussed during our conversation.
5. Once we receive direction on what BCID is willing to do for the existing access easement, we will proceed with drafting the legal descriptions and exhibits necessary and record.
6. We are not installing any fencing along the irrigation lateral easement so this comment should apply. The existing fence is along the frontage of the property.

I am attaching the site plan in high resolution so you can see the legend and details better.

Regards
Srini

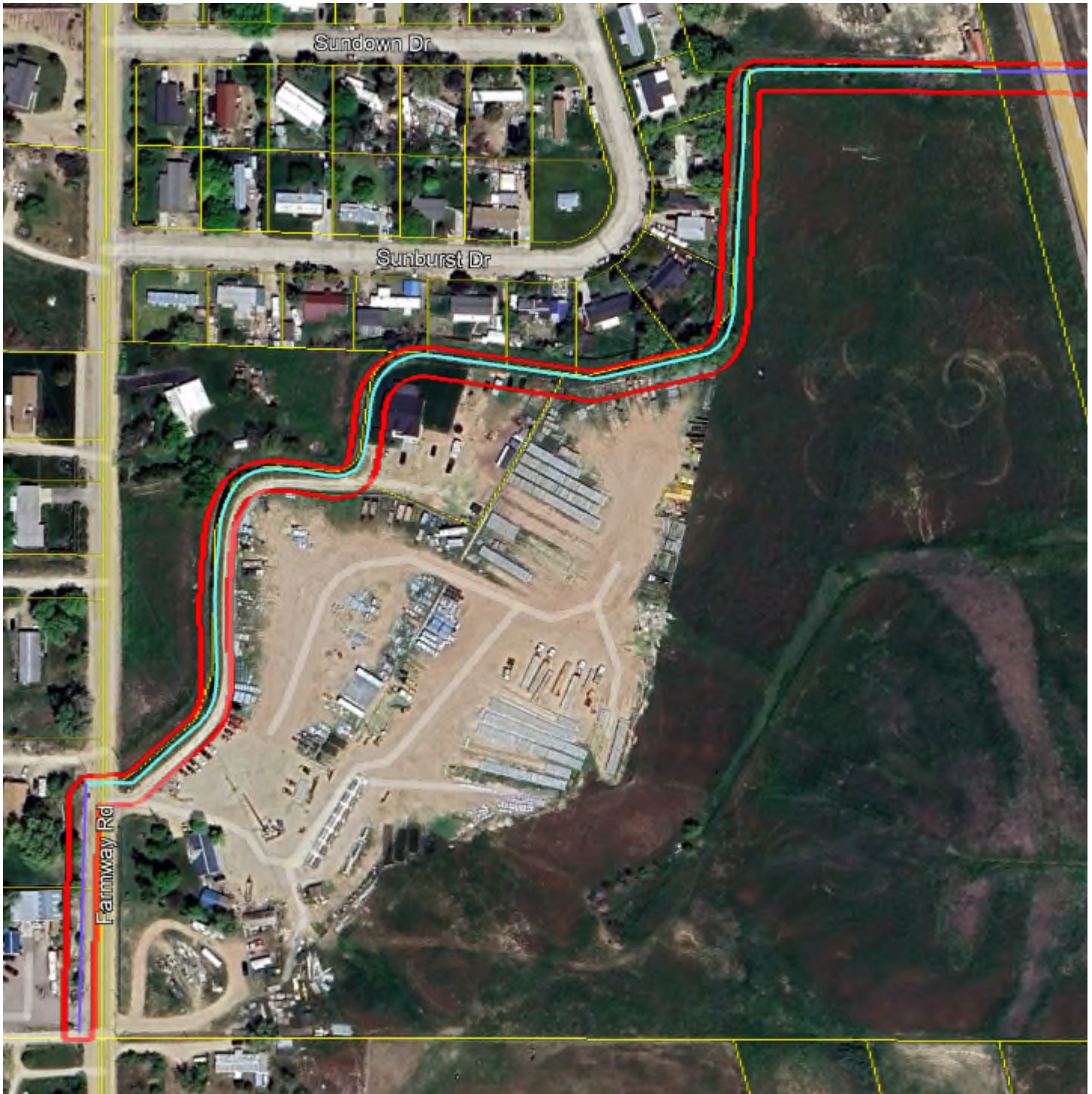
Srinivasa Nookala, PE, MBA
VP, Development, **LDK Ventures, LLC**
Managing Member, **DN Capital, LLC**
c: (208) 369-6620
snookala@ldkventures.com
nsbshyam@gmail.com

From: Derick Corell <dcorell@rh2.com>

Sent: Thursday, September 12, 2024 11:49 AM

To: Srinivasa Nookala <SNookala@ldkventures.com>

Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin



From: Srinivasa Nookala <SNookala@ldkventures.com>

Sent: Thursday, September 12, 2024 11:42 AM

To: Derick Corell <dcorell@rh2.com>

Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

From: Srinivasa Nookala

Sent: Thursday, September 12, 2024 11:29 AM

To: dcorell@rh2.com

Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

You can send me a teams meeting.

Srinivasa Nookala, PE, MBA

VP, Development, **LDK Ventures, LLC**

Managing Member, **DN Capital, LLC**

c: (208) 369-6620

snookala@ldkventures.com

nsbshyam@gmail.com

From: Srinivasa Nookala

Sent: Thursday, September 12, 2024 11:28 AM

To: 'dcorell@rh2.com' <dcorell@rh2.com>

Subject: RE: Canyon County Agency Response CU2023-0020 - Joshua Martin

From: Joshua Martin <joshua@bccsgroup.com>

Sent: Thursday, September 12, 2024 11:21 AM

To: Srinivasa Nookala <snookala@ldkventures.com>

Subject: Fwd: Canyon County Agency Response CU2023-0020 - Joshua Martin

Get [Outlook for iOS](#)

From: Derick Corell <dcorell@rh2.com>

Sent: Wednesday, September 11, 2024 3:52:33 PM

To: Doug Exton <Doug.Exton@canyoncounty.id.gov>

Cc: Mike Meyers <mikem@blackcanyonirrigation.com>; tyler@blackcanyonirrigation.com

<tyler@blackcanyonirrigation.com>; Don Popoff <dpopoff@rh2.com>; Joshua Martin

<joshua@bccsgroup.com>

Subject: Canyon County Agency Response CU2023-0020 - Joshua Martin

Doug –

Please see the attached Black Canyon Irrigation District response to the CU2023-0020 Agency Notification.
I have included to applicant for ease of communication.

Thanks,
Derick



Derick Corell EIT

Civil Staff Engineer 3 | RH2 Engineering, Inc.

16150 N. High Desert Street, Suite 201

Nampa, Idaho 83687

C: 986.777.0464

O: 208.907.0520

dcorell@rh2.com

www.rh2.com

CU2023-0020 – CUP Application

24574 Farmway Rd, Caldwell ID 83607

Joshua Martin

Represented by Srinivasa Nookala

Summary Introduction

- Current zoning Ag
- CUP application – for allowing commercial use – laydown/storage yard
- Parcel size – Approx. 30 acres. Currently using approx. 5 acres for laydown, and remaining portion of parcel is undeveloped
- All Rail Construction LLC – Joshua and Charmolita Martin
- All Rail – Specialty Highway Construction Contractor
 - Jersey Barriers
 - Highway Guardrail
 - Bridge Railing
 - Crash Cushions
 - Fencing



Property
Entrance –
Farmway Rd

Ingress/Egress
Rd – Outparcel
Residential
property
access





Existing
Manufacture
d Home –
Used for
office



Property View
showing
parking,
staging and
interior access
roads



Material
Staging/Laydown



Vast portion of the
property still
retained
undeveloped

Conclusion

- Requesting approval on CUP application to use for laydown/storage yard.
- No new buildings are intended to be developed as part of this application
- Future development on the property – intend to go through additional entitlement process for development.
- Farmway Rd – low volume road. Current deliveries to the property include approx. 2-4 deliveries per week.
- 10-20 employees working to load/unload material each work week.
- Not “open to the public” operation

EXHIBIT B

Supplemental Documents

Planning & Zoning Commission

Case# CU2023-0020

Hearing date: January 16, 2025

R38153

PARCEL INFORMATION REPORT

12/31/2024 4:30:58 PM

PARCEL NUMBER: R38153

OWNER NAME: MARTIN JOSHUA C

CO-OWNER: MARTIN CHARMOLITA

MAILING ADDRESS: 24574 FARMWAY RD CALDWELL ID 83607

SITE ADDRESS: 24574 FARMWAY RD

TAX CODE: 0330000

TWP: 5N **RNG:** 3W **SEC:** 33 **QUARTER:** NW

ACRES: 30.54

HOME OWNERS EXEMPTION: No

AG-EXEMPT: Yes

DRAIN DISTRICT: NOT In Drain Dist

ZONING DESCRIPTION: AG / AGRICULTURAL

HIGHWAY DISTRICT: NOTUS-PARMA HWY #2

FIRE DISTRICT: MIDDLETON FIRE

SCHOOL DISTRICT: MIDDLETON SCHOOL DIST #134

IMPACT AREA: NOT In Impact Area

FUTURE LAND USE 2011-2022 : AG

FLU Overlay Zone Desc 2030:

FLU RR Zone Desc 2030:

FUTURE LAND USE 2030: AG

IRRIGATION DISTRICT: BLACK CANYON IRRIGATION DIST

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

WETLAND: Freshwater Pond \ Riverine

NITRATE PRIORITY: NE CANYON CO.

FUNCTIONAL Classification: Major Collector

INSTRUMENT NO. : 2019047542

SCENIC BYWAY: NOT In Scenic Byway

LEGAL DESCRIPTION: 33-5N-3W NW S 1/2 NW-W OF I-84 AND E OF CONWAY GULCH
LAT LS TX 04042 T71654

PLATTED SUBDIVISION:

SMALL CITY ZONING:

SMALL CITY ZONING TYPE:



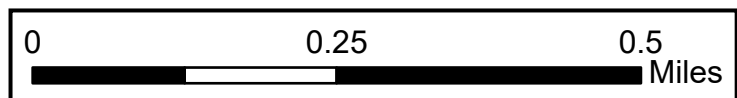
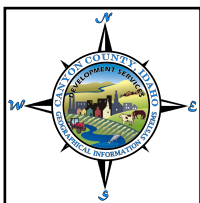
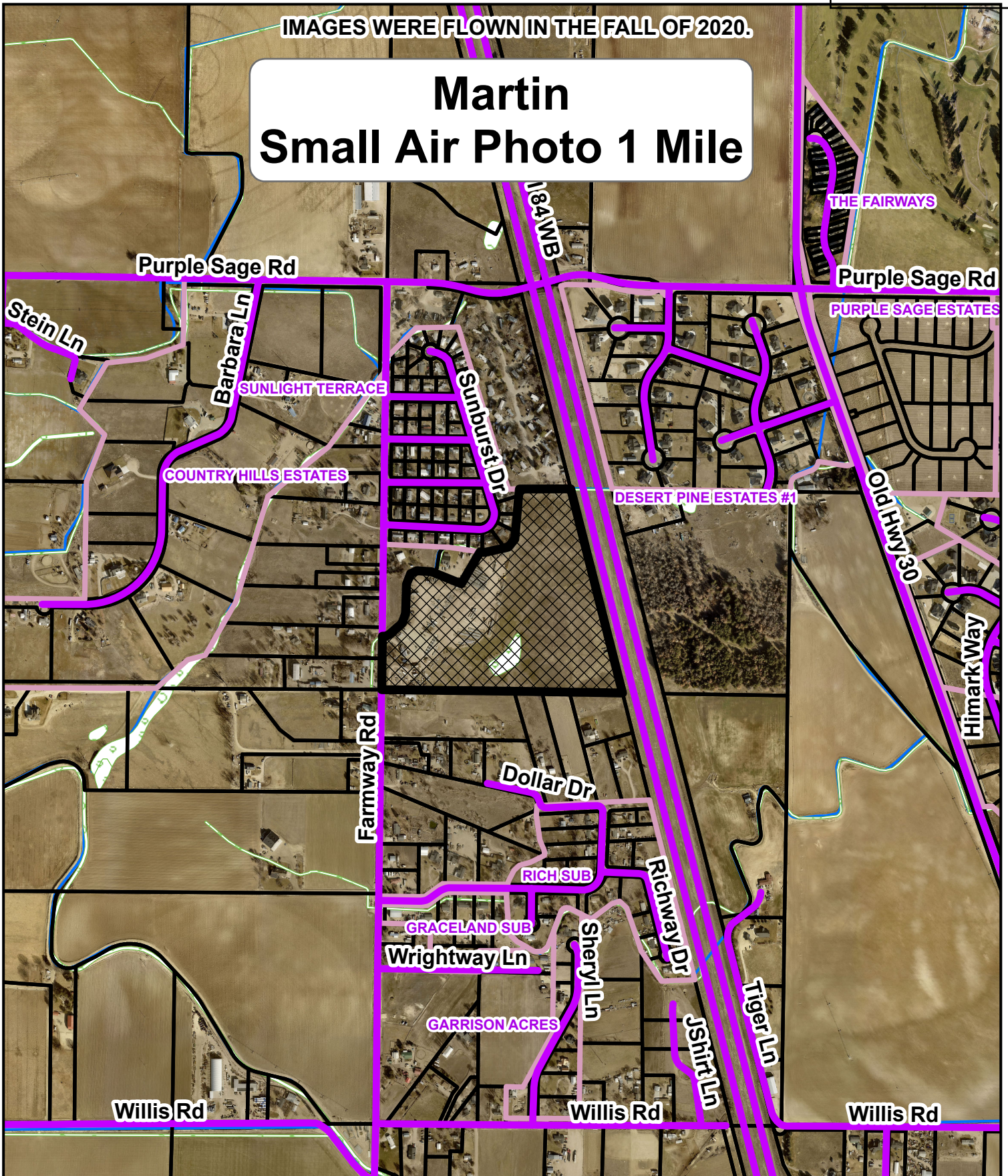
DISCLAIMER:

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

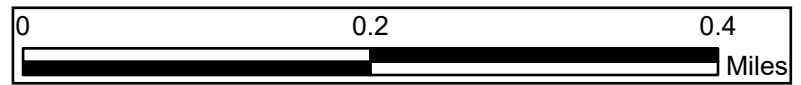
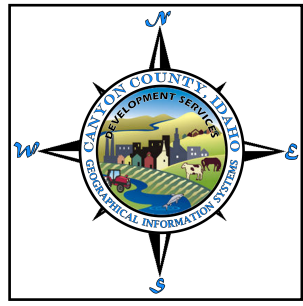
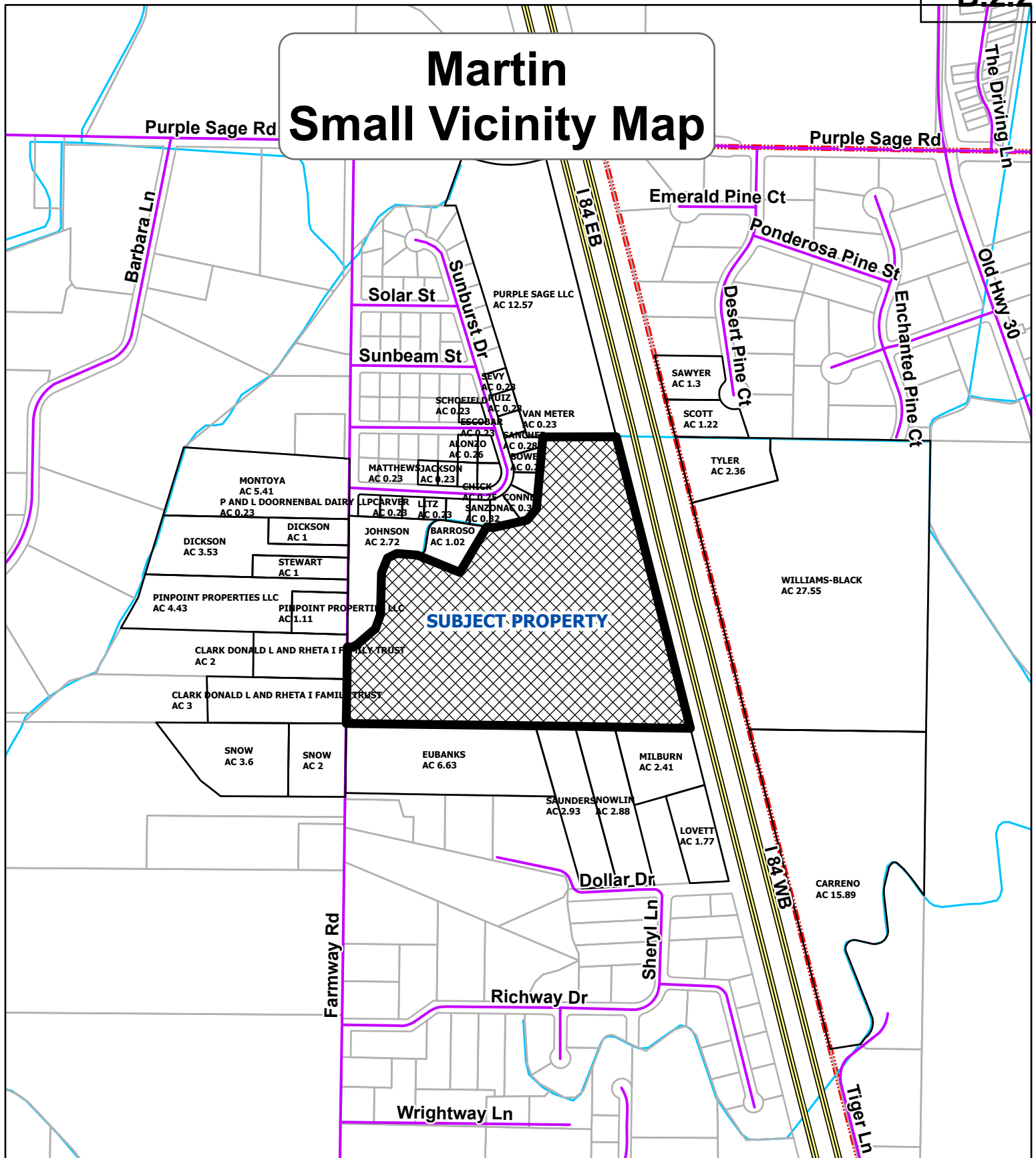
CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR MISUSE OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.

