

Matthew C. Parks  
(208) 388-0106  
[MParks@ClarkWardle.com](mailto:MParks@ClarkWardle.com)

*Via Email (Michelle.Barron@canyoncounty.id.gov)*

July 25, 2025

Planning and Zoning Commissioners  
Canyon County Development Services Department  
111 North 11<sup>th</sup> Ave., #310  
Caldwell, ID 83605

**Re: Application | Q2 LLC | Parcels R335590012I0, R335590012A0, and R33590012G0**

Dear Commissioners:

On behalf of the applicant for the property owned by Q2 LLC, (the “**Applicant**”) Clark Wardle LLP provides this second letter supporting the application to the Planning and Zoning Commission (“**Commission**”) regarding the Comprehensive Plan Map Amendment Application and Conditional Rezone (“**Application**”) submitted to the Commission. The purpose of this letter is to more fully address the fact that Canyon County has not adopted any zoning designation for “Ag-tourism Exclusive Farm Use”. In the initial application materials, there was a request for a modification of the Comprehensive Plan to remove the “**Property**”, defined as Parcels #R33590012G, R33590012A, and R22590012I (total approximately 70 acres) in a portion of the NW1/4, Section 34, T3N, R4W, BM, Canyon County, from the Ag-tourism Exclusive Farm Use designation. However, after the application was submitted and the Applicant began working with Canyon County Planning staff, it was discovered that Canyon County has not adopted a zoning classification for the contemplated Ag-tourism Exclusive Farm Use overlay. That being the case, there is no need to amend the Comprehensive Plan. Considering the Application was initially submitted with supporting materials and a narrative addressing the Property in the context of a presumed Ag-tourism Exclusive Farm Use overlay, this narrative serves to mainly address the rezone in the context of the compatibility of the proposed future residential use and how the proposed residential use is fully consistent with the Comprehensive Plan.

The Property is located between 12639 Sunny Slope Rd, Caldwell, and the Snake River. Access to the Property is near the southwest corner of the property from State Highway 55 (SH55) onto Lizard Butte Ln, a private gravel road. SH55 is owned and maintained by the Idaho Transportation Department (ITD). The parcels are not located in a floodplain and are not located along the scenic by-way.

The Future Land Use plan within the 2030 Canyon County Comprehensive Plan designates the parcels as “agriculture”. “The agricultural designation is the base designation throughout the County. It

contains areas of productive irrigated croplands, grazing lands, feedlots, dairies, seed production, and ground of lesser agricultural value” (2030 Comp. Plan, Page 25).

Per Page 26 of the 2030 Comp. Plan, the agriculture designation allows for rural residential (R-R): “The R-R district provides rural transitional areas to create a boundary between agricultural and urban areas. These areas are generally conducive to small-scale farming operations and compatible with non-agricultural uses.” According to the Comp. Plan, Canyon County has indicated that the Rural Residential zone is applicable to and compatible with the agricultural designation. See Comp. Plan, p. 25.

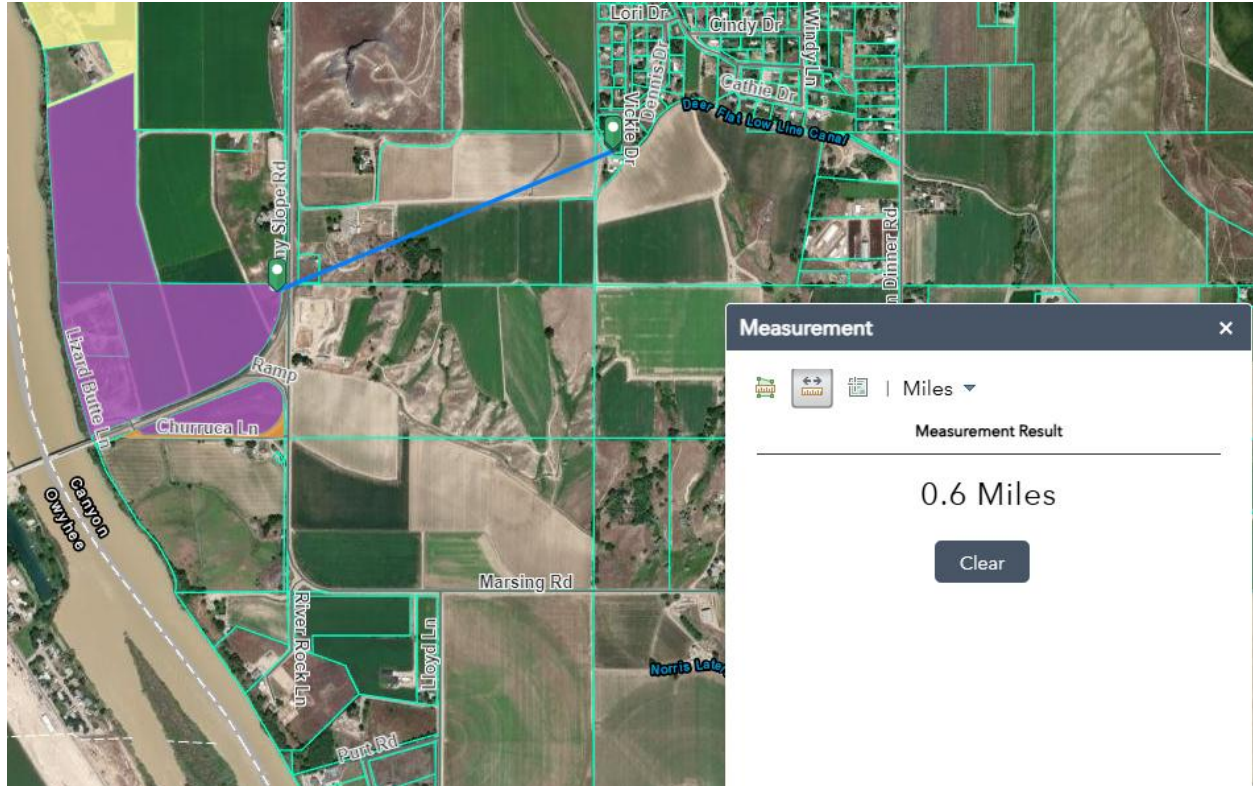
The request aligns with the following 2030 Comprehensive Plan goals and policies:

- **Property Rights P4.01.01 - Maintain a balance between residential growth and agriculture that protects the rural character.**

The Applicant proposes a low-density rural subdivision directly across from the City of Marsing and across Highway 55. According to the Comp. Plan, “Residential development should promote compatibility with the existing agricultural activity.” Comp. Plan, p. 25. River Butte Estates is compatible with the existing agricultural activity in the surrounding properties.

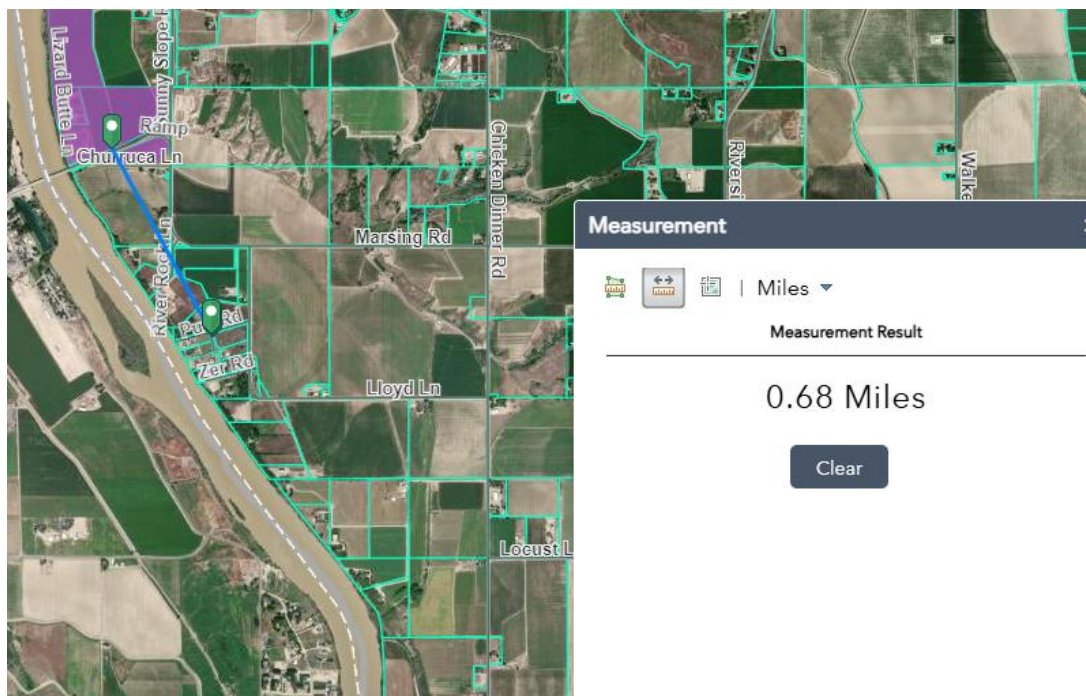
The proposed subdivision is located near the following residential developments:

1. 0.6 Miles to **Hagens Mobile Estates Subdivision #1 - 3**

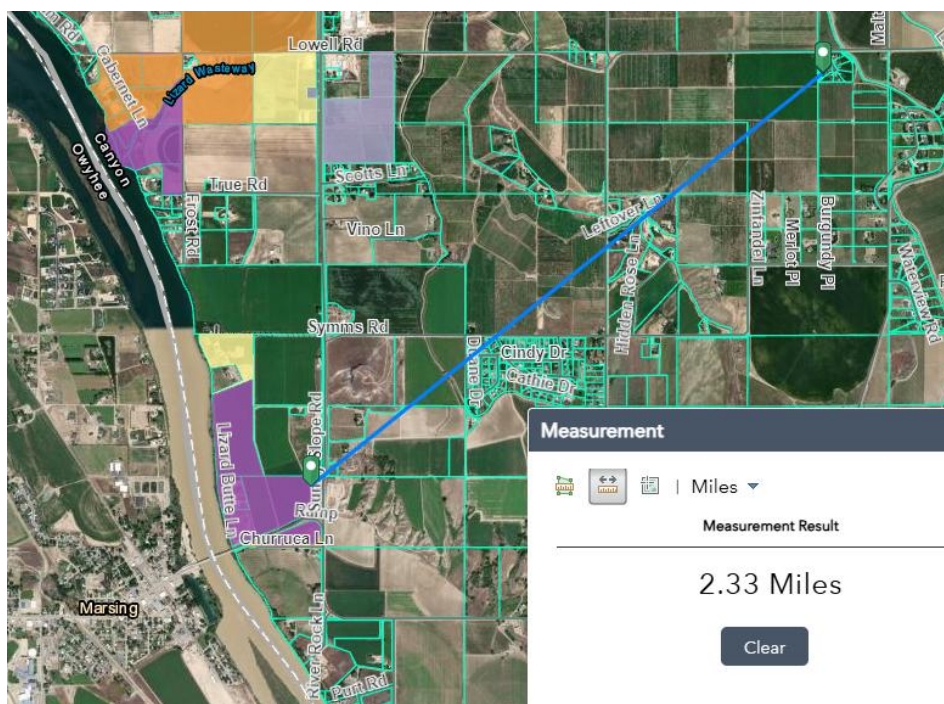




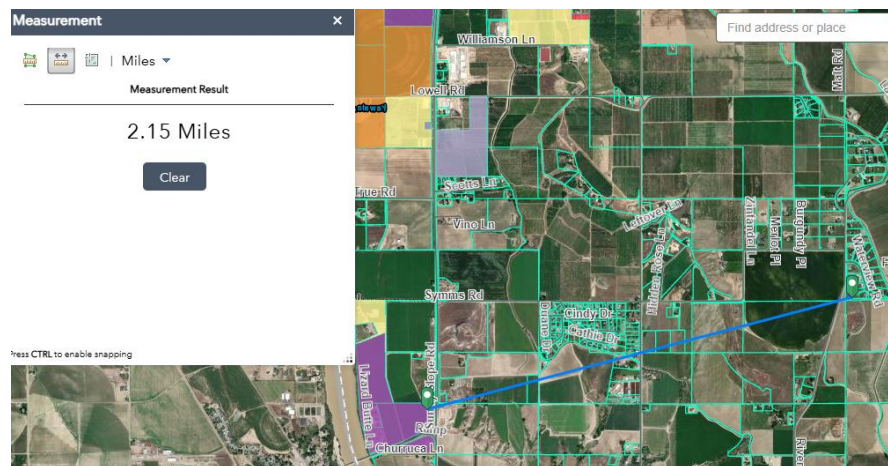
2. 0.68 Miles to **Marsing River Estates Subdivision**



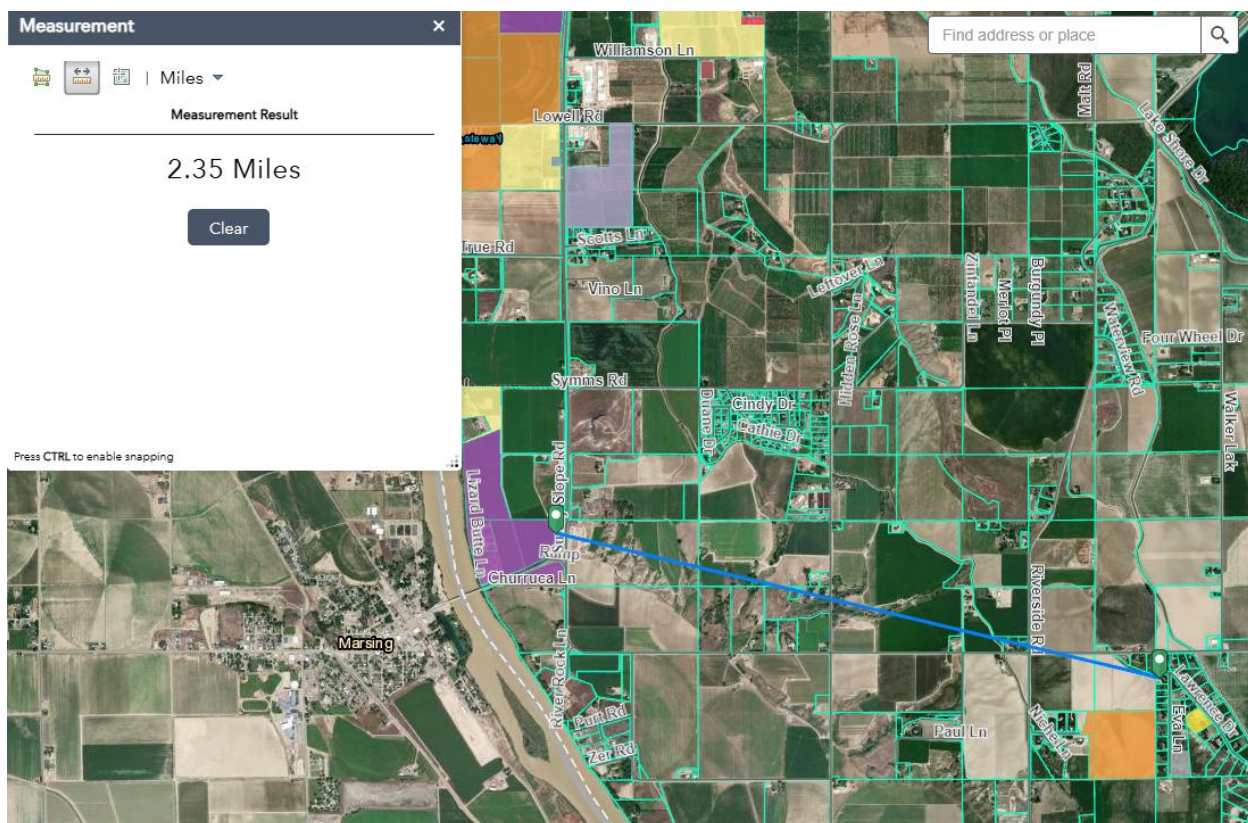
3. 2.33 miles to **Southlake Terrace Subdivision**



4. 2.15 miles to **Westlake Estates Subdivision**

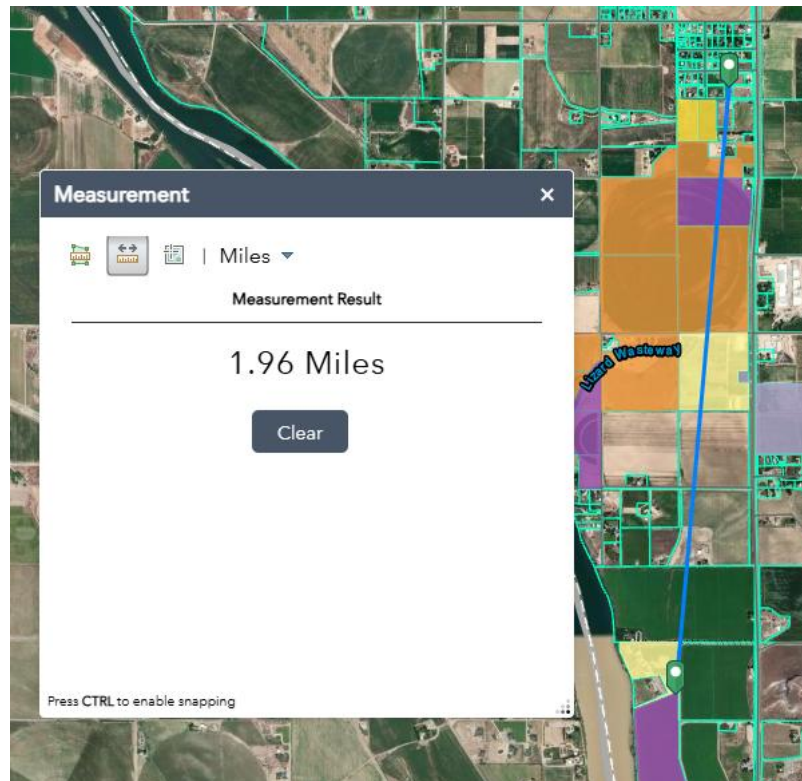


5. 2.35 miles to **Knighten Hills Subdivision**

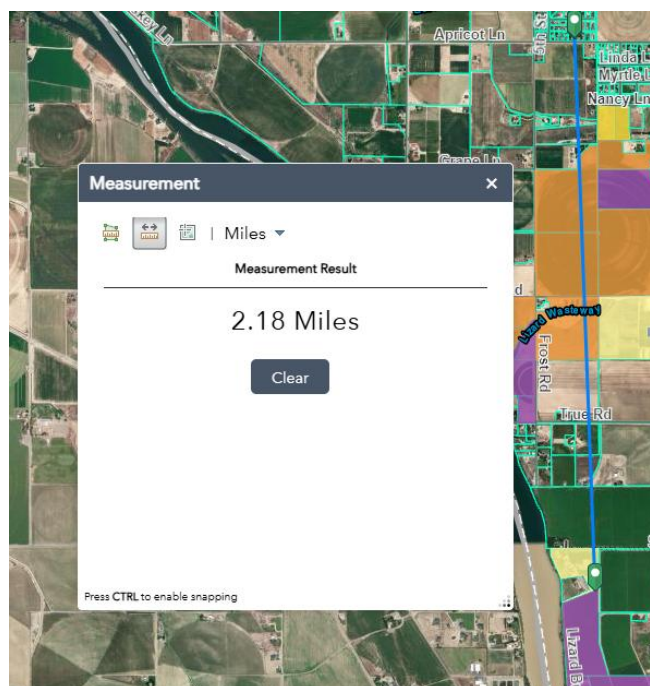




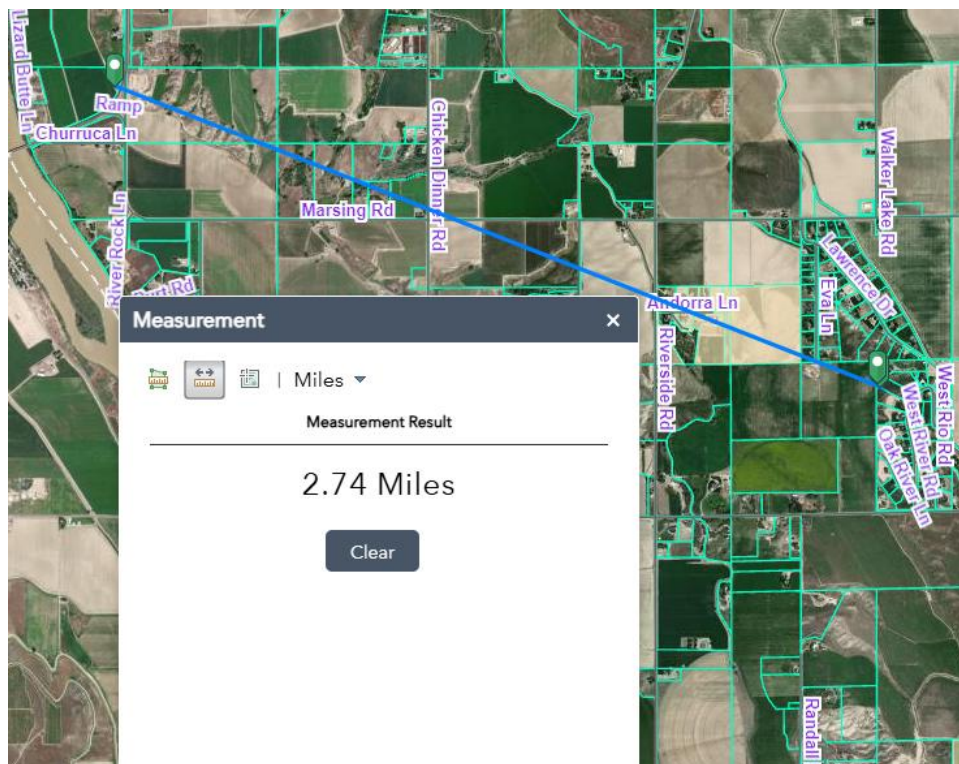
6. 1.96 Miles to **Sunny Slope Subdivision**



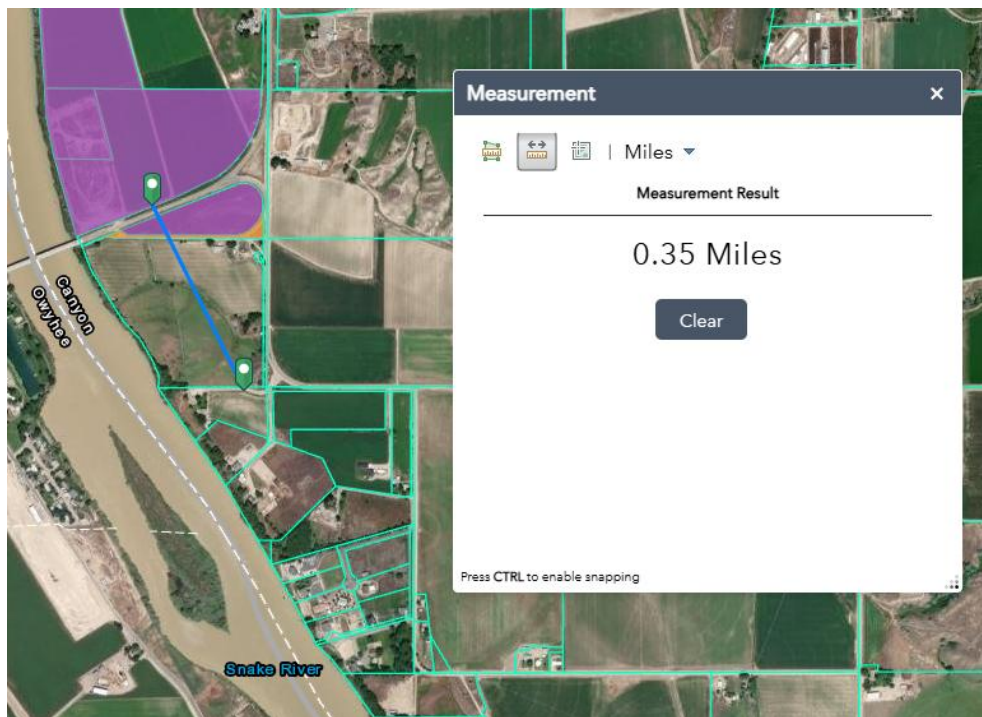
7. 2.18 miles to **Sunny Slope Subdivision No. 2**



8. 2.74 miles to **West River Subdivision**



9. 0.35 miles to **Rancho Costalotta #1 and 2**

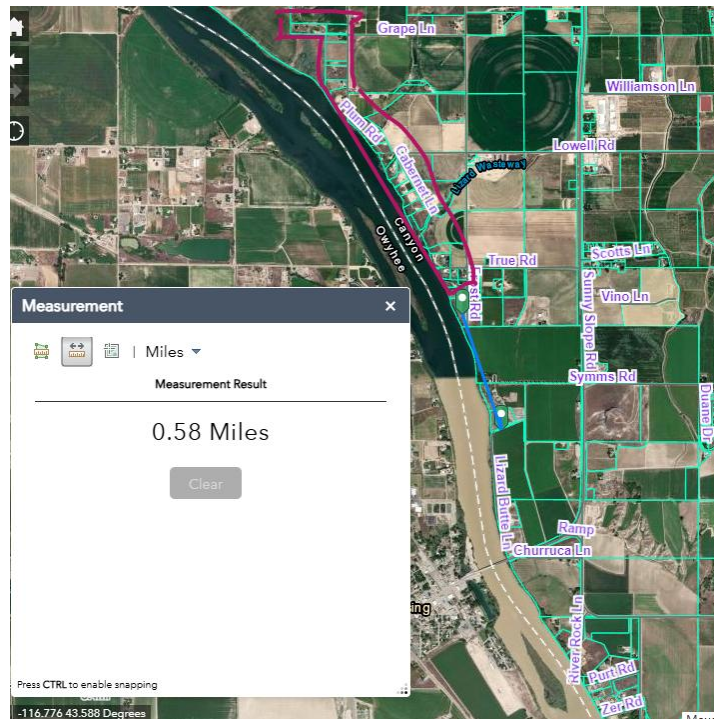




In addition to the approved subdivisions, along the Snake River there are approximately lots ranging from .5 – 4.5 acres in size.

- |               |               |               |
|---------------|---------------|---------------|
| • R3357901100 | • R3358601000 | • R3344700000 |
| • R3357400000 | • R3358601100 | • R3344701000 |
| • R3357801000 | • R3358301300 | • R3344800000 |
| • R3357800000 | • R3358301000 | • R3344801000 |
| • R3357100000 | • R3358301100 | • R334490100  |
| • R3357101000 | • R3358301200 | • R3344900000 |
| • R3358100000 | • R3358400000 | • R3344601200 |
| • R3358000000 | • R3358500000 | • R3344601000 |
| • R3357300000 | • R33464010A0 |               |
| • R3358700000 | • R3346401000 |               |

These lots do not appear to have been approved for any subdivision and are currently zoned as Agricultural.



The rezoning of this Property will not interfere with the agricultural way of life in the area. The proposed River Butte Estates development will be along SH55 and would complement as opposed to detract from or impact the surrounding property. Although the neighboring property owner uses an easement over the Property for access to a horse event center and stables, that easement would not be impacted and due to the large lot sizes of the proposed development, the residents would be able to keep animals on the lots and the traditional horse culture beloved by Canyon County residents will continue to thrive. Hobby farms and related uses will be permitted and will be encouraged.

- **Property Rights G1.01.00: “Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.**

The approval of the Application would not have any impact on the County’s goal or safeguarding public health, safety, and welfare. Alternatively, denying the Application would interfere with the property rights of the Applicant.

- **Population G2.01.00: “Incorporate population growth trends and projections when making land-use decisions.”**

As noted above, the area has no less than 10 residential subdivisions within 2.5 miles. The City of Marsing is directly across the Snake River and is steadily growing. According to the Comprehensive Plan:

*The current figures project the County population to be 359,180 by 2050, a thirty two percent increase from 2020. In the next twenty-eight years, Canyon County expects to add an estimated 128,070 people.*

Comp. Plan, p. 14.

Considering the proximity to the City of Marsing and the current residential development also within close proximity to the Property, the proposed River Butte Estates is an ideal location for this measured growth of Canyon County while not detracting from the rural lifestyle cherished by the current residents. Everyone should be able to enjoy what Canyon County can offer to residents. River Butte Estates will meet this goal of the Comprehensive Plan.

- **Population Goals and Policies P2.01.01. “Plan for anticipated population and households that the community can support with adequate services and amenities.”**

Canyon County is anticipated to add an additional 128,070 residents since the adoption of the Comprehensive Plan. The proposed development can support the needed services and amenities.