IMAGES WERE FLOWN IN THE FALL OF 2020.

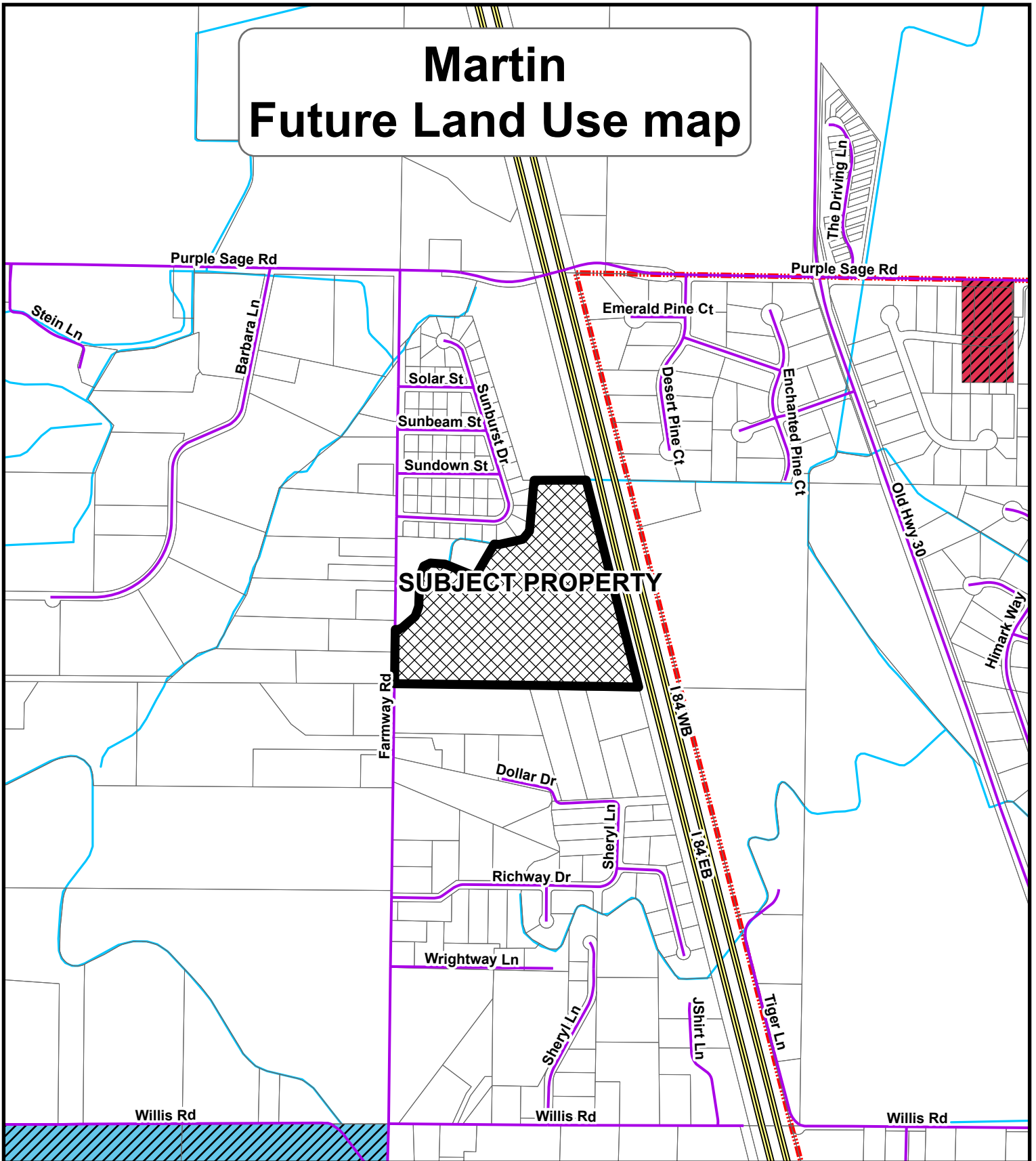
Martin Small Air Photo 1 Mile



Martin Small Vicinity Map



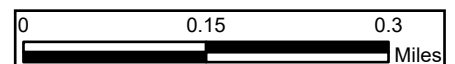
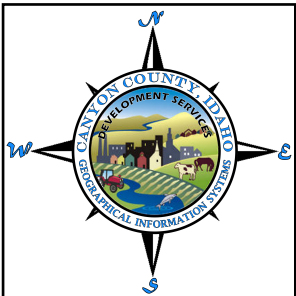
Martin Future Land Use map



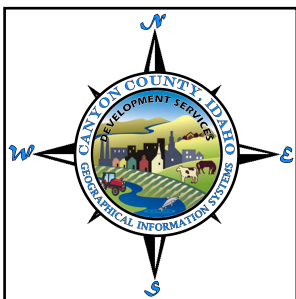
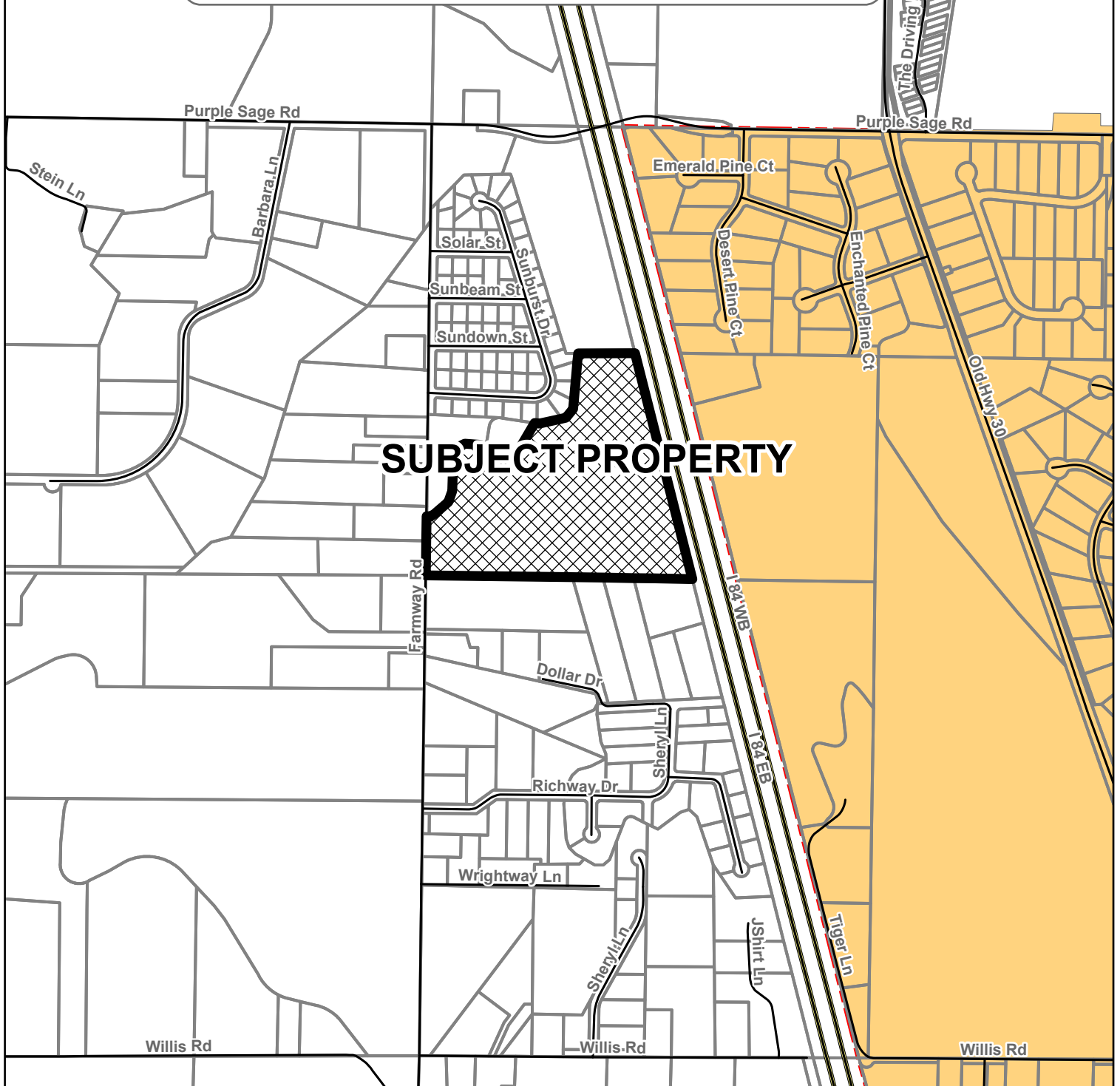
Legend

Future Land Use 2030

-  COMMERCIAL
-  INDUSTRIAL
-  RESIDENTIAL

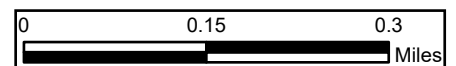


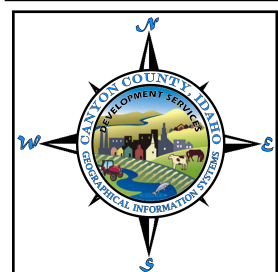
Martin City of Middleton Land Use



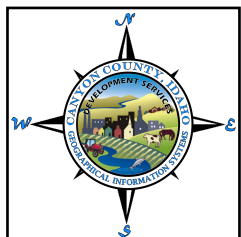
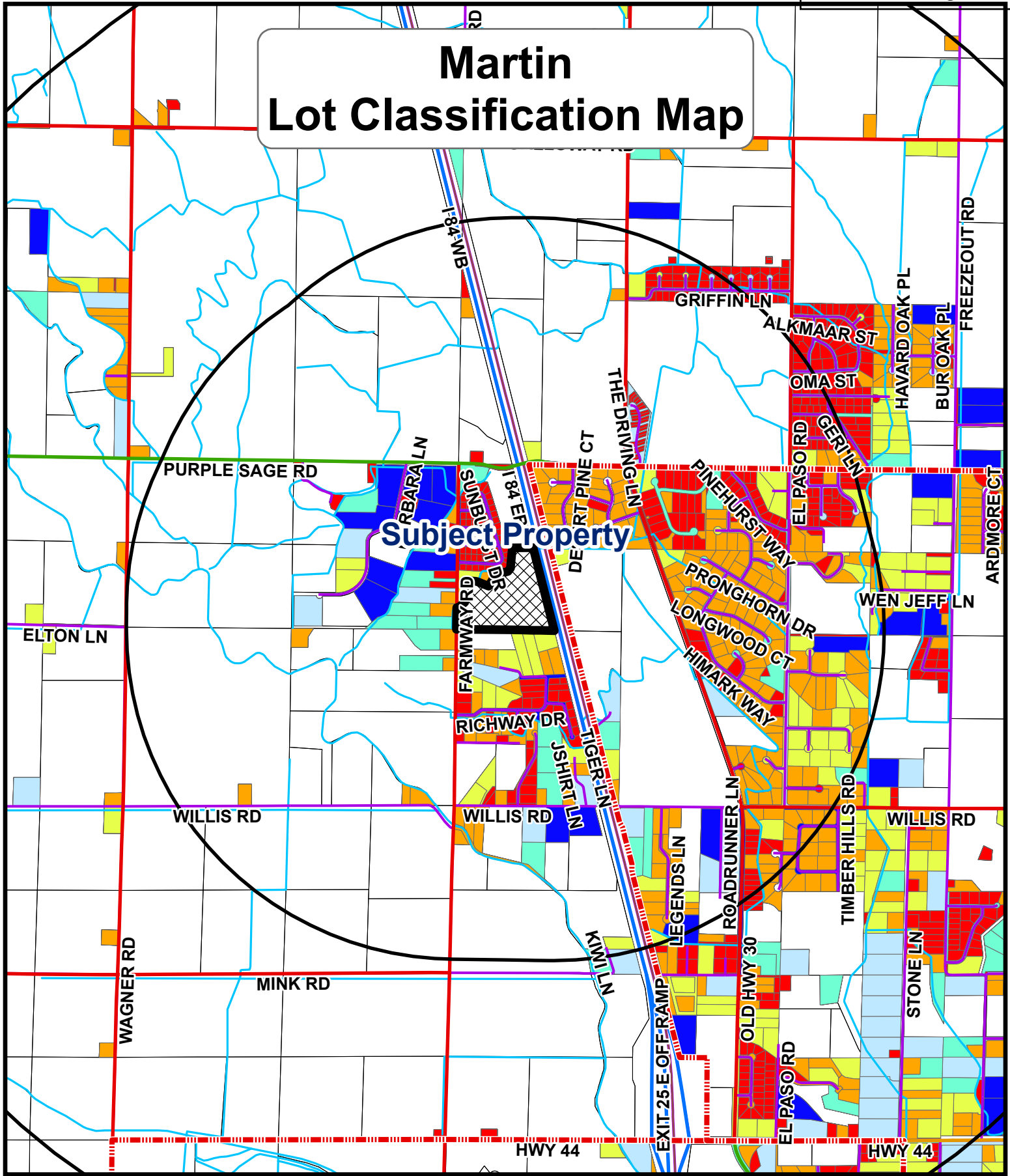
MiddletonCompPlan

- Commercial
- Industrial
- Mixed Use
- Public
- Residential
- Residential Special Areas
- Transit Oriented

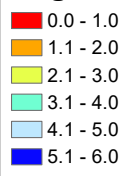




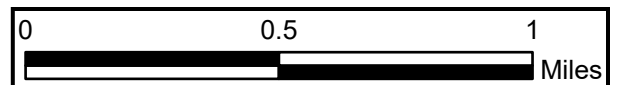
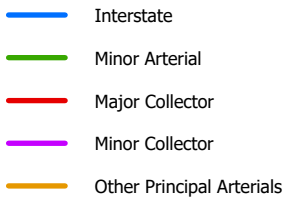
Martin Lot Classification Map



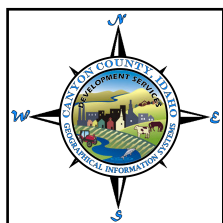
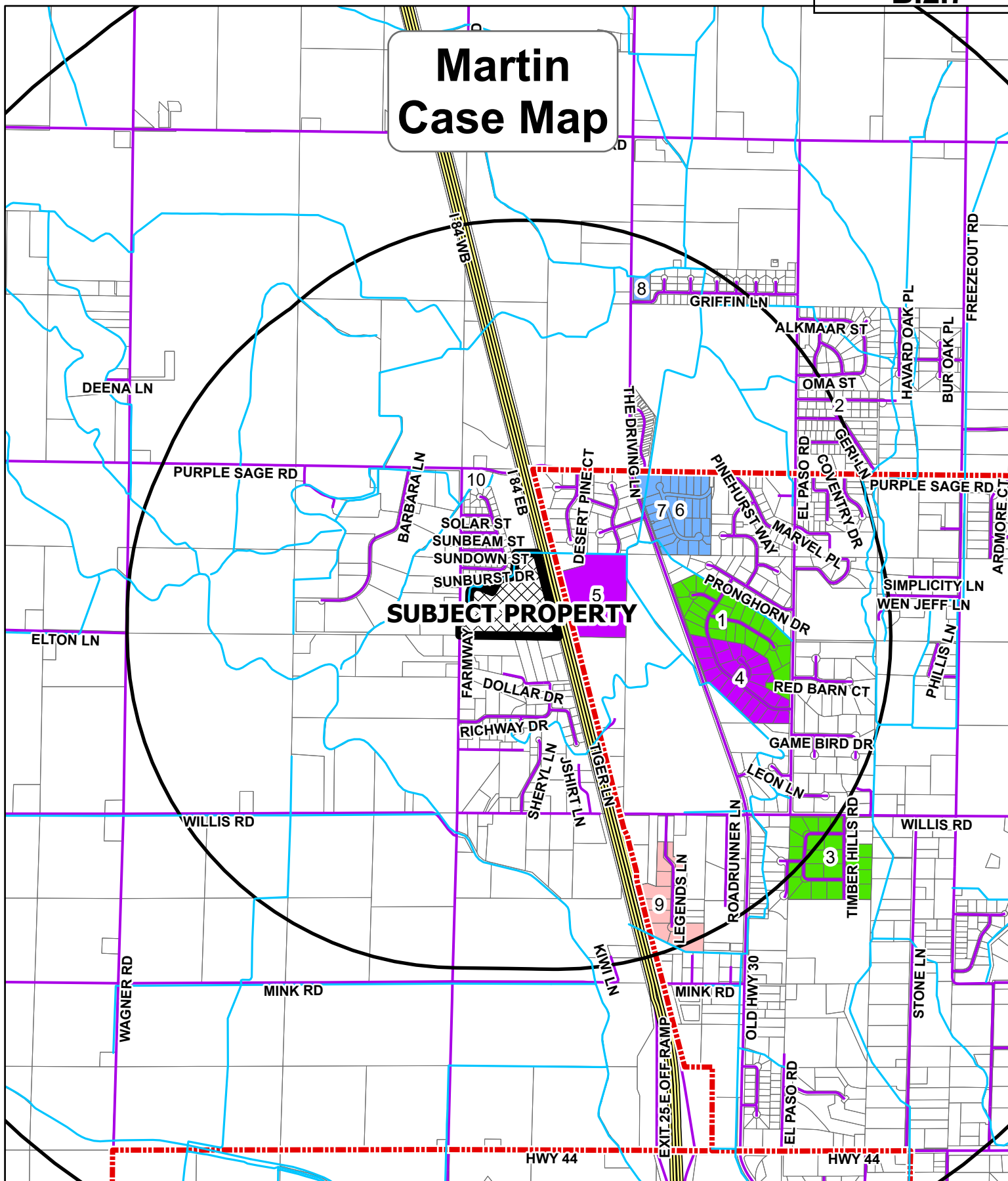
Legend