- **Population Goals and Policies G2.02.00: “Promote housing, business, and service types needed to meet the demand of the future and existing population.”**
- **Land Use and Community Design P4.01.01: “Maintain a balance between residential growth and agriculture that protects the rural character.”**

With the large lot sizes proposed, the rural character of the proposed development

The 10 residential developments within 2.5 miles of the proposed development would complement the existing mix of residential uses. Some of these other subdivisions contain lots of less than 1 acre. The Applicant proposes a 2.8-acre average lot size.

- **Land Use and Community Design P4.01.02: “Planning, zoning, and land use decisions should balance the community’s interests and protect private property rights.”**

The denial of the Application would not protect private property rights. To the contrary, the denial would elevate the balance the community interests over the Applicant's rights.

- **Land Use and Community Design P4.02.01: "Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses."**
- **Housing P11.02.01 Encourage subdivisions to locate where adequate services and infrastructure exists or can be provided.**

The proposed development along SH 55 and is directly across from the City of Marsing. The location is ideal for a rural subdivision. The Property has established access to and from SH 55 (which will be improved as requested by ITD as part of any subdivision of the Property). Subdivision residents will have easy access to the City of Marsing.

- **Land Use and Community Design P4.03.01: "Designate areas that may be appropriate for industrial, commercial, and residential land uses while protecting and conserving farmland and natural resources."**
- **Agriculture G12.04.00 Minimize conflicts between agricultural uses and operations and adjacent nonagricultural uses.**

The Comprehensive Plan indicates that the Property has been designated as conducive for Rural Residential use. Comp. Plan, p. 25. Considering the location along SH 55 and the need to account for the anticipated population growth, a rural subdivision along the river provides an opportunity for controlled growth that balances the goal of preserving farmland and accounting for the inevitable population growth.

According to the USDA Custom Soil Resource Report for the Property (the "Report"), the land consists of 70% irrigated capability Class 3, 24% and irrigated capability Class 4, and 5% not Classified. Class 3 soils have severe limitations that reduce the choice of plants or that require special conservation practices, or both. Class 4 soils have very severe limitations that reduce the choice of plants or that require very careful management, or both. See Report, pp 5-6.

- **Land Use and Community Design P4.03.02: "Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns."**
- **Housing G11.01.00 Encourage opportunities for a diversity of housing choices in the County.**
- **Housing P11.01.01 Encourage a variety of housing sizes that meet the needs of families, various age groups, and incomes.**
- **Housing G11.02.00 Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural land and natural resources.**

The proposed development would not fragment existing land use patterns. The proposed development would add to the existing housing stock and provide a less dense alternative to the existing subdivisions in the surrounding property.

- **Land Use and Community Design P4.03.03: “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.”**
- **Land Use and Community Design P4.05.01: “Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators.”**
- **Agriculture P12.04.01 Encourage new development adjacent to agricultural areas to be designed to minimize conflicts with adjacent agricultural uses.**

The proposed development would co-exist with the surrounding agricultural and residential uses.

There is no credible evidence to support a finding that the proposed development would create any hardships to any farmers or agricultural operators.

- **Transportation P8.01.01 Coordinate land use and transportation planning to locate development near Appropriate transportation corridors and services.**
- **Agriculture P12.01.05 Direct development to land with lower irrigatable soil classifications as determined by Canyon Soil Conservation District or by the USDA Natural Resources Conservation Service.**

The USDA has classified the soil of the Property as having severely or very severely limitations. While the soil may be appropriate for vineyards, the proximity to the river and the fact that the frost line is below the Property (causing potential for devastating crop loss due to frost) the Property is more appropriate for rural residential development.

#### **Rezone Criteria**

Canyon County Code provides the criteria for a Conditional Rezone:

07-06-07: (6) Conditional Rezone Approval:

Standards Of Evaluation: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:

1. Is the proposed conditional rezone generally consistent with the comprehensive plan;
2. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;
3. Is the proposed conditional rezone compatible with surrounding land uses;



4. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?

5. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;

6. Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?

7. Does legal access to the subject property for the conditional rezone exist or will it exist at time of development; and

8. Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?

As detailed below, the rezone request is supported by each factor established by Canyon Code § 07-06-07(6).

***Is the proposed conditional rezone generally consistent with the comprehensive plan;***

Yes. See above. The Comp Plan clearly indicates that the Property is within an applicable zoning classification for Rural Residential lots. See Comp. Plan, p. 25.

Agriculture	
Description	The agricultural designation is the base designation throughout the County. It contains areas of productive irrigated croplands, grazing lands, feedlots, dairies, seed production, and ground of lesser agricultural value.
Applicable Zone Districts	R-R, AC-5, AC-20, AC-40

The Comp. Plan indicates that the Property is designated for potential future use for rural residential OR agricultural.

***When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;***

Yes. See above.

In consideration of the surrounding land uses, the proposed conditional zone to "R-R" (Rural Residential) is more appropriate than the current zoning designation of "A" (Agricultural). The location of

the parcel right off the state highway that leads to the commercial district of Marsing across the river provides a more appropriate and suitable location for a residential use. Sunny Slope, which has many wineries and small agritourism related shops, is located just to the Northeast of this property. The proposed subdivision is rural in character and is within close proximity to at least thirteen residential subdivisions and will blend with the surrounding properties.

A portion of the Property was historically used as a boat race track and is no longer useful for agricultural purposes without significant modification. Rezoning the Property to allow for residential development is more appropriate than continuing the existing non-use of a large portion of the Property.

***Is the proposed conditional rezone compatible with surrounding land uses;***

Yes. See above. Pursuant to CCZO § 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere or conflict with, or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses.

The Property is located very close to thirteen existing subdivisions and a similar land use designation. There are existing rural residences and farm residences within the vicinity. The Property is adjacent to an indoor/outdoor horse boarding and event center.

The surrounding properties are already being used for farming and rural residential purposes. There will be no negative impacts if the Property is rezoned to Rural Residential. The Property is not very suitable for farming (other than possible hay crops) due to the low-lying property being below the frost line. The Property is not suitable for orchards, wine grapes, or high yield crops for this reason. The Custom Soil Resource Report for the Property indicates that the soils are a mix of Class 3 and 4 soils. Class 3 soils have severe limitations that reduce the choice of plants or that require special conservation practices, or both. Class 4 soils have very severe limitations that reduce the choice of plants or that require very careful management, or both. With these severe and very severe limitations – in conjunction with the low-lying ground, the Property is not going to be productive farm ground without significant conservation practices, chemical application, and fertilizers (which could be problematic due to the proximity to the Snake River).

The Property includes a defunct dirt track and was a staging ground for the defunct river boat races. This dirt track has been abandoned for many years and has been unused for any purpose. Use of the Property to address housing needs and to put the Property into beneficial use would be a substantial benefit to the community and will blend seamlessly with the surrounding property.

According to CCCO § 07-10-25(1), the purposes of the A (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.*

According to CCCO § 07-10-25(2),

*The purpose of the R-R (Rural Residential) Zone is to encourage and guide growth in areas where a rural lifestyle may be determined to be suitable.*

The proposed River Butte Estates meets the purpose of the R-R designation. Canyon County residents enjoy the rural residential lifestyle conducive to a development adjacent to the Snake River and the ample wildlife and recreational opportunities of the area. Considering the fact that the soil of the Property is not conducive to productive farming, other property in the area is more suitable for development.<sup>1</sup>

***Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?***

The proposed conditional rezone will not negatively affect the character of the area. The proposed change to rural residential will complement the existing rural nature of the surrounding the properties and with the proposed large lots, the area will retain the rural setting in the community.

***Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;***

The Property will be serviced with well water (with individual wells) and septic, pressurized irrigation and fire suppression from the development ponds (which may also provide recreational opportunities for subdivision residents). Adequate services will be provided without unmitigated impact to the County.

Southwest District Health (SWDH) states the property is located outside the designated nitrate priority area. SWDH has not objected to the request.

Individual wells will meet Idaho Dept. of Water Resources (IDWR) and SWDH requirements which will be demonstrated at the time of platting.

All stormwater drainage is proposed to be maintained on-site. A drainage plan will be provided at the time of platting.

The Applicant will work with Idaho Power to bring services to each proposed lot in the development. Utility locations and easements will be provided at the time of platting.

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<sup>1</sup> While any property in the County could be made into productive farm ground, there would be significant expense needed to put this Property into farm use.

An irrigation plan will be provided at the time of platting.

***Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?***

The rezone will not require public street improvements to be paid by the County or the public. The proposed residential development will require coordination with the Golden Gate Highway District No. 3 and ITD to address approaches to the Property and modification of the existing approach to accommodate the proposed future use.

***Does legal access to the subject property for the zoning map amendment exist or will it exist at the time of development;***

Access to the Property is near the southwest corner of the property from State Highway 55 (SH55) onto Lizard Butte Ln, a private gravel road. SH55 is owned and maintained by the Idaho Transportation Department (ITD). Neither ITD nor the Golden Gate Highway District No. 3 have objected to the rezone or the proposed development of the Property. Future access will meet private road lot requirements per CCZO §07-17-31(1)A.

***Will the proposed zoning map amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts***

See above.

In conclusion, Canyon Code § 07-06-07(6) factors have been met and the Applicant requests approval of the rezone, conditioned on a satisfactory development agreement per Canyon Code § 07-06-07(7).

#### **Comprehensive Plan Amendment**

The Applicant is requesting an amendment to address the potential that the Commission considers the Application incompatible with the future land use map's designation of the Property as within the Ag-tourism Exclusive Farm Use overlay area. The Applicant's Property is within the Agriculture zone within the County's future land use map – which allows for rezoning to the Rural Residential district. Since the County has not yet had an opportunity to establish a zoning classification applicable to the AEFU, out an abundance of caution, Applicant is requesting an amendment to the Comprehensive Plan's Future Land Use Map to remove the Property from the overlay. If the County determines that the Property can be rezoned from Agriculture to Rural Residential (within the AEFU) **without an amendment to the Future Land Use Map**, the Applicant will withdraw the application for the unnecessary Comprehensive Plan amendment.<sup>2</sup>

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<sup>2</sup> To be clear, the Applicant does not believe that a Comp. Plan modification is needed and this request is only submitted out of an abundance of caution.



If the County determines the Comprehensive Plan needs to be modified to remove the AEFU designation, the Applicant provides the following in support of this Application.

Canyon County Code provides the criteria for a Comprehensive Plan Amendment:

07-06-03: COMPREHENSIVE PLAN AMENDMENT CRITERIA:

(1) The commission shall review the particular facts and circumstances of each proposed comprehensive plan amendment and make a recommendation regarding the same to the board. The commission and the board shall determine whether the proposed amendment meets the requirements of the local land use planning act, Idaho Code title 67, chapter 65, and is consistent with the comprehensive plan's purposes, goals and policies:

A. Is the requested type of growth generally in conformance with the comprehensive plan;

B. When considering the surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation;

C. Is the proposed comprehensive plan amendment compatible with surrounding land uses;

D. Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted; and

E. Will the proposed comprehensive plan amendment impact public services and facilities. What measures will be implemented to mitigate impacts? (Ord. 11-003, 3-16-2011)

***Is the requested type of growth generally in conformance with the comprehensive plan;***

The transition from Agriculture to Rural Residential is conformance with the Comprehensive Plan, specifically the twenty (20) goals and policies identified above. Applicant also incorporates the other materials submitted in support of the Application from Ardurra (including the August 30, 2023, letter addressed to Canyon County Development Services).

***When considering the surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation;***

At this time, due to the newness of the Comprehensive Plan and the County's planning efforts and measured and careful considerations, the County has not adopted specific uses and restrictions

applicable to the AEFU, the proposed land use (without the AEFU designation) is more applicable to the current designation. The Property is suitable for productive farming and is more suitable for a rural subdivision. The property across from SH55 will be developed for commercial use and will provide for retail or small office opportunities that will fit within the surrounding property.

***Is the proposed comprehensive plan amendment compatible with surrounding land uses;***

The surrounding land uses are rural residential, agriculture, and commercial (businesses complementing the residential and farming uses, such as wineries with tasting rooms, farm stands, restaurants with emphasis on the use of locally grown produce). To the extent necessary, the Comprehensive Plan amendment is consistent with surrounding land uses.

***Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted;***

At this time the development trends in the general area are to retain the rural and farming uses. The only arguable circumstances that have changed is the lack of the adoption of any standards applicable to the AEFU designation. But, the proposed development of the Property will be rural residences that complements the surrounding land uses.

***Will the proposed comprehensive plan amendment impact public services and facilities. What measures will be implemented to mitigate impacts?***

There will be no unmitigated impacts to the public services and facilities. The proposed development will be on well and septic. The Applicant will install the subdivision improvements (roads and walking paths, fire suppression pond, etc.) without cost to the County. The additional tax revenue from property taxes will address the provision of fire, police, and emergency services. At this time, no comments have been received in response to the Application related to the provision of fire, police, and emergency services.

In conclusion, the Comprehensive Plan supports requested use of the Property. To the extent the Comprehensive Plan needs to be amended to remove the AEFU designation, that is supported by the factors set forth above as set forth in Canyon Code § 07-06-03(1).

Sincerely,

A handwritten signature in blue ink that reads "Matthew Parks".

Matthew C. Parks



**Planning and Zoning Commission**  
**Hearing Date: April 17, 2025**  
*Canyon County Development Services Department*

**PLANNING DIVISION STAFF REPORT**

**CASE NUMBER:** OR2023-0005 / CR2023-0011  
**APPLICANT/REPRESENTATIVE:** Q2 LLC/Ardurra  
**PROPERTY OWNER:** Q2 LLC

**APPLICATION:** Comprehensive Plan Amendment (OR2023-0005) and Conditional Rezone (CR2023-0011) to "CR-R1" (CR-Single Family Residential) with Development Agreement

**LOCATION:** The subject property is located between 12639 Sunny Slope Road, Caldwell, and the Snake River, also referenced as a portion of the NW¼ of Section 34, T3N, R4W, BM, Canyon County, Idaho.

**ANALYST:** Michelle Barron, Principal Planner

**REQUEST:**

The applicant, Q2 LLC, represented by Ardurra, is requesting a Comprehensive Plan Map Amendment of Parcels R33590012G, R33590012A and R33590012I, approximately 70 acres, from an agriculture designation to a rural residential designation, and a Conditional Rezone of Parcels R33590012G, R33590012A and R33590012I, approximately 70 acres, from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone. The rezone includes a development agreement limiting development to 25 residential lots with a 2.8-acre average lot size.

**\*\*The applicant submitted an updated letter of intent that varies the request from the original application for the Comprehensive Plan Amendment (Exhibit A2.1). The letter was received on the day of the materials deadline and is not a part of this analysis**

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**PUBLIC NOTIFICATION:**

Neighborhood meeting conducted on:	July 11, 2023
Agency and Full Political notice:	March 14, 2025
Neighbor notification within 600 feet mailed on:	March 17, 2025
Newspaper notice published on:	March 18, 2025
Notice posted on site on:	March 18, 2025

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

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## **1. BACKGROUND:**

The subject parcels are in an Agricultural zone along the Snake River at the west entrance into Canyon County from the City of Marsing. The Comprehensive Plan has this area designated as Agriculture on the Future Land Use Map with an overlay of Agritourism Exclusive Farm Use.

Parcel R33590012A was deemed an original parcel per Parcel Inquiry PI2022-0025. Parcel R33590012G was illegally created in 2011 from R33590012A per Parcel Inquiry PI2022-0025. Per Parcel Inquiry PI2022-0022, parcel R33590012I was deemed an original parcel that has gone through a Property Boundary Adjustment in 2019 that was not completed through a process.

According to an updated letter from the applicant, there was a dirt track on a portion of the property.

## **2. HEARING BODY ACTION:**

Pursuant to Canyon County Ordinance Article 07-06-01 (3) requests for comprehensive plan changes and ordinance amendments may be consolidated for notice and hearing purposes. Although these procedures can be considered in tandem, pursuant to Idaho Code section 67-6511(b), the commission, and subsequently the board, shall deliberate first on the proposed amendment to the comprehensive plan; then, once the commission, and subsequently the board, has made that determination, the commission, and the board, should decide the appropriateness of a rezone within that area. This procedure provides that the commission, and subsequently the board, considers the overall development scheme of the county prior to consideration of individual requests for amendments to zoning ordinances. The commission, and subsequently the board, should make clear which of its findings relate to the proposed amendment to the comprehensive plan and which of its findings relate to the request for an amendment to the zoning ordinance.

Pursuant to Canyon County Ordinance Article 07-06-07(1) Restrictions: In approving a conditional rezone application, the presiding party may establish conditions, stipulations, restrictions, or limitations which restrict and limit the use of the rezoned property to less than the full use allowed under the requested zone, and which impose specific property improvement and maintenance requirements upon the requested land use. Such conditions, stipulations, restrictions or limitations may be imposed to promote the public health, safety and welfare, or to reduce any potential damage, hazard, nuisance or other detriment to persons or property in the vicinity to make the land use more compatible with neighboring land uses. When the presiding party finds that such conditions, stipulations, restrictions or limitations are necessary, land may be rezoned upon condition that if the land is not used as approved, or if an approved use ends, the land use will revert back to the zone applicable to the land immediately prior to the conditional rezone action.

Additionally, pursuant to Canyon County Ordinance Article 07-06-07(3) Conditional Rezoning Designation: Such restricted land shall be designated by a CR (conditional rezoning) on the official zoning map upon approval of a resolution by the board for an "order of intent to rezone". An "order of intent to rezone" shall be submitted to the board for approval once the specific use has commenced on the property and all required conditions of approval have been met and any required improvements are in place. Land uses that require approval of a subdivision shall have an approved final plat in accordance with this chapter before the "order of intent to rezone" is submitted for approval by the board. Designation of a parcel as



CR shall not constitute "spot" zoning and shall not be presumptive proof that the zoning of other property adjacent to or in the vicinity of the conditionally rezoned property should be rezoned the same.

Should the Commission wish to approve the subject conditional rezone, all applicable Canyon County standards pertaining to the required development agreement shall be strictly adhered to.

The commission should consider the procedures outlined above within Canyon County Ordinance 07-06-01(3).

#### **OPTIONAL MOTIONS:**

**Approval of the Application:** "I move to approve OR2023-0005, Q2 LLC, finding the application **does** meet the criteria for approval under Article 07.06.03 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 OR2023-0005, Q2 LLC, finding the application **does not** meet the criteria for approval under Article 07.06.03 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 OR2023-0005, Q2 LLC to a *[date certain or uncertain]*

#### ***Followed by the Conditional Rezone application:***

**Approval of the Application:** "I move to approve CR2023-0011, Q2 LLC, finding the application **does** meet the criteria for approval under Article 07.07.07 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 CR2023-0011, Q2 LLC, finding the application **does not** meet the criteria for approval under Article 07.06.07 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 CR2023-0011, Q2 LLC to a *[date certain or uncertain]*

### **3. HEARING CRITERIA**

**Table 1. Comprehensive Plan Amendment Criteria Analysis**

<b>HEARING CRITERIA (07-06-03 (1)):</b> The commission shall review the particular facts and circumstances of each proposed comprehensive plan amendment and make a recommendation regarding the same to the board. The commission and the board shall determine whether the proposed amendment meets the requirements of the local land use planning act, Idaho Code title 67, chapter 65, and is consistent with the comprehensive plan's purposes, goals and policies:				
<b>Compliant</b>			<b>County Ordinance and Staff Review</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Code Section</b>	<b>Analysis</b>

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>07-06-03 (1)A</b>	<b>Is the requested type of growth generally in conformance with the comprehensive plan;</b>
			<b>Staff Analysis</b>	<p>The requested type of growth is <b>not</b> generally in conformance with the 2030 Comprehensive Plan.</p> <p>The Comprehensive Plan Future Land Use Map shows this area as Agricultural with an Agritourism Exclusive Farm Use Overlay. <b>(Exhibits B2.8 and B2.9)</b></p> <p>Although Rural Residential zoning is listed under the Agriculture designation of the Future Land Use Designations, the purpose of that designation is:  “The agricultural designation is the base designation throughout the County. It contains areas of productive irrigated croplands, grazing lands, feedlots, dairies, seed production, and ground of lesser agricultural value.”</p> <p>The following Goals, Policies and Actions are not supported with this proposed change to the Comprehensive Plan:</p> <p><b>4 – Land Use and Community Design</b></p> <p><b>P4.01.01</b> - Maintain a balance between residential growth and agriculture that protects the rural character.</p> <p><b>G4.02.00</b> - Ensure that growth maintains and enhances the unique character throughout the County.</p> <p><b>P4.02.01</b> - Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses.</p> <p><b>G4.03.00</b> - 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.</p> <p><b>P4.03.01</b> - Designate areas that may be appropriate for industrial, commercial, and residential land uses while protecting and conserving farmland and natural resources.</p> <p><b>G4.04.00</b> - 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.</p> <p><b>G4.06.00</b> - Development design should improve the area's character and be compatible with the community's visual appearance and the natural environment.</p> <p><b>P4.08.01</b> - Protect and enhance the rural landscape as an essential scenic feature of the County.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>07-06-03 (1)B</b>	<b>When considering the surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation;</b>
			<b>Staff Analysis</b>	<p>In consideration of the surrounding land uses, the proposed comprehensive plan amendment to “Residential” is <b>not</b> more appropriate than the current comprehensive plan designation of “Agriculture” with an Agritourism Exclusive Farm Use Overlay.</p> <p style="text-align: center;"><b>Adjacent Existing Comprehensive Plan Designation:</b></p>

				<b>Direction</b>	<b>Existing Designation</b>	<b>Existing Land Use</b>
				<b>N</b>	<b>Agriculture/Agritourism OL</b>	<b>Cropland and Equine Facility</b>
				<b>S</b>	<b>Agriculture/Agritourism OL</b>	<b>State Highway/Cropland</b>
				<b>E</b>	<b>Agriculture/Agritourism OL</b>	<b>Agricultural cropland</b>
				<b>W</b>	<b>City of Marsing/Owyhee Co</b>	<b>City facilities/Ag/Residential</b>
Residential, Agriculture, Commercial, Industrial, Conservation and Public/Open Space						
This area is predominantly agricultural as it enters into the West end of Canyon County, which begins the Sunny Slope wine area. The parcels run along the Snake River with the City of Marsing and Owyhee County across the river. There is some residential designation across the river according to City of Marsing and Owyhee County zoning maps. <b>(Exhibit B2.11 and B2.12)</b>						
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>07-06-03 (1)C</b>	<b>Is the proposed comprehensive plan amendment compatible with surrounding land uses;</b>		
			<b>Staff Analysis</b>	The proposed comprehensive plan amendment to “Residential” is not compatible with surrounding land uses.  Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere or conflict with or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses.  Considering the surrounding land uses are all agricultural, with cropland and an equestrian operation in the area, adding a residential development in amongst these uses could interfere with the agricultural uses. The proposed development would use the same access from State Highway 55 as these agricultural operations. The ability to transport agricultural products, including livestock, could be hindered if they have to travel through a residential subdivision.		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>07-06-03 (1)D</b>	<b>Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted; and</b>		
			<b>Staff Analysis</b>	Development trends in the general area do not indicate that the current designation and circumstances have changed since the comprehensive plan was adopted.  The 2030 comprehensive plan was adopted in October 2022. There have been no residential developments proposed or approved other than this request.  The trend is towards Agritourism Farm Use and Businesses. Circumstances have not changed since this Comprehensive Plan was adopted.		

			<b>07-06-03 (1)E</b>	<b>Will the proposed comprehensive plan amendment impact public services and facilities. What measures will be implemented to mitigate impacts? (Ord. 11-003, 3-16-2011)</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Staff Analysis</b>	<p>The proposed comprehensive plan amendment is not anticipated to impact public services and facilities. No measures are proposed to mitigate impacts.</p> <p>Agencies were noticed of the proposed comprehensive plan amendment. Since the parcels are outside an area of city impact, it is expected that the developer would propose individual wells and septic systems. No public services would be impacted.</p> <p>The Golden Gate Highway Department and the Idaho Department of Transportation did not see any impact on their infrastructure at this time. <b>(Exhibits D7 and D5)</b> Idaho Transportation Department stated they would require the applicant to complete a Turn Lane Warrant to determine if any mitigations will be required. They also require an ITD right-of-Way Encroachment Application and Permit. <b>(Exhibit D7)</b></p>

**Table 1. Conditional Rezone Standards of Evaluation Analysis**

<b>Standards of Evaluation (07-06-07(6) A:</b> The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:				
<b>Compliant</b>			<b>County Ordinance and Staff Review</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Code Section</b>	<b>Analysis</b>
			<b>07-06-07(6)A1</b>	<b>Is the proposed conditional rezone generally consistent with the comprehensive plan;</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Staff Analysis</b>	<p>The proposed conditional rezone change is not generally consistent with the Comprehensive plan.</p> <p>The Comprehensive Plan Future Land Use Map shows this area as Agricultural with an Agritourism Exclusive Farm Use Overlay. <b>(Exhibits B2.8 and B2.9)</b></p> <p>Although Rural Residential zoning is listed under the Agriculture designation of the Future Land Use Designations, the purpose of that designation is:  “The agricultural designation is the base designation throughout the County. It contains areas of productive irrigated croplands, grazing lands, feedlots, dairies, seed production, and ground of lesser agricultural value.”</p> <p>The following Goals, Policies and Actions are not supported with this proposed change to the Comprehensive Plan:</p> <p><b><u>4 – Land Use and Community Design</u></b>  <b>P4.01.01</b> -_Maintain a balance between residential growth and agriculture that protects the rural character.</p>

				<p><b>G4.02.00</b> - Ensure that growth maintains and enhances the unique character throughout the County.</p> <p><b>P4.02.01</b> - Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses.</p> <p><b>G4.03.00</b> - 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.</p> <p><b>P4.03.01</b> - Designate areas that may be appropriate for industrial, commercial, and residential land uses while protecting and conserving farmland and natural resources.</p> <p><b>G4.04.00</b> - 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.</p> <p><b>G4.06.00</b> - Development design should improve the area's character and be compatible with the community's visual appearance and the natural environment.</p> <p><b>P4.08.01</b> - Protect and enhance the rural landscape as an essential scenic feature of the County.</p>					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>07-06-07(6)A2</b>	<b>When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;</b>					
			<b>Staff Analysis</b>	<p>In consideration of the surrounding land uses, the proposed conditional zone change to "RR" is not more appropriate than the current zoning designation of "A".</p> <p>Pursuant to Canyon County ordinance 07-10-25 (1) the purpose of the A (Agricultural) zoning district is to:</p> <p>    A. Promote the public health, safety, and welfare of the people of the County by encouraging the protection of viable farmland and farming operations;</p> <p>    B. Limit urban density development to Areas of City Impact in accordance with the comprehensive plan;</p> <p>    C. Protect fish, wildlife, and recreation resources, consistent with the purposes of the "Local Land Use Planning Act", Idaho Code title 67, chapter 65;</p> <p>    D. Protect agricultural land uses, and rangeland uses, and wildlife management areas from unreasonable adverse impacts from development; and</p> <p>    E. Provide for the development of schools, churches, and other public and quasi-public uses consistent with the comprehensive plan.</p> <p>Pursuant to Canyon County ordinance 07-10-25 (2) the purpose of the R-R (Rural Residential) Zone is to encourage and guide growth in areas where a rural lifestyle may be determined to be suitable.</p> <p><b>Adjacent Existing Conditions:</b></p> <table><tr><th>Direction</th><th>Existing Use</th><th>Primary Zone</th><th>Other Zone</th></tr><tr><td>N</td><td>Production Agriculture and Equine Facility</td><td>Agricultural</td><td></td></tr></table>	Direction	Existing Use	Primary Zone	Other Zone	N
Direction	Existing Use	Primary Zone	Other Zone						
N	Production Agriculture and Equine Facility	Agricultural							