ITD Functional Classification



Martin Case Map



YEAR

2023

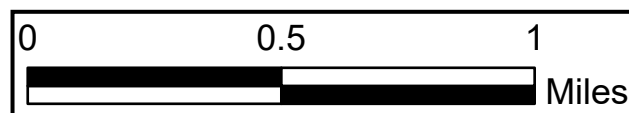
2020

2022

2019

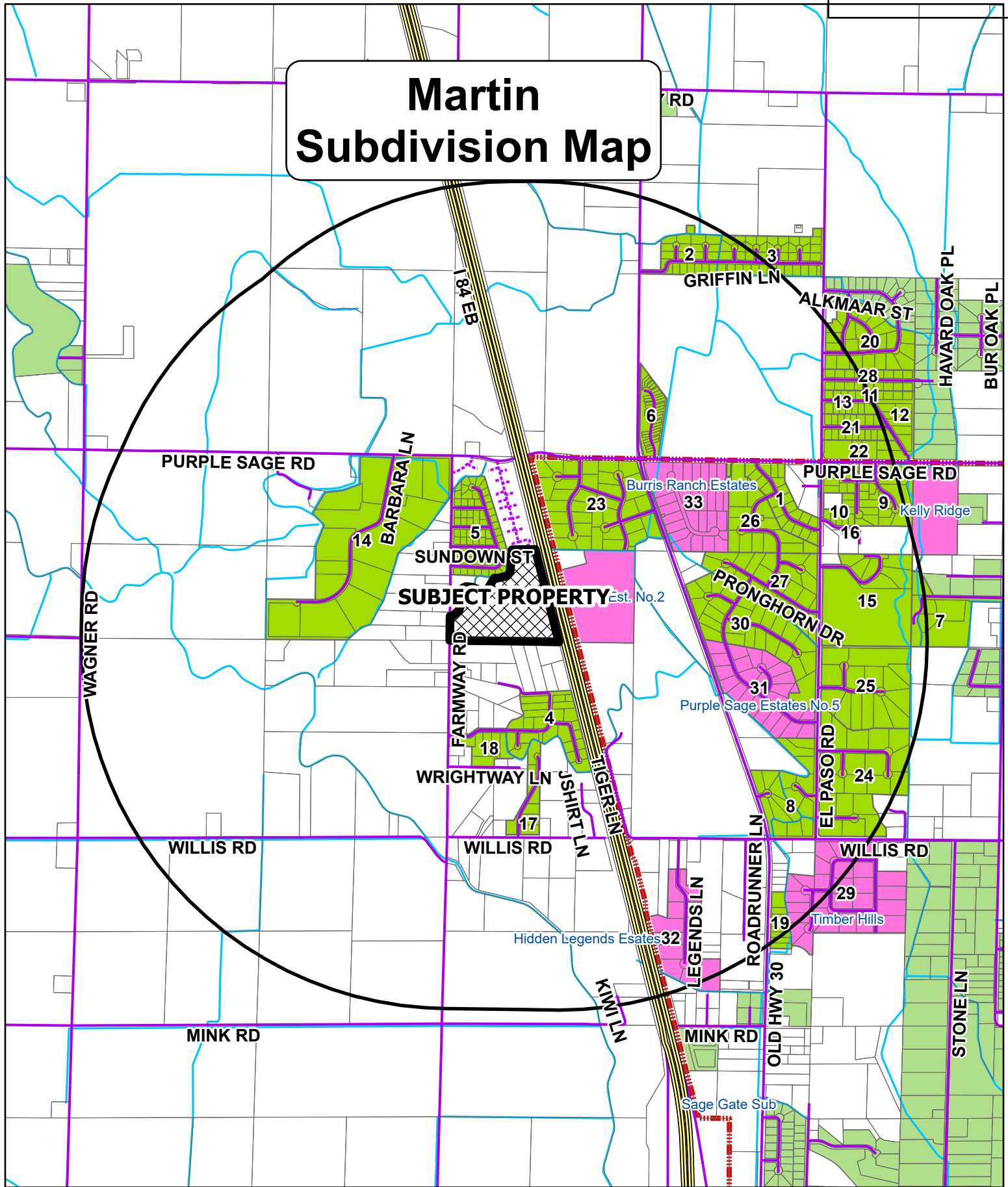
2021

2018



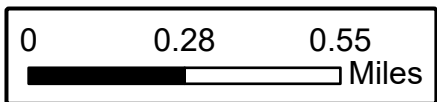
CASE SUMMARY				
ID	CASENUM	REQUEST	CASENAME	FINALDECIS
1	SD2019-0043	Purple Sage Estaates No.4	Purples Sage Estates No.4	APPROVED
2	RZ2019-0037	Rezone RR to R2	County Clube Wate Association, Inc.	APPROVED
3	Trison Estates Sub	0	Trison Estates Sub	Approved
4	SD2020-0026	Plat - Purple Sage Esates No.5	Plat - Purple Sage Esates No.5	APPROVED
5	SD2020-0038	Plat - 17 Lots	Desert Pine Est. No.2	APPROVED
6	SD2021-0017	Burris Ranch Estates Plat	Burris Ranch Estates	Approved
7	RZ2021-0029	change zoning from RR and C1 to CR-1	BURRIS RANCH	APPROVED
8	RZ2022	Rezone RR to CR-R1	Franks	APRPROVED
9	SD2022-0003	Hidden Legends Estates Sub	Hidden Legends Estates Sub	APPROVE
10	CU2023-0035	CU2002-42 Mofifiction	Olsen	APPROVED

Martin Subdivision Map



SUBDIVISIONS
Plat Type,Plat Status

- Preliminary,Approved
- Preliminary,Pending



SUBDIVISION & LOT REPORT

NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE	
33	688.01	604	1.14	
NUMBER OF SUBS IN PLATTING	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE	
6	171.01	94	1.82	
NUMBER OF LOTS NOTIFIED	AVERAGE	MEDIAN	MINIMUM	MAXIMUM
81	2.38	0.34	0.23	30.54
NUMBER OF MOBILE HOME PARKS	ACRES IN MHP	NUMBER OF SITES	AVG HOMES PER ACRE	MAXIMUM
2	7.95	28.50	3.00	4.00

PLATTED SUBDIVISIONS

SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF...	Year
PURPLE SAGE ESTATES	1	5N3W33	13.35	6	2.23	COUNTY (Canyon)	1967
R & R SUB #1	2	5N3W28	11.61	21	0.55	COUNTY (Canyon)	1973
R & R SUB #2	3	5N3W28	20.09	41	0.49	COUNTY (Canyon)	1973
RICH SUB	4	5N3W33	20.05	24	0.84	COUNTY (Canyon)	1973
SUNLIGHT TERRACE	5	5N3W33	22.38	69	0.32	COUNTY (Canyon)	1978
THE FAIRWAYS	6	5N3W28	8.72	32	0.27	COUNTY (Canyon)	1996
WEN-JEFF ESTATES	7	5N3W34	16.78	7	2.40	COUNTY (Canyon)	1997
WILLIS RANCH	8	5N3W33	21.11	16	1.32	COUNTY (Canyon)	1998
FOX RIDGE ESTATES	9	5N3W34	21.64	26	0.83	COUNTY (Canyon)	1992
FOX RIDGE ESTATES #2	10	5N3W34	3.16	9	0.35	COUNTY (Canyon)	1996
REPLAT OF LOT 5, BLOCK 2 OF COUNTRY CLUB SUB	11	5N3W27	0.28	1	0.28	COUNTY (Canyon)	2021
COUNTRY CLUB SUB #2	12	5N3W27	9.48	11	0.86	COUNTY (Canyon)	1975
COUNTRY CLUB SUB #3	13	5N3W27	5.36	12	0.45	COUNTY (Canyon)	1978
COUNTRY HILLS ESTATES	14	5N3W32	84.65	14	6.05	COUNTY (Canyon)	1973
EL PASO HEIGHTS	15	5N3W34	37.90	7	5.41	COUNTY (Canyon)	1998
FOX RIDGE ESTATES #3	16	5N3W34	0.42	1	0.42	COUNTY (Canyon)	1996
GARRISON ACRES	17	5N3W33	7.66	8	0.96	COUNTY (Canyon)	1972
GRACELAND SUB	18	5N3W33	6.38	6	1.06	COUNTY (Canyon)	2003
HECK SUB #1	19	4N3W04	4.69	9	0.52	COUNTY (Canyon)	1985
HOLLANDIA EST #2	20	5N3W27	22.96	23	1.00	COUNTY (Canyon)	2005
MASTERS SUB	21	5N3W27	8.03	17	0.47	COUNTY (Canyon)	1994
NOVAK ACRES	22	5N3W27	8.38	6	1.40	COUNTY (Canyon)	2001
DESERT PINE ESTATES #1	23	5N3W33	45.69	35	1.31	COUNTY (Canyon)	2008
ALBION ACRES SUBDIVISION NO. 1	24	5N3W34	41.10	19	2.16	COUNTY (Canyon)	2018
ALBION ACRES SUBDIVISION NO. 2	25	5N3W34	33.13	14	2.37	COUNTY (Canyon)	2018
PURPLE SAGE ESTATES SUBDIVISION NO. 2	26	5N3W33	19.17	14	1.37	COUNTY (Canyon)	2018
PURPLE SAGE ESTATES SUBDIVISION NO. 3	27	5N3W33	27.00	22	1.23	COUNTY (Canyon)	2019
COUNTRY CLUB SUB #1	28	5N3W27	8.64	18	0.48	COUNTY (Canyon)	1964
TIMBER HILLS SUBDIVISION	29	4N3W03&04	45.62	28	1.63	COUNTY (Canyon)	2021
PURPLE SAGE ESTATES SUBDIVISION NO. 4	30	5N3W33	33.44	25	1.34	COUNTY (Canyon)	2021
PURPLE SAGE ESTATES SUBDIVISION NO. 5	31	5N3W33	28.45	25	1.14	COUNTY (Canyon)	2022
HIDDEN LEGENDS ESTATES SUBDIVISION	32	4N3W04	19.59	9	2.18	COUNTY (Canyon)	2023
BURRIS RANCH ESTATES SUBDIVISION	33	5N3W33	31.09	29	1.07	CANYON COUNTY	2024

SUBDIVISIONS IN PLATTING

SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE		
Purple Sage Estates No.5	28.32	23	1.23		
Burris Ranch Estates	31.11	26	1.20		
Timber Hills	45.49	28	1.62		
Desert Pint Est. No.2	27.55	17	1.62		
Hidden Legends Esates	19.51	8	2.44		
Kelly Ridge	19.03	9	2.11		

MOBILE HOME & RV PARKS

SUBDIVISION NAME	SITE ADDRESS	ACRES	NO. OF SPACES	UNITS PER ACRE	CITY OF...
Purple Sage MHP	15881 Purple Sage Road	12.56	50	0.25	Canyon County
Olsen MHP	24938 Farmway Road	3.34	7	0.48	Canyon County

Solar IMAGES WERE FLOWN IN THE 2022/2023.

Martin Contour Map

COUNTRY HILLS ESTATES

Sunbeam St

SUNLIGHT TERRACE

DESERT PINE ESTATES #1





184 EB

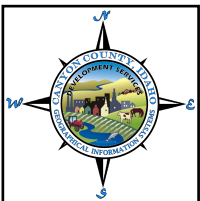
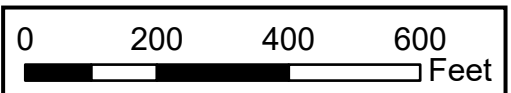
Farmway Rd

184 WB

Dollar Dr

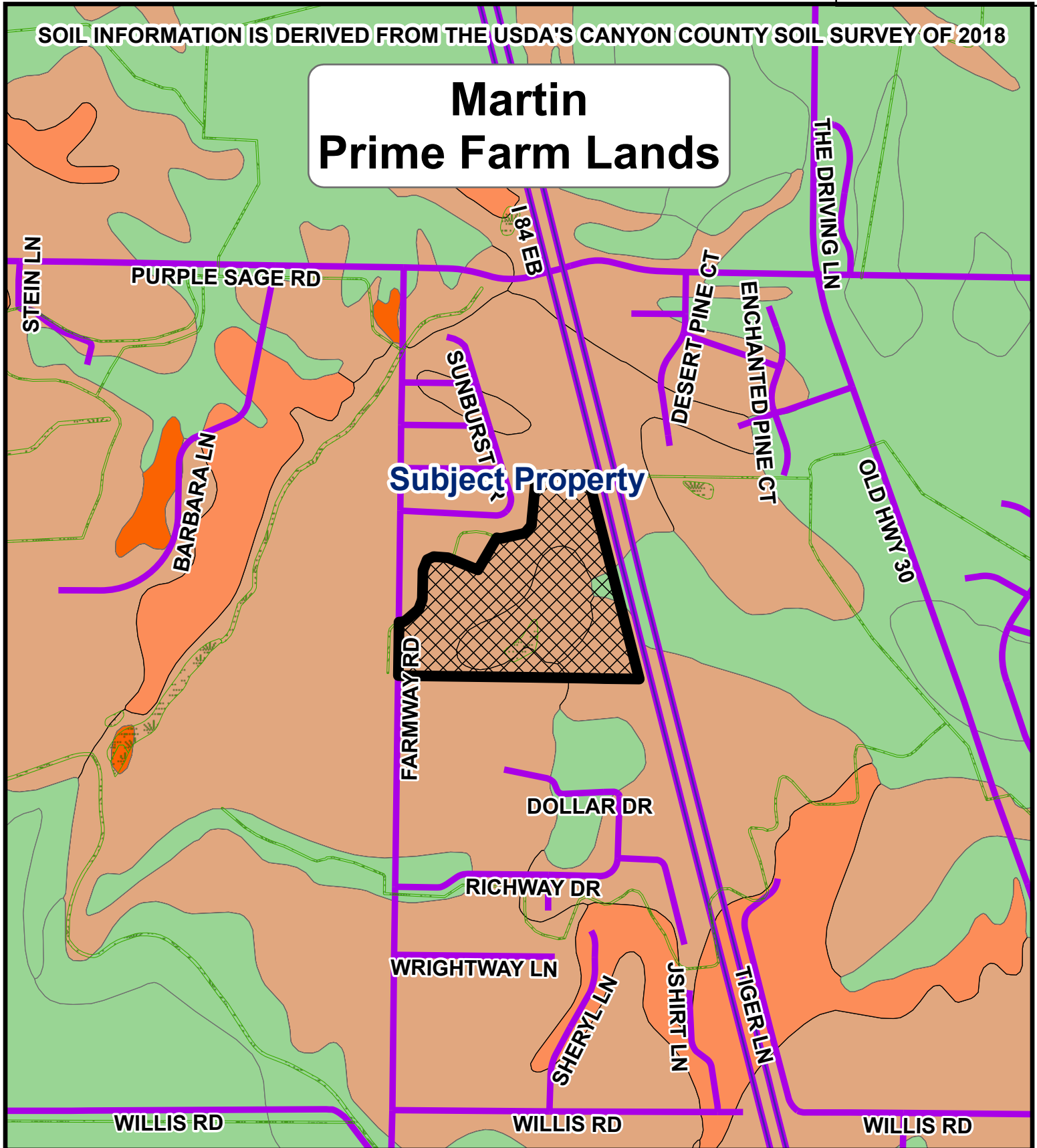
Legend

-  SUBJECT_PROPERTY
-  TaxParcels
-  SectionContours
-  Wetlands



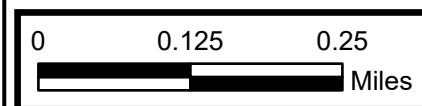
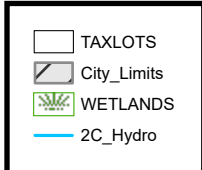
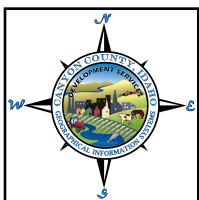
SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018

Martin Prime Farm Lands



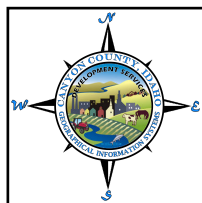
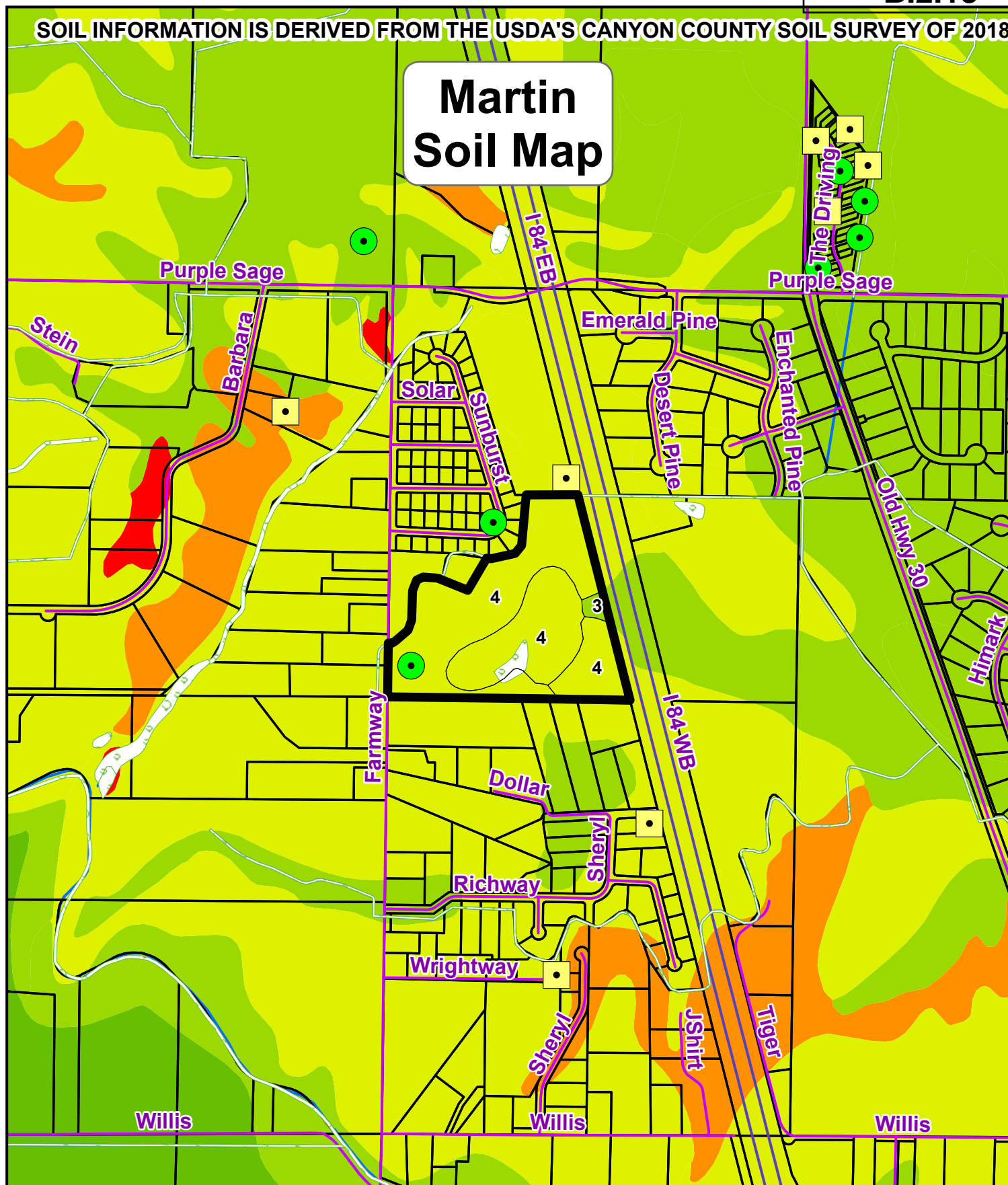
FARMLAND