				<b>S</b>	<b>Production Agriculture</b>	<b>Agricultural</b>	
				<b>E</b>	<b>Production Agriculture</b>	<b>Agricultural</b>	
				<b>W</b>	<b>Snake River/City of Marsing/Owyhee County</b>		
				"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>Considering the surrounding land uses are all agricultural, with cropland and an equestrian operation in the area, adding a residential development in amongst these uses could interfere with the agricultural operations. The proposed development would use the same access from State Highway 55 as these agricultural operations. The ability to transport agricultural products, including livestock, could be hindered if they have to travel through a residential subdivision.</p> <p>The proposed development is across the river from the City of Marsing and Owyhee County. There are some residential and commercial areas according to the Owyhee County Zoning Map and the City of Marsing Zoning Map. <b>(Exhibits B2.11 and B2.12)</b></p> <p>The Rural Residential designation is intended to be a transition area from Agricultural operations and more dense residential uses. There are no dense residential uses in the part of Canyon County. There is a small portion of Owyhee County and the City of Marsing across the Snake River that is residential.</p> <p><b>Surrounding Land Use Cases:</b>          In 2019, case CR2019-0019 was approved as a partial parcel rezone from A – Agricultural to CR-RR – Rural Residential with a Development Agreement to allow 2 parcels with a minimum of 15 acres each. An Administrative Land Division followed to create the 2 parcels.</p> <p>In the early 1970's, 3 Mobile Home subdivisions were approved in the count to the Northeast of this property as seen as number 1, 2 and 3 on <b>Exhibit B2.2</b>.</p> <p>There are three (3) additional subdivisions that were approved that are to the South of this property. The average lot size for the 3 subdivisions is 4.85 acres (14 total lots on 67.94 total acres). The 3 subdivisions are noted as 4, 5, and 6 on the Subdivision map <b>(Exhibit B2.2)</b></p>			
				<p><b>07-06-07(6)A3</b> <b>Is the proposed conditional rezone compatible with surrounding land uses;</b>  <b>Staff Analysis</b></p> <p>The proposed conditional rezone change to "RR" is not compatible with surrounding land uses.</p> <p>Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere or conflict with or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing</p>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>					

				<p>and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses.</p> <p>Considering the surround land uses are all agricultural, with cropland and an equestrian operation in the area, adding a residential development in amongst these uses could interfere with the agricultural uses. The proposed development would use the same access from State Highway 55 as these agricultural operations. The ability to transport agricultural products, including livestock, could be hindered if they have to travel through a residential subdivision.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>07-06-07(6)A4</b>	<p><b>Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?</b></p>
			<b>Staff Analysis</b>	<p>The proposed conditional rezone will negatively affect the character of the area. Any necessary measures to mitigate impacts are detailed below.</p> <p><b>Character of the Area:</b> The character of the area is predominantly agricultural. As seen on the aerial photos and the site photos, there are various agricultural operations in the area. The parcel is on the Western edge of Canyon County and runs along the Snake River that begins the Snake River wine region.</p> <p>There are no residential developments in this area in Canyon County. There is some residential across the river in the City of Marsing and in Owyhee County. The average parcel size in the area (within the 600 foot notification area) is 28.96 acres.</p> <p><b>Other: Floodplain</b> According to the comment letters from the Idaho Department of Water Resources (<b>Exhibits D3 and D3.1</b>), the parcels are subject to the National Flood Insurance Program (NFIP) regulations. If the proposed Comprehensive Plan Amendment and the Conditional Rezone is approved on these parcels, prior to submitting a Preliminary Plat, the developer will need to provide Hydrologic &amp; Hydraulic Analysis with BFE.</p> <p><b>An option to potentially mitigate this criteria would be to ask for larger lot sizes than the requested 2.86 acre average lot size.</b></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>07-06-07(6)A5</b>	<p><b>Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;</b></p>
			<b>Staff Analysis</b>	<p>The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein.</p> <p><b>Sewer:</b> Individual septic systems are requested for each lot. This parcel is not in a Nitrate Priority Area. Southwest District Health has requested that the applicant contact</p>

			<p>them for a Pre-Development meeting. (<b>Exhibit D1</b>) The City of Marsing is across the river, but no Sewer services are available to this location.</p> <p><b>Water:</b> Individual wells are proposed for this development. Notice was given to the Idaho Department of Water Resources and no comments regarding the availability of water for the homes were received.</p> <p><b>Drainage:</b> The Boise Project Board of Control states that the United States' Kent Drain, Murray Drain and Sunny Slope #2 Wasteway lie within the boundary of the location. The easements for these drains is held in the name of the United States.</p> <p>Storm drainage and/or street runoff must be retained on site.</p> <p><b>Irrigation:</b> Wilder Irrigation had no comment.</p> <p><b>Utility:</b> Developer will need to contact Idaho Power for connection to power.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>07-06-07(6)A6</b> <b>Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?</b></p> <p><b>Staff Analysis</b> The proposed conditional rezone will not require public street improvements in order to provide adequate access to and from the subject property in order to minimize undue interference with existing and/or future traffic patterns created by the proposed development. Any necessary measures to mitigate traffic impacts are detailed below.</p> <p>According to the concept plan (<b>Exhibit A3</b>) and the Letter of Intent (<b>Exhibit A2</b>), the developer is planning on installing two (2) public roads. It appears that Lizard Butte Lane will no longer be the access for the proposed subdivision and the parcels beyond this property. These would be completed at the cost of the developer.</p> <p>The Golden Gate Highway District did comment in <b>Exhibit D7</b> and stated that the parcels do have a legal access directly off of Highway 55 via a private road (Lizard Butte Lane) and they would need to coordinate and seek permitting with ITD for access onto State Highway 55. They also state that all proposed private and public roads within the subdivision will be designed and constructed in accordance with the 2022 ACCHD Standards.</p> <p>Idaho Transportation stated that the access is permitted as a joint use approach with ITD. With the change of use, applicant will need to submit an ITD Right of Way Encroachment Application and Permit. ITD will require the applicant to</p>



				complete a Turn Lane Warrant to determine if any mitigations will be required. <b>(Exhibit D5)</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>07-06-07(6)A7</b>	<b>Does legal access to the subject property for the conditional rezone exist or will it exist at time of development; and</b>
			<b>Staff Analysis</b>	<p>The subject property does have legal access for the conditional rezone and/or will exist at the time of the development. See review and analysis detailed below.</p> <p>The Golden Gate Highway District did comment in <b>Exhibit D7</b> and stated that the parcels do have a legal access directly off of Highway 55 via a private road (Lizard Butte Lane) and they would need to coordinate and seek permitting with ITD for access onto State Highway 55. They also state that all proposed private and public roads within the subdivision will be designed and constructed in accordance with the 2022 ACCHD Standards.</p> <p>Idaho Transportation stated that the access is permitted as a joint use approach with ITD. With the change of use, applicant will need to submit an ITD Right of Way Encroachment Application and Permit. ITD will require the applicant to complete a Turn Lane Warrant to determine if any mitigations will be required. <b>(Exhibit D5)</b></p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>07-06-07(6)A8</b>	<b>Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts? (Ord. 16-007, 6-20-2016)</b>
			<b>Staff Analysis</b>	<p>The proposed uses are not anticipated to impact essential public services and facilities including, but not limited to schools, police, fire and emergency medical services. Any necessary measures to mitigate impacts are detailed below.</p> <p>The services will not be negatively impacted by such use, and/or require additional public funding in order to meet the needs created by the requested use.</p> <p><b>Schools:</b> Marsing Public Schools were notified, but no comment was received.</p> <p><b>Sheriff:</b> The Canyon County Sheriff Department was notified, but no comments were received.</p> <p><b>Fire protection &amp; Emergency Medical Services:</b> Marsing Fire District and Canyon County Emergency Medical Services were notified of the proposed rezone, but no comments were received.</p>

#### **4. AGENCY COMMENTS:**

Agencies including the Canyon County Sheriff's Office, Canyon County Paramedics/EMT, Marsing Fire District, State Fire Marshall, Boise Project Board of Control, Wilder Irrigation District, Flood District 10, Flood District 11, Golden Gate Highway District, Marsing School District, Idaho Transportation Department, Idaho Power, Intermountain Gas, CenturyLink, Ziply, Canyon County Assessor's Office, Canyon County Building Department, Canyon County Code Enforcement Department, Canyon County Soil Conservation, Canyon County DSD Engineering Dept, Canyon County DSD GIS Department, Idaho Department of Water Resources (Water Rights), IDWR – NFIP Coordinator (Flood), Bureau of Land Management, Bureau of Reclamation, FEMA, Army Corp of Engineers, Natural Resources Conservation Dist., Idaho Fish and Game, Idaho State Dept of Agriculture, Idaho Agricultural Aviation Association, Southwest District Health, and the City of Marsing were notified of the subject application as well as a Full Political notification.

Staff received agency comments from Boise Project Board of Control, Canyon County Soil Conservation District, City of Nampa, Idaho Dept of Fish and Game, Golden Gate Highway District, IDEQ, IDWR – Floodplain, Idaho Transportation Department and Southwest District Health. 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 twelve (12) total written public comments and drone footage by the materials deadline of April 7, 2025. Generally, of the comments received none were in favor, none were neutral, and the twelve (12) were opposed. The drone footage didn't specify if it was in favor or opposed. All public comments received by the aforementioned materials deadline are located in **Exhibit E**.

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

#### **6. SUMMARY & RECOMMENDED CONDITIONS:**

In consideration of the application and supporting materials, staff concludes that the proposed comprehensive plan amendment and conditional rezone are not **compliant** with Canyon County Ordinance 07-06-03 and 07-06-07. A full analysis is detailed within the staff report.

#### **7. EXHIBITS:**

- A. **Application Packet & Supporting Materials**
  - 1. Master Application
    - 1.1. Land Use Worksheet
  - 2. Letter of Intent
    - 2.1. Additional applicant letter; Received: April 7, 2025

- 2.2. Applicant PowerPoint presentation; Received: April 7, 2025
3. Concept Plan (River Butte Estates draft PP)
4. Neighborhood Meeting

**B. Supplemental Documents**

1. Parcel Tool
2. Cases Maps/Reports
  - 2.1. Aerial
  - 2.2. Subdivisions and Plats
  - 2.3. Zoning and Classification Map
  - 2.4. Case Map
  - 2.5. Contour Map
  - 2.6. Soil Map
  - 2.7. Prime Farmland Map
  - 2.8. Canyon County Future Land Use Map
  - 2.9. Canyon County FLUM with Overlay
  - 2.10. Dairy, Feedlot, and Gravel Pit Map
  - 2.11. City of Marsing zoning map (from City of Marsing website)
  - 2.12. Owyhee County zoning map (from Owyhee County website)

**C. Site Visit Photos: April 9, 2025 and Google Earth images**

**D. Agency Comments Received by: April 7, 2025**

1. Southwest District Health; Received: January 23, 2025
2. Canyon County Soil Conservation District; Received: January 14, 2025
3. Idaho Department of Water Resources; Received: February 3, 2025
  - 3.1 Idaho Department of Water Resources; Received: March 17, 2025
4. Idaho Department of Environmental Quality; Received: February 5, 2025
  - 4.1 Idaho DEQ; Received: March 24, 2025
5. Idaho Transportation Department; Received: February 18, 2025
6. Idaho Department of Fish and Game; Received: March 3, 2025
7. JUB Engineers, Inc for Golden Gate Highway Dist; Received: January 23, 2025
8. Boise Project Board of Control; Received: January 24, 2025
9. City of Nampa; Received: March 14, 2025

**E. Public Comments Received by: April 7, 2025**

1. Alan Mowry; Received: April 7, 2025
2. Anne Delgado; Received: April 7, 2025
3. Canyon County Alliance for Responsible Growth; Received: April 6, 2025
4. Ciera Buhler; Received: April 7, 2025
5. Gerri Smith; Received: April 7, 2025
6. Hai Longworth; Received: April 7, 2025
7. Janet Northrup; Received: March 19, 2025
8. Joanne Bradford; Received: April 7, 2025
9. Madeleine Hall; Received: April 7, 2025
10. Wayne Rundall; Received: April 3, 2025
11. Wayne Rundall; Received: April 7, 2025
12. Wes Archer; Received: April 7, 2025
13. Drone footage (video file) from Connie Lou Aebischer; Received April 1, 2025

**EXHIBIT A**

**Application Packet & Supporting Materials**

Planning & Zoning Commission

Case# OR2023-0005 &  
CR2023-0011

Hearing date: April 17, 2025



## ZONING AMENDMENT PUBLIC HEARING - MASTER APPLICATION

<b>PROPERTY OWNER</b>	OWNER NAME: Q2 LLC	
	MAILING ADDRESS: 3320 Marble Front Rd.	
	PHONE:	EMAIL:
<p>I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If the owner(s) is a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign.</p> <p>Signature: <u>Attached</u> Date: <u>—</u></p>		

<b>APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER</b>	APPLICANT NAME: Becky Yzagurrie / Samantha Hammond	
	COMPANY NAME: Ardurra	
	MAILING ADDRESS: 2471 S. Titanium Pl. Meridian, ID. 83709	
	PHONE: 208-323-2288	EMAIL: BYzaguirre@ardurra.com SHammond@ardurra.com

<b>SITE INFO</b>	STREET ADDRESS: 0 HWY 55	
	PARCEL NUMBER: R33590012G, R33590012A, R33590012I	
	PARCEL SIZE: ~33.49, ~7.04, ~29.03. TOTAL: 69.58 acres	
	<b>CHECK THE APPLICABLE APPLICATION TYPE:</b>	
	<input type="checkbox"/> REZONE	<input checked="" type="checkbox"/> CONDITIONAL REZONE WITH DEVELOPMENT AGREEMENT
	CURRENT ZONING: Ag	PROPOSED ZONING: RR
	FLOOD ZONE (YES/NO) Yes	ZONING DISTRICT: Ag

### FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER <u>CR 2023-0011</u>	DATE RECEIVED: <u>10/2/23</u>
RECEIVED BY: <u>Ivan K.</u>	APPLICATION FEE: <u>\$1400</u> <input checked="" type="checkbox"/> MO <input type="checkbox"/> CC CASH



**ZONING AMENDMENT**  
**PUBLIC HEARING - MASTER APPLICATION**

<b>PROPERTY OWNER</b>	<b>OWNER NAME</b> Q2 LLC
	<b>MAILING ADDRESS</b> 3320 Marble Front Rd
<b>PHONE</b>	<b>EMAIL</b>

I consent to this application and allow OSD 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.

Signature Mc Date 4/31/23

<b>APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER</b>	<b>APPLICANT NAME</b> Becky Yzaguirre / Samantha Hammond
	<b>COMPANY NAME</b> Ardura
	<b>MAILING ADDRESS</b> 2471 S. Titanium Pl Meridian, ID 83709
	<b>PHONE</b> 208-323-2298 <b>EMAIL</b> BYzaguirre@ardura.com SHammond@ardura.com

<b>SITE INFO</b>	<b>STREET ADDRESS</b> 0 HWY 55
	<b>PARCEL NUMBER</b> R33590012G, R33590012A, R33590012I
	<b>PARCEL SIZE</b> ~33.49, ~7.04, ~29.03 TOTAL: 69.56 acres
	<b>CHECK THE APPLICABLE APPLICATION TYPE:</b>
	<input type="checkbox"/> REZONE <input checked="" type="checkbox"/> CONDITIONAL REZONE WITH DEVELOPMENT AGREEMENT
<b>CURRENT ZONING</b> Ag	<b>PROPOSED ZONING</b> RR
<b>FLOOD ZONE (YES/NO)</b> Yes	<b>ZONING DISTRICT</b> Ag

FOR DSD STAFF COMPLETION ONLY:

<b>CASE NUMBER</b>	<b>DATE RECEIVED</b>
<b>RECEIVED BY</b>	<b>APPLICATION FEE:</b> <b>CK MO CC CASH</b>



# ZONING AMENDMENT

## PUBLIC HEARING - CHECKLIST

### Zoning Amendment/Conditional Rezone CCZO Section 07-06-05/07-06-07

Check the applicable application type:

☐ Rezone

☒ Conditional Rezone with Development Agreement

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)	✓	
Land Use Worksheet	✓	
Neighborhood Meeting form was completed and signed	✓	
Completed Agency Acknowledgement form including:	✓	
Southwest District Health	✓	
Irrigation District	✓	
Fire District	✓	
Highway District/Idaho Transportation Dept	✓	
Area of City Impact (If applicable)	N/A	
Conditional Rezone:	✓	
Proposed conditions of approval and/or <u>Concept Plan</u> (can be a draft survey/draft preliminary plat/drawing)	✓	
Deed or evidence of property interest to the subject property	✓	
Fee: \$ 950 <b>Rezone</b> \$1,400 <b>Conditional Rezone</b> \$2,800 <b>Text Amendment</b>	✓	
**Fees are non-refundable**		

\*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.

### REZONE OPTION: N/A

When considering a zoning map amendment (rezone) of a property, a conditional rezone is recommended when considering conceptual site plan and/or addressing potential impacts through mitigation strategies and measures such as restricting uses, limiting the area to be rezoned to retain agricultural uses, and agricultural preservation methods such as buffers and disclosures. Without a conditional rezone, no conditions can be considered as part of the rezone application.

The applicant/owner and DSD Planner must sign (below) if the conditional rezone option was discussed and the applicant/owner declined the option.

Applicant/Owner: \_\_\_\_\_ Date \_\_\_\_\_

DSD Planner: \_\_\_\_\_ Date \_\_\_\_\_

# 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? 25

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

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

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

5. **ACCESS:**
- ☒ Frontage ☐ Easement Easement width \_\_\_\_\_ Inst. # \_\_\_\_\_

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

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

8. **STORMWATER:** ☐ Retained on site ☐ Swales ☒ Ponds ☐ Borrow Ditches
- ☐ Other: \_\_\_\_\_

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



## RESIDENTIAL USES

### 1. NUMBER OF LOTS REQUESTED:

☒ Residential 25 ☐ Commercial \_\_\_\_\_ ☐ Industrial \_\_\_\_\_  
☒ Common 4 ☒ Non-Buildable 4

### 2. FIRE SUPPRESSION:

☒ Water supply source: Pond

### 3. INCLUDED IN YOUR PROPOSED PLAN?

☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☒ None

## NON-RESIDENTIAL USES N/A

1. SPECIFIC USE: \_\_\_\_\_

### 2. DAYS AND HOURS OF OPERATION:

☐ Monday \_\_\_\_\_ to \_\_\_\_\_  
☐ Tuesday \_\_\_\_\_ to \_\_\_\_\_  
☐ Wednesday \_\_\_\_\_ to \_\_\_\_\_  
☐ Thursday \_\_\_\_\_ to \_\_\_\_\_  
☐ Friday \_\_\_\_\_ to \_\_\_\_\_  
☐ Saturday \_\_\_\_\_ to \_\_\_\_\_  
☐ Sunday \_\_\_\_\_ to \_\_\_\_\_

3. WILL YOU HAVE EMPLOYEES? ☐ Yes If so, how many? \_\_\_\_\_ ☐ No

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

Height: \_\_\_\_\_ ft Width: \_\_\_\_\_ ft. Height above ground: \_\_\_\_\_ ft

What type of sign: \_\_\_\_\_ Wall \_\_\_\_\_ Freestanding \_\_\_\_\_ Other \_\_\_\_\_

### 5. PARKING AND LOADING:

How many parking spaces? \_\_\_\_\_

Is there is a loading or unloading area? \_\_\_\_\_



Wednesday, August 30, 2023

Canyon County Development Services  
111 N 11<sup>th</sup> Ave.  
Caldwell, ID 83605

**SUBJECT: Comprehensive Plan Map Amendment | Conditional Rezone**

Dear Staff and Commissioners:

Ardurra and Q2 LLC respectfully submit the enclosed Comprehensive Plan Map Amendment and Conditional Rezone applications for River Butte Estates, located on parcels R335590012I0, R335590012A0, and R33590012G0. The subject parcel has frontage onto HWY 55.

The request includes a Comprehensive Plan Map amendment from Agri-Tourism Exclusive Farmland to Rural Residential and a Conditional Rezone from the zoning designation of Agricultural to Rural-Residential with the attached 25 buildable lot concept plan. The parcel's current state consists of bare land, a man-made boat track, and portions of unusable farmland that obtain a few older vehicles.

**Comprehensive Plan Map Amendment:**

We are requesting a Comprehensive Map Amendment of parcels R335590012I0, R335590012A0, and R33590012G0 from Agri-Tourism Exclusive Farmland to Rural Residential. This request is a necessity to proceed with the attached Conditional Rezone application. These properties fall on the western boundary of Canyon County directly across the river from the City of Marsing/Owyhee County. The proposal is consistent with the intent of the 2030 comprehensive plan as noted under zone designations, RR is supported within the Agricultural zone<sup>1</sup>. We support the County in the requirement to apply for the Comprehensive Plan Map Amendment to Rural Residential so the future land use can accurately depict the proposed land use.

**Conditional Rezone:**

Upon the requested approval of the Comprehensive Plan Map amendment, we are requesting a Conditional Rezone from Agricultural to Rural-Residential. The proposed zone is considered supported by the comprehensive plan but not consistent with for this reason we respectfully ask for the

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<sup>1</sup> Canyon County 2023 Comprehensive Plan, Page 25.



consideration of the approval of the Comprehensive Plan Amendment and Conditional Rezone. Included within the application is a concept plan to depict the 25 buildable lot plan.

### **Canyon County 2030 Comprehensive Plan Alignment:**

Within the 2023 Canyon County Comprehensive Plan the following Goals and Policies align with the enclosed proposed development:

#### Population<sup>2</sup>:

- G2.01.00 "Incorporate population growth trends & projections when making land-use decisions."

*The proposed development incorporates the growth of population seen within the City of Marsing as well as the necessity to have more available housing for families and farm workers who want to maintain the rural lifestyle.*

#### Land Use<sup>3</sup>:

- P4.01.01 "Maintain a balance between residential growth and agriculture that protects the rural character."

*Within the Canyon County 2030 Comprehensive plan under Zone Designations, the Agricultural zone is described to support the Rural-Residential zoning designation. With this proposed development we believe that this unfavorable location for farming and a short distance to the City of Marsing provides the perfect balance of residential growth within the bounds of protecting the rural character of the area.*

- G4.02.00 "Ensure that growth maintains and enhances the unique character throughout the County."

*Many individuals come to Canyon County in search of the rural lifestyle that is also within proximity to the essential services and businesses provided within City Limits. This development not only will support these smaller rural communities by bringing in more business and community members but also balancing/maintaining the unique characteristics of the County which attracts so many.*

- G4.03.00 "Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning."

*This development allows an orderly flow of development while protecting and mitigating all incompatible uses, protecting public health and safety, and creating a vibrant economy.*

<sup>2</sup> Canyon County 2030 Comprehensive Plan: Population, Page 13.

<sup>3</sup> Canyon County 2030 Comprehensive Plan: Land Use, Page 16.



- P4.03.03 "Recognize that each land use application is unique and that agricultural and nonagricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility."

*The proposed development is a great example of how agricultural and non-agricultural uses can co-exist in the same area. With this development being rural-residential it allows for a compatible transition of residential housing that supports a rural lifestyle to agricultural farmland.*

#### Housing<sup>4</sup>:

- G11.01.00 "Encourage opportunities for a diversity of housing choices in the County."

*This development encourages a diversity of housing for the proposed area but also allows for a great location to transition from the City of Marsing, to rural residential to agricultural.*

- G11.02.00 "Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural land and natural resources."

*The proposed development is a great example of how agricultural and non-agricultural uses can co-exist in the same area. With this development being rural-residential it allows for a compatible transition of residential housing that supports a rural lifestyle to agricultural farmland.*

- G11.04.00 "Strive for an adequate supply of housing to meet the needs of farm workers and the agricultural industry."

*Currently, the available housing within and around this area is not readily available, this development would allow more supply for the demand that is needed. Not only will it provide more housing for the farm workers, but larger lot sizes will encourage the residents to obtain a hobby farm.*

#### Agricultural<sup>5</sup>:

- G12.04.00 "Minimize conflicts between agricultural uses and operations and adjacent nonagricultural uses."

*The proposed development incorporates the growth of population seen within the City of Marsing as well as the necessity to have more available housing for families and farm workers who want to maintain the rural lifestyle.*

- P12.04.01 "Encourage new development adjacent to agricultural areas to be designed to minimize conflicts with adjacent agricultural uses."

*The new development that is adjacent to an agricultural area has been designed to not only minimize conflicts but also enhance the current use. The proposed development consists of additional frontage improvements, recreation improvements/additions, added vegetation through*

<sup>4</sup> Canyon County 2030 Comprehensive Plan: Housing, Page 80.  
<sup>5</sup> Canyon County 2030 Comprehensive Plan: Agriculture, Page 84.



*landscaping, and many other improvements that will not only minimize the impacts but greatly improve the area.*

- P12.04.02 "Protect agricultural operations from conflicts by providing buffers between proposed non-agricultural uses and adjacent farming operations."

*The proposed development incorporates the growth of population seen within the City of Marsing as well as the necessity to have more available housing for families and farm workers who want to maintain the rural lifestyle.*

### **Landscaping/Recreation:**

The proposed concept plan has considered the surrounding area in its design. Currently, the walking path across the bridge is heavily utilized for pedestrians, however it currently dead ends on the Eastern side leaving unsafe and visually unappealing terrain. This development will enhance that frontage off HWY 55 and throughout the development by the addition of landscaping, trail paths, and a recreation pond.

As seen in the proposed concept plan and landscaping plan as lot "1c" this 9.20-acre lot will be a recreational pond for the residents and members of the community to enjoy. This recreational pond is planned to include a parking lot for visitors, a fishing pier, day-use area, trails around the perimeter/existing trail along the river, and landscaping throughout the recreational area. Due to the unsafety that follows swimming within the Snake River, this pond would give residents another recreational activity to partake in within a short distance from the community.

### **Access/Traffic:**

The proposed development's planned access is off HWY 55, onto Lizard Butte Way. The development is proposed to have two public roads, Lizard Butte Way and Chaha Court. There is an existing 100' ITD ROW that will continue to be upheld. All roads within the development will be built according to the applicable Canyon County Zoning Ordinance/Standards. We are willing to comply/communicate with ITD regarding any concerns and conditions that may need to be applied.

Many individuals currently access the property on foot through the sidewalk across the bridge to access the walking path along the river. In its current state the sidewalk dead ends on the eastern side of the bridge and the overgrown, unmaintained land does not leave safe conditions for individuals to utilize. This development has proposed to enhance this on-foot access by increasing the visual appeal and safety of the frontage as well as by adding walking paths that will connect to the existing path located along the river.



**Public Services and Facilities:**

Schools: Children that reside within the development will attend Marsing Public Schools; the current student-to-teacher ratio of the school district is 17:1. This development is not projected to have a negative impact on the school district's capacity.

Water: The proposed development will utilize individual wells as City services are not available.

Septic: The proposed development will utilize individual septic as City services are not available.

Emergency Services: There is no proposed impact on emergency services and the capabilities to receive services at this site.

**Applications:**

As discussed with Canyon County Development Services staff, the required applications include a Comprehensive Plan Map Amendment and Conditional Rezone.

*Comprehensive Plan Map Amendment:*

The proposed plan requires a Comprehensive Plan Map Amendment per the Canyon County Code. Attached to this application are all required documents and information as requested by the application.

*Conditional Rezone:*

The proposed plan requires a Conditional Rezone per the Canyon County Code. Attached to this application are all required documents and information as requested by the application.

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In conclusion, we believe that this location is an ideal location for rural residential housing that will not only offer more opportunity to live within city limits but also provide a place for the community to go and utilize the proposed/added improvements while balancing the surrounding agricultural land.

We appreciate the opportunity to present this application to Canyon County Development Services. If you have any questions, please do not hesitate to contact our office at (208) 323-2288 or email: [BYzaguirre@to-engineers.com](mailto:BYzaguirre@to-engineers.com)

Sincerely,

Land Use Planner

Matthew C. Parks  
(208) 388-0106  
[MParks@ClarkWardle.com](mailto:MParks@ClarkWardle.com)

*Via Email (Michelle.Barron@canyoncounty.id.gov)*

April 7, 2025

Planning and Zoning Commissioners  
Canyon County Development Services Department  
111 North 11<sup>th</sup> Ave., #310  
Caldwell, ID 83605

**Re: Application | Q2 LLC | Parcels R335590012I0, R335590012A0, and R33590012G0**

Dear Commissioners:

On behalf of the applicant for the property owned by Q2 LLC, (the “**Applicant**”) Clark Wardle LLP provides this letter supporting the application to the Planning and Zoning Commission (“**Commission**”) regarding the Comprehensive Plan Map Amendment Application and Conditional Rezone (“**Application**”) submitted to the Commission.