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



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

Martin Soil Map



Nitrate Priority Wells

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



IDWR_2C_Geothermal_



Wetlands

0 0.25 0.5
Miles

SOIL REPORT

SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
3	MODERATELY SUITED SOIL	23522.40	0.54	1.77%
4	MODERATELY SUITED SOIL	167575.32	3.85	12.60%
4	MODERATELY SUITED SOIL	386638.56	8.88	29.07%
4	MODERATELY SUITED SOIL	752499.00	17.28	56.57%
		1330235.28	30.54	100%

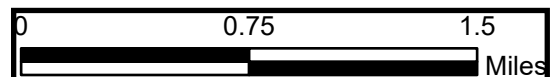
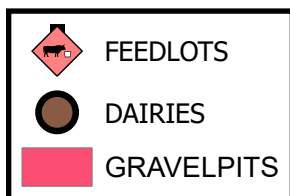
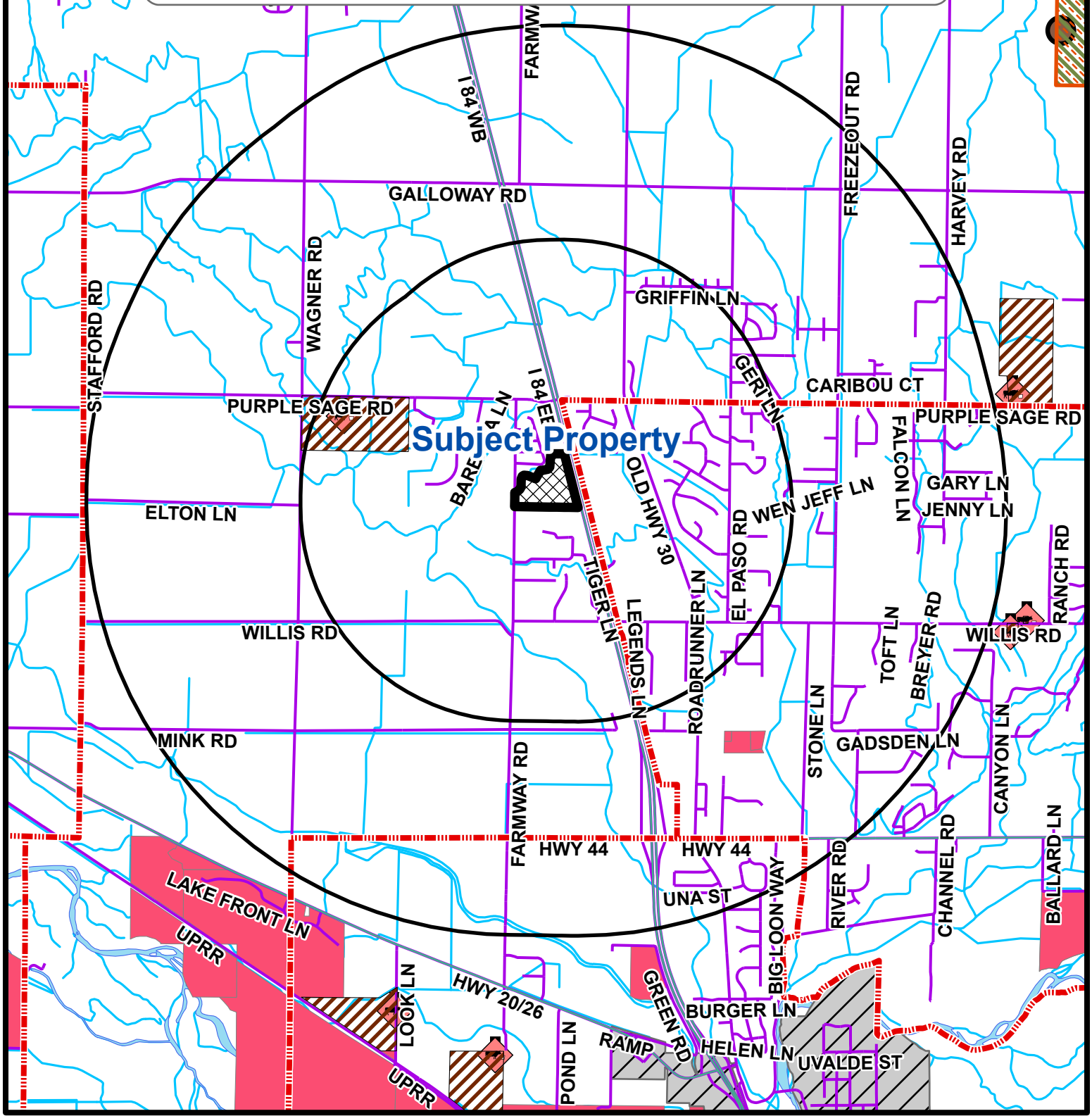
FARMLAND REPORT

SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
EsB	Prime farmland if irrigated	23522.40	0.54	1.77%
EvC	Farmland of statewide importance, if irrigated	167575.32	3.85	12.60%
LaD	Farmland of statewide importance, if irrigated	386638.56	8.88	29.07%
LkC	Farmland of statewide importance, if irrigated	752499.00	17.28	56.57%
		1330235.28	30.54	100%

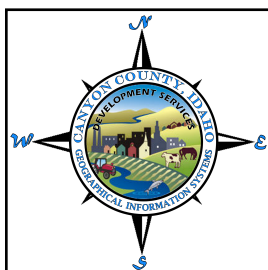
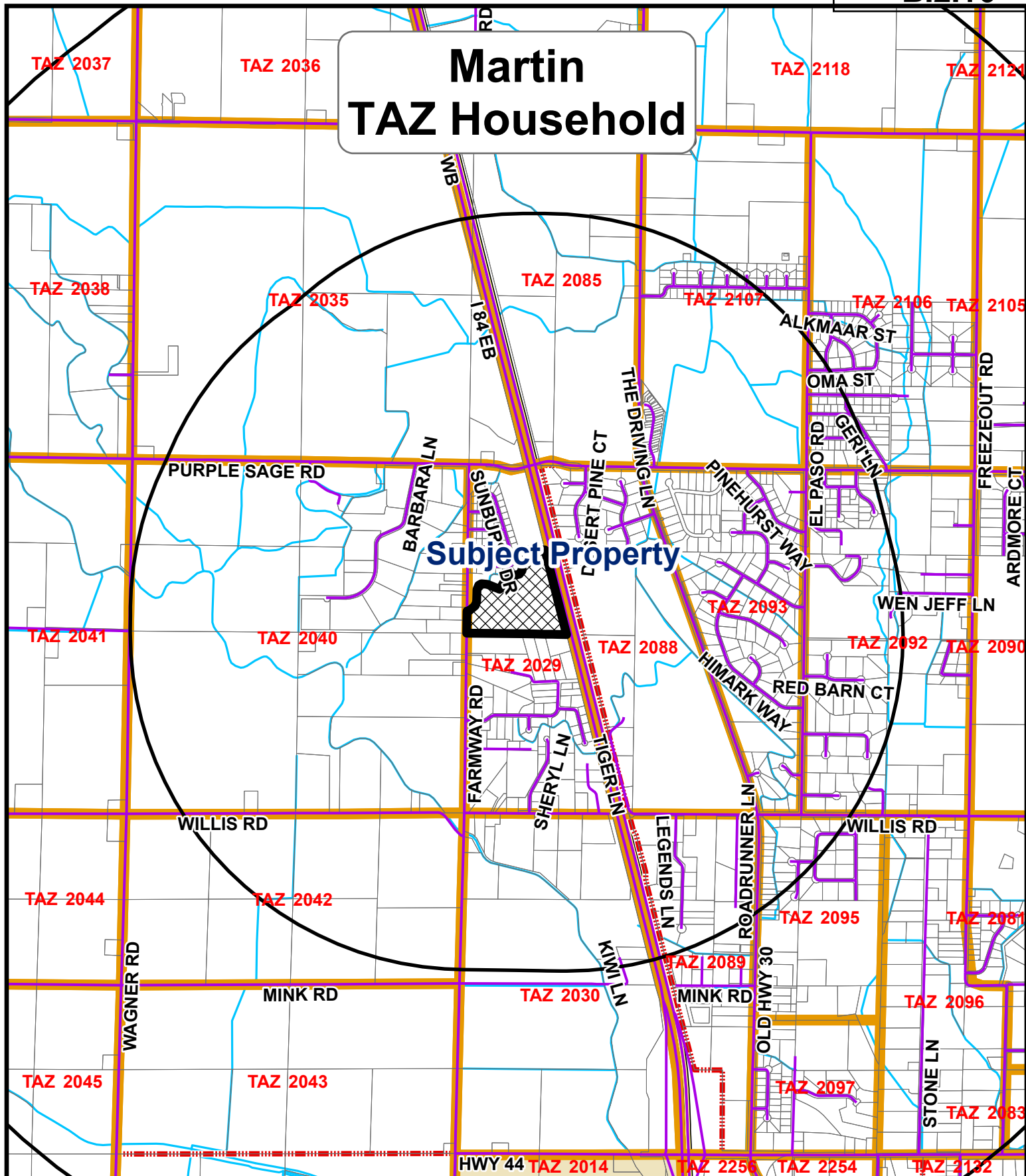
SOIL INFORMATION IS DERIVED FROM THE USDA's CANYON COUNTY SOIL SURVEY OF 2018

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

Martin Dairy, Feedlot, and Gravel Pit Map

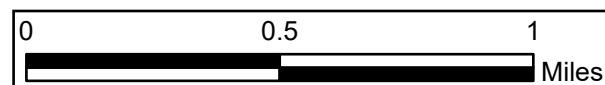


Martin TAZ Household



House Hold 2025-2050

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



Neighborhood Notification Map

Parcel No. R38153

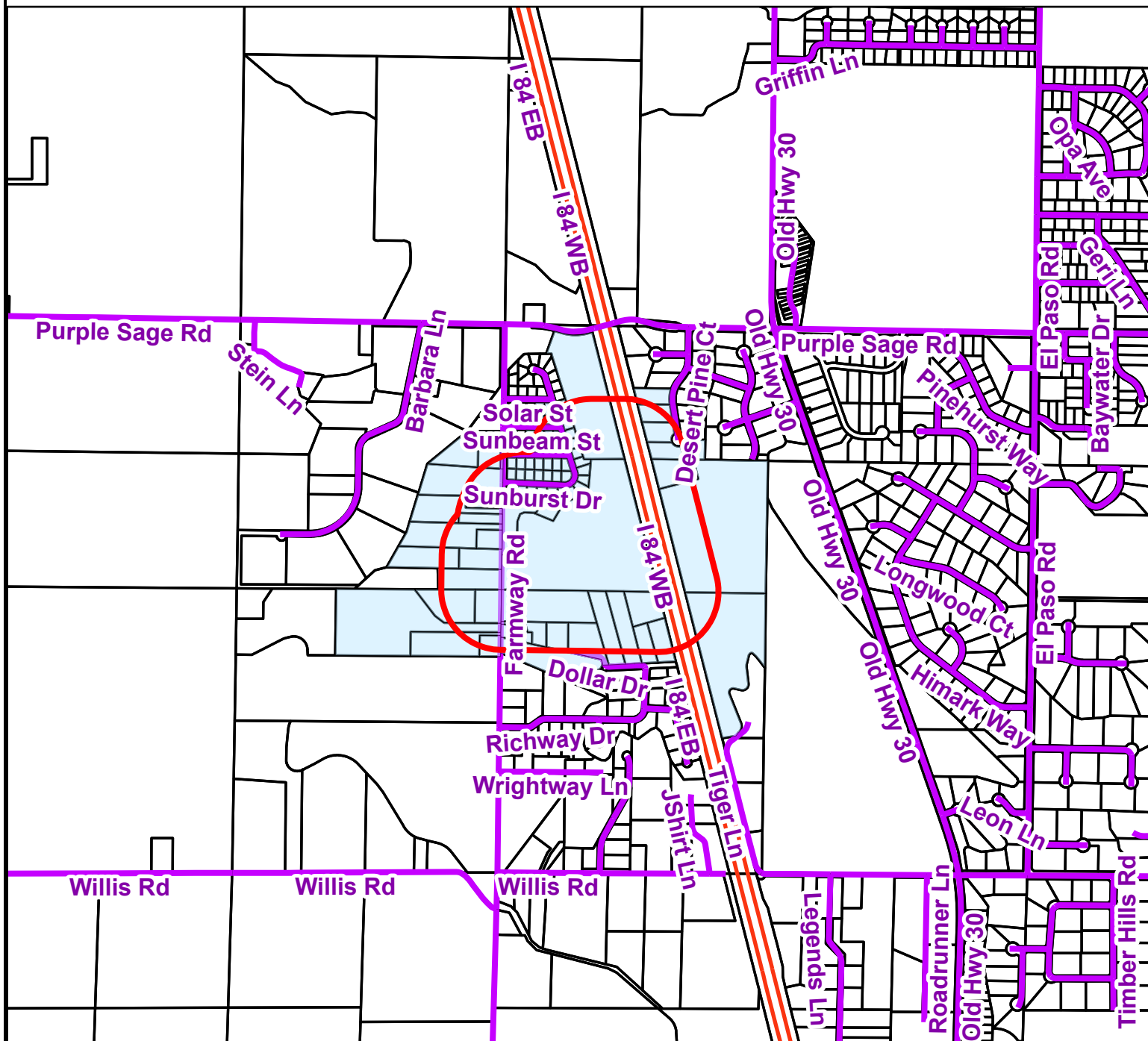
Buffer Distance 600 Feet

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



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

Date: 11/1/2024
By: SHuggins



Legend

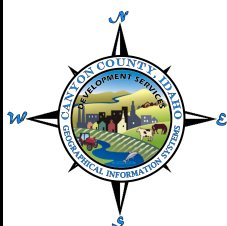
- NOTIFICATION BUFFER
- SUBJECT_PROPERTY
- NOTIFIED PARCELS
- TAX PARCELS

- Highway
- Interstate
- Local Road

SCALE

1:17,151

1:17,151



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







Development Services Department

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

(208) 454 7458 ▪ (208) 454 6633 Fax ▪ DSDInfo@canyoncounty.id.gov ▪ www.canyoncounty.id.gov

COURTESY NOTICE

April 19, 2023

Sent Certified and First Class Mail

Joshua Martin and Charmolita Martin
24574 Farmway Road
Caldwell, ID 83607

RE : Contractor Shop and Staging Area

Dear Property Owner :

This serves as both a friendly request and an informational letter to you, a valued citizen of Canyon County. Our office has received a complaint regarding land use violations on your property located at 24574 Farmway Road, Caldwell, ID; also identified as Assessor Parcel Number R38153 and zoned Agricultural (A).

You may not be aware that operating a contractor shop and/or staging area in an Agricultural (A) zone requires a Conditional Use Permit. For your convenience, please find the definitions and land use matrix providing the information below :

CCZO §07-02-03 (Definitions)

CONTRACTOR SHOP: May include, but not be limited to, a building where a contractor conducts his business, including offices and parking of equipment and employee parking.

STAGING AREA: An area where equipment and/or materials are stored for use conducted entirely off site.

CCZO §07-10-27 (Land Use Matrix)

Zoning Classification	A	R-R	R-1	R-2	C-1	C-2	M-1	M-2	MU-A
Contractor Shop	C	-	-	-	C	A	A	A	A
Staging Area	C	-	-	-	A	A	A	A	A

Please note: (A) allowed uses; (C) permitted uses through a conditional use permit.

RE: 24574 Farmway
April 19, 2023
Page 2

We would appreciate your help in achieving compliance by contacting Planning and Zoning for information regarding the Conditional Use Permit process **within 10-days of this notice or no later than May 1, 2023.**

Development Services desires that property owners voluntarily correct all ordinance violations. You may email me at the address below, or call 208-454-7458 for Development Services to speak with a Planner. To view the Canyon County Code, please visit our website at <http://www.canyoncounty.id.gov>.

Your cooperation is appreciated,



Katie Phillips
Code Enforcement Officer
katie.phillips@canyoncounty.id.gov

cc: Case File CDEF2023-0066



Development Services Department



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

(208) 454 7458 ▪ (208) 454 6633 Fax ▪ DSDInfo@canyoncounty.id.gov ▪ www.canyoncounty.id.gov

COURTESY NOTICE

July 3, 2023

Sent US First Class Mail

Josh Martin
24574 Farmway Road
Caldwell, ID 83607

Dear Mr. Martin:

As you know, our office has been investigating *Land Use* violations on your property located at 24574 Farmway Road, Caldwell, ID; also identified as Assessor Parcel Number R38153. This property is located in an area of Canyon County that is zoned 'AG' (Agricultural).

This letter serves as a friendly reminder as per our conversation on April 24, 2023. Our records indicate that you have not applied for a pre-application meeting or a Conditional Use Permit to operate a contractor shop and staging area for the above-referenced property.

In order to comply with Canyon County Code, please contact a planner to begin the application process within 30 days from the date of this notice or no later than August 4, 2023.

Thank you in advance.

Katie Phillips
Code Enforcement Officer
katie.phillips@canyoncounty.id.gov

cc: Case File CDEF2023-0066



CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
1115 Albany Street • Caldwell, Idaho • 83605 • Phone (208) 454-7458

CONDITIONAL USE PERMIT

This certifies that Donald Clark received a Conditional Use Permit, granted by the Canyon County Hearing Examiner, on February 23, 2006, to operate a pallet business to buy, sell, build and repair shipping pallets on an approximately three (3) acre parcel in an "A" (Agricultural) Zone.

The Conditional Use Permit was applied for, noticed, and approved as Case # CU2005-155.

The Findings of Fact, Conclusions of Law, and Order were signed on March 9, 2006.

This permit was approved with the following conditions:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the property.
2. An eight (8) foot high sight-obscuring fence shall be constructed along the perimeter of the subject property.
3. The stacking of pallets shall not exceed the fence height nor be visible from outside the subject property.
4. Vehicles used for the transport of pallets shall not be visible from outside the subject property with the exception of being loaded and unloaded within a 24 hour time period.
5. All exterior illumination shall be downward facing, directed away from residential properties and retained on the subject property.
6. All signage on the subject property shall conform to Canyon County Zoning Ordinance 07-10-08 (B).
7. Hours of operation shall be 7:00 A.M. to 7:00 P.M., Monday through Friday, and 7:00 A.M. to 5:00 P.M. Saturday and Sunday.
8. The applicant shall pave the existing approach from Farmway Road.
9. Prior to commencement of operations, the applicant shall receive approval from the Middleton Fire Department.

Page 1 of 3

INSTRUMENT NO. 200683032

10. The applicant shall comply with Southwest District Health (SWDH) requirements and recommendations.
11. The applicant shall comply with Idaho Department of Environmental Quality's (DEQ) requirements and recommendations.
12. The applicant shall meet with Idaho Department of Environmental Quality to gain their technical assistance in the development of a dust control plan, which incorporates appropriate best management practices (BMP) to control fugitive dust generated at the site which follows IDAPA 58.01.01.651.
13. No trash or other solid waste shall be buried, burned, or otherwise disposed of at the site. The applicant shall follow the disposal methods which are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.
14. The applicant shall comply with Idaho's Ground Water Quality Rules, specifically, IDAPA 58.01.11.400.01 Ground Water Contamination Rule.
15. The applicant shall also comply with Canyon County's Noxious Weed Ordinance.
16. This conditional use permit shall be granted only to the individual and not the land.
17. The conditional use permit will become void after one (1) year of continuous non-use.
18. This permit is temporary and will expire 10 years after the date of the signing of the FCOs.
19. The applicant is to have the site cleaned up within 6 months of the signing of the FCOs.
20. The applicant shall meet the requirements of the highway district.
21. The applicant shall develop a landscaping plan to screen the site with a row of poplars and a row of evergreens on the north and west sides. The landscaping shall be maintained in a living condition. The plan shall be submitted to the Development Services Department.

This permit is for the following property: R38113.

- ☐ This permit is for the land, is perpetual, and there is no expiration date.
☒ This permit is for the following individual, not the land: Donald Clark.
☒ This permit is temporary and will expire on: March 9, 2016.

State of Idaho)

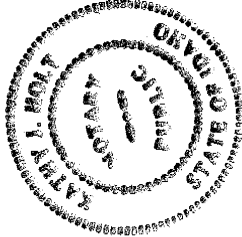
County of Canyon)

S.S.

Bonnie Ford-LeCompte
Development Services Department

On this Ninth day of October, in the year of 2006, before me Bonnie Ford-LeCompte,
a notary public, personally appeared Bonnie Ford-LeCompte, personally known to me to be the person whose name
is subscribed to the within instrument, and acknowledged to me that she executed the same.

S
E
A
L



Kathy J. Holt
Notary Public

My Commission Expires on 6-12-09



CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

1115 Albany Street • Caldwell, Idaho • 83605 • Phone (208) 454-7458

Fax: (208) 454-6633

www.canyoncounty.org/dsd

CERTIFICATE OF MAILING

Donald Clark

Case Name

CU2005-155

Case Number

This mailing was prepared by the Development Services Department on March 10, 2006.

Signature of DSD staff

I hereby certify that on the date listed below, I mailed first class, postage prepaid the attached documents to the attached list of persons for:

☒
☐
☐
☐
☐
☐

Applicant

Applicant's Representative

Agencies

Property Owners

Sign-up Sheet

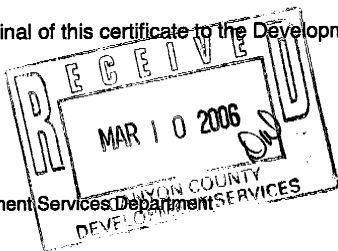
Other: _____

Signature of Mailing Department Staff Member

Print Name

Date: 3/10/06

* Please return the original of this certificate to the Development Services Department. Thank you.



Certificate of Mailing

Canyon County Development Services Department

Page 1

Donald Clark
Case # CU2005-155

APPLICANT:
Donald Clark
24535 Farmway Road
Caldwell, ID 83607





Development Services Department

1115 Albany Street · Caldwell, Idaho · 83605 · (208) 454-7458 · (208) 454-6633 Fax
DSDInfo@Canyoncounty.org

March 10, 2006

Donald Clark
24535 Farmway Road
Caldwell, ID 83607

Subject: FCO Case # CU2005-155

Dear Mr. Clark:

The following is the decision of the Canyon County Hearing Examiner on Case # CU2005-155, Conditional Use Permit request heard before him on February 23, 2006.

The Hearing Examiner approved Case # CU2005-155. This letter is your notice of the final order of decision of the Hearing Examiner. Enclosed you will find a copy of the legal portion of your case, Findings of Fact and Order of Decision.

Should the permit be appealed within 15 days of March 9, 2006, it will be forwarded to the Board of County Commissioners for a new hearing.

Should you have any questions, please feel free to contact Brent Danielson or myself.

Sincerely,

A handwritten signature in cursive script that reads "Bonnie Ford-LeCompte".

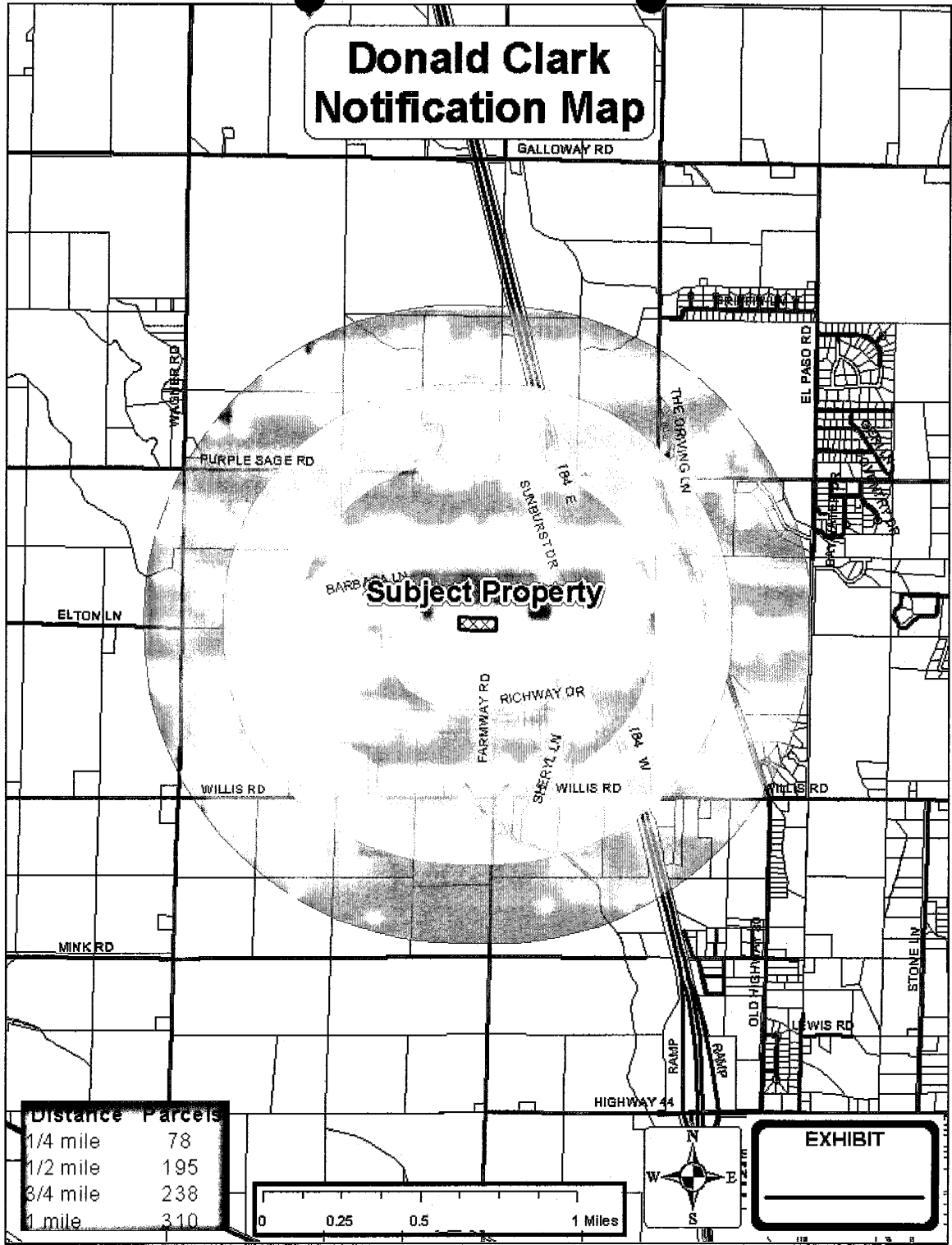
Bonnie Ford-LeCompte
Planner III/Staff

cc: Case File

Planning • Zoning • Building • Code Enforcement

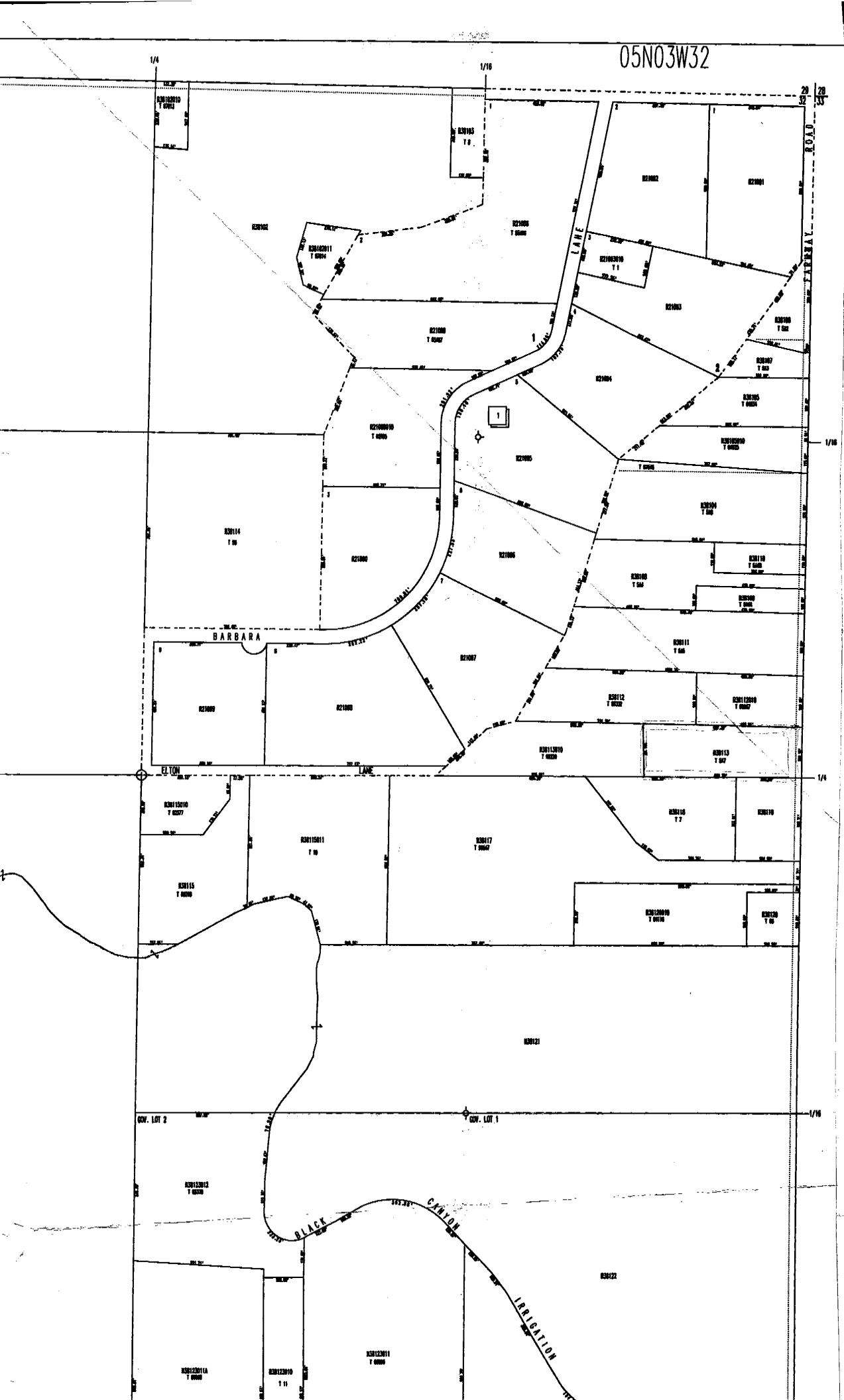
Dedicated to providing quality, efficient and equitable service to the citizens of Canyon County by planning for orderly growth and development through consistent administration and enforcement of county ordinances.

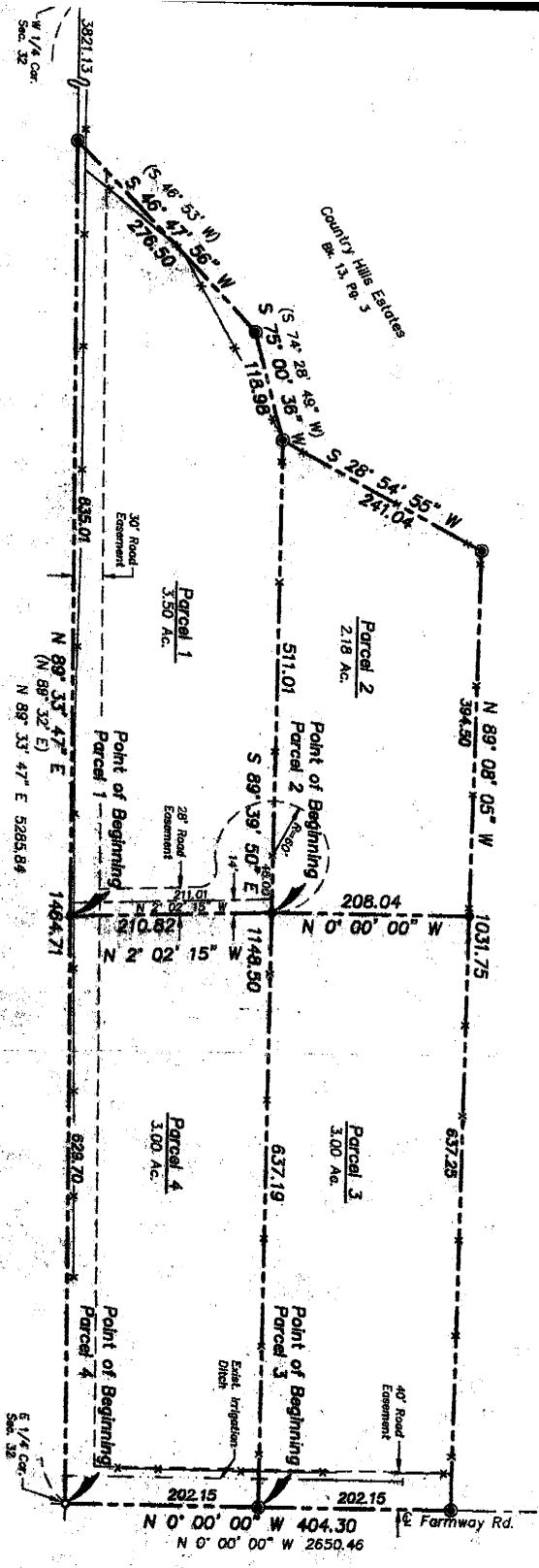
Donald Clark Notification Map



Records of Copies Requested

05N03W32





Skinner, Erd & Associates, Inc. assumes no liability for present or future compliance or non-compliance with Canyon County Planning and Zoning Ordinance restrictions as it pertains to

1/2" = 1' STA



COPY

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
1115 Albany Street • Caldwell, Idaho • 83605 • Phone (208) 454-7458
Fax: (208) 454-6633 www.canyoncounty.org/dsd

DECISION
ADMINISTRATIVE LAND DIVISION
(8)(A), (8)(B) AND (8)(C)
CANYON COUNTY CODE 07-12-07(8)

Cook, Roy	LS2004-87 33-5N-8W
PROPERTY OWNER/APPLICANT	DSD CASE NUMBER

ASSESSOR ACCOUNT(S) R:38153

Administrative Land Division Applied For

- ☐ MORE THAN 40 ACRES (8)(A)
☒ LESS THAN 40 ACRES (8)(B)
☐ NON-VIABLE FARMLAND (8)(C)

☐ Also includes adjustment of original lot line(s).

The application was to divide approximately 30.50 acres into 2 parcels described as follows:

PARCEL 1: Consisting of 1.02 ac.

PARCEL 2: Consisting of 29.68 ac. As shown on the submitted survey, this parcel is composed of a 19 ac, 5.0 ac, and 5.62 ac parcel, which combined is utilizing the one available Building Permit for the 29.68 ac.

The application documents, including the meets and bounds description(s) and, if applicable, the record of survey and/or perpetual easement(s) for ingress/egress evidence the land division tentatively approved. Therefore, the administrative land division is hereby approved.