The property in question is located between 12639 Sunny Slope Rd, Caldwell, and the Snake River. The property includes Parcels #R33590012G, R33590012A, and R22590012I (total approximately 70 acres) and is in a portion of the NW1/4, Section 34, T3N, R4W, BM, Canyon County (the “**Property**”). Access to the Property is near the southwest corner of the property from State Highway 55 (SH55) onto Lizard Butte Ln, a private gravel road. SH55 is owned and maintained by the Idaho Transportation Department (ITD). The parcels are not located in a floodplain and are not located along the scenic by-way.

The Future Land Use plan within the 2030 Canyon County Comprehensive Plan designates the parcels as “agriculture” with an “Ag-tourism Exclusive Farm Use” overlay. “The agricultural designation is the base designation throughout the County. It contains areas of productive irrigated croplands, grazing lands, feedlots, dairies, seed production, and ground of lesser agricultural value” (2030 Comp. Plan, Page 25). “The Agri-tourism Exclusive Farm Use (AEFU) is a district where property owners sell and produce vertically integrated agriculture goods/services. Retail sales operations draw visitors/customers wanting to buy goods and services offered on said property” (2030 Comp. Plan, Page 27). Canyon County has not yet adopted any zoning ordinances addressing the specific permitted uses in the AEFU zone.

Per Page 26 of the 2030 Comp. Plan, the agriculture designation allows for rural residential (R-R): “The R-R district provides rural transitional areas to create a boundary between agricultural and urban areas. These areas are generally conducive to small-scale farming operations and compatible with non-agricultural uses.” The request aligns with the following 2030 Comprehensive Plan goals and policies:



1. Property Rights G1.01.00: "Protect the integrity of individual property rights while safeguarding public health, safety, and welfare."
2. Population G2.01.00: "Incorporate population growth trends and projections when making land-use decisions."
3. Population G2.02.00: "Promote housing, business, and service types needed to meet the demand of the future and existing population."
4. Land Use and Community Design P4.01.01: "Maintain a balance between residential growth and agriculture that protects the rural character."
5. Land Use and Community Design P4.01.02: "Planning, zoning, and land use decisions should balance the community's interests and protect private property rights."
6. Land Use and Community Design P4.02.01: "Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses."
7. Land Use and Community Design P4.03.01: "Designate areas that may be appropriate for industrial, commercial, and residential land uses while protecting and conserving farmland and natural resources."
8. Land Use and Community Design P4.03.02: "Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns."
9. Land Use and Community Design P4.03.03: "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."
10. Land Use and Community Design P4.05.01: "Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators."

### **Comprehensive Plan Amendment**

The Applicant is requesting an amendment to address the potential that the Commission considers the Application incompatible with the future land use map's designation of the Property as within the Ag-tourism Exclusive Farm Use overlay area. The Applicant's Property is within the Agriculture zone within the County's future land use map – which allows for rezoning to the Rural Residential district. Since the County has not yet had an opportunity to establish a zoning classification applicable to the AEFU, out an abundance of caution, Applicant is requesting an amendment to the Comprehensive Plan's Future Land Use Map to remove the Property from the overlay. If the County determines that the Property can be rezoned from Agriculture to Rural Residential (within the AEFU) *without an amendment to the Future Land Use Map*, the Applicant will withdraw the application for the unnecessary Comprehensive Plan amendment.



If the County determines the Comprehensive Plan needs to be modified to remove the AEFU designation, the Applicant provides the following in support of this Application.

Canyon County Code provides the criteria for a Comprehensive Plan Amendment:

07-06-03: COMPREHENSIVE PLAN AMENDMENT CRITERIA:

(1) The commission shall review the particular facts and circumstances of each proposed comprehensive plan amendment and make a recommendation regarding the same to the board. The commission and the board shall determine whether the proposed amendment meets the requirements of the local land use planning act, Idaho Code title 67, chapter 65, and is consistent with the comprehensive plan's purposes, goals and policies:

A. Is the requested type of growth generally in conformance with the comprehensive plan;

B. When considering the surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation;

C. Is the proposed comprehensive plan amendment compatible with surrounding land uses;

D. Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted; and

E. Will the proposed comprehensive plan amendment impact public services and facilities. What measures will be implemented to mitigate impacts? (Ord. 11-003, 3-16-2011)

***Is the requested type of growth generally in conformance with the comprehensive plan;***

The transition from Agriculture to Rural Residential is conformance with the Comprehensive Plan, specifically ten (10) goals identified above. Applicant also incorporates the other materials submitted in support of the Application from Ardurra (including the August 30, 2023, letter addressed to Canyon County Development Services).

***When considering the surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation;***

At this time, due to the newness of the Comprehensive Plan and the County's planning efforts and measured and careful considerations, the County has not adopted specific uses and restrictions

applicable to the AEFU, the proposed land use (without the AEFU designation) is more applicable to the current designation.

***Is the proposed comprehensive plan amendment compatible with surrounding land uses;***

The surrounding land uses are rural residential, agriculture, and commercial (businesses complementing the residential and farming uses, such as wineries with tasting rooms, farm stands, restaurants with emphasis on the use of locally grown produce). To the extent necessary, the Comprehensive Plan amendment is consistent with surrounding land uses.

***Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted;***

At this time the development trends in the general area are to retain the rural and farming uses. The only arguable circumstances that have changed is the lack of the adoption of any standards applicable to the AEFU designation. But, the proposed development of the Property will be rural residences that complements the surrounding land uses.

***Will the proposed comprehensive plan amendment impact public services and facilities. What measures will be implemented to mitigate impacts?***

There will be no unmitigated impacts to the public services and facilities. The proposed development will be on well and septic. The Applicant will install the subdivision improvements (roads and walking paths, fire suppression pond, etc.) without cost to the County. The additional tax revenue from property taxes will address the provision of fire, police, and emergency services. At this time, no comments have been received in response to the Application related to the provision of fire, police, and emergency services.

In conclusion, the Comprehensive Plan supports requested use of the Property. To the extent the Comprehensive Plan needs to be amended to remove the AEFU designation, that is supported by the factors set forth above as set forth in Canyon Code § 07-06-03(1)

***Rezone Criteria***

Canyon County Code provides the criteria for a Conditional Rezone:

**07-06-07: (6) Conditional Rezone Approval:**

Standards Of Evaluation: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:

1. Is the proposed conditional rezone generally consistent with the comprehensive plan;

2. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;

3. Is the proposed conditional rezone compatible with surrounding land uses;

4. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?

5. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;

6. Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?

7. Does legal access to the subject property for the conditional rezone exist or will it exist at time of development; and

8. Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?

As detailed below, the rezone request is supported by each factor established by Canyon Code § 07-06-07(6).

***Is the proposed conditional rezone generally consistent with the comprehensive plan;***

Yes. See above.

***When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;***

Yes. See above.

In consideration of the surrounding land uses, the proposed conditional zone to "R-R" (Rural Residential) is more appropriate than the current zoning designation of "A" (Agricultural).

***Is the proposed conditional rezone compatible with surrounding land uses;***

Yes. See above. Pursuant to CCZO § 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere or conflict with, or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses.

The majority of the area is zoned "A" (Agricultural), however, the Property is located near some existing subdivisions and a similar land use designation. There are existing rural residences and farm residences within the vicinity. The Property is adjacent to an indoor/outdoor horse boarding and event center.

The surrounding properties are already being used for farming and rural residential purposes. There will be no negative impacts if the Property is rezoned to Rural Residential. The Property is not suitable for farming (other than possible hay crops) due to the low-lying property being below the frost line. The Property is not suitable for orchards, wine grapes, or high yield crops for this reason. The Custom Soil Resource Report for the Property indicates that the soils are a mix of Class 3 and 4 soils. Class 3 soils have severe limitations that reduce the choice of plants or that require special conservation practices, or both. Class 4 soils have very severe limitations that reduce the choice of plants or that require very careful management, or both. With these severe and very severe limitations – in conjunction with the low lying ground, the Property is not going to be productive farm ground without significant conservation practices, chemical application, and fertilizers (which could be problematic due to the proximity to the Snake River.

The Property includes a defunct dirt track and was a staging ground for the defunct river boat races. This dirt track has been abandoned for many years and has been unused for any purpose. Use of the Property to address housing needs and to put the Property into beneficial use would be a substantial benefit to the community.

***Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?***

The proposed conditional rezone will not negatively affect the character of the area. The proposed change to rural residential will complement the existing rural nature of the surrounding the properties and with the proposed large lots, the area will retain the rural setting in the community.

***Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;***

The Property will be serviced with well water (with individual wells) and septic, pressurized irrigation and fire suppression from the development ponds (which may also provide recreational opportunities for subdivision residents). Adequate services will be provided without unmitigated impact to the County.

Southwest District Health (SWDH) states the property is located outside the designated nitrate priority area. SWDH has not objected to the request.

Individual wells will meet Idaho Dept. of Water Resources (IDWR) and SWDH requirements which will be demonstrated at the time of platting.

All stormwater drainage is proposed to be maintained on-site. A drainage plan will be provided at the time of platting.

The Applicant will work with Idaho Power to bring services to each proposed lot in the development. Utility locations and easements will be provided at the time of platting.

An irrigation plan will be provided at the time of platting.

***Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?***

The rezone will not require public street improvements to be paid by the County or the public. The proposed residential development will require coordination with the Golden Gate Highway District No. 3 and ITD to address approaches to the Property and modification of the existing approach to accommodate the proposed future use.

***Does legal access to the subject property for the zoning map amendment exist or will it exist at the time of development;***

Access to the Property is near the southwest corner of the property from State Highway 55 (SH55) onto Lizard Butte Ln, a private gravel road. SH55 is owned and maintained by the Idaho Transportation Department (ITD). ITD nor the Golden Gate Highway District No. 3 have objected to the rezone or the proposed development of the Property. Future access will meet private road lot requirements per CCZO §07-17-31(1)A.

***Will the proposed zoning map amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts***

See above.

In conclusion, Canyon Code § 07-06-07(6) factors have been met and the Applicant requests approval of the rezone, conditioned on a satisfactory development agreement per Canyon Code § 07-06-07(7).

Sincerely,

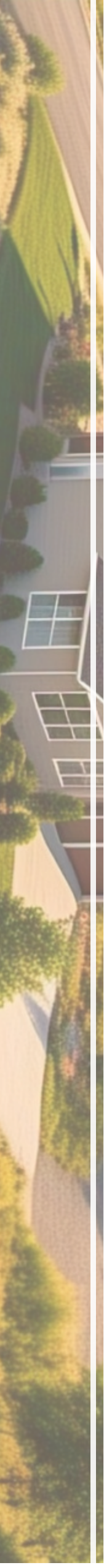
A handwritten signature in blue ink that reads "Matthew Parks".

Matthew C. Parks



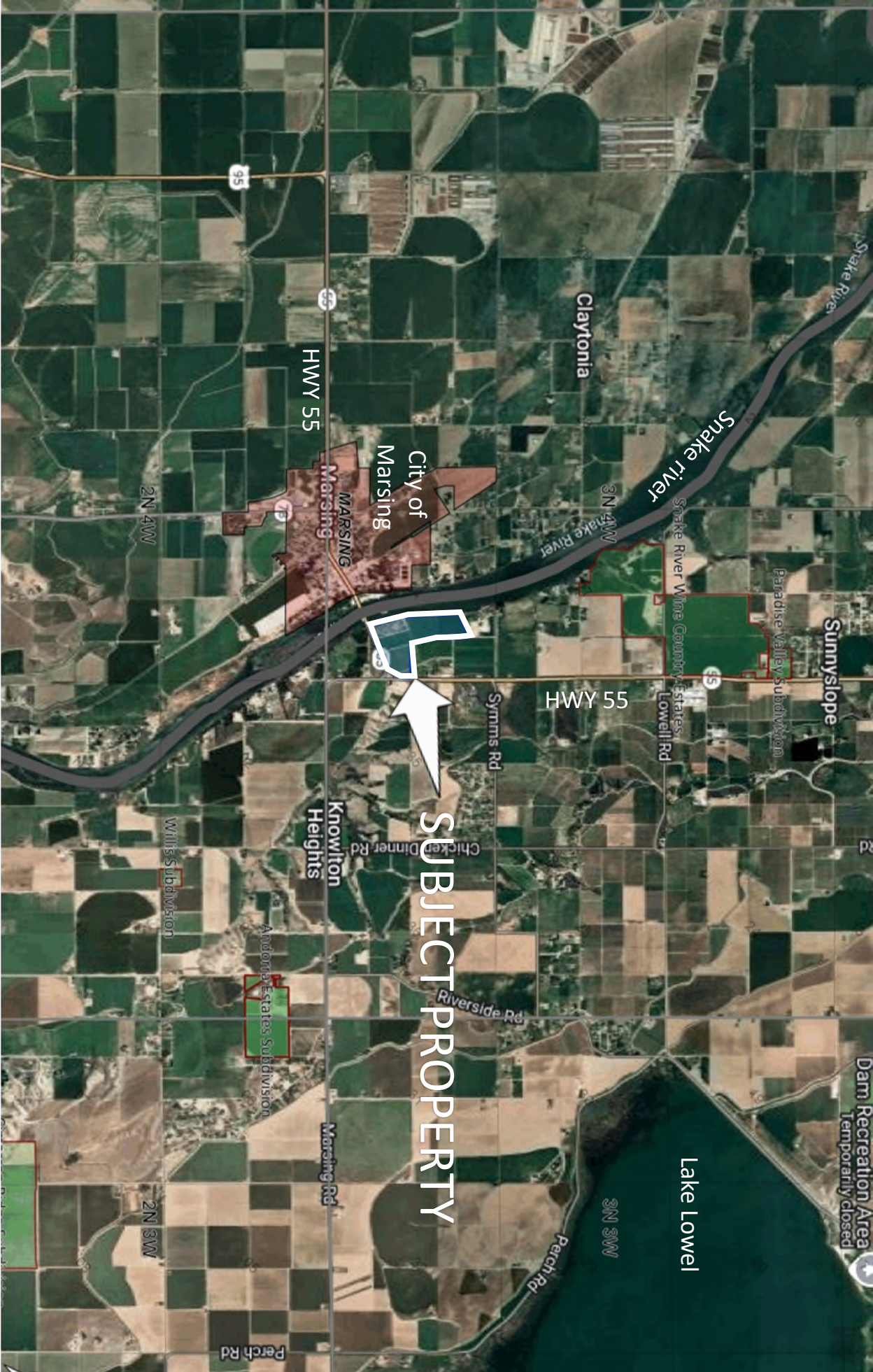


# River Butte Estates Subdivision



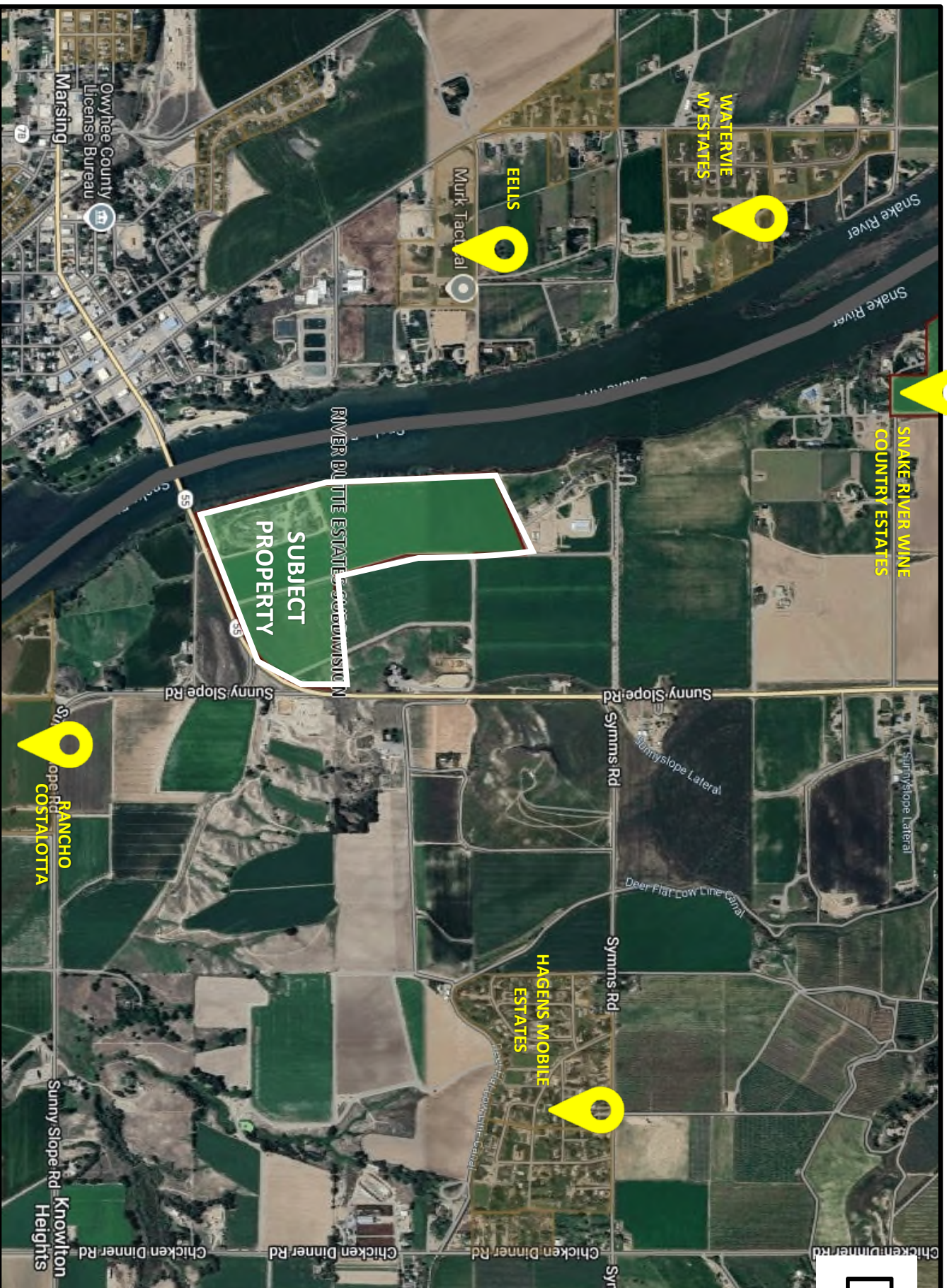


# Location





# Development



# Project Details

- **Project Area:** 69.6 AC
- **Proposed Zone:** Conditional Rezone Rural Residential
- **Number of buildable Lots:** 29
- **Common Lots:** 4
- **Open Space:** 15.6% or 10.8 AC
- **Residential Area:** 53.40 AC
- **Average Lot Size:** 2.14 AC
- **Minimum Lot Size:** 2.00 AC
- **Residential Gross Density:** 0.36 Units Per AC.





# Roadways & Access:

- Existing access for neighboring lots is dirt road within an easement.
- Proposed road provides direct paved dedicated access
- Using existing access point off Highway 55 and adding turn lane.



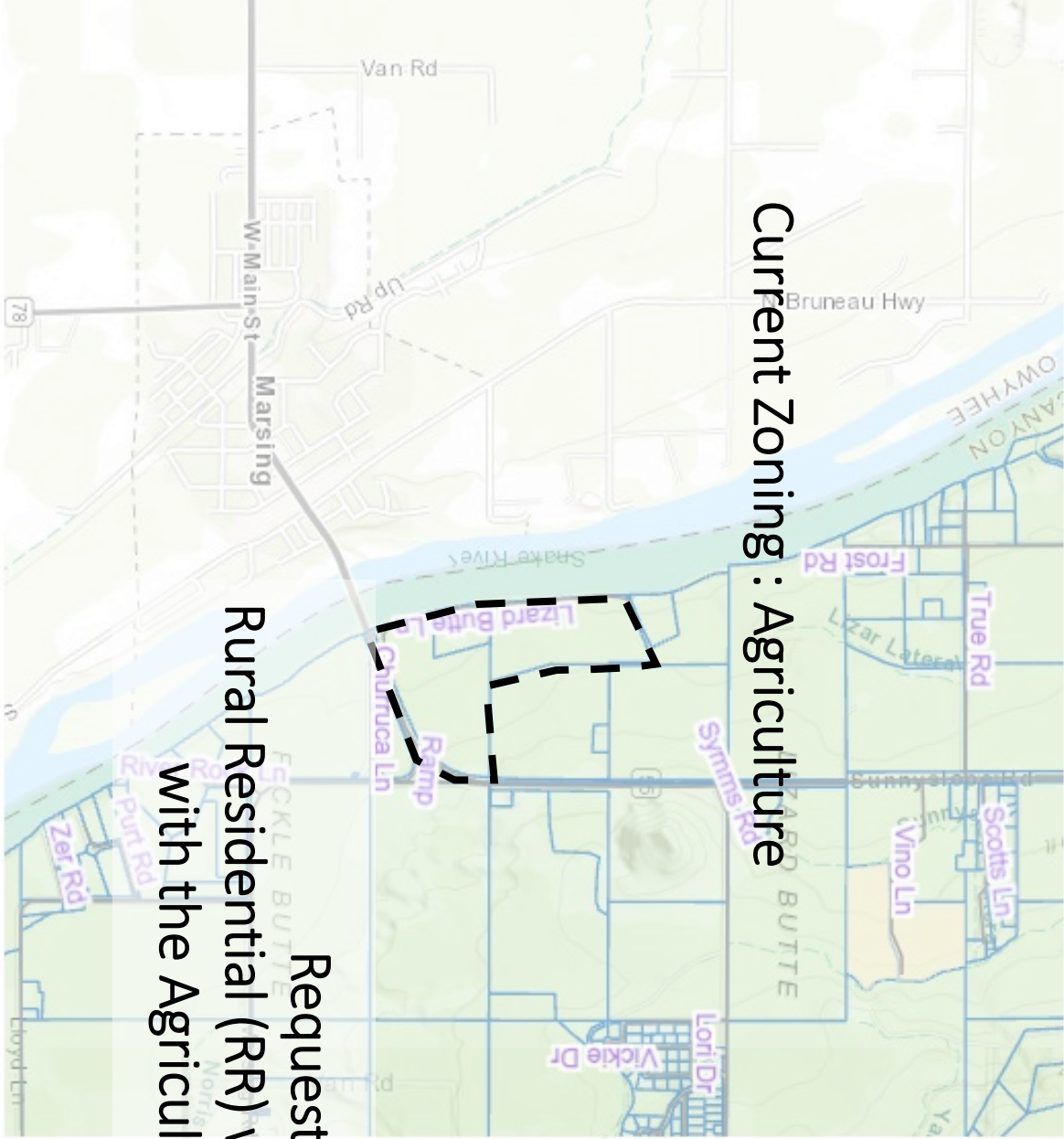
# Comprehensive Plan

- **Encourage and guide growth** in areas where a rural lifestyle may be **determined to be suitable**.
- **Consider** population growth trends when making land use decisions.
- **Encourage** future populations to locate in areas **that are conducive to residential living and that do not pose an incompatible land use to other land uses**.
- **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.
- **Planning**, zoning, and land-use decisions should balance the community's interests and **protect private property rights**.
- **Enact** land use ordinances, policies, and fees, and make decisions, including land use restrictions and conditions of approval that **do not violate private property rights**.



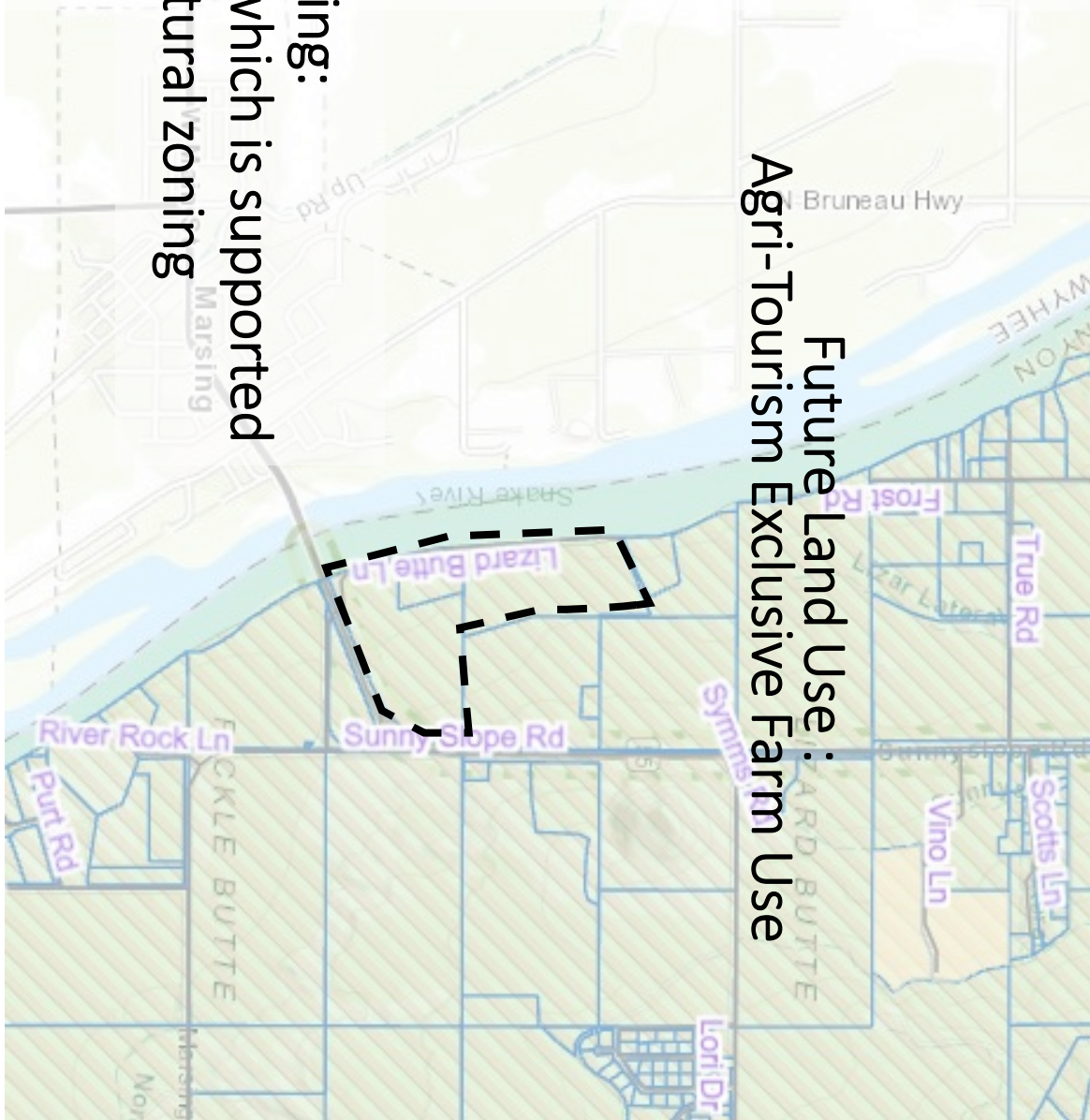
# Comprehensive Plan

Current Zoning : Agriculture



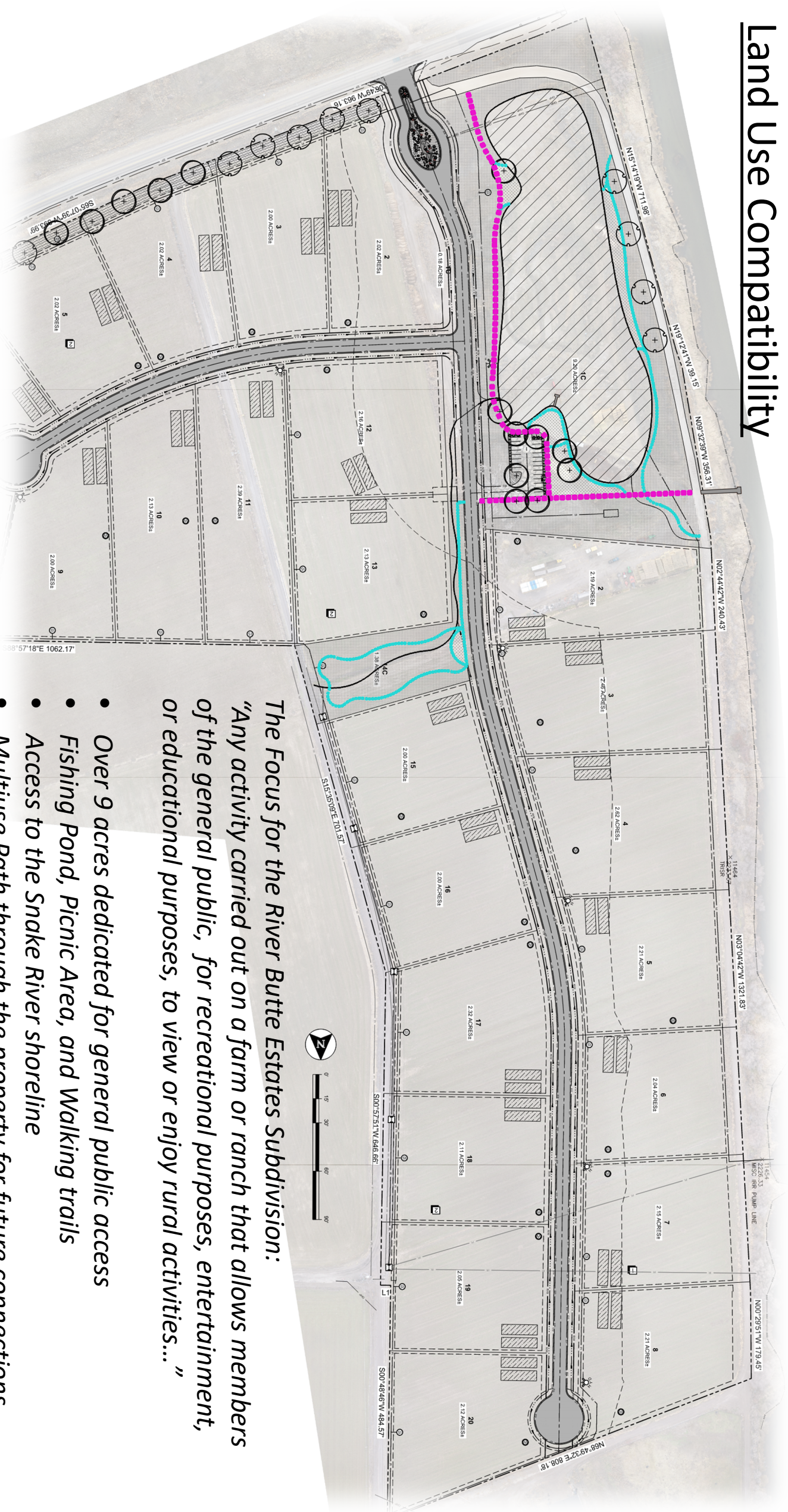
Requesting:  
Rural Residential (RR) which is supported  
with the Agricultural zoning