Director / Staff

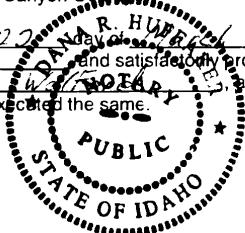
Date

State of Idaho)

SS

County of Canyon County)

On this 22 day of March, 2004, personally appeared before me, Dana R. Huffaker, and satisfactorily proved to me to be the signer of the above instrument by the oath of Craig W. Huffaker, a competent and credible witness for that purpose, by me duly sworn, and that he/she executed the same.



Notary: Dana R. Huffaker

My Commission Expires: 4/7/05

Decision in the Matter of an
Administrative Land Division

Page 1 of 1

200415063

REQUEST: Norma Jean Cook
TYPE: Price Fee \$700

RECORDED

2004 MAR 22 PM 12:23

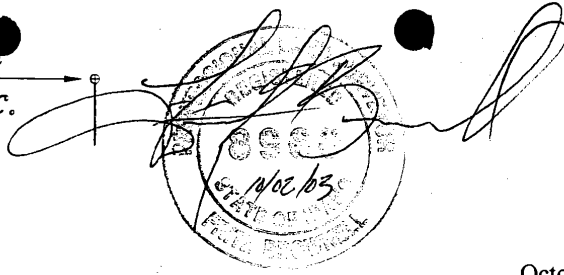
CANYON COUNTY RECORDER

[Signature]



*Skinner Land
Survey Co. Inc.*

2512 South Georgia
Caldwell, ID 83605
(208) 454-0933
Fax (208) 454-9492



*Greg L. Skinner, PLS
Fritz Brownell, PLS
Rodney Kahle-Clark, PE*

October 2, 2003

Legal Description
Job No. SE0503

Parcel 1

This parcel is a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the southwest corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North $00^{\circ} 07' 38''$ East along the west boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 944.65 feet (of record 944.46 feet) to the southwest corner of Sunlight Terrace Subdivision on file in Book 16, Page 25 in the Office of the Recorder, Canyon County, Idaho;

thence South $88^{\circ} 04' 52''$ East along the south boundary of said Sunlight Terrace Subdivision a distance of 425.47 feet to the **TRUE POINT OF BEGINNING**;

thence South $82^{\circ} 08' 17''$ East along said south boundary a distance of 202.55 feet;

thence leaving said south boundary and bearing South $29^{\circ} 39' 03''$ West a distance of 240.71 feet;

thence North $68^{\circ} 37' 11''$ West a distance of 209.03 feet to a point on the centerline of the Conway Gulch Lateral as it now exists;

thence traversing said centerline as follows:

North $84^{\circ} 04' 44''$ West a distance of 1.09 feet;

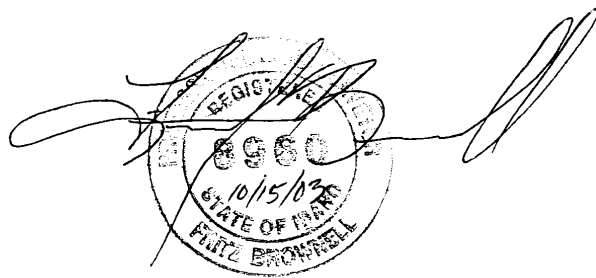
along a curve to the left having a central angle of $87^{\circ} 36' 21''$, a radius of 33.54 feet, an arc length of 51.28 feet and a long chord which bears North $52^{\circ} 12' 21''$ East a distance of 46.43 feet;

North $08^{\circ} 29' 25''$ East a distance of 84.37 feet;

Legal Description
Job No. SE0503
Parcel 1, page 2 of 2

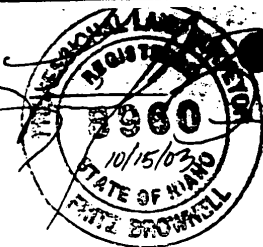
along a curve to the right having a central angle of $89^{\circ} 21' 44''$, a radius of 57.76 feet, an arc length of 90.09 feet and a long chord which bears North $53^{\circ} 10' 34''$ East a distance of 81.23 feet to the **TRUE POINT OF BEGINNING**.

This parcel contains 1.02 acres, more or less, and is subject to all easements and rights-of-way of record or implied.



**Skinner Law
Survey Co. Inc.**

2512 South Georgia
Caldwell, ID 83603
(208) 454-0933
Fax (208) 454-9492



**Greg L. Skinner, PLS
Fritz Brownell, PLS
Rodney Kahle-Clark, PE**

October 15, 2003

Legal Description
Job No. SE0503

28.00-foot ingress-egress easement

This easement is a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, the centerline being more particularly described as follows:

COMMENCING at the southwest corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North $00^{\circ} 07' 38''$ East along the west boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 273.74 feet to the **TRUE POINT OF BEGINNING**;

thence North $49^{\circ} 32' 02''$ East a distance of 198.08 feet;

thence along a curve to the left having a central angle of $48^{\circ} 18' 57''$, a radius of 90.68 feet, an arc length of 76.47 feet and a long chord which bears North $25^{\circ} 22' 31''$ East a distance of 74.22 feet;

thence North $01^{\circ} 13' 00''$ East a distance of 154.53 feet;

thence North $06^{\circ} 44' 39''$ East a distance of 90.81 feet;

thence along a curve to the right having a central angle of $89^{\circ} 10' 09''$, a radius of 28.88 feet, an arc length of 44.95 feet and a long chord which bears North $51^{\circ} 19' 58''$ East a distance of 40.55 feet;

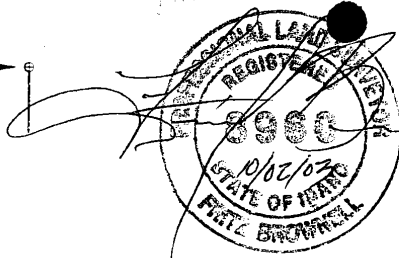
thence South $84^{\circ} 06' 55''$ East a distance of 80.79 feet;

thence along a curve to the left having a central angle of $48^{\circ} 06' 28''$, a radius of 72.54 feet, an arc length of 60.91 feet and a long chord which bears North $71^{\circ} 35' 11''$ East a distance of 59.13 feet to the **POINT OF TERMINUS**.



Skinner Land
Survey Co. Inc.

2512 South Georgia
Caldwell, ID 83605
(208) 454-0933
Fax (208) 454-9492



building permit available on 10/2/03
Greg L. Skinner, PLS
Fritz Brownell, PLS ac.
Rodney Kahle-Clark, PE

October 2, 2003

Legal Description
Job No. SE0503

Parcel 2

This parcel is a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the southwest corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North $00^{\circ} 07' 38''$ East along the west boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 325.10 feet to a point on the centerline of the Conway Gulch Lateral as it now exists;

thence traversing said centerline as follows:

North $49^{\circ} 32' 02''$ East a distance of 164.66 feet;

along a curve to the left having a central angle of $48^{\circ} 19' 02''$, a radius of 51.68 feet, an arc length of 43.58 feet and a long chord which bears North $25^{\circ} 22' 31''$ East a distance of 42.30 feet;

North $01^{\circ} 13' 00''$ East a distance of 156.42 feet;

North $06^{\circ} 44' 39''$ East a distance of 92.69 feet;

along a curve to the right having a central angle of $89^{\circ} 10' 38''$, a radius of 67.88 feet, an arc length of 105.65 feet and a long chord which bears North $51^{\circ} 19' 58''$ East a distance of 95.30 feet;

South $84^{\circ} 04' 44''$ East a distance of 81.95 feet;

thence leaving said centerline and bearing South $68^{\circ} 37' 11''$ East a distance of 209.03 feet;

thence South $29^{\circ} 39' 03''$ West a distance of 234.01 feet;

thence South $57^{\circ} 36' 42''$ East a distance of 47.56 feet;

Legal Description
Job No. SE0503
Parcel 2, Page 2 of 2

thence South $17^{\circ} 08' 46''$ West a distance of 487.45 feet to a point on the south boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North $89^{\circ} 46' 34''$ West along said south boundary a distance of 289.58 feet to the **TRUE POINT OF BEGINNING**.

This parcel contains 5.62 acres, more or less, and is subject to a county road right-of-way along the west boundary and to all other easements and rights-of-way of record or implied. Also subject to a 28.00-foot wide ingress-egress easement the centerline being more particularly described as follows:

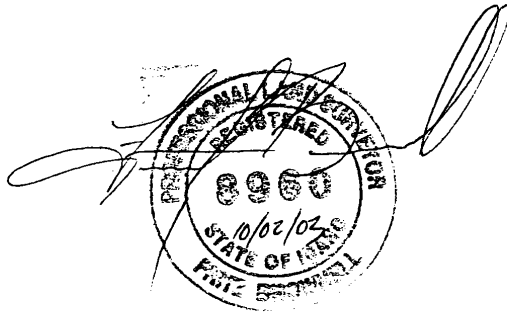
COMMENCING at the southwest corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North $00^{\circ} 07' 38''$ East along the west boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 311.15 feet to the **POINT OF BEGINNING**;

thence South $87^{\circ} 51' 25''$ East a distance of 80.61 feet;

thence North $66^{\circ} 20' 57''$ East a distance of 279.46 feet;

thence North $29^{\circ} 39' 03''$ East a distance of 320.36 feet to the **POINT OF TERMINUS**.

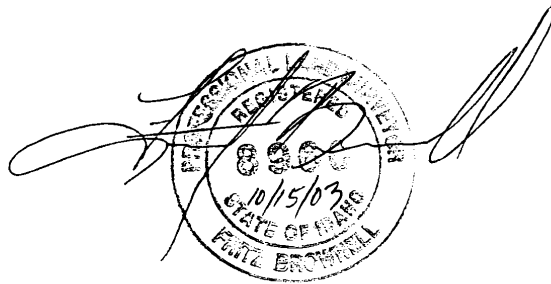


Legal Description
Job No. SE0503
Parcel 2, Page 2 of 2

thence South 17° 08' 46" West a distance of 487.45 feet to a point on the south boundary of said SW ¼ NW ¼;

thence North 89° 46' 34" West along said south boundary a distance of 289.58 feet to the **TRUE POINT OF BEGINNING.**

This parcel contains 5.62 acres, more or less, and is subject to a county road right-of-way along the west boundary and to all other easements and rights-of-way of record or implied.





*Skinner Land
Survey Co. Inc.*

2512 South Georgia
Caldwell, ID 83605
(208) 454-0933
Fax (208) 454-9492

Greg L. Skinner, PLS
Fritz Brownell, PLS
Rodney Kahle-Clark, PE

October 15, 2003

Legal Description
Job No. SE0503

~~28.00-foot ingress-egress easement~~

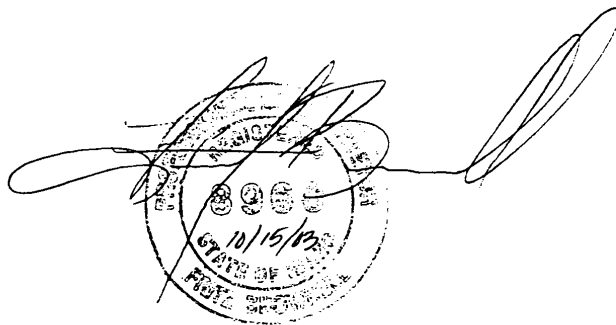
This easement is a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, the centerline being more particularly described as follows:

COMMENCING at the southwest corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North $00^{\circ} 07' 38''$ East along the west boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 273.74 feet to the **TRUE POINT OF BEGINNING**;

thence North $66^{\circ} 28' 49''$ East a distance of 367.13 feet;

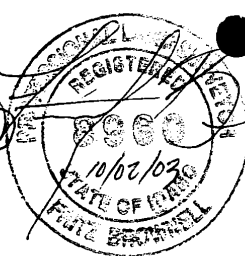
thence South $89^{\circ} 46' 34''$ East parallel with the south boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 412.46 feet to the **POINT OF TERMINUS**.





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*Greg L. Skinner, PLS
Fritz Brownell, PLS
Rodney Kahle-Clark, PE*

October 2, 2003

Legal Description
Job No. SE0503

Parcel 3

This parcel is a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the southwest corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence South $89^{\circ} 46' 34''$ East along the south boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 289.58 feet to the **TRUE POINT OF BEGINNING**;

thence North $17^{\circ} 08' 46''$ East a distance of 487.45 feet;

thence North $57^{\circ} 36' 42''$ West a distance of 47.56 feet;

thence North $29^{\circ} 39' 03''$ East a distance of 474.72 feet to a point on the south boundary of Sunlight Terrace Subdivision on file in Book 16, page 25 in the Office of the Recorder, Canyon County, Idaho;

thence traversing said south boundary as follows:

South $82^{\circ} 08' 17''$ East a distance of 28.85 feet;

North $76^{\circ} 44' 05''$ East a distance of 159.82 feet;

North $38^{\circ} 20' 23''$ East a distance of 62.05 feet;

thence leaving said south boundary and bearing South $05^{\circ} 08' 58''$ West a distance of 149.48 feet;

thence South $05^{\circ} 17' 19''$ East a distance of 102.51 feet;

thence South $25^{\circ} 53' 30''$ West a distance of 67.44 feet;

thence South $47^{\circ} 06' 54''$ West a distance of 141.92 feet;

Legal Description
Job No. SE0503
Parcel 3, Page 2 of 2

thence South 18° 01' 02" East a distance of 128.79 feet;

thence South 05° 28' 57" West a distance of 93.58 feet;

thence South 36° 47' 09" West a distance of 452.13 feet to a point on the south boundary of said SW ¼ NW ¼;

thence North 89° 46' 34" West along said south boundary a distance of 183.76 feet to the **TRUE POINT OF BEGINNING**.

This parcel contains 6.00 acres, more or less, and is subject to all easements and rights-of-way of record or implied. Also includes the use of a 28.00-foot wide ingress-egress easement the centerline being more particularly described as follows:

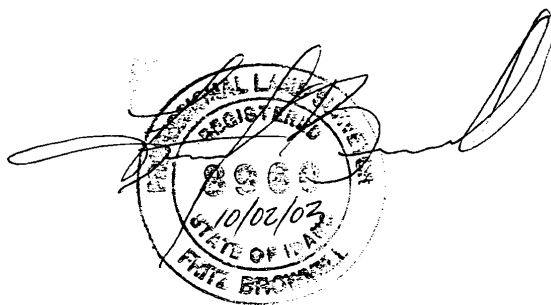
COMMENCING at the southwest corner of said SW ¼ NW ¼;

thence North 00° 07' 38" East along the west boundary of said SW ¼ NW ¼ a distance of 311.15 feet to the **TRUE POINT OF BEGINNING**;

thence South 87° 51' 25" East a distance of 80.61 feet;

thence North 66° 20' 57" East a distance of 279.46 feet;

thence North 29° 39' 03" East a distance of 320.36 feet to the **POINT OF TERMINUS**.



Legal Description
Job No. SE0503
Parcel 3, Page 2 of 2

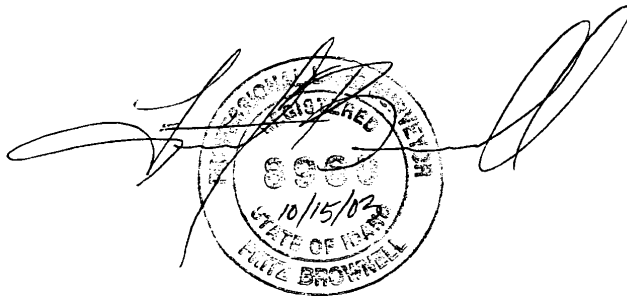
thence South 18° 01' 02" East a distance of 128.79 feet;

thence South 05° 28' 57" West a distance of 93.58 feet;

thence South 36° 47' 09" West a distance of 452.13 feet to a point on the south boundary of said SW ¼ NW ¼;

thence North 89° 46' 34" West along said south boundary a distance of 183.76 feet to the **TRUE POINT OF BEGINNING.**

This parcel contains 6.00 acres, more or less, and is subject to all easements and rights-of-way of record or implied.





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Survey Co. Inc.*

2512 South Georgia
Caldwell, ID 83605
(208) 454-0933
Fax (208) 454-9492

Greg L. Skinner, PLS
Fritz Brownell, PLS
Rodney Kahle-Clark, PE

October 15, 2003

Legal Description
Job No. SE0503

28.00-foot ingress-egress easement

This easement is a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, the centerline being more particularly described as follows:

COMMENCING at the southwest corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

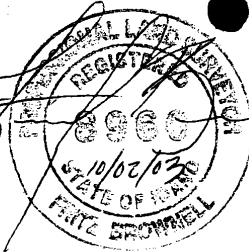
thence North $00^{\circ} 07' 38''$ East along the west boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 273.74 feet to the **TRUE POINT OF BEGINNING**;

thence North $66^{\circ} 28' 49''$ East a distance of 367.13 feet;

thence South $89^{\circ} 46' 34''$ East parallel with the south boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 412.46 feet to the **POINT OF TERMINUS**.