Future Land Use :  
Agri-Tourism Exclusive Farm Use





# Land Use Compatibility



*The Focus for the River Butte Estates Subdivision:*

*“Any activity carried out on a farm or ranch that allows members of the general public, for recreational purposes, entertainment, or educational purposes, to view or enjoy rural activities...”*

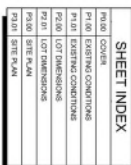
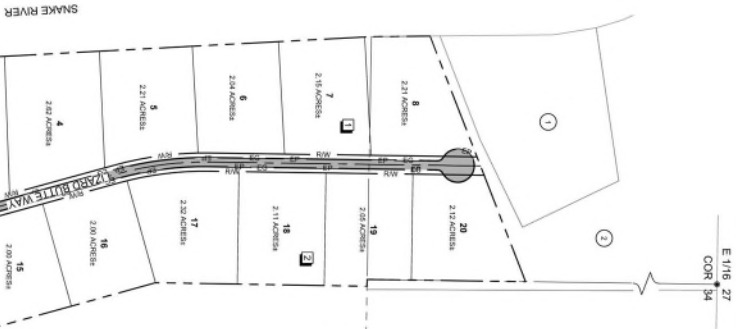
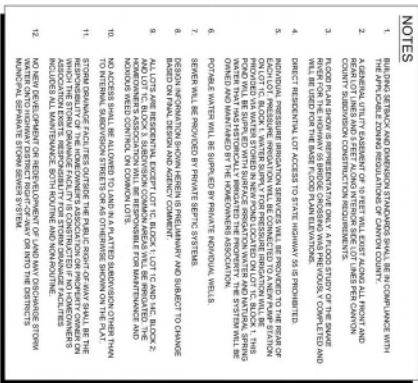
- Over 9 acres dedicated for general public access
- Fishing Pond, Picnic Area, and Walking trails
- Access to the Snake River shoreline
- Multiuse Path through the property for future connections



Thank You.  
I will stand for questions.



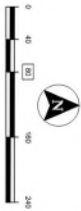
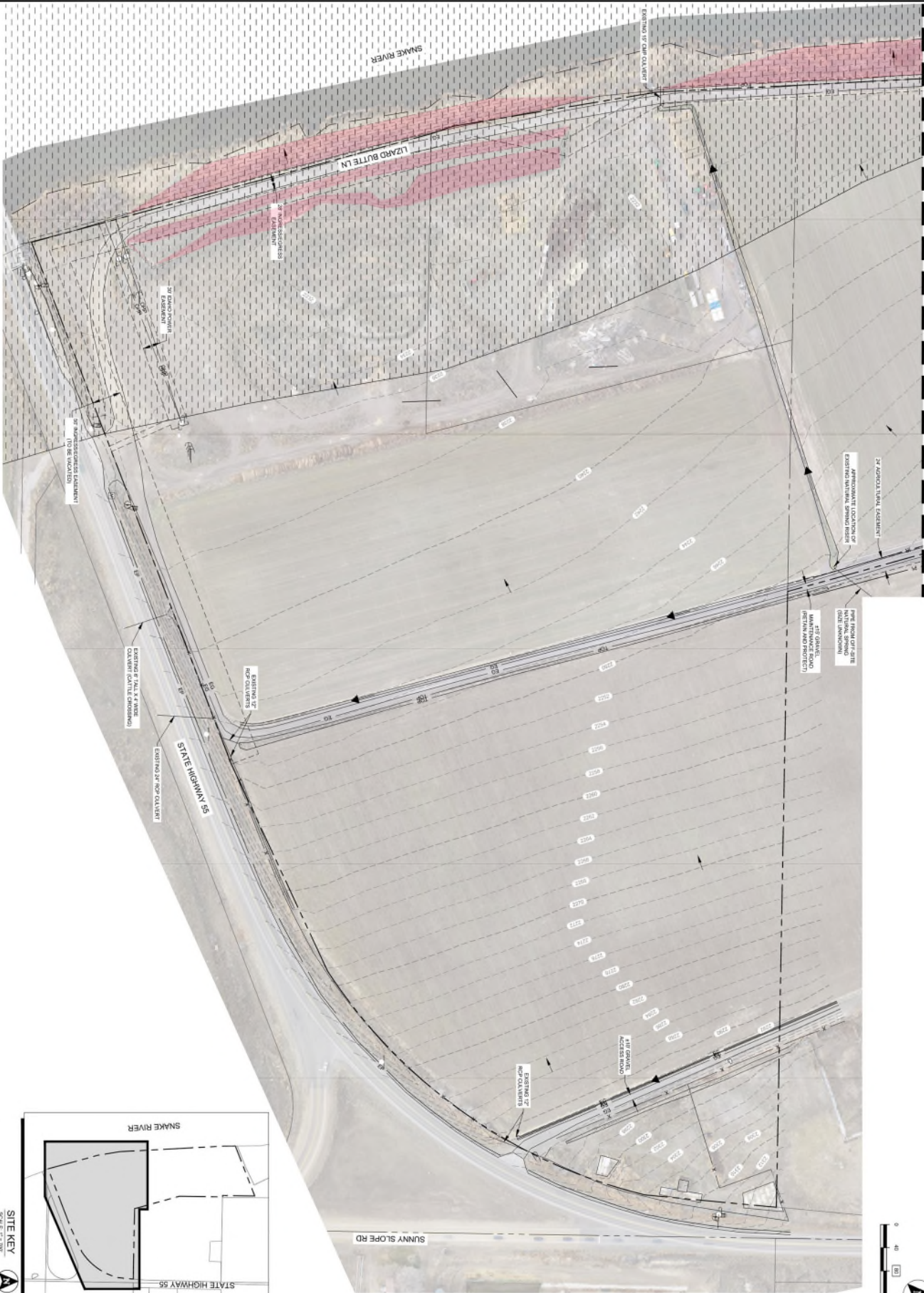








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PRELIMINARY PLAT FOR:  
RIVER BUTTE ESTATES  
EXISTING CONDITIONS

**ARDURRA**  
332 N. BROADMORE WAY  
NAMPA, IDAHO 83407  
208-442-6300 | WWW.ARDURRA.COM

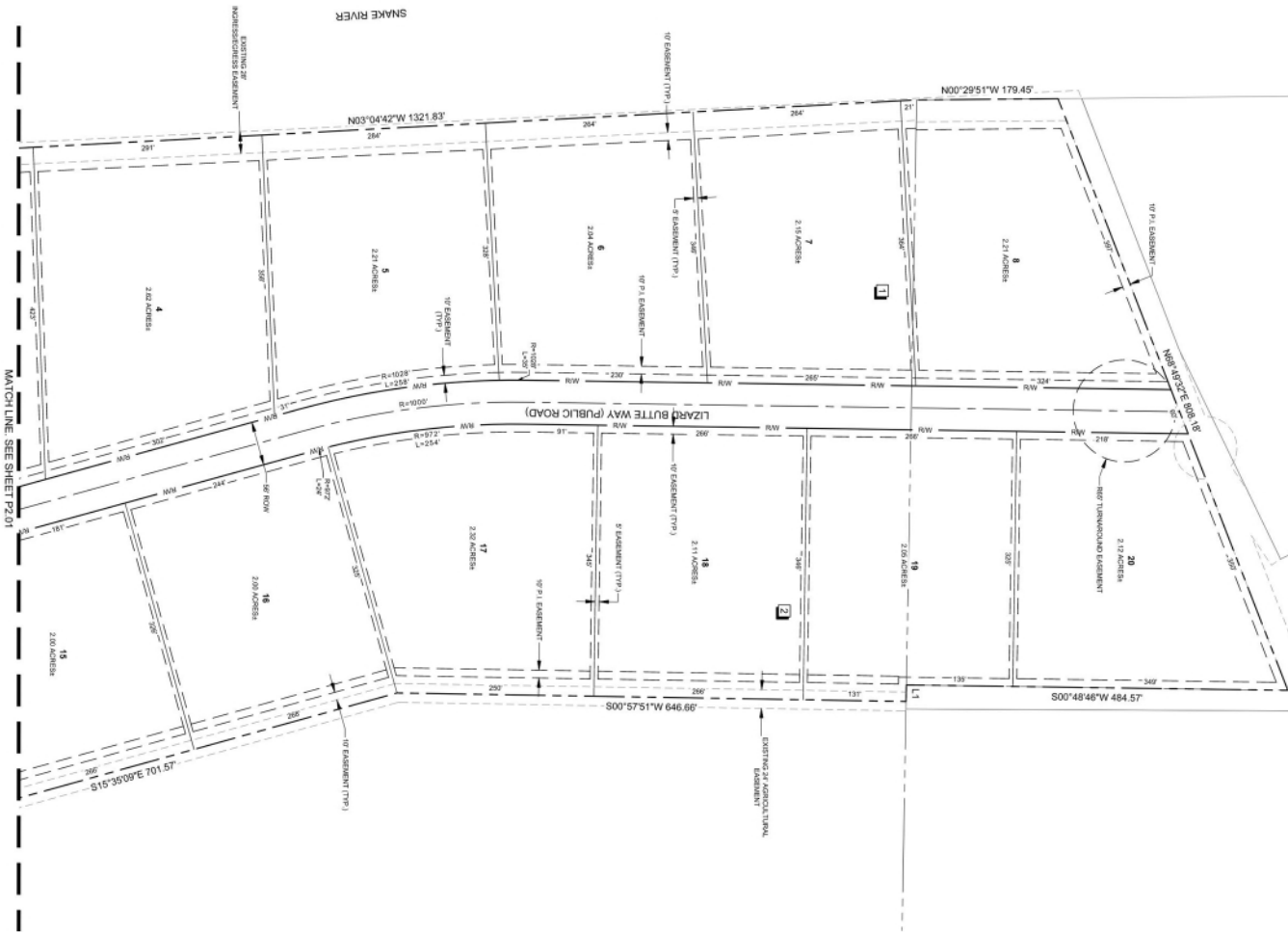
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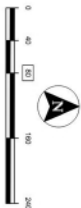
ATTENTION:  
THIS PLAT IS A PRELIMINARY PLAT FOR THE RIVER BUTTE ESTATES. IT IS NOT A FINAL PLAT AND SHOULD NOT BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF ARDURRA GROUP, INC.

DATE: 11/16/2023  
PROJECT: 202305  
SHEET: P1.01

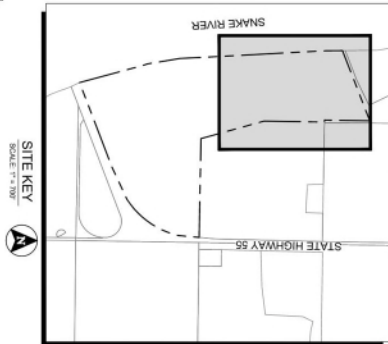
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MATCH LINE SEE SHEET P2.01



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S88°59'49"E	21.00'



SITE KEY  
SCALE: 1" = 100'

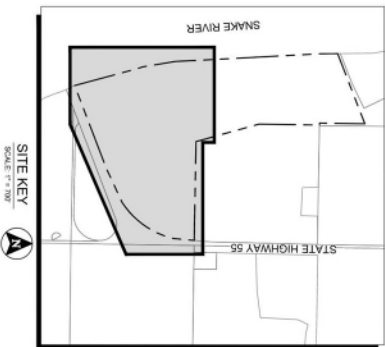
PRELIMINARY PLAT FOR:  
RIVER BUTTE ESTATES  
LOT DIMENSIONS



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ATTENTION:  
1. THIS PLAT IS A PRELIMINARY PLAT FOR THE RIVER BUTTE ESTATES LOT DIMENSIONS. IT IS NOT A FINAL PLAT AND SHOULD NOT BE USED FOR ANY PURPOSES WITHOUT THE WRITTEN PERMISSION OF ARDURRA GROUP, INC.  
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CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	905.04'	683.94'	4317.95"	S30°15'34" W	667.78'



**ARDURRA**  
332 N. BROADMORE WAY  
NAMPA, IDAHO 83687  
208-442-8300 | [WWW.ARDURRA.COM](http://WWW.ARDURRA.COM)

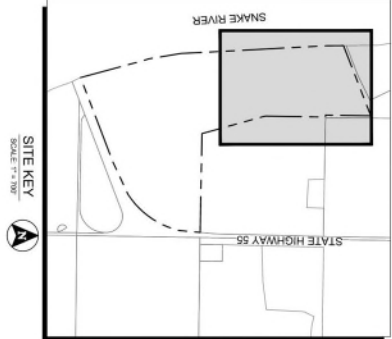
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**SITE KEY**  
SCALE: 1" = 700'

P2.01





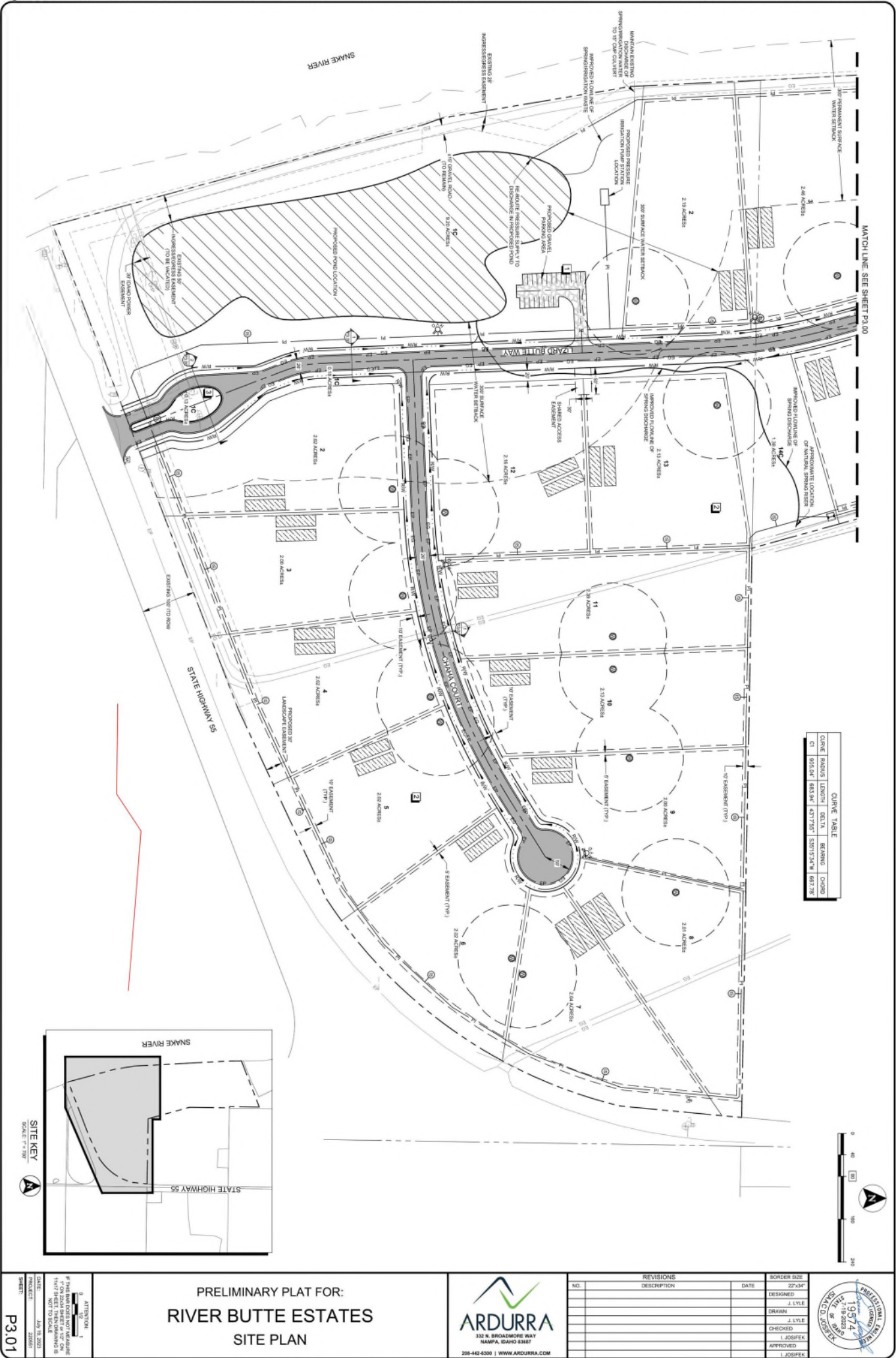
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			APPROVED
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PRELIMINARY PLAT FOR:  
RIVER BUTTE ESTATES  
SITE PLAN



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## COVER

206-474-6300 | WWW.ABONRA.COM



NO	REVISIONS	DESCRIPTION	DATE
	REWORK SIZE		
	REWORK/D		
	DIAMETER		
	1 1/16"		
	INCHES		
	1 1/8"		
	APPROXIMATE		
	1 1/2"		

SHEET INDEX	
P0 00	COVER
P1 00	E-1 TESTING CONDITIONS
P1 01	E-1 TESTING CONDITIONS
P2 00	L-1 TESTING CONDITIONS
P2 01	L-1 TESTING CONDITIONS
P3 00	S-1E PLAN
P3 01	S-1E PLAN

[illegible]

AREA AND LOT SUMMARY	
TOTAL PROPERTY AREA	108.36 AC
RESERVATION AREA	52.69 AC
HEIGHT OF HWY 10 IN RESERVATION	15.29 AC
COMMON AREA	10.89 AC
TOTAL, 0.75	29
BLUE JAVELIN LOT 15	29
COMMON LOT 15	4
PROPERTY CHANGES FOR 1981*	
AREA PAID, RESERVATION LOT 15 AC	47.14 AC
MINIMUM RESERVE, TOTAL LOT 15 AC	\$7,000
PER LOT 15 AREA, OPEN SPACE	1.5%

PORTION OF THE 1/2 OF SECTION 36,  
TOWNSHIP 3 NORTH, RANGE 4 WEST, BOISE MERIDIAN  
CANYON COUNTY, IDAHO



**OWNER & DEVELOPER**  
GZ LLC  
125 CLEVELAND FRONT RD  
NORWALK, OHIO 44067  
PH (704) 980 5027

**ENGINEER**  
USAC, POF, P  
3002 N. GORDON ST  
NORWALK, OH 44067  
PH (704) 442-6300

**SURVEYOR**  
BOB OSMALLY P.L.S.  
ARNDORF  
332 N. GORDON ST  
NORWALK, OH 44067  
PH (704) 442-6300

**LAND USE PLANNER**  
KEELY YZASHI INC  
332 N. GORDON ST  
NORWALK, OH 44067  
PH (704) 442-6300

- 1 THE APPLICANT'S FINANCIAL AND DISBURSMENT STATEMENTS SHALL BE IN CONFORM WITH
- 2 THE APPLICANT'S OWN RECORDS OF ALL CASH ON HAND.
- 3 A GENERAL FUND CASHMENT OF 10 PERCENT SHALL BE KEPT ALONG WITH ALL OTHER
- 4 CASH ON HAND. THE APPLICANT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE
- 5 COUNTY SUBSCRIPTION CONTRIBUTION REQUIREMENTS.
- 6 FLOOD PLAIN ZONING AND RESTRICTIONS SHALL BE A GOOD SOURCE OF THE ZONE
- 7 MAPS. THE APPLICANT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE
- 8 DIRECT RESIDENTIAL LOT ACCESS TO STATE HIGHWAYS.
- 9 ON-LOT ACCESS RESTRICTIONS SHALL BE PROVIDED TO THE APPLICANT
- 10 BY THE APPLICANT'S OWN RECORDS. THE APPLICANT SHALL BE RESPONSIBLE FOR THE
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- 27 ON-LOT ACCESS RESTRICTIONS SHALL BE PROVIDED TO THE APPLICANT
- 28 BY THE APPLICANT'S OWN RECORDS. THE APPLICANT SHALL BE RESPONSIBLE FOR THE
- 29 PROTECTION OF THE COUNTY SUBSCRIPTION CONTRIBUTION REQUIREMENTS.
- 30 FLOOD PLAIN ZONING AND RESTRICTIONS SHALL BE A GOOD SOURCE OF THE ZONE
- 31 MAPS. THE APPLICANT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE
- 32 DIRECT RESIDENTIAL LOT ACCESS TO STATE HIGHWAYS.

[illegible]

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**NEIGHBORHOOD MEETING SIGN-UP****CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**111 North 11<sup>th</sup> 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: 0 HWY 55

Parcel Number: R33590012G0, R33590012A0, R33590012I0

City: MARSING Caldwell

State: ID

ZIP Code: 83607

Notices Mailed Date:

Number of Acres: 69.58

Current Zoning: AGRICULTURE

Description of the Request: RE-ZONE AND PRELIMINARY PLAT

**APPLICANT / REPRESENTATIVE INFORMATION**

Contact Name: ZANE CRADIC

Company Name: ARDURRA

Current address: 332 N. BROADMORE WAY

City: NAMPA

State: ID

ZIP Code: 83687

Phone: (208) 442-6300

Cell: (602) 456-9263

Fax: (208) 466-0944

Email: zcradic@ardurra.com

**MEETING INFORMATION**

DATE OF MEETING: 7/11/2023

MEETING LOCATION: ONSITE @ INTERSECTION LIZARD BUTTE LN &amp; HWY 55

MEETING START TIME: 6:00 PM

MEETING END TIME:

ATTENDEES:

NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. ZANE CRADIC		332 N. Broadmore Nampa
2. NICK DERUYTER		13027 SUNNYSLOPE RD
3. SUZANNE DERUYTER		13027 SUNNYSLOPE RD.
4. MARC QUANZER		3320 Marble Front
5. JENIFER HILL		3320 Marble Front Rd.
6. Tera Payne		7705 Poison Creek Rd.
7. Alan Mowry		12671 Lizard Butte Ln
8. Tiffany Olsen		12661 Lizard Butte Ln.
9. Dixie Freedom		12741 Sunnyslope Rd.

10.	Jalyn Thompson	Jalyn Thompson	250 S 8th Ave. Marsden
11.	Ria Mack	Ria Kent	121039 Sunnyslope Rd
12.	Tony Hall	Tyler Hall	12905 Sunnyslope Rd
13.	Madeleine Hall	Madeleine Hall	12905 Sunnyslope Rd
14.	Anne Delgado	Anne Delgado	13451 Spratt Caldwell
15.	Jamie Bradford	Jamie Bradford	11924 Jericho Ln Wagon
16.	Jennifer Cunn	Jennifer Cunn	6170 Thompson Rd
17.	Maria McIntyre (71 Farms)	Maria McIntyre	10478 Riverside Rd
18.			
19.			
20.			

**NEIGHBORHOOD MEETING CERTIFICATION:**

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

**APPLICANT/REPRESENTATIVE (Please print):**

Becky Izaguirre

**APPLICANT/REPRESENTATIVE (Signature):**

Becky Izaguirre

**DATE:** 2 / 11 / 23

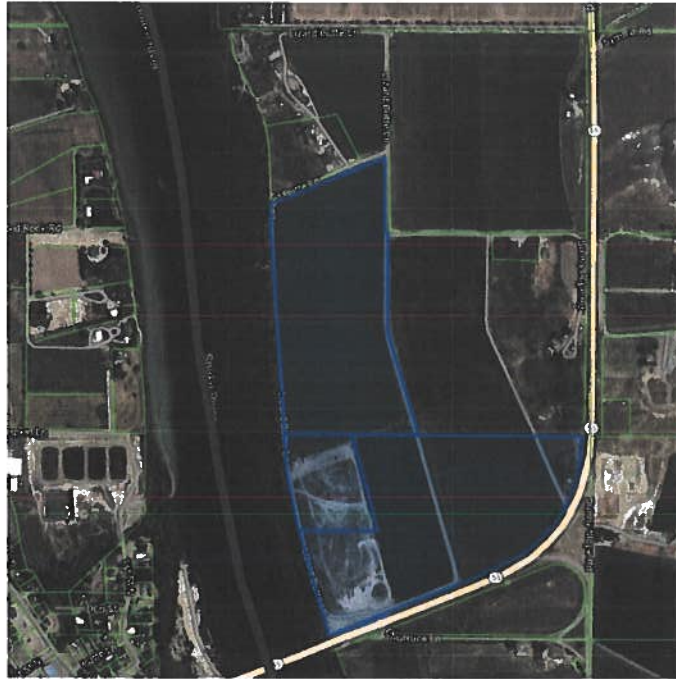


June 27, 2023

**Re: Notice of Neighborhood Meeting | River Butte Subdivision | July 11, 2023, at 6:00 PM**

Dear Neighbor:

You are invited to attend an informational neighborhood meeting regarding the property highlighted in blue below. We will submit applications to Canyon County Development Services for a Comprehensive Plan Map Amendment, Conditional Rezone, and Preliminary Plat for the River Butte Subdivision located north of Highway 55 and west of Sunny Slope Road. The above mentioned applications will allow for a 65.58-acre single-family residential development with a proposed zoning of R-1 Low-density residential to support the development of 25 buildable lots, three common lots with an average lot size of 2.15 acres.



This neighborhood meeting will be held on **July 11, 2023, Starting at 6:00 PM**, located on the project site. **Please see the attached the map for the exact meeting location.**

I look forward to your participation and support. If you have any questions, feel free to contact me at 208-323-2288 or [BYzaguirre@ardurra.com](mailto:BYzaguirre@ardurra.com).

Sincerely,

Becky Yzaguirre  
Ardurra, Inc.



An aerial photograph of a rural area. A yellow line representing a proposed right-of-way runs diagonally from the bottom left towards the top right. It is labeled with 'SR 55' at several points. To the left of this line is a large, irregularly shaped area outlined in blue, which appears to be a wetland or a large field. A red star is placed on the yellow line, with a red arrow pointing to it from a white box labeled 'Meeting Location'. To the right of the yellow line, there is a road labeled 'Sunny Slope Rd' and another road labeled 'Church Ln'. The 'Snake River' is visible on the far left. The overall terrain is dark, suggesting vegetation or water.

**EXHIBIT B**

**Supplemental Documents**

Planning & Zoning Commission

Case# OR2023-0005 &  
CR2023-0011

Hearing date: April 17, 2025



## R33590012A PARCEL INFORMATION REPORT

4/9/2025 4:01:32 PM

PARCEL NUMBER: **R33590012A**

OWNER NAME: **Q2 LLC**

CO-OWNER:

MAILING ADDRESS: **3320 MARBLE FRONT RD CALDWELL ID 83605**

SITE ADDRESS: **0 HWY 55**

TAX CODE: **1550000**

TWP: **3N** RNG: **4W** SEC: **34** QUARTER: **NE**

ACRES: **7.04**

HOME OWNERS EXEMPTION: **No**

AG-EXEMPT: **Yes**

DRAIN DISTRICT: **NOT In Drain Dist**

ZONING DESCRIPTION: **AG / AGRICULTURAL**

HIGHWAY DISTRICT: **GOLDEN-GATE HWY #3**

FIRE DISTRICT: **MARSING FIRE**

SCHOOL DISTRICT: **MARSING SCHOOL DIST #363**

IMPACT AREA: **NOT In Impact Area**

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

FLU Overlay Zone Desc 2030: **AGRI-TOURISM EXCLUSIVE FARM USE**

FLU RR Zone Desc 2030:

FUTURE LAND USE 2030: **AGRI-TOURISM EXCLUSIVE FARM USE \ AG**

IRRIGATION DISTRICT: **BOISE PROJECT BOARD OF CONTROL \ WILDER IRRIGATION DISTRICT**

FEMA FLOOD ZONE: **X \ A \ X \ A** FLOODWAY: **NOT In FLOODWAY FIRM PANEL: 16027C0350F**

WETLAND: **NOT In WETLAND**

NITRATE PRIORITY: **NO Nitrate Prio**

FUNCTIONAL Classification: **NOT In COLLECTOR**

INSTRUMENT NO. : **2022033750**

SCENIC BYWAY: **NOT In Scenic Byway**

LEGAL DESCRIPTION: **34-3N-4W NE TX 05340 IN GOVT LT 3 IN N 1/2 SE**

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.

## R33590012G PARCEL INFORMATION REPORT

4/9/2025 4:02:05 PM

PARCEL NUMBER: **R33590012G**

OWNER NAME: **Q2 LLC**

CO-OWNER:

MAILING ADDRESS: **3320 MARBLE FRONT RD CALDWELL ID 83605**

SITE ADDRESS: **0 HWY 55**

TAX CODE: **1550000**

TWP: **3N** RNG: **4W** SEC: **34** QUARTER: **NE**

ACRES: **33.49**

HOME OWNERS EXEMPTION: **No**

AG-EXEMPT: **Yes**

DRAIN DISTRICT: **NOT In Drain Dist**

ZONING DESCRIPTION: **AG / AGRICULTURAL**

HIGHWAY DISTRICT: **GOLDEN-GATE HWY #3**

FIRE DISTRICT: **MARSING FIRE**

SCHOOL DISTRICT: **MARSING SCHOOL DIST #363**

IMPACT AREA: **NOT In Impact Area**

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

FLU Overlay Zone Desc 2030: **AGRI-TOURISM BUSINESS USE \ AGRI-TOURISM EXCLUSIVE FARM USE**

FLU RR Zone Desc 2030:

FUTURE LAND USE 2030: **AGRI-TOURISM BUSINESS USE \ AGRI-TOURISM EXCLUSIVE FARM USE \ AG**

IRRIGATION DISTRICT: **BOISE PROJECT BOARD OF CONTROL \ WILDER IRRIGATION DISTRICT**

FEMA FLOOD ZONE: **X \ A \ X \ A** FLOODWAY: **NOT In FLOODWAY FIRM PANEL: 16027C0350F**

WETLAND: **NOT In WETLAND**

NITRATE PRIORITY: **NO Nitrate Prio**

FUNCTIONAL Classification: **Other Principal Arterials**

INSTRUMENT NO. : **2022033750**

SCENIC BYWAY: **NOT In Scenic Byway**

LEGAL DESCRIPTION: **34-3N-4W NE TX 11086 IN N 1/2 OF SE**

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.



## R33590012I PARCEL INFORMATION REPORT

4/9/2025 4:02:25 PM

PARCEL NUMBER: **R33590012I**

OWNER NAME: **Q2 LLC**

CO-OWNER:

MAILING ADDRESS: **3320 MARBLE FRONT RD CALDWELL ID 83605**

SITE ADDRESS: **0 HWY 55**

TAX CODE: **1550000**

TWP: **3N** RNG: **4W** SEC: **34** QUARTER: **NE**

ACRES: **29.03**

HOME OWNERS EXEMPTION: **No**

AG-EXEMPT: **Yes**

DRAIN DISTRICT: **NOT In Drain Dist**

ZONING DESCRIPTION: **AG / AGRICULTURAL**

HIGHWAY DISTRICT: **GOLDEN-GATE HWY #3**

FIRE DISTRICT: **MARSING FIRE**

SCHOOL DISTRICT: **MARSING SCHOOL DIST #363**

IMPACT AREA: **NOT In Impact Area**

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

FLU Overlay Zone Desc 2030: **AGRI-TOURISM EXCLUSIVE FARM USE**

FLU RR Zone Desc 2030:

FUTURE LAND USE 2030: **AGRI-TOURISM EXCLUSIVE FARM USE \ AG**

IRRIGATION DISTRICT: **BOISE PROJECT BOARD OF CONTROL \ WILDER IRRIGATION DISTRICT**

FEMA FLOOD ZONE: **X \ A \ X \ A** FLOODWAY: **NOT In FLOODWAY FIRM PANEL: 16027C0350F**

WETLAND: **NOT In WETLAND**

NITRATE PRIORITY: **NO Nitrate Prio**

FUNCTIONAL Classification: **NOT In COLLECTOR**

INSTRUMENT NO. : **2022033753**

SCENIC BYWAY: **NOT In Scenic Byway**

LEGAL DESCRIPTION: **34-3N-4W NE TX 19108 IN GOVT LTS 1 & 2 AND IN SENE**

PLATTED SUBDIVISION:

SMALL CITY ZONING:

SMALL CITY ZONING TYPE:



### DISCLAIMER:

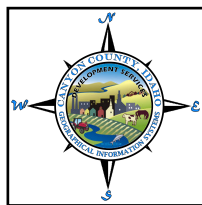
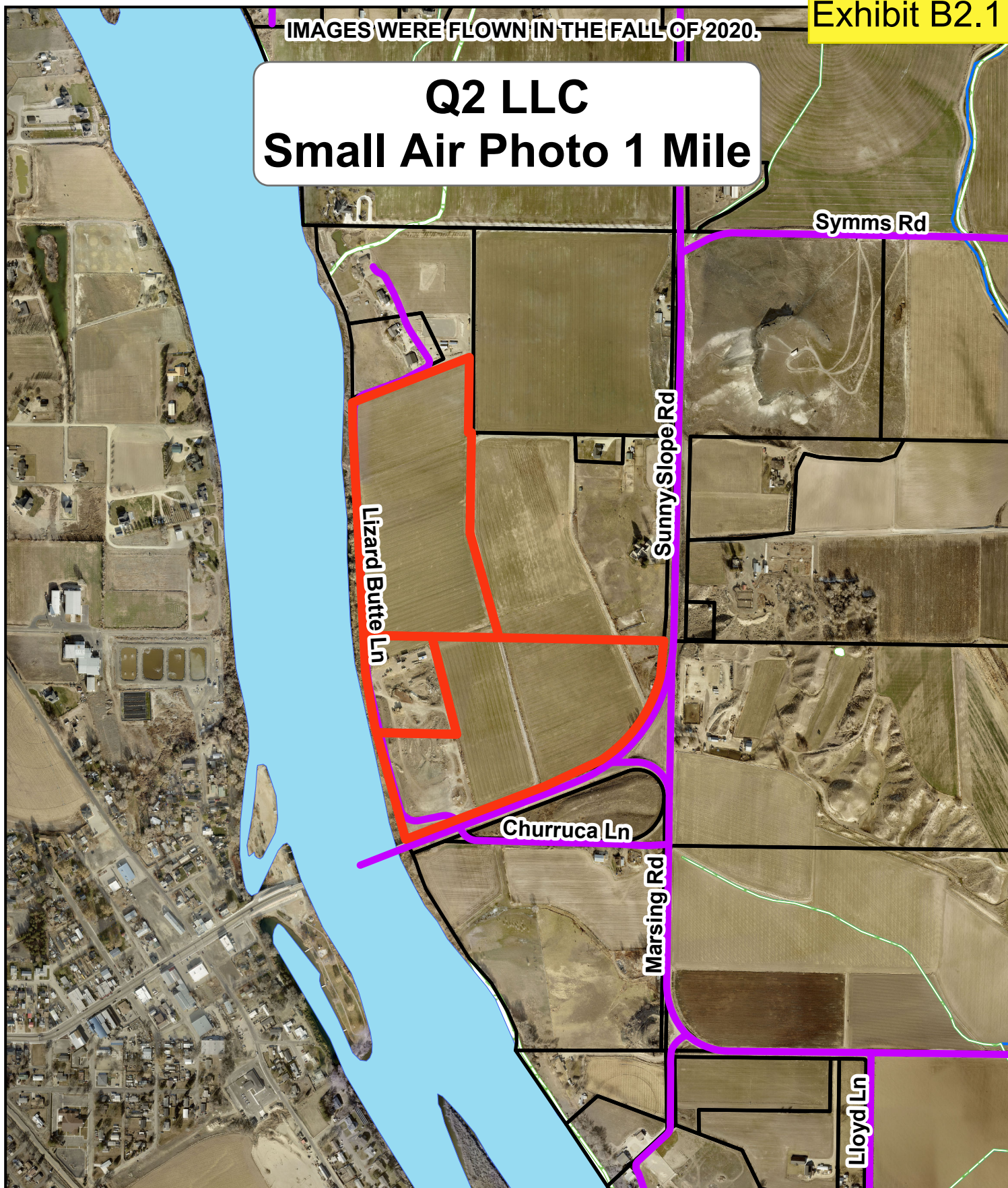
1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS. POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER.
2. THIS FORM DOES NOT CALCULATE DATA FOR PARCELS INSIDE CITY LIMITS SO WATCH YOURSELVES.
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4. COLLECTORS AND ARTERIALS ARE BASED ON THE SHERIFFS CENTERLINE WITH AN ADDITIONAL 100 FOOT BUFFER.

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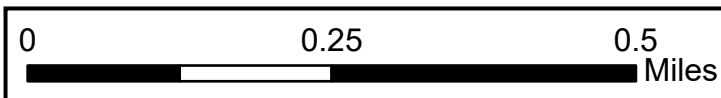


IMAGES WERE FLOWN IN THE FALL OF 2020.

# Q2 LLC Small Air Photo 1 Mile

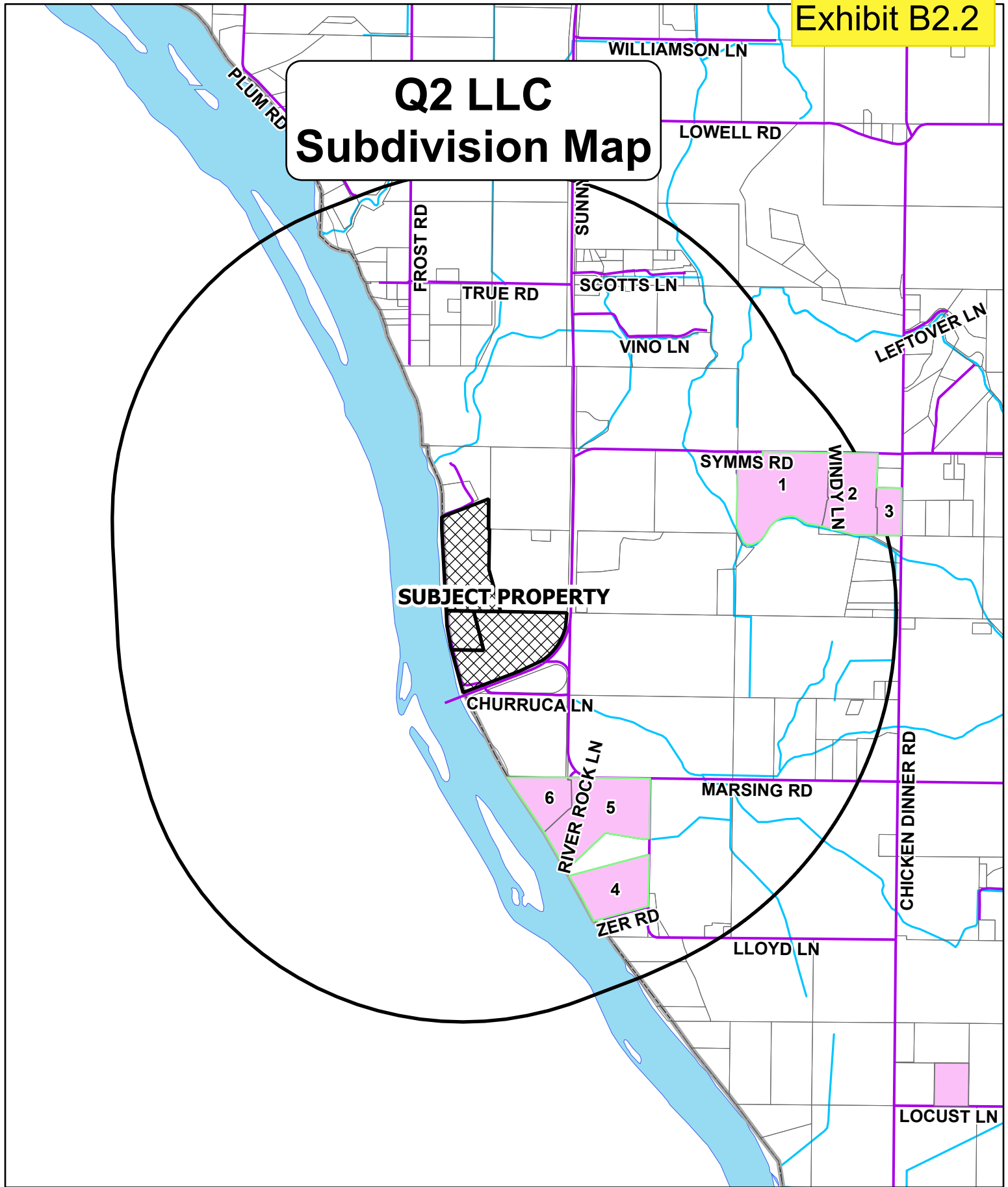


 City\_Limits  
 Wetlands



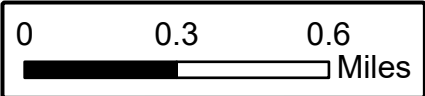


# Q2 LLC Subdivision Map



**SUBDIVISIONS**  
**Plat Type, Plat Status**

- Preliminary, Approved
- Preliminary, Pending



SUBDIVISION & LOT REPORT

NUMBER OF SUBS		ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE	
6		136.77	112	1.22	
NUMBER OF SUBS IN PLATTING		ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE	
0		0	0	0	
NUMBER OF LOTS NOTIFIED		AVERAGE	MEDIAN	MINIMUM	MAXIMUM
14		28.24	31.26	1.00	79.94
NUMBER OF MOBILE HOME PARKS		ACRES IN MHP	NUMBER OF SITES	AVG HOMES PER ACRE	MAXIMUM
0		0	0	0	0

PLATTED SUBDIVISIONS

SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF...	Year
HAGEN'S MOBILE ESTATES #1	1	3N4W35	38.37	64	0.60	COUNTY (Canyon)	1971
HAGEN'S MOBILE ESTATES #2	2	3N4W35	23.52	27	0.87	COUNTY (Canyon)	1972
HAGEN'S MOBILE ESTATES #3	3	3N4W35	6.94	7	0.99	COUNTY (Canyon)	1972
MARSING SNAKE RIVER ESTATES	4	2N4W02	20.36	7	2.91	COUNTY (Canyon)	2007
RANCHO COSTALOTTA	5	2N4W02	34.99	4	8.75	COUNTY (Canyon)	1985
RANCHO COSTALOTTA #2	6	2N4W03	12.59	3	4.20	COUNTY (Canyon)	2004

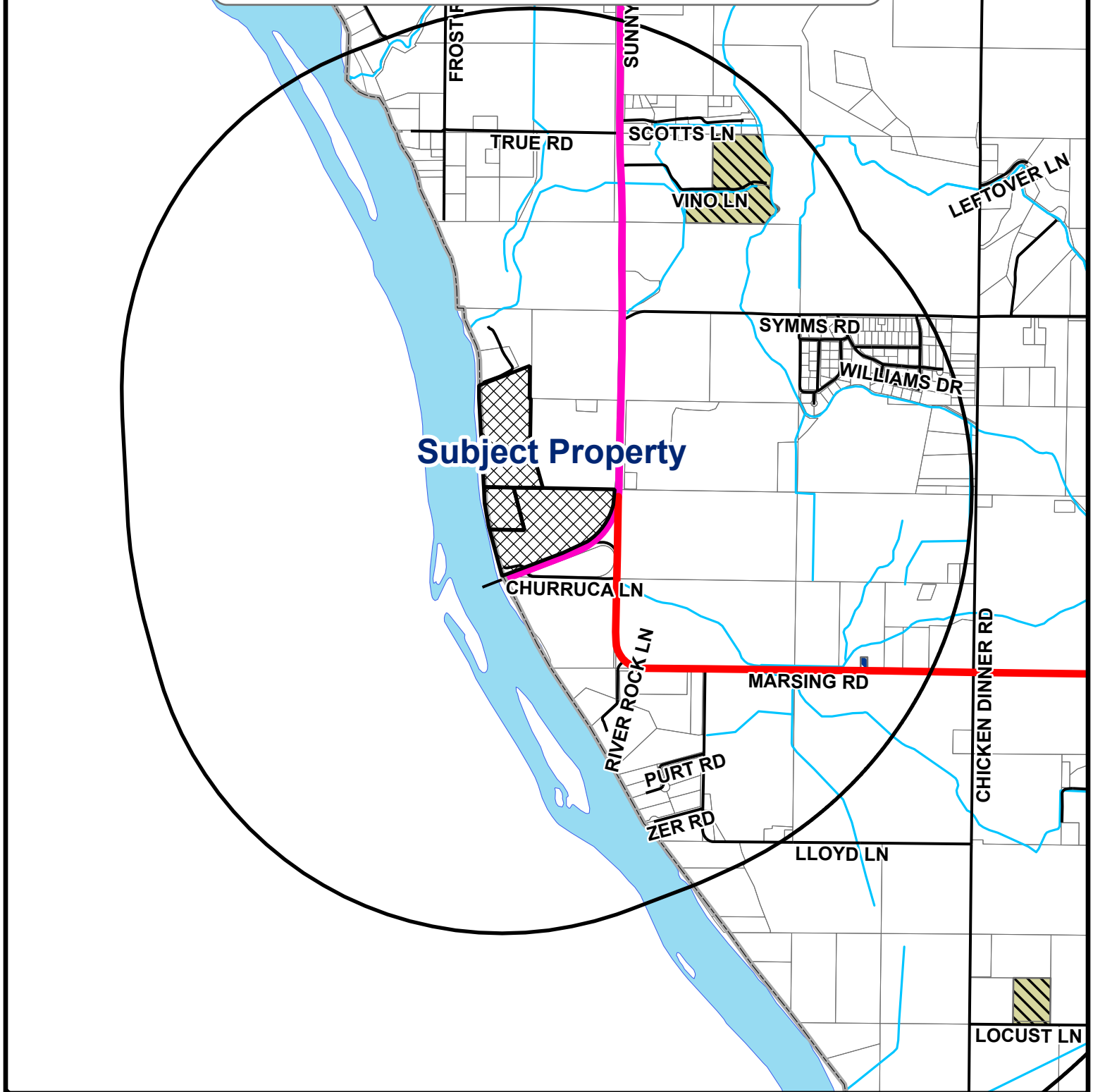
SUBDIVISIONS IN PLATTING

SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE

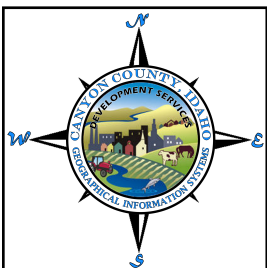
MOBILE HOME & RV PARKS

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

# Q2 LLC Zoning & Classification Map



Subject Property



## Current Zoning

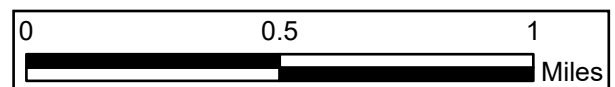
- RR
- CR-RR
- R1
- CR-R1
- R2
- C

- C1
- CR-C1
- C2
- CR-C2
- M1
- CR-M1
- M2

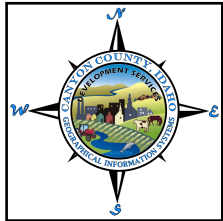
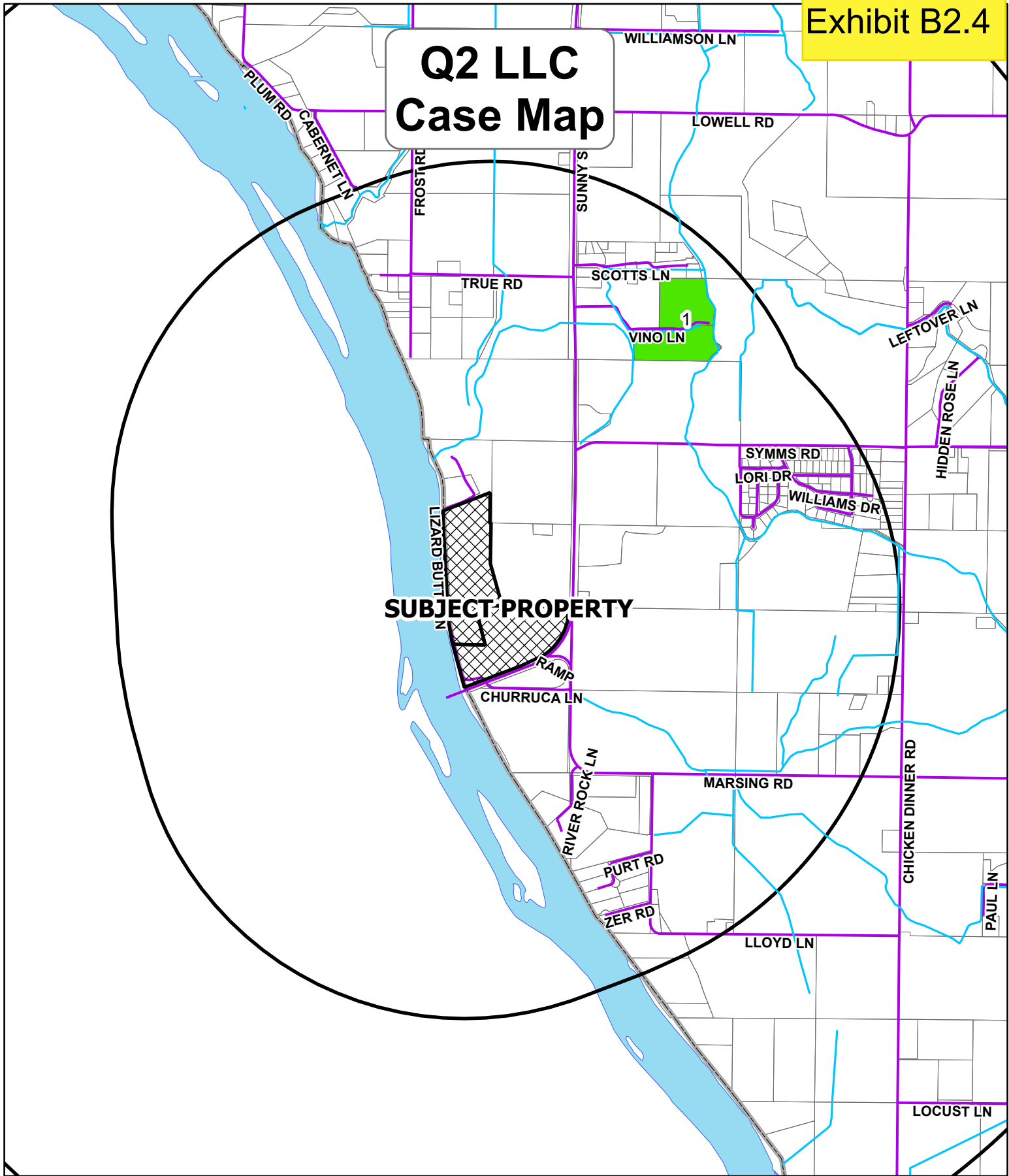
AG

## ITD Functional Classification

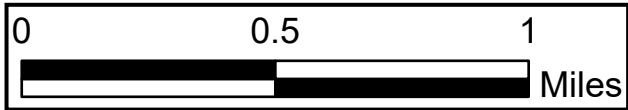
- Interstate
- Major Collector
- Minor Arterial
- Minor Collector
- Other Principal Arterials



# Q2 LLC Case Map



YEAR			
2024	2021		
2023	2020		
2022	2019		

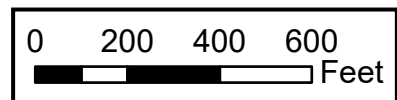
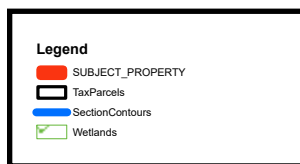
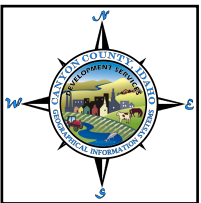
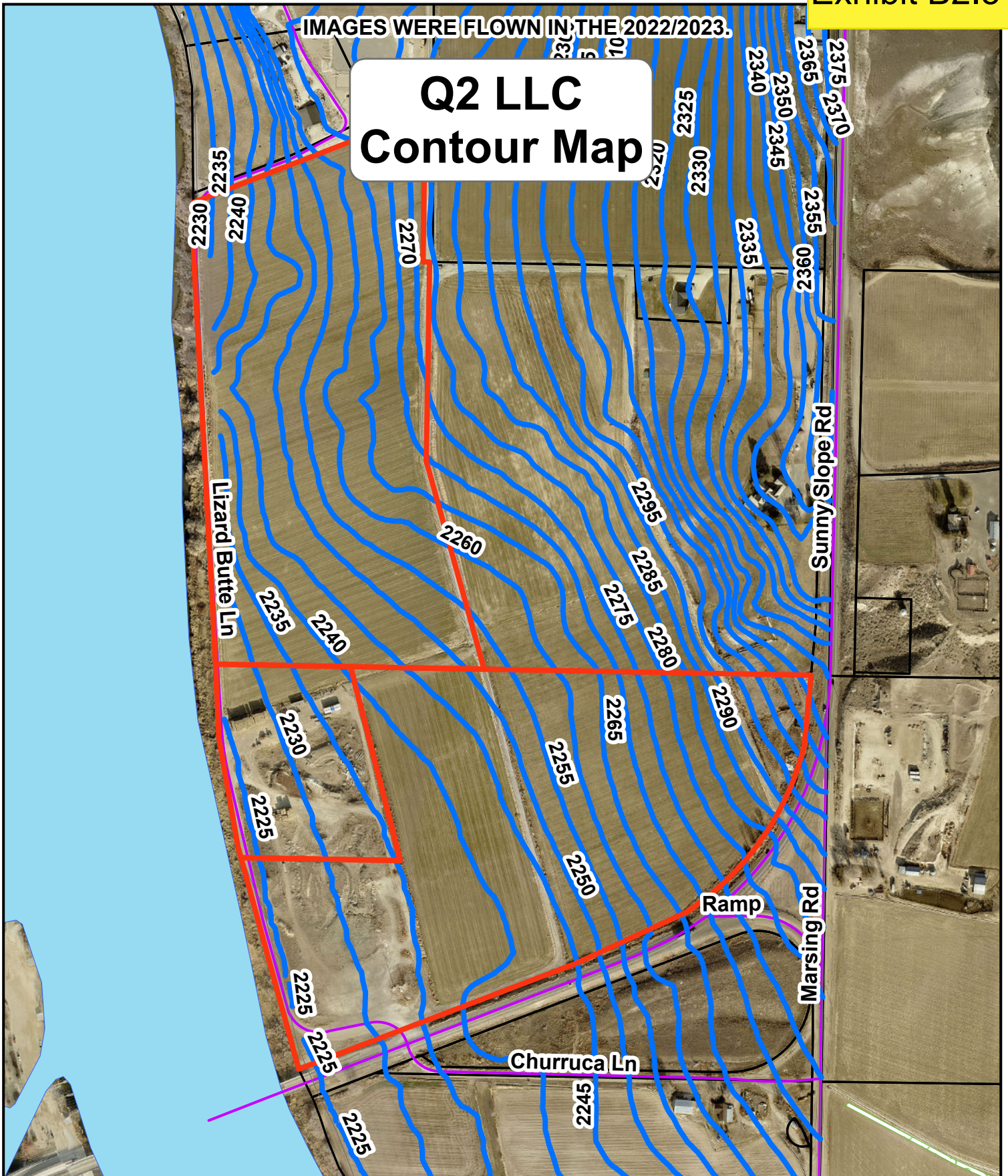