*Skinner Land
Survey Co. Inc.*

2512 South Georgia
Caldwell, ID 83605
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Greg L. Skinner, PLS
Fritz Brownell, PLS
Rodney Kahle-Clark, PE

October 2, 2003

Legal Description
Job No. SE0503

Parcel 4

This parcel is a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the southeast corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North $89^{\circ} 46' 34''$ West along the south boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 864.95 feet;

thence North $36^{\circ} 47' 09''$ East a distance of 452.13 feet;

thence North $05^{\circ} 28' 57''$ East a distance of 93.58 feet;

thence North $18^{\circ} 01' 02''$ West a distance of 128.79 feet;

thence North $47^{\circ} 06' 54''$ East a distance of 141.92 feet;

thence North $25^{\circ} 53' 30''$ East a distance of 67.44 feet;

thence North $05^{\circ} 17' 19''$ West a distance of 102.51 feet;

thence North $05^{\circ} 08' 58''$ East a distance of 149.48 feet to a point on the westerly boundary of Sunlight Terrace Subdivision on file in Book 16, Page 25 in the Office of the Recorder, Canyon County, Idaho;

thence traversing said westerly boundary as follows:

North $38^{\circ} 20' 23''$ East a distance of 3.74 feet;

North $04^{\circ} 28' 30''$ East a distance of 327.92 feet to the northeast corner of said Sunlight Terrace Subdivision;

thence leaving said westerly boundary and continuing North $04^{\circ} 28' 30''$ East a distance of 8.67 feet to a point on the north boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

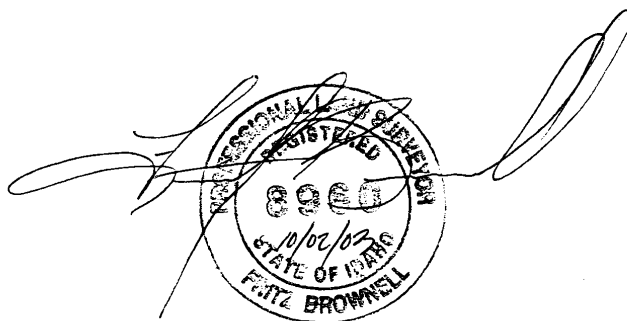
Legal Description
Job No. SE0503
Parcel 4, Page 2 of 2

thence South 89° 49' 57" East along the north boundary of said SW ¼ NW ¼ a distance of 332.26 feet to a point on the westerly right-of-way of Interstate I-84;

thence South 14° 52' 11" East along said westerly right-of-way a distance of 1373.11 feet to a point on the south boundary of said SE ¼ NW ¼;

thence North 89° 55' 42" West along said south boundary a distance of 225.53 to the **POINT OF BEGINNING.**

This parcel contains 19.06 acres, more or less, and is subject to all easements and rights-of-way of record or implied.



October 15, 2003

Legal Description
Job No. SE0503

28.00-foot ingress-egress easement

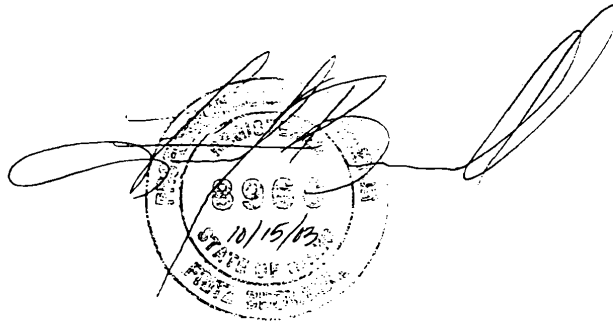
This easement is a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, the centerline being more particularly described as follows:

COMMENCING at the southwest corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North $00^{\circ} 07' 38''$ East along the west boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 273.74 feet to the **TRUE POINT OF BEGINNING**;

thence North $66^{\circ} 28' 49''$ East a distance of 367.13 feet;

thence South $89^{\circ} 46' 34''$ East parallel with the south boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 412.46 feet to the **POINT OF TERMINUS**.



CERTIFICATION
I, CHAS. R. COOK, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, that it is a true and correct representation of the facts as shown on the ground, and that it is in conformity with the provisions of the Idaho Code, Sections 55-1001 through 55-1012.



RECORD OF SURVEY

A PORTION OF THE NW 1/4 OF SECTION 33
TOWNSHIP 3 NORTH, RANGE 3 WEST, BOISE MERIDIAN
CANTON COUNTY, IDAHO

Surveyed For: **ROY COOK**

Surveyed By: **Chas. R. Cook**
Survey Co. Inc.

Surveyed On: **Oct 15, 2003**

Job No. **SC0503**

Surveyed For: **ROY COOK**

Surveyed On: **Oct 15, 2003**

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Surveyed On: **Oct 15, 2003**

Job No. **SC0503**

200372726

RECORDED

2003 NOV 25 AM 11 55

G NOEL JONES
CANYON CNT RECORDER
BY *[Signature]*



CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
1115 Albany Street • Caldwell, Idaho • 83605 • Phone (208) 454-7458
Fax: (208) 454-6633 www.canyoncounty.org/dsd

**APPLICATION
FOR AN ADMINISTRATIVE LAND DIVISION
IN AN "A" (AGRICULTURAL) ZONE**
(Canyon County Code of Ordinances 07-12-07(8))

Assessor's Account Number(s): R 38153 Section 33 Township 5N Range 3W (NW)
Property Owner(s): ROY G. COOK - NORMA JEAN COOK 208-459-3185
Name ROY G. COOK Telephone Number 208-459-3185
24594 FARMWAY RD CAIDWELL ID 83607
Street Address City, State Zip
Subdivision: N/A Lot: — Block: —

Please indicate the type of administrative land division desired:

- ☐ MORE THAN 40 ACRES (8)(A)
☒ LESS THAN 40 ACRES (8)(B)
☐ NON-VIABLE FARM GROUND (8)(C)
☐ RELOCATION OF BUILDING PERMITS ON CONTIGUOUS PARCELS (8)(D)

You may be required to submit the following with this application:

- ☒ Proof of ownership
☒ Evidence that the property has not been divided since the effective date of zoning ordinance 79-008 (Sept. 6, 1979).
☐ If applicable, supporting information for claim of non-viable farm ground
☐ If applicable, supporting information for claim of conservation of productive farm ground or promotion of effective or efficient farming.

Filing Fee to accompany this Application: \$ 250.00

===== Applicant Acknowledgement =====

I, the undersigned, understand that this application for a land division does not guarantee that a land division will be approved. I further understand that I must submit one of the following for each of the **ALLOWED** parcels before a final determination regarding the administrative land division can be made.

- ☒ Metes and bounds description
☒ Record of Survey
☐ Plat

Initiated By: [Signature] Date: 3/16/04
DSD Staff

Requested By: [Signature] Date: 3/16/04
Applicant

The signature below and receipt of all fees signifies that the above-described property is eligible for an administrative land division and this application has been accepted.

Accepted and Approved By: [Signature] Date: 3/22/04
Director / Staff

LS 2004-87

FOR OFFICE USE ONLY

Check All Applicable Items:

- ☐ Agency Notification Required
☐ Irrigation Plan Needed
☐ Plat Required
☐ Subdivision Waivers Requested by Applicant
☐ City Notification Required: _____
☐ Non-viable farm ground information
☐ Conservation or efficient farming information

MODE:F ACTION:

PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT

TRQK101

System User- HUFFAKER Date 03/16/2004 Time 14:32

REAL PROPERTY INQUIRY

```
=====
01 4R38153-000- -0 033-00 SCH134      01      5,700      10.00
=====
                                02      6,700      19.30
                                10     26,000       1.00
                                19              .20
                                31      2,400
=====
COOK, ROY G
& COOK, NORMA JEAN-H/W

P O BOX 224
CALDWELL      ID 83606
=====
33-5N-3W NW
S 1/2 NW-W OF I-84 & E OF CONWAY
GULCH LAT LS SUB & LS TX 04042
SURFACE RIGHTS ONLY

24594 FARMWAY RD, CA

TOTAL      40,800      30.50
=====
SURVEY      INST 200020683
DRAIN      DR VALUE      APPR DYW
CLASS DR REAP 04 MAN 03 UNIT 0
PARCEL 4R05N03W334050 H/O N C/B N
PRIOR ACCOUNT 3R38153-000- -0
02 MH on Property YES
03 Traits 04 Companion Sheet
```

B.P.
Carol Cook

INSTRUMENT NO. 200408293

WARRANTY DEED

FOR VALUE RECEIVED Roy G. Cook and Norma Jean Cook,
Husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto
Carole K. Cook, a single person

the Grantee, whose address is 24594 Farmway Rd., Caldwell, Id. 83607

the following described premises, to-wit:

(See attached exhibits)

A - page 1 & 2 - Legal Discription: Parcel 1
2 B - 28.00 - foot ingress-egress Easement

REQUEST Carole Cook
TYPE deed FEE 12.00

CANYON CITY RECORDER
C HOEL MALES
BY [Signature]

FEB 13 PM 12 00

RECORDED

200408293

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that said premises are free from all encumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 2-13-04

[Signature] Roy G. Cook
[Signature] Norma Jean Cook

STATE OF IDAHO, COUNTY OF Canyon

On this 13th day of February, 2004
before me, a notary public in and for said State, personally
appeared Roy G. Cook and Norma Jean Cook

867208

WARRANTY DEED

For Value Received ARTHUR J. KERBY AND IVA J. KERBY, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

GORDON P. MOWRY and LILYMAE MOWRY, husband and wife,
Lily Mae Mowry - 7155 DOVER Cir - Canyon, Co. - 20430
the grantees, the following described premises, situated in Canyon
County, State of Idaho, to-wit:

That part of the Southwest Quarter of the Northwest Quarter,
and that part of the Southeast Quarter of the Northwest Quarter
of Section 33, Township 5 North, Range 3, West of the Boise
Meridian, Canyon County, Idaho, lying West of the Interstate
Highway, EXCEPTING THEREFROM that part of the SW 1/4 of the
NW 1/4 which lies Northwest of the center line of the right
of way of Conway Gulch Lateral No. 6.1 also exempting the
right of way of U.S. Highway 1-80N. Subject to easements
in favor of Black Canyon Irrigation District and to State of
Idaho for ditches and canals and subject to conditions of
Deed to State of Idaho of record in Book 265 of Deeds at
page 622.

Subject also to taxes and assessments for the year 1973
and subsequent years, and any and all existing easements
and rights of way of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto
the said Grantees, their heirs and assigns forever. And the said Grantors
do hereby covenant to and with the said Grantees, that they are the
owners in fee simple of said premises; that said premises are free from
all incumbrances excepting those hereinabove listed,

and that they will warrant and defend the same from all lawful claims
whatsoever.

Dated: January ²⁴₂₄, 1973.

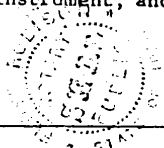
Arthur J. Kerby
Iva J. Kerby

STATE OF IDAHO, COUNTY OF CANYON

On this 24 day of January, 1973, before me, a notary public
in and for said State, personally appeared

ARTHUR J. KERBY AND IVA J. KERBY, husband and wife,

known to me to be the persons whose names are subscribed to the within
instrument, and acknowledged to me that they executed the same.



Harold Robinson
Notary Public
Residing at Nampa, Idaho

867208

FILED

JUL 6 1 30 PM '79

NOTARY PUBLIC

Cheng

BY (PRINTED)

ATTEST (PRINTED)

Gordon Maury

Deeds
200

GR

Kerby, Arthur J
et ux

GR

Maury, Gordon P
et ux

RECEIVED

Deed

Counter

200020683

17 865

WARRANTY DEED RESERVING MINERAL RIGHTS

FOR VALUE RECEIVED, Gordon P. Mowry and Lilymae Mowry, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto Roy G. Cook and Norma Jean Cook, husband and wife, the Grantees, whose current address is P.O. Box 224, Caldwell, Idaho, the following described real property, located in Canyon County, Idaho, to-wit:

See Exhibit A attached hereto and by this reference sold hereunder as part of premises is a 1972 14' x 56' Academy mobile home, Canyon County Assessor's number A1-287F and Treasurer's number AT 72259. EXCEPTING THEREFROM AND RESERVING TO THE GRANTOR ALL MINERAL RIGHTS AND RIGHTS TO OIL AND GAS FROM THE FOREGOING DESCRIBED PREMISES.

TO HAVE AND TO HOLD the said premises, together with all water rights, ditch rights and rights of way appurtenant thereto, and with the premises' appurtenances unto said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances.

Subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises; taxes and assessments of all taxing units not yet due and payable; reservations in patents or state grants or in acts authorizing the issuance thereof; all repayment contracts between any irrigation districts within which the premises are situated and any government or agency; the bonded debt of all taxing units within which said premises are located; restrictions imposed by law, ordinance, or regulation imposed by any governmental entity, department or agency; restrictions contained in any covenants of record affecting the premises; all rights of way or easements affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not; questions of location, boundary and area; overlaps or encroachments.

Dated this 3rd day of May, 1991.

Gordon P. Mowry

Lilymae Mowry

STATE OF California : ss Cypress
County of Orange

On this 3rd day of May, 1991, before me, a Notary Public in and for the State of Calif, personally appeared Gordon P. Mowry and Lilymae Mowry, husband and wife, known to me to be the persons whose name are subscribed to the within instrument, and acknowledged that they executed the same.

Polly Ann McIlrath
Notary Public for Idaho Calif
Residing at Cypress
My Commission Expires: July 21, 1993

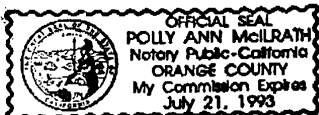
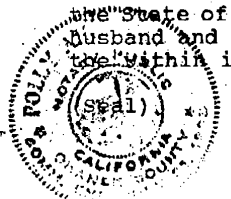


EXHIBIT "A"

That part of the Southwest Quarter of the Northwest Quarter, and that part of the Southeast Quarter of the Northwest Quarter of Section 33, Township 5 North, Range 3 West, Boise Meridian, Canyon County, Idaho, lying West of the Interstate Highway,

EXCEPTING THEREFROM

That part of the Southwest Quarter of the Northwest Quarter which lies Northwest of the centerline of the right of way of Conway Gulch Lateral No. 6.1 also exempting the right of way of U.S. Highway I-80N.

REQUEST PIONEER - CALDWELL
TYPE *Doc Fee 6.25*
pdck

BY *G. Noel Hales*
G NOEL HALES
CANYON CNTY RECORDER

20 JUN 13 PM 1 16

RECORDED

200020683

RECORDED

2004 MAR 16 PM 2 22

G NOEL HALES
CANYON CNTY RECORDER
BY *McBrane*

REQUEST

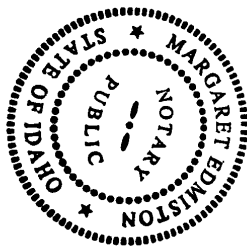
Carole Cook

TYPE

*ARC FEE 6⁰⁰**Carole K. Cook
James Dean Cook
Mey G. Cook*

The parties and their respective successors in title shall be entitled to use the driveway in common, and the expense of constructing and maintenance of the driveway shall always be equally borne by the parties to this agreement, their respective successors in title, and assigns. Should land subject to this easement ever cease to be used as a driveway, full right and title shall revert to the present owners or their respective successors in title.

Expense of maintenance and effect of abandonment.

*Margaret Edmiston
Expire 8/24/2007
Caldwell, ID. 83605*

**Skinner Land
Survey Co. Inc.**

2512 South Georgia
Caldwell, ID 83605
(208) 454-0933
Fax (208) 454-9492



Greg L. Skinner, PLS
Fritz Brownell, PLS
Rodney Kahle-Clark, PE

October 15, 2003

**Legal Description
Job No. SE0503**

28.00-foot ingress-egress easement

This easement is a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, the centerline being more particularly described as follows:

COMMENCING at the southwest corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North $00^{\circ} 07' 38''$ East along the west boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 273.74 feet to the **TRUE POINT OF BEGINNING**;

thence North $49^{\circ} 32' 02''$ East a distance of 198.08 feet;

thence along a curve to the left having a central angle of $48^{\circ} 18' 57''$, a radius of 90.68 feet, an arc length of 76.47 feet and a long chord which bears North $25^{\circ} 22' 31''$ East a distance of 74.22 feet;

thence North $01^{\circ} 13' 00''$ East a distance of 154.53 feet;

thence North $06^{\circ} 44' 39''$ East a distance of 90.81 feet;

thence along a curve to the right having a central angle of $89^{\circ} 10' 09''$, a radius of 28.88 feet, an arc length of 44.95 feet and a long chord which bears North $51^{\circ} 19' 58''$ East a distance of 40.55 feet;

thence South $84^{\circ} 06' 55''$ East a distance of 80.79 feet;

thence along a curve to the left having a central angle of $48^{\circ} 06' 28''$, a radius of 72.54 feet, an arc length of 60.91 feet and a long chord which bears North $71^{\circ} 35' 11''$ East a distance of 59.13 feet to the **POINT OF TERMINUS**.

N/A

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

March 15, 2004

Canyon County Development Services
115 Albany Street
Caldwell, Idaho 83605

Re: Roy G. Cook Subdivision

Dear Sir:

Black Canyon Irrigation District has no comments on the above referenced Subdivision.

The land in question lays outside the District's distribution system and is without a valid irrigation District water right.

If you have any questions please do not hesitate to contact me.

Sincerely,



W. Dennis Heaps
District Manager

CONWAY



84

404.87'

278.35'

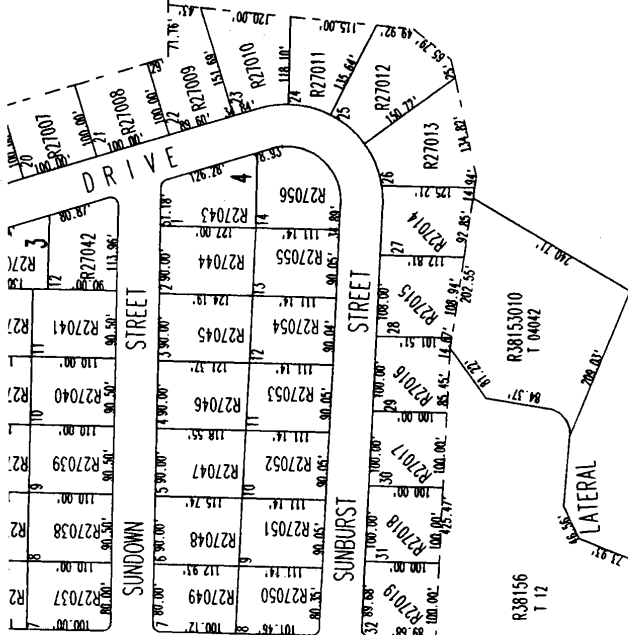
118.91'

180.20'

839.80'

1/4

1/16



R38153

R38153000M

R38156
T 12

R38153010
T 0442

RECEIPT

DATE 3/22/04

NO. 2470

RECEIVED FROM N. Jean Cook

ADDRESS Two hundred fifty 4 no/100 DOLLARS \$ 250.00

FOR (8) (B) Food Division

ACCOUNT		HOW PAID		
AMT. OF ACCOUNT	<u>250 00</u>	CASH		
AMT. PAID	<u>250 00</u>	CHECK	<input checked="" type="checkbox"/>	
BALANCE DUE	<u>00</u>	MONEY ORDER		

3939

BY Ki

EXHIBIT C

Site Visit Photos: January 03, 2025

Planning & Zoning Commission

Case# CU2023-0020

Hearing date: January 16, 2025





















EXHIBIT D

Agency Comments Received by: January 6, 2025

Planning & Zoning Commission

Case# CU2023-0020

Hearing date: January 16, 2025



Development Services Department



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

(208) 454 7458 ▪ (208) 454 6633 Fax ▪ DSDInfo@canyonco.org ▪ www.canyonco.org/dsd

NOTICE OF HEARING DATE

Response is not required for this notification. We had previously requested your agency provide comments for the noticed land use application and if any agency comments were received, they have been included in the Staff report. The Planning and Zoning Commission will be hearing the following land use case **on January 16, 2025 at 6:30 p.m.**

Case No. CU2023-0020: The applicant, Joshua Martin, represented by Srinivasa Nookala, is requesting a Conditional Use Permit for a staging area and shops for construction company on 30.54 acres in the "A" (Agricultural) zone. The subject property is located at 24574 Farmway Rd, Caldwell, ID 83607, also referenced as Parcel R38153, a portion of the NW quarter of Section 33, T5N, R3W, BM, Canyon County, Idaho.