CASE SUMMARY				
ID	CASENUM	REQUEST	CASENAME	FINALDECIS
5127	CR2019-0019	Rezone AG to CR-RR,partial parcel rezone	Leavitt Trust	APPROVED



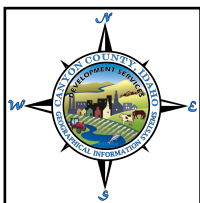
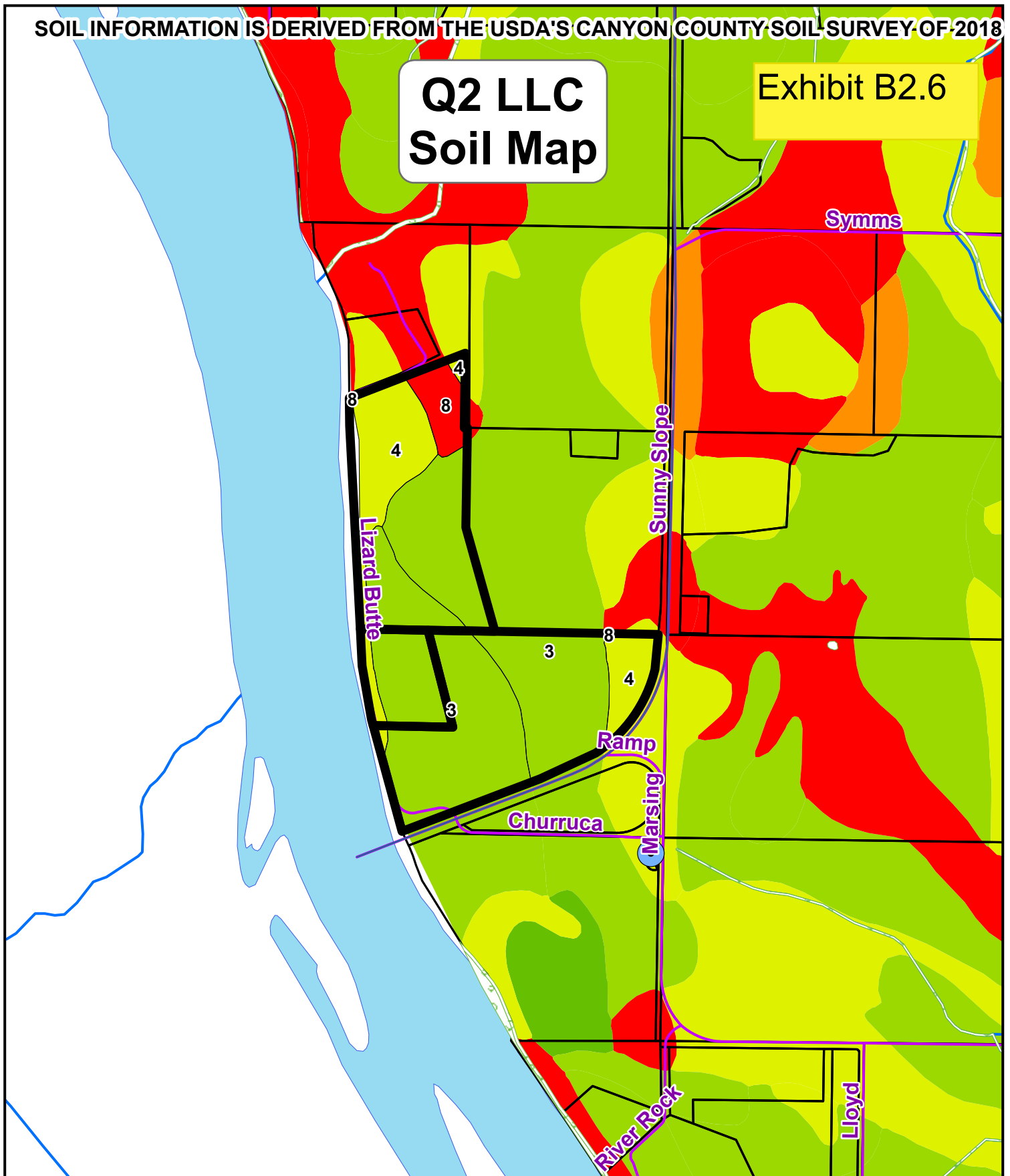
**IMAGES WERE FLOWN IN THE 2022/2023.**

# Q2 LLC Contour Map



# Q2 LLC Soil Map

Exhibit B2.6



## Nitrate Priority Wells

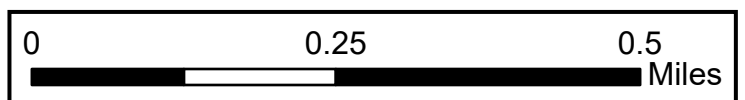
- 0.005000 - 2.000000
- 2.000001 - 5.000000
- 5.000001 - 10.000000
- 10.000001 - 49.800000



IDWR\_2C\_Geothermal\_



Wetlands

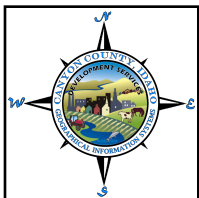
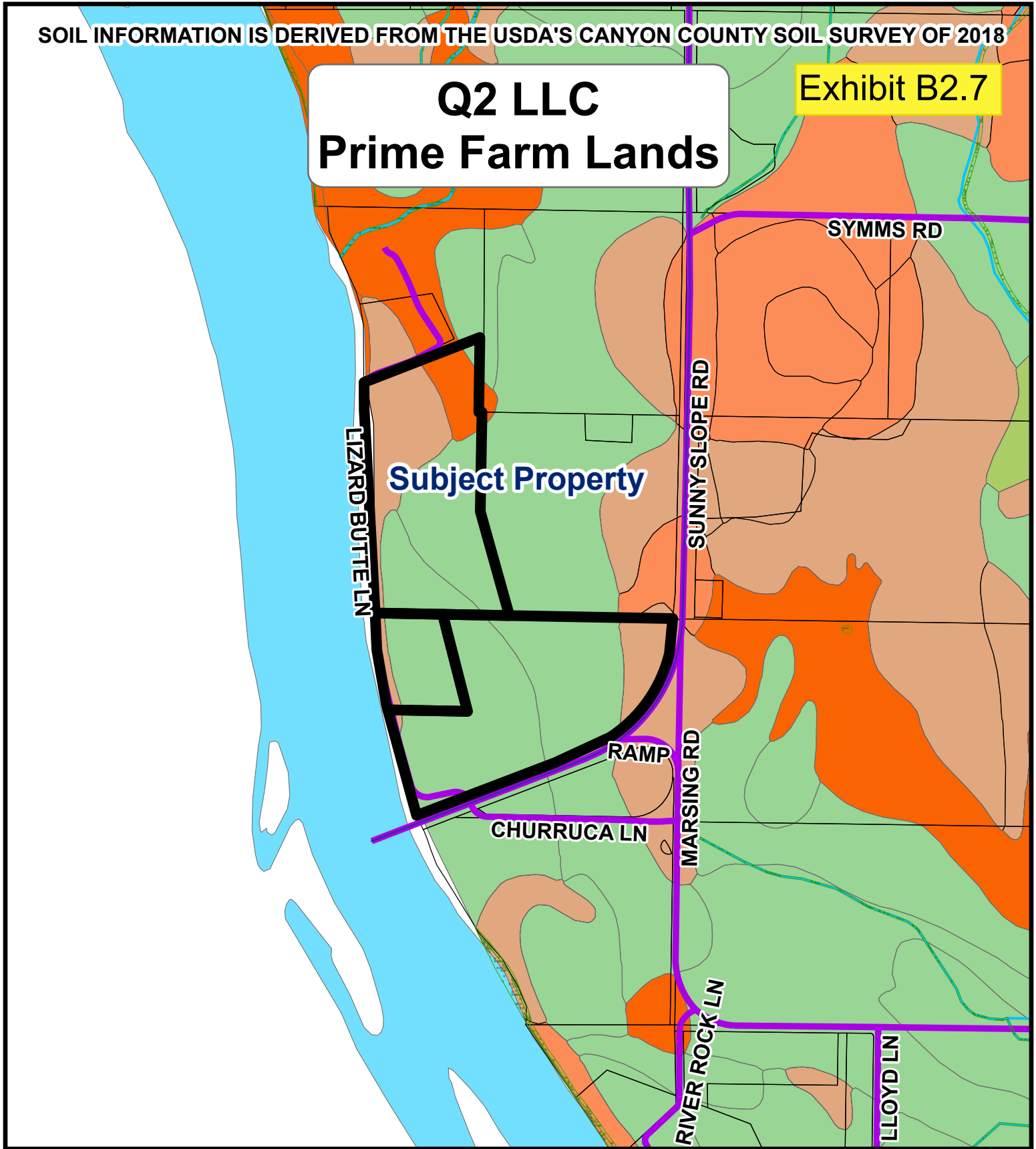




SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018

# Q2 LLC Prime Farm Lands

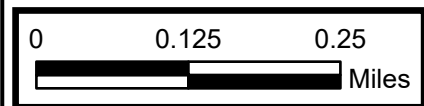
Exhibit B2.7



- TAXLOTS
- City Limits
- WETLANDS
- 2C\_Hydro

## FARMLAND

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



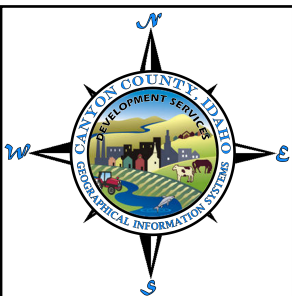
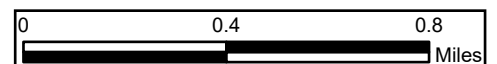
# Q2 LLC Future Land Use map

**SUBJECT PROPERTY**

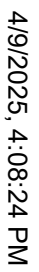
## Legend

Future Land Use 2030

- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL







1:18,056

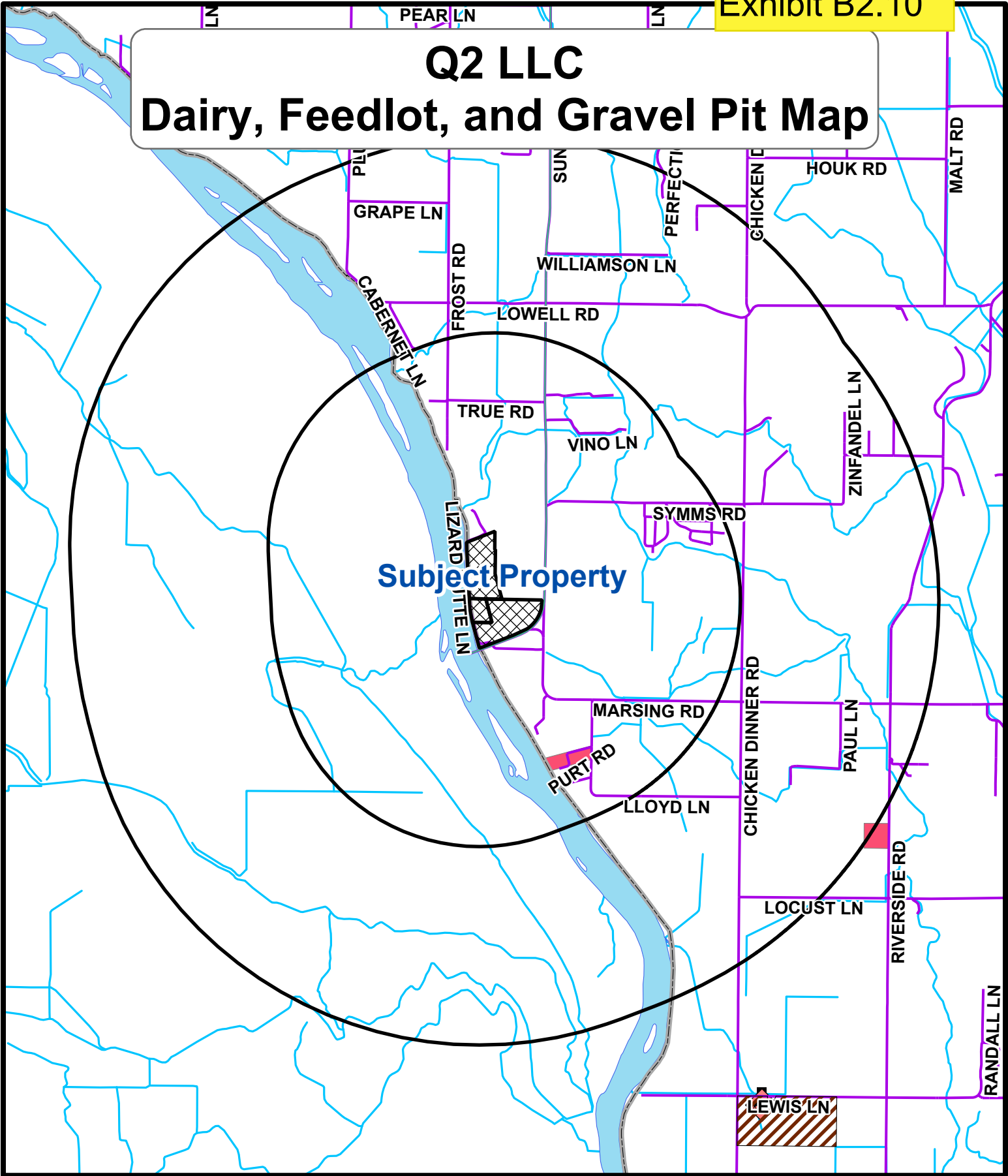
0 0.1 0.2 0.4 mi

0 0.17 0.35 0.7 km

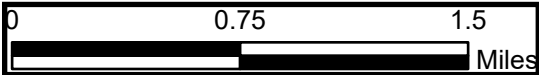
Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, METI/ NASA, EPA, USDA



# Q2 LLC Dairy, Feedlot, and Gravel Pit Map



	FEEDLOTS
	DAIRIES
	GRAVELPITS



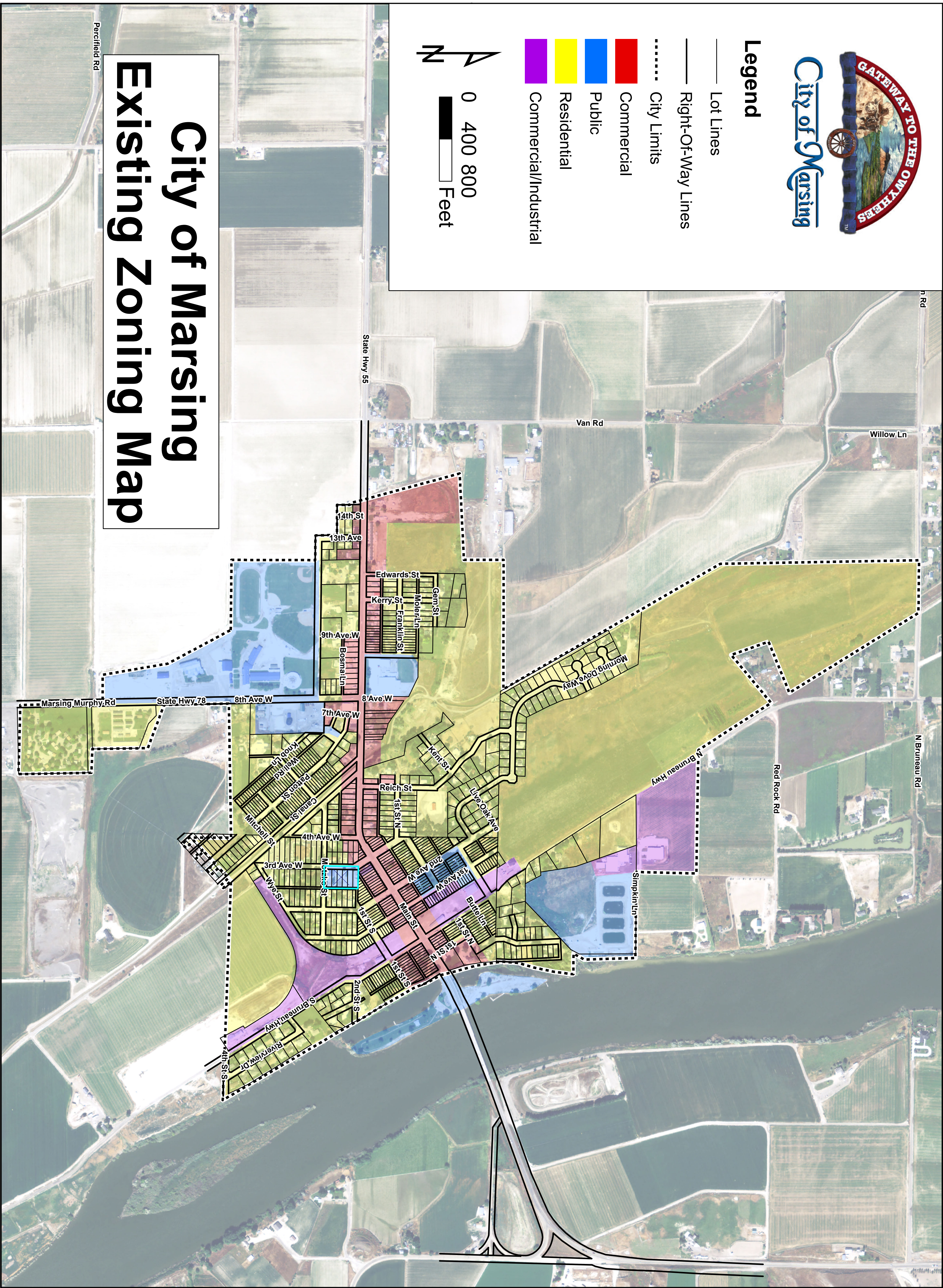




### Legend

- Lot Lines
  - Right-Of-Way Lines
  - City Limits
  - Commercial
  - Public
  - Residential
  - Commercial/Industrial
- 0 400 800 Feet
- N

# City of Marsing Existing Zoning Map





4/8/2025, 3:46:37 PM

Owyhee County Mask

Zoning

Agricultural

Multi-use

Owyhee Roads Layer

Commercial

Residential

World\_Hillshade

Parcels

0

0.5

1

1.5

2

mi

0

0.75

1.5

3

km

1:60,605

0

0.5

1

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2

mi

0

0.75

1.5

3

km

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km

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km

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1.5

2

mi

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**EXHIBIT D**

**Agency Comments Received by: April 7, 2024**

Planning & Zoning Commission

Case# OR2023-0005 &

CR2023-0011

Hearing date: April 17, 2025



**Michelle Barron**

**From:** Anthony Lee <Anthony.Lee@swdh.id.gov>  
**Sent:** Thursday, January 23, 2025 9:12 AM  
**To:** Dan Lister  
**Subject:** [External] RE: Agency Notification OR2023-0005/CR2023-0011 / Q2 LLC

Hi Dan,

- 1.) Will a Nutrient Pathogen Study be required? **A Nutrient Pathogen Study is NOT required for this project.**
- 2.) Will adequate sanitary systems be provided to accommodate the use? **Test holes have not been conducted on-site, and septic systems have not been proposed.**
- 3.) Any concerns about the use or request for rezoning? If so, are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and nearby city? **Currently, SWDH does not have concerns about the use of this request if it meets all SWDH requirements.**

The applicant needs to schedule a pre-development meeting to discuss this proposed 25-lot subdivision on individual well and septic systems.

Please let me know if you have any questions.

Thank you,



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

**Anthony Lee, RS/BS | Land Development Senior**  
 o 208.455.5384 | c 208.899.1285 | f 208.455.5300  
[anthony.lee@swdh.id.gov](mailto:anthony.lee@swdh.id.gov) | [SWDH.org](http://SWDH.org)  
 13307 Miami Ln., Caldwell, ID 83607

**From:** Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>  
**Sent:** Wednesday, January 22, 2025 2:49 PM  
**To:** 'jgreen@marsingcity.com' <jgreen@marsingcity.com>; 'nstewart@marsingschools.org' <nstewart@marsingschools.org>; 'marsingfiredistrict@yahoo.com' <marsingfiredistrict@yahoo.com>; 'marsingruralfire@gmail.com' <marsingruralfire@gmail.com>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'bobw@gghd3.org' <bobw@gghd3.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eigram@idahopower.com' <eigram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'mkelly@idahopower.com' <mkelly@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'Contract.Administration.Bid.Box@ziply.com' <Contract.Administration.Bid.Box@ziply.com>; 'tritthaler@boiseproject.org' <tritthaler@boiseproject.org>;

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**Subject:** Agency Notification OR2023-0005/CR2023-0011 / Q2 LLC

**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 **February 22, 2025**, although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day. The deadline for written testimony or additional exhibits is to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

Please direct your comments or questions to Planner **Dan Lister** at [daniel.lister@canyoncounty.idaho.gov](mailto:daniel.lister@canyoncounty.idaho.gov).

Thank you,



**Caitlin Ross**

Hearing Specialist

Canyon County Development Services Department

111 N. 11<sup>th</sup> Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-7463

Email: [Caitlin.Ross@canyoncounty.idaho.gov](mailto:Caitlin.Ross@canyoncounty.idaho.gov)

Website: [www.canyoncounty.idaho.gov](http://www.canyoncounty.idaho.gov)

Development Services Department (DSD)

**NEW** public office hours

**Effective Jan. 3, 2023**

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

Richard Sims  
Associate Supervisor  
Canyon County Soil Conservation District  
2208 E. Chicago Ste A, Caldwell Idaho 83605  
[Middletown.rich@gmail.com](mailto:Middletown.rich@gmail.com)  
1 208-897-9297  
January 14, 2025

Canyon County Planning and Zoning Commission  
Canyon County Development Services  
111 North 11<sup>th</sup> Ave., Ste 310, Nampa, Idaho 83686

RE: Case No. CR2023-0012/ Elordi, OR2023-0005/CR2023-0011 Q2LLC

Attention: Dan Lister  
[daniel.lister@canyoncounty.id.gov](mailto:daniel.lister@canyoncounty.id.gov)

Thanks you for sending Canyon County Soil Conservation District (SCD) zoning requests. The acreage amounts on the maps are an estimate. Percentages of soils are rounded to a whole number.

CR2023-0012/Elordi, The Conservation district has not comments on this zoning request.

OR2023-0005/CR2023-0011 Q2LLC consist of 70% irrigated capability Class 3, 24% irrigated capability Class 4 and 5% not Classified.

Irrigated Capability Class 3 has moderate limitations and appropriate management practices can make any irrigated class 3 productive. We do NOT recommend a land use change.



Signing for Clay Erskine  
Chairman Soil Conservation District



United States  
Department of  
Agriculture

**NRCS**

Natural  
Resources  
Conservation  
Service

A product of the National  
Cooperative Soil Survey,  
a joint effort of the United  
States Department of  
Agriculture and other  
Federal agencies, State  
agencies including the  
Agricultural Experiment  
Stations, and local  
participants

# Custom Soil Resource Report for **Canyon Area, Idaho**

**OR2023-0005/CR2023-0011/  
Q2LLC**



February 2, 2025



# Preface

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Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

# Contents

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<b>Preface</b> .....	2
<b>Soil Information for All Uses</b> .....	5
Suitabilities and Limitations for Use.....	5
Land Classifications.....	5
Irrigated Capability Class (OR2023-0005/CR2023-0011 Q2LLC).....	5

# **Soil Information for All Uses**

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## **Suitabilities and Limitations for Use**

The Suitabilities and Limitations for Use section includes various soil interpretations displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each interpretation.

## **Land Classifications**

Land Classifications are specified land use and management groupings that are assigned to soil areas because combinations of soil have similar behavior for specified practices. Most are based on soil properties and other factors that directly influence the specific use of the soil. Example classifications include ecological site classification, farmland classification, irrigated and nonirrigated land capability classification, and hydric rating.

### **Irrigated Capability Class (OR2023-0005/CR2023-0011 Q2LLC)**

Land capability classification shows, in a general way, the suitability of soils for most kinds of field crops. Crops that require special management are excluded. The soils are grouped according to their limitations for field crops, the risk of damage if they are used for crops, and the way they respond to management. The criteria used in grouping the soils do not include major and generally expensive landforming that would change slope, depth, or other characteristics of the soils, nor do they include possible but unlikely major reclamation projects. Capability classification is not a substitute for interpretations that show suitability and limitations of groups of soils for rangeland, for woodland, or for engineering purposes.

In the capability system, soils are generally grouped at three levels-capability class, subclass, and unit. Only class and subclass are included in this data set.

Capability classes, the broadest groups, are designated by the numbers 1 through 8. The numbers indicate progressively greater limitations and narrower choices for practical use. The classes are defined as follows:



## Custom Soil Resource Report

Class 1 soils have few limitations that restrict their use.

Class 2 soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices.

Class 3 soils have severe limitations that reduce the choice of plants or that require special conservation practices, or both.

Class 4 soils have very severe limitations that reduce the choice of plants or that require very careful management, or both.