Public comments and concerns are important in evaluating this case and you are invited to provide oral testimony at the hearing. Written testimony should be submitted to Development Services by **January 6, 2025** and all written testimony will be provided to the Planning and Zoning Commission for consideration. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day.

Copies of all documents concerning public hearing items can be obtained from the county website <https://www.canyoncounty.id.gov/land-hearings/> or from Development Services during office hours. The Development Service Department's office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except on Wednesdays when we are open from 1:00 p.m. to 5:00 p.m. If you have questions or would like additional information, please contact the Case Planner, **Carl Anderson** at carl.anderson@canyoncounty.id.gov. In all correspondence concerning this case, please refer to the case number above.

Sincerely,

Amber Lewter

Amber Lewter
Hearing Specialist
Canyon County Development Services Department

Planning • Zoning • Building • Code Enforcement • Engineering • GIS

While balancing diverse interests, the Canyon County Development Services Department (DSD) delivers community development services to implement the County's vision and values, provide stewardship of public resources, and maintain a prosperous future for all.

Carl Anderson

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Wednesday, August 14, 2024 10:32 AM
To: Doug Exton
Subject: [External] RE: Initial Notice CU2023-0020 Martin

Hi Doug

Per request for comment:

Will a Nutrient Pathogen Study be required? A Nutrient Pathogen Study is not required.

Will adequate sanitary systems be provided to accommodate the use? No septic systems have been proposed for this project.

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: Tuesday, August 13, 2024 1:09 PM
To: 'jhutchison@middletoncity.com' <jhutchison@middletoncity.com>; 'jreynolds@middletoncity.com' <jreynolds@middletoncity.com>; '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>; 'gwatkins@nphd.net' <gwatkins@nphd.net>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>; Mitch Kiester <Mitch.Kiester@swdh.id.gov>; Anthony Lee <Anthony.Lee@swdh.id.gov>; 'gis@compassidaho.org' <gis@compassidaho.org>; '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>; Assessor Website <2cAsr@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>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; 'Richard Sims' <middletown.rich@gmail.com>; 'BRO.Admin@deq.idaho.gov'

<BRO.Admin@deq.idaho.gov>

Subject: Initial Notice CU2023-0020 Martin

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

Please see the attached agency notice. You are invited to provide written testimony or comments by **September 12, 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 **Doug Exton** at doug.exton@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 ****

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

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



Brad Little, Governor
Jess Byrne, Director

August 20, 2024

Doug Exton, Planner
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
doug.exton@canyoncounty.id.gov

Subject: Case No. CU2023-0020 / Martin

Dear Ms. Exton:

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

Carl Anderson

From: Sabrina Minshall
Sent: Wednesday, September 25, 2024 2:43 PM
To: Carl Anderson
Subject: FW: FW: [External] RE: Initial Notice CU2023-0020 Martin

**Sabrina C. Minshall, AICP**

Director

Canyon County Development Services Department

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

Direct Line: 208-454-6634

Fax: 208-454-6633

Email: Sabrina.Minshall@canyoncounty.id.govWebsite: www.canyoncounty.id.gov

Development Services Department (DSD)

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Sent: Wednesday, September 4, 2024 12:35 PM
To: Doug Exton <Doug.Exton@canyoncounty.id.gov>
Subject: FW: [External] RE: Initial Notice CU2023-0020 Martin

From: D3 Development Services <D3Development.Services@itd.idaho.gov>
Sent: Wednesday, September 4, 2024 12:31 PM
To: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Subject: [External] RE: Initial Notice CU2023-0020 Martin

Hello,

After careful review of the transmittal submitted to ITD on August 13, 2024 regarding CU2023-0020 Martin, the ITD has no objections as long as there is no encroachment of any property into ITD ROW.

Thank you

Mila Kinakh

D3 Planning and Development
 Administrative Assistant



YOUR Safety ••• **YOUR Mobility** ••• **YOUR Economic Opportunity**

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

Sent: Tuesday, August 13, 2024 1:09 PM

To: 'jhutchison@middletoncity.com' <jhutchison@middletoncity.com>; 'jreynolds@middletoncity.com' <jreynolds@middletoncity.com>; '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>; 'gwatkins@nphd.net' <gwatkins@nphd.net>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.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>; 'gis@compassidaho.org' <gis@compassidaho.org>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawford <Brian.Crawford@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; Assessor Website <2cAsr@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>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; 'Richard Sims' <middletown.rich@gmail.com>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>

Subject: Initial Notice CU2023-0020 Martin

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

Please see the attached agency notice. You are invited to provide written testimony or comments by **September 12, 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 **Doug Exton** at doug.exton@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 **

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.



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

▪ Engineering Division ▪

September 9, 2024

24574 Farmway Rd, Caldwell, ID 83607

RE: Engineering Review of CU2023-0020 Application for Staging Yard at 24574 Farmway Rd, Caldwell, ID 83607

Dear Mr. Doug,

The Canyon County Engineering Department has reviewed your Conditional Use Permit (CUP) application for the proposed staging yard at 24574 Farmway Road. Based on our evaluation of the proposed use, we have the following comments and recommendations:

1. Traffic Impact:

The site's proximity to Interstate 84 provides convenient transportation access; however, the anticipated impact on Farmway Road and surrounding areas needs further evaluation. The ingress and egress points must be designed to safely accommodate the anticipated traffic, particularly heavy vehicles such as flatbed trucks.

Recommendation: Please coordinate with the **Highway District#2** to determine if a traffic impact study is required and to ensure that ingress/egress points meet all road safety standards.

2. Drainage and Stormwater Management:

Proper stormwater management is essential, especially considering the materials and equipment to be stored on-site. Adequate drainage systems must be in place to prevent runoff from affecting neighboring properties.

Recommendation: Please coordinate with the **Black Canyon Irrigation District** to confirm that stormwater runoff from the site will not impact nearby irrigation canals or agricultural land.

3. Water Resources:

Compliance with state water regulations is necessary, particularly concerning water use and groundwater impact.

Recommendation: Contact the **Idaho Department of Water Resources (IDWR)** to confirm



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

▪ Engineering Division ▪

that all water uses and groundwater impacts on the property comply with state regulations. Provide any necessary permits or documentation related to water usage.

4. Noise, Dust, and Environmental Concerns:

The nature of the operations may generate noise, dust, and other environmental impacts that must be addressed.

Recommendation: Please coordinate with the **Idaho Department of Environmental Quality (DEQ)** to ensure compliance with environmental regulations, including dust control, noise mitigation, and hazardous materials management.

We appreciate your attention to these matters. Please provide the required documentation and coordinate with the respective agencies to address the above considerations.

Sincerely,



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

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

September 11, 2024

Canyon County Development Services Department
111 North 11th Avenue Suite 310
Caldwell, ID 83605
(208) 454-7458

RE: Construction Staging Area Parcel R38153
Case Number: CU2023-0020
Applicant: Joshua Martin
24574 Farmway Rd, Caldwell, ID
Planner: Doug Exton

This project is located on Parcel R38153 at 24574 Farmway Road, Caldwell, ID. The Black Canyon Irrigation District (District) has the following initial comments regarding the project.

*****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 R38153. The District requests the Applicant to complete the form found on the District's website (<https://blackcanyonirrigation.com/development>).
2. According to existing records, the parcel receives irrigation water from the District. The turnout is located along the C.G. 6.1 lateral. Due to the presence of irrigation water at the property, the applicant must provide proper runoff and drainage facilities from the proposed land development to ensure downstream users are not adversely affected by the land use change.
3. District mapping indicates that the C.G. 6.1 lateral has a historical 40-foot easement. It appears that the applicant currently encroaches on the District's easement with private roads and current construction staging areas. As part of this review the Applicant will need to rectify the various encroachments along the District's C.G. 6.1 Lateral.
4. The applicant will need to provide civil construction drawings that demonstrate none of the proposed development will further encroach the historical easement along the C.G. 6.1 Lateral.
5. The Applicant will need to prepare and provide to the District a legal description and exhibit for the easement along the C.G. 6.1 Lateral. All documents must be stamped and signed by a licensed land surveyor in the State of Idaho.

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

6. The Applicant's application indicates that the proposed development will provide fencing (6-foot chain link and 5-foot wood). The District will not allow any fencing inside the C.G. 6.1 historical easement. The provided site map is illegible, and the fencing location will need to be further reviewed once the applicant has entered the development process with the District.

General Comments:

- 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). 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.

All of the above requirements need to be met, including any others that arise during future review. The District's website has additional information on the Development review process, the District's design standards, and resolutions.

Thank You,



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



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

(208) 454 7458

Case No CU2023-0020

Location: 24574 Farmway Rd. Caldwell, ID

Acreage: 30.54 acres

Zoned: A

Dear Mr. Anderson,

The Canyon County Building Division has reviewed the subject conditional use permit application for a proposed Staging Area/ Contractor's Shop for All Rail Construction LLC and would recommend the following comments as conditions of approval, if conditional use permit is approved.

1. All proposed and existing structures that will be used, will require a commercial building permit and/or Commercial Change of Occupancy permit. A code analysis to be required to be submitted with plans provided by a licensed architect/engineer.
 - Applicable agency approvals will be required at time of permit: Middleton Fire Department, Southwest District Health, and Notus-Parma Highway District #2.
 - The building division does coordinate with the fire departments by sending plans to them after the plans are reviewed but conversation with them prior can help approval/review time and allow the owner to know what will be expected of them.
2. Any fencing over 7' tall shall require a building permit.
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.



J-U-B COMPANIES

THE
LANGDON
GROUPGATEWAY
MAPPING
INC.

January 06, 2025

Carl Anderson
Carl.anderson@canyoncounty.id.gov
111 North 11th Ave., Ste. 310
Caldwell, ID 83605

RE: **CASE NO. CU2023-0020, JOSHUA MARTIN**

Dear Carl:

On behalf of the Notus Parma Highway District No. 2 (NPHD), I have reviewed the Conditional Use Permit application for the property located at 24574 Farmway Rd, Caldwell, ID 83607 for the subject Parcel #R38153.

Farmway Road is under the jurisdiction of the NPHD. The functional classification for Farmway Rd. per NPHD's 2017 Transportation Plan is a Major Collector roadway. Existing right-of-way (R/W) at the subject parcel and along the centerline of Willis Road appears to be a 50-ft wide prescriptive easement (25-ft each side of roadway centerline).

Legal access to the subject parcel does not currently exist for the intended use. The applicant will be required to submit an approach application that meets the current Association of Canyon County Highway District Standards.

At this time and based upon said written information provided with the application, the following Conditions of Approval apply:

1. Application requirements shall meet 2022 ACCHD Standards.
2. A Traffic Impact Study (TIS) is required per ACCHD Section 2010 Land Use Applications. The P&Z hearing should be delayed until the TIS is complete.
3. The TIS will determine mitigation of traffic impacts from the proposed staging area and shops for construction company on 30.54 acres. Details of the TIS scope will be determined at a scoping meeting with the Applicant, their traffic engineer, and the NPHD. The TIS shall include the following:
 - a. Trip generation by the facility operations
 - b. Site access including potential turn lanes
 - c. Designated route to State Highway
 - d. Proposed secondary access (if any)
 - e. Intersection operation and level of service along said route
 - f. Structural capacity of Farmway Rd. and designated route
 - g. Calculation of proportionate share of costs by the Applicant for mitigation improvements and roadway reconstruction.

4. Completion of the TIS for the required improvements (yet to-be-determined) shall be listed as a specific Condition of Approval in the event the Comprehensive Plan Map Amendment and Conditional Rezone is approved.
5. TIS mitigation improvements by the Applicant shall require a separate engineering plan approval and construction permits from the NPHD for Goodson Rd.
6. NPHD requires 80-ft width (40-ft half width) ultimate R/W dedicated from the centerline of a local rural road or the Section/Quarter Section Line, whichever is greater, from the applicant per ACCHD Section 3030 Right of Way.
7. Rural Roadway Spacing or Rural Roadway Driveway Spacing shall be per ACCHD Section 3061 Intersection and Approach Policy per the intended use.

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

NPHD requests Canyon County Development Services incorporate these comments into proposed Conditions of Approval for consideration/approval by the Planning & Zoning Commission and the Canyon County Commissioners in the event the Comprehensive Plan Map Amendment and Conditional Rezone is approved.

Respectfully,

J-U-B ENGINEERS, Inc.

Timothy Blair, P.E. (ID, OR)

Area Manager - Meridian

CC:

- Lynn Troxel, NPHD#2 Director of Highways
- Jay Kiiha, White Peterson

EXHIBIT E

Public Comments Received by: January 6, 2025

Planning & Zoning Commission

Case# CU2023-0023

Hearing date: January 16, 2025

RECEIVED
JAN 03 2025

BY: _____

12/30/2024

Testimony Against Conditional Use Permit
CASE NO: MARTIN-CU2023-0020

Members of the Canyon County Development
Services Department

We Reside at 24683 FARMWAY Rd Caldwell, ID
AND 24673 FARMWAY Rd Caldwell, ID
DALE AND Paula DICKSON AND Charles and Synitha
STEWART have lived here FOR OVER 45 YEARS.

We feel this business would cause ALOT
MORE TRAFFIC with large trucks and
CONSTRUCTION vehicles on hill. Loud
NOISE AND smell FROM some kind OF
Chemicals OF which we have Already
Noticed.

This PROCESS OF MR. MARTIN starting
the business without going through
the proper procedure seems to be the
NORM. Now we have to address AND
Face this after the Fact.

RECEIVED
JAN 13 2025

we have other business that have done the same thing.

Once approved have they followed through with their requirements?

See attach letter of BANN JOHNSON that Resides at 24702 FARMWAY Rd. We agree with her Assessments.

Dale R. Dickson

Paula L. Dickson

24683 FARMWAY Rd.

Caldwell, ID 83607 - Dated 12/30/2024

Dale R. Dickson

Paula L. Dickson

Charles F. Stewart Charles F. Stewart

Synitha A. Stewart Synitha A. Stewart

24673 FARMWAY Rd.

Caldwell, ID 83607 - Dated 12/30/2024

BY: _____

Testimony Against Conditional Use Permit for Construction Staging Area and Shops

Honorable members of the Canyon County Development Services Department,

Thank you for the opportunity to respond. My name is BAnn Johnson, and I reside at 24702 Farmway Rd, which is adjacent and directly impacted by the proposed conditional use permit for a construction staging area and shops.

I strongly urge you to reconsider granting this permit for the following reasons:

1. Impact on Quality of Life:

A construction staging area and shops will introduce significant noise, dust, and traffic to our neighborhood. Construction activities, including the loading and unloading of materials, operation of heavy machinery, and long hours of work, will disrupt the peace and tranquility that I have enjoyed for more than 40 years. The noise pollution from such activities would be constant, potentially starting early in the morning and continuing well into the evening, disturbing children, elderly residents, and families who rely on the quiet for rest and well-being.

2. Increased Traffic and Safety Hazards:

Our streets are not designed to handle the large trucks, construction vehicles, and other heavy equipment that would be required for the operation of this staging area. The increased traffic volume poses serious risks to pedestrians, cyclists, and motorists. The safety would be compromised by the constant presence of large trucks and construction traffic as well as disruption at all hours of the day and night.

3. Environmental Concerns:

Construction activities are often accompanied by significant environmental risks, including soil erosion, water runoff, and contamination of local waterways. The impact of dust, exhaust, and other pollutants would degrade the air quality in our residential area. Residents, such as myself, with respiratory conditions or other health issues would be especially vulnerable to these environmental hazards.

4. Decrease in Property Values:

Allowing a construction staging area and shops in such close proximity to residential properties would likely lead to a decrease in property values. The presence of construction vehicles, unsightly equipment, and noise pollution would make the neighborhood less desirable to potential homebuyers. This could result in long-term economic damage to the surrounding community.

5. Incompatibility with Residential Zoning:

The proposed use is fundamentally incompatible with the existing zoning of our area. Residential neighborhoods are meant to be peaceful and conducive to family living. A construction staging area and shops will introduce industrial-like activities into a space intended for homes and agriculture.

6. Lack of Adequate Mitigation Measures:

The applicant has already been operating a light industrial operation on property that was

zoned Agricultural. In the years that this company has been operating at 24574 Farmway Rd, they have made minor concessions to mitigate the numerous negative impacts of this construction staging area, such as relocating their metal bins away from my property line (although I believe that the setback from residential zoning should be 1000'). While there may be attempts to limit certain impacts, such as hours of operation or noise and dust abatement, the nature of the proposed use makes it difficult, if not impossible, to eliminate adverse effects. The community's concerns must be taken seriously, and proper steps must be taken to ensure that this project does not have lasting negative effects on our daily lives.

In conclusion, I respectfully request that the Planning Commission deny this conditional use permit. The proposed construction staging area and shops would be a serious and harmful intrusion into our residential neighborhood, compromising our safety, health, quality of life, and property values. I urge you to prioritize the needs of the residents and the long-term sustainability of our community.

Thank you for your time and consideration.



BAnn Johnson
24702 Farmway Rd
Caldwell, ID 83607
208-459-1845

BY: _____

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