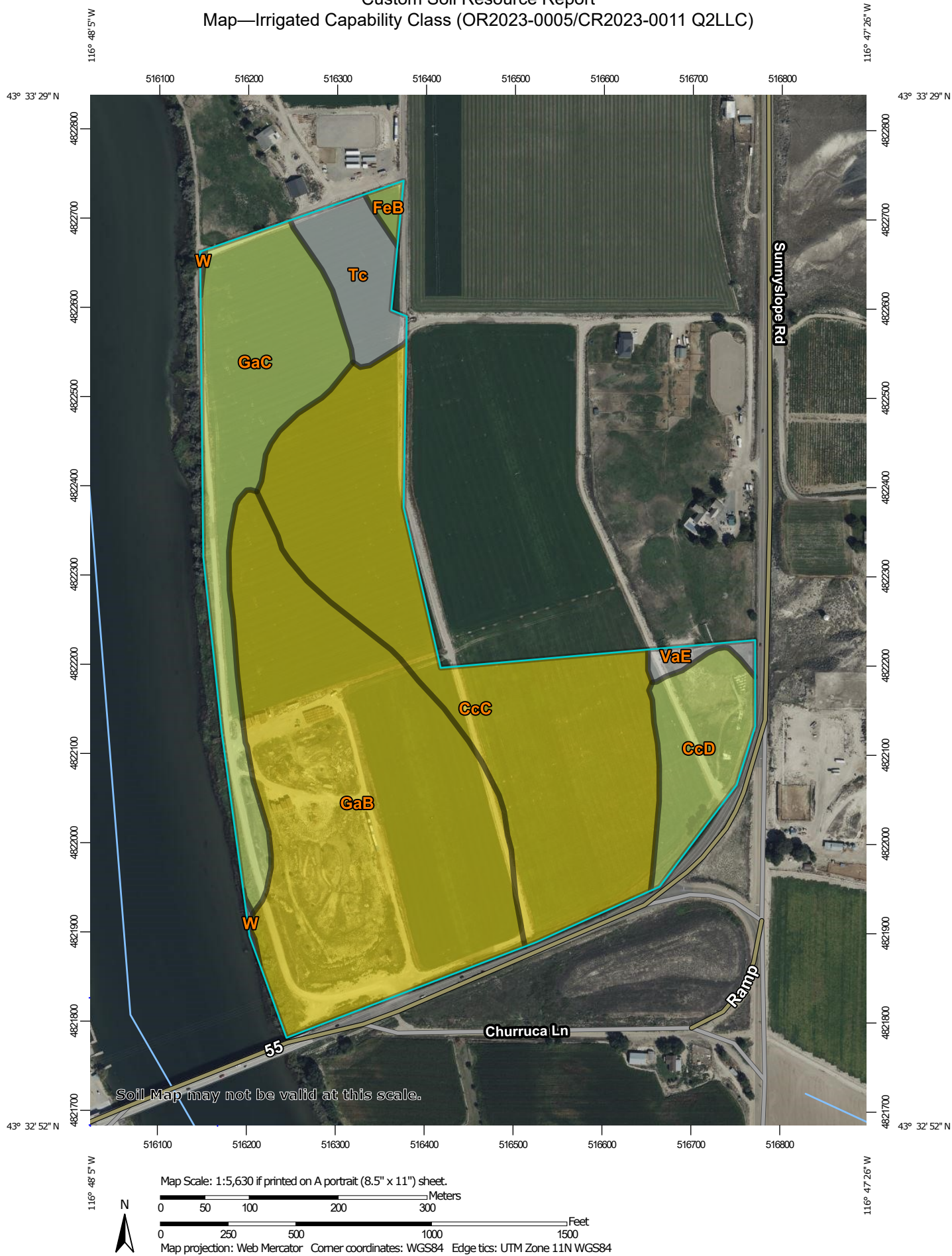
Class 5 soils are subject to little or no erosion but have other limitations, impractical to remove, that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

Class 6 soils have severe limitations that make them generally unsuitable for cultivation and that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

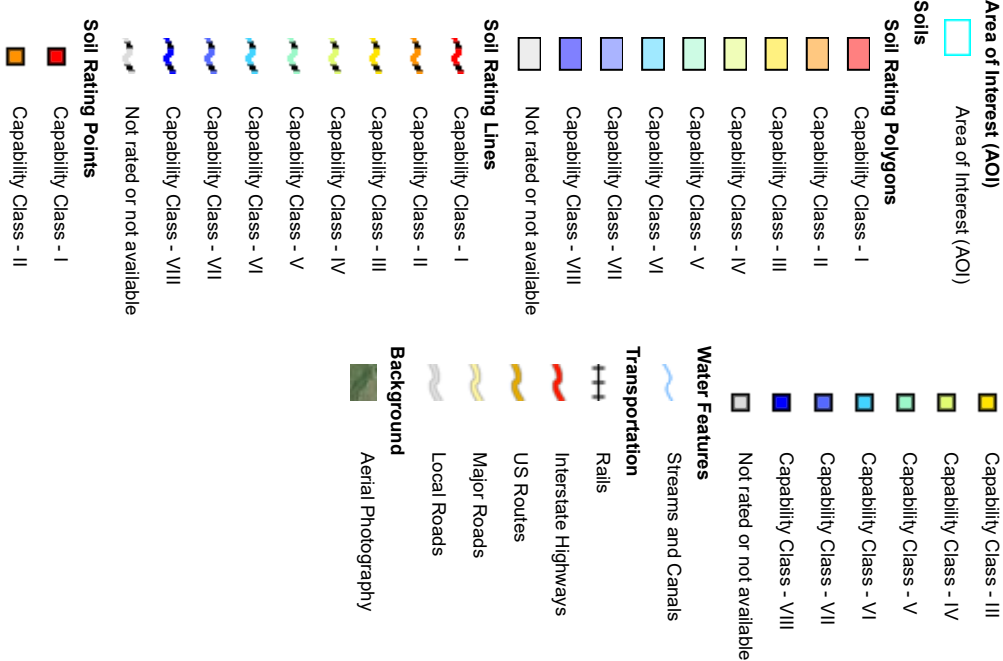
Class 7 soils have very severe limitations that make them unsuitable for cultivation and that restrict their use mainly to grazing, forestland, or wildlife habitat.

Class 8 soils and miscellaneous areas have limitations that preclude commercial plant production and that restrict their use to recreational purposes, wildlife habitat, watershed, or esthetic purposes.

Custom Soil Resource Report  
Map—Irrigated Capability Class (OR2023-0005/CR2023-0011 Q2LLC)



MAP LEGEND



MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Canyon Area, Idaho  
Survey Area Data: Version 21, Aug 22, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 9, 2023—Sep 14, 2023

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

**Table—Irrigated Capability Class (OR2023-0005/CR2023-0011 Q2LLC)**

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
CcC	Cencove fine sandy loam, 3 to 7 percent slopes	3	24.2	32.3%
CcD	Cencove fine sandy loam, 7 to 12 percent slopes	4	5.0	6.7%
FeB	Feltham loamy fine sand, 0 to 3 percent slopes	4	0.4	0.5%
GaB	Garbutt silt loam, 1 to 3 percent slopes	3	28.9	38.6%
GaC	Garbutt silt loam, 3 to 7 percent slopes	4	12.3	16.4%
Tc	Terrace escarpments		3.4	4.5%
VaE	Vanderhoff loam, 12 to 30 percent slopes		0.6	0.9%
W	Water		0.1	0.1%
<b>Totals for Area of Interest</b>			<b>74.9</b>	<b>100.0%</b>

**Rating Options—Irrigated Capability Class (OR2023-0005/CR2023-0011 Q2LLC)***Aggregation Method: Dominant Condition**Component Percent Cutoff: None Specified**Tie-break Rule: Higher*





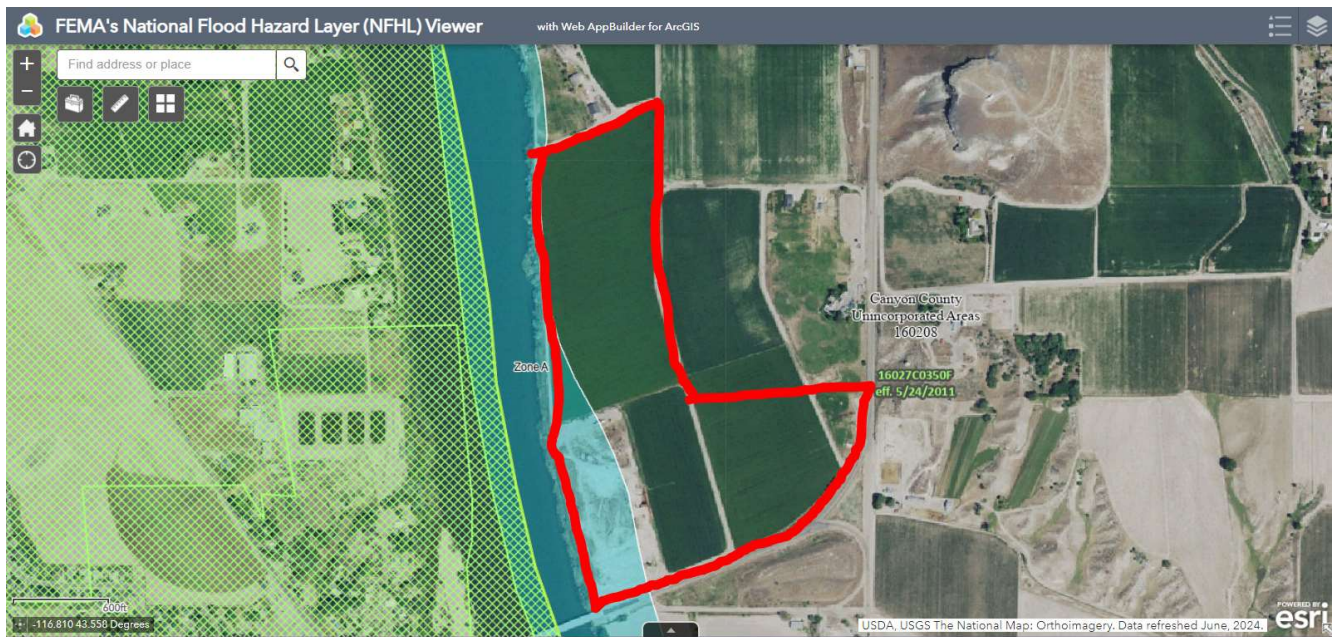
February 3, 2025

Dan Lister, Planner  
Canyon County Development Services Dept.  
111 N 11<sup>th</sup> Avenue #310  
Caldwell, ID 83605

Re: CR2023-0011/RZ2021-0050, 0 Hwy 55/Lizard Butte Lane, Caldwell for a 69.58-acre parcel Rezone

Dear Mr. Lister,

The application for River Butte Estates 69.58-acre parcel, 25-lots (2.15-acres each), 25-septics, 25-wells, pressurized irrigation, with a recreational pond (fire suppression), fishing pier, parking lot, day use area, trails around the pond and along the river, and landscaping is subject to the National Flood Insurance Program (NFIP) regulations below.



The following NFIP regulations apply to this proposed 69.58-acre development:

**Title 44 of the Code of Federal Regulations §60.3**

**Flood plain management criteria for flood-prone areas.**

... Minimum standards for communities are as follows:

(a) ... the community shall:

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

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

- (i) **be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy,**
- (ii) **be constructed with materials resistant to flood damage,**
- (iii) **be constructed by methods and practices that minimize flood damages, and**
- (iv) **be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.**

(4) **Review subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding.** If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to assure that

- (i) **all such proposals are consistent with the need to minimize flood damage within the flood-prone area,**
- (ii) **all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and**
- (iii) **adequate drainage is provided to reduce exposure to flood hazards;**

(5) **Require within flood-prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and**

(6) **Require within flood-prone areas**

- (i) **new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and**
- (ii) **onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.**

(b) ... the community shall:

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

(2) **Require the application of the standards in paragraphs (a) (2), (3), (4), (5) and (6) of this section to development within Zone A on the community's FHBM or FIRM;**

(3) **Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data;**

(4) **Obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, including data developed pursuant to paragraph (b)(3) of this section, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the community's FHBM or FIRM meet the standards in paragraphs (c)(2), (c)(3), (c)(5), (c)(6), (c)(12), (c)(14), (d)(2) and (d)(3) of this section;**

(5) **Where base flood elevation data are utilized, within Zone A on the community's FHBM or FIRM:**

- (i) **Obtain the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new and substantially improved structures, and**

(ii) Obtain, if the structure has been floodproofed in accordance with paragraph (c)(3)(ii) of this section, the elevation (in relation to mean sea level) to which the structure was floodproofed, and

(iii) Maintain a record of all such information with the official designated by the community under §59.22 (a)(9)(iii);

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Federal Insurance Administrator;

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained;

(8) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

(c) ... the community shall:

(1) Require the standards of paragraph (b) of this section within all A1-30 zones, AE zones, A zones, AH zones, and AO zones, on the community's FIRM;

(2) **Require that all new construction and substantial improvements of residential structures within Zones A1-30, AE and AH zones on the community's FIRM have the lowest floor (including basement) elevated to or above the base flood level,** unless the community is granted an exception by the Federal Insurance Administrator for the allowance of basements in accordance with §60.6 (b) or (c);

(3) Require that all new construction and substantial improvements of non-residential structures within Zones A1-30, AE and AH zones on the community's firm (i) have the lowest floor (including basement) elevated to or above the base flood level or, (ii) together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

(4) Provide that where a non-residential structure is intended to be made watertight below the base flood level,

(i) a registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of paragraph (c)(3)(ii) or (c)(8)(ii) of this section, and

(ii) a record of such certificates which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained with the official designated by the community under §59.22(a)(9)(iii);

(5) **Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.** Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of

enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(6) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites

- (i) Outside of a manufactured home park or subdivision,
- (ii) In a new manufactured home park or subdivision,
- (iii) In an expansion to an existing manufactured home park or subdivision, or
- (iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist floatation collapse and lateral movement.

(10) Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(12) Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A-1-30, AH, and AE on the community's FIRM that are not subject to the provisions of paragraph (c)(6) of this section be elevated so that either

- (i) The lowest floor of the manufactured home is at or above the base flood elevation, or
- (ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

(13) Notwithstanding any other provisions of §60.3, a community may approve certain development in Zones A1-30, AE, and AH, on the community's FIRM which increase the water surface elevation of the base flood by more than one foot, provided that the community first applies for a conditional FIRM revision, fulfills the requirements for such a revision as established under the provisions of §65.12, and receives the approval of the Federal Insurance Administrator.

(14) Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either

- (i) Be on the site for fewer than 180 consecutive days,
- (ii) Be fully licensed and ready for highway use, or
- (iii) Meet the permit requirements of paragraph (b)(1) of this section and the elevation and anchoring requirements for "manufactured homes" in paragraph (c)(6) of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

Should you or staff have any questions this subdivision development please do not hesitate to contact Peter Jackson, State NFIP Coordinator, [peter.jackson@idwr.idaho.gov](mailto:peter.jackson@idwr.idaho.gov) or myself.



Thank you,

*Maureen O'Shea*

Maureen O'Shea, CFM  
Floodplain Specialist

Cc via email:

Dalia Alnajjar, Floodplain Manager

**Michelle Barron**

---

**From:** O'Shea, Maureen <Maureen.OShea@idwr.idaho.gov>  
**Sent:** Monday, March 17, 2025 11:17 AM  
**To:** Michelle Barron  
**Cc:** Jay Gibbons; Dalia Alnajjar; Jackson, Peter  
**Subject:** RE: [External] re: Agency Notice of OR2023-0005/CR2023-0011; Q2 LLC

Michelle,

Thank you. It takes time & money to do the Hydrologic & Hydraulic Analysis for determining the BFE. The applicant needs to know this is a mandatory requirement. The subdivision request MUST have the "Hydrologic & Hydraulic Analysis with BFE" attached to their first subdivision request application.

*I am working part-time & generally available from 9:00 a.m. to noon Monday through Thursday.*

Thank you,  
 Maureen O'Shea, CFM  
 Floodplain Specialist  
 Idaho Dept. of Water Resources  
 322 E. Front Street, PO Box 83720,  
 Boise, ID 83720-0098  
 Office # 208-287-4928  
 Cell # 208-830-4174  
[Maureen.OShea@idwr.idaho.gov](mailto:Maureen.OShea@idwr.idaho.gov)  
<https://www.idwr.idaho.gov/floods/>

---

**From:** Michelle Barron <Michelle.Barron@canyoncounty.id.gov>  
**Sent:** Monday, March 17, 2025 11:12 AM  
**To:** O'Shea, Maureen <Maureen.OShea@idwr.idaho.gov>  
**Cc:** Jay Gibbons <Jay.Gibbons@canyoncounty.id.gov>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Jackson, Peter <Peter.Jackson@idwr.idaho.gov>  
**Subject:** RE: [External] re: Agency Notice of OR2023-0005/CR2023-0011; Q2 LLC

**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.**

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Maureen,

This is a Comprehensive Plan Amendment request and a Conditional Rezone Request. There is no subdivision being applied for at this time. The concept plan is attached, but the Preliminary Plat will not be applied for until the entitlements are in place through a rezoning process. I intend to attach your comments as part of the conditions of approval, if approval is recommended for this rezoning.

Thanks,

Michelle Barron  
Principal Planner  
Canyon County Development Services Department  
111 N. 11th Ave., #310, Caldwell, ID 83605  
Direct Line: 208-455-6033  
DSD Office Phone: 208-454-7458  
Email: [Michelle.Barron@canyoncounty.id.gov](mailto:Michelle.Barron@canyoncounty.id.gov)  
Website: [www.canyoncounty.id.gov](http://www.canyoncounty.id.gov)

---

**From:** O'Shea, Maureen <[Maureen.OShea@idwr.idaho.gov](mailto:Maureen.OShea@idwr.idaho.gov)>  
**Sent:** Monday, March 17, 2025 10:53 AM  
**To:** Michelle Barron <[Michelle.Barron@canyoncounty.id.gov](mailto:Michelle.Barron@canyoncounty.id.gov)>  
**Cc:** Jay Gibbons <[Jay.Gibbons@canyoncounty.id.gov](mailto:Jay.Gibbons@canyoncounty.id.gov)>; Dan Lister <[Daniel.Lister@canyoncounty.id.gov](mailto:Daniel.Lister@canyoncounty.id.gov)>; Jackson, Peter <[Peter.Jackson@idwr.idaho.gov](mailto:Peter.Jackson@idwr.idaho.gov)>  
**Subject:** [External] re: Agency Notice of OR2023-0005/CR2023-0011; Q2 LLC

Michelle,

Please see attached letters for this project.

Canyon County MUST: **Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data.**

*I am working part-time & generally available from 9:00 a.m. to noon Monday through Thursday.*

Thank you,  
Maureen O'Shea, CFM  
Floodplain Specialist  
Idaho Dept. of Water Resources  
322 E. Front Street, PO Box 83720,  
Boise, ID 83720-0098  
Office # 208-287-4928  
Cell # 208-830-4174  
[Maureen.OShea@idwr.idaho.gov](mailto:Maureen.OShea@idwr.idaho.gov)  
<https://www.idwr.idaho.gov/floods/>

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**From:** Caitlin Ross <[Caitlin.Ross@canyoncounty.id.gov](mailto:Caitlin.Ross@canyoncounty.id.gov)>  
**Sent:** Friday, March 14, 2025 12:43 PM  
**To:** 'jgreen@marsingcity.com' <[jgreen@marsingcity.com](mailto:jgreen@marsingcity.com)>; 'nstewart@marsingschools.org' <[nstewart@marsingschools.org](mailto:nstewart@marsingschools.org)>; 'marsingfiredistrict@yahoo.com' <[marsingfiredistrict@yahoo.com](mailto:marsingfiredistrict@yahoo.com)>; 'marsingruralfire@gmail.com' <[marsingruralfire@gmail.com](mailto:marsingruralfire@gmail.com)>; Knute Sandahl <[Knute.Sandahl@doi.idaho.gov](mailto:Knute.Sandahl@doi.idaho.gov)>; 'bobw@gghd3.org' <[bobw@gghd3.org](mailto:bobw@gghd3.org)>; 'brandy.walker@centurylink.com' <[brandy.walker@centurylink.com](mailto:brandy.walker@centurylink.com)>; 'eingram@idahopower.com' <[eingram@idahopower.com](mailto:eingram@idahopower.com)>; 'easements@idahopower.com' <[easements@idahopower.com](mailto:easements@idahopower.com)>; Robins, Angel <[ARobins@idahopower.com](mailto:ARobins@idahopower.com)>; 'monica.taylor@intgas.com' <[monica.taylor@intgas.com](mailto:monica.taylor@intgas.com)>; 'jessica.mansell@intgas.com' <[jessica.mansell@intgas.com](mailto:jessica.mansell@intgas.com)>; 'Contract.Administration.Bid.Box@ziplay.com' <[Contract.Administration.Bid.Box@ziplay.com](mailto:Contract.Administration.Bid.Box@ziplay.com)>; 'tritthaler@boiseproject.org' <[tritthaler@boiseproject.org](mailto:tritthaler@boiseproject.org)>; 'gashley@boiseproject.org' <[gashley@boiseproject.org](mailto:gashley@boiseproject.org)>; 'wilderirrigation10@gmail.com' <[wilderirrigation10@gmail.com](mailto:wilderirrigation10@gmail.com)>; Mitch Kiester <[mitch.kiester@phd3.idaho.gov](mailto:mitch.kiester@phd3.idaho.gov)>; 'anthony.lee@phd3.idaho.gov' <[anthony.lee@phd3.idaho.gov](mailto:anthony.lee@phd3.idaho.gov)>; projectmgr <[projectmgr@boiseriver.org](mailto:projectmgr@boiseriver.org)>;

'scott\_sbi@outlook.com' <[scott\\_sbi@outlook.com](mailto:scott_sbi@outlook.com)>; 'brentc@brownbuscompany.com' <[brentc@brownbuscompany.com](mailto:brentc@brownbuscompany.com)>; 'gis@compassidaho.org' <[gis@compassidaho.org](mailto:gis@compassidaho.org)>; 'D3Development.services@itd.idaho.gov' <[D3Development.services@itd.idaho.gov](mailto:D3Development.services@itd.idaho.gov)>; 'niki.benyakhlef@itd.idaho.gov' <[niki.benyakhlef@itd.idaho.gov](mailto:niki.benyakhlef@itd.idaho.gov)>; Brian Crawforth <[Brian.Crawforth@canyoncounty.id.gov](mailto:Brian.Crawforth@canyoncounty.id.gov)>; Christine Wendelsdorf <[Christine.Wendelsdorf@canyoncounty.id.gov](mailto:Christine.Wendelsdorf@canyoncounty.id.gov)>; Michael Stowell <[mstowell@ccparamedics.com](mailto:mstowell@ccparamedics.com)>; Dalia Alnajjar <[Dalia.Alnajjar@canyoncounty.id.gov](mailto:Dalia.Alnajjar@canyoncounty.id.gov)>; Cassie Lamb <[Cassie.Lamb@canyoncounty.id.gov](mailto:Cassie.Lamb@canyoncounty.id.gov)>; Tom Crosby <[Tom.Crosby@canyoncounty.id.gov](mailto:Tom.Crosby@canyoncounty.id.gov)>; Eric Arthur <[Eric.Arthur@canyoncounty.id.gov](mailto:Eric.Arthur@canyoncounty.id.gov)>; Kathy Husted <[Kathleen.Husted@canyoncounty.id.gov](mailto:Kathleen.Husted@canyoncounty.id.gov)>; Tony Almeida <[tony.almeida@canyoncounty.id.gov](mailto:tony.almeida@canyoncounty.id.gov)>; Sage Huggins <[Sage.Huggins@canyoncounty.id.gov](mailto:Sage.Huggins@canyoncounty.id.gov)>; Assessor Website <[2cAsr@canyoncounty.id.gov](mailto:2cAsr@canyoncounty.id.gov)>; 'middletown.rich@gmail.com' <[middletown.rich@gmail.com](mailto:middletown.rich@gmail.com)>; 'John.Graves@fema.dhs.gov' <[John.Graves@fema.dhs.gov](mailto:John.Graves@fema.dhs.gov)>; IDWR File <[file@idwr.idaho.gov](mailto:file@idwr.idaho.gov)>; Flack,Brandon <[brandon.flack@idfg.idaho.gov](mailto:brandon.flack@idfg.idaho.gov)>; Stevie Harris <[Stevie.Harris@ISDA.IDAHO.GOV](mailto:Stevie.Harris@ISDA.IDAHO.GOV)>; 'idahoaaa@gmail.com' <[idahoaaa@gmail.com](mailto:idahoaaa@gmail.com)>; 'cenww-rd-boi-tv@usace.army.mil' <[cenww-rd-boi-tv@usace.army.mil](mailto:cenww-rd-boi-tv@usace.army.mil)>; 'tate.walters@id.usda.gov' <[tate.walters@id.usda.gov](mailto:tate.walters@id.usda.gov)>; 'mhuff@co.owyhee.id.us' <[mhuff@co.owyhee.id.us](mailto:mhuff@co.owyhee.id.us)>; Jackson, Peter <[Peter.Jackson@idwr.idaho.gov](mailto:Peter.Jackson@idwr.idaho.gov)>; O'Shea, Maureen <[Maureen.OShea@idwr.idaho.gov](mailto:Maureen.OShea@idwr.idaho.gov)>; 'makline2@marathonpetroleum.com' <[makline2@marathonpetroleum.com](mailto:makline2@marathonpetroleum.com)>  
**Subject:** Agency Notice of OR2023-0005/CR2023-0011; Q2 LLC

**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.

Dear Agencies,

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

This is the notification that a hearing date of **April 17, 2025** at 6:30 pm has been set for this case along with a final deadline of **April 7, 2025** for agency comments. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day.

Please direct your comments or questions to Planner **Michelle Barron** at [michelle.barron@canyoncounty.id.gov](mailto:michelle.barron@canyoncounty.id.gov).

Thank you,



**Caitlin Ross**

Hearing Specialist

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

Direct Line: 208-454-7463

Email: [Caitlin.Ross@canyoncounty.id.gov](mailto:Caitlin.Ross@canyoncounty.id.gov)

Website: [www.canyoncounty.id.gov](http://www.canyoncounty.id.gov)

Development Services Department (DSD)

**NEW** public office hours

**Effective Jan. 3, 2023**

Monday, Tuesday, Thursday and Friday

8am – 5pm



Wednesday

1pm – 5pm

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

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IDAHO DEPARTMENT OF  
**WATER RESOURCES**

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

Governor Brad Little

Director Mathew Weaver

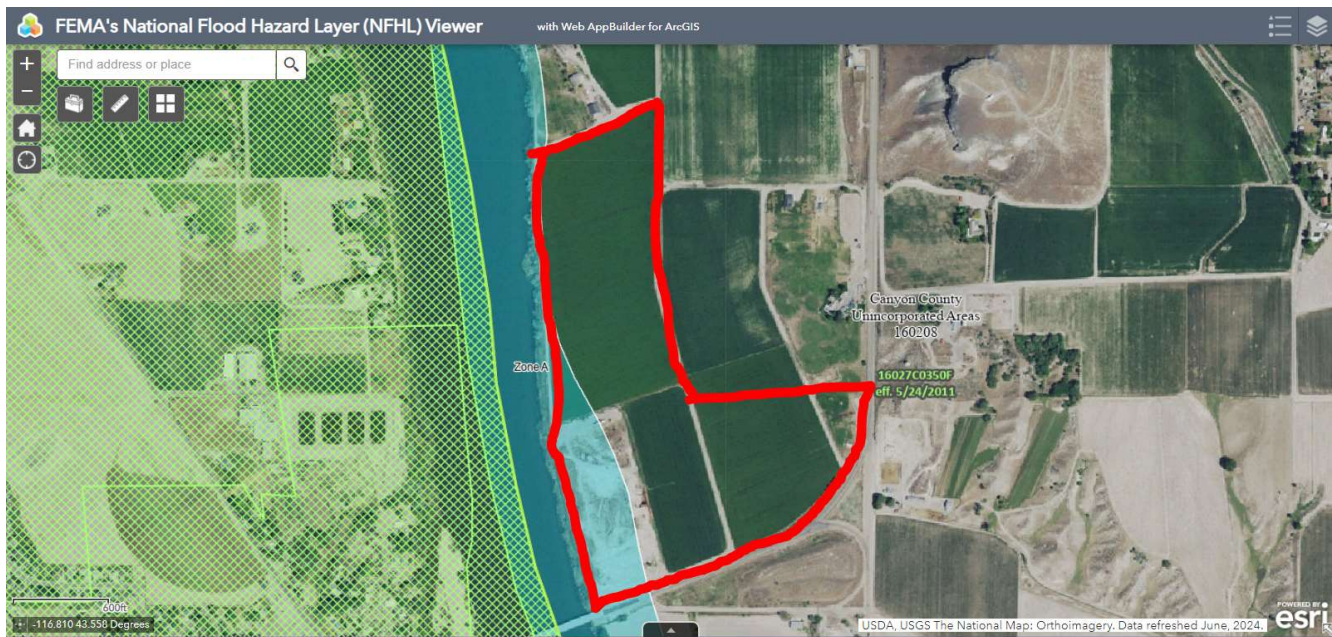
March 17, 2025

Michelle Barron, Planner  
Canyon County Development Services Dept.  
111 N 11<sup>th</sup> Avenue #310  
Caldwell, ID 83605

Re: OR2023-0005 & CR2023-0011, Parcels: R33590012G, R33590012A & R33590012I0, Caldwell for a ~70-acre parcel Rezone & Comprehensive Plan Map Amendment

Dear Ms. Barron,

The application for OR2023-0005 & CR2023-0011, an approximately 70-acre parcel, is subject to the National Flood Insurance Program (NFIP) regulations below. Please see prior response attached for CR2023-0011 dated February 3, 2025.



The following NFIP regulations apply to this proposed 69.58-acre development:

**Title 44 of the Code of Federal Regulations §60.3**

**Flood plain management criteria for flood-prone areas.**

... Minimum standards for communities are as follows:

(a) ... the community shall:

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

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

- (i) **be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy,**
- (ii) **be constructed with materials resistant to flood damage,**
- (iii) **be constructed by methods and practices that minimize flood damages, and**
- (iv) **be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.**

(4) **Review subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding.** If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to assure that

- (i) **all such proposals are consistent with the need to minimize flood damage within the flood-prone area,**
- (ii) **all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and**
- (iii) **adequate drainage is provided to reduce exposure to flood hazards;**

(5) **Require within flood-prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and**

(6) **Require within flood-prone areas**

- (i) **new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and**
- (ii) **onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.**

(b) ... the community shall:

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

(2) **Require the application of the standards in paragraphs (a) (2), (3), (4), (5) and (6) of this section to development within Zone A on the community's FHBM or FIRM;**

**(3) Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data;**

(4) **Obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, including data developed pursuant to paragraph (b)(3) of this section, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the community's FHBM or FIRM meet the standards in paragraphs (c)(2), (c)(3), (c)(5), (c)(6), (c)(12), (c)(14), (d)(2) and (d)(3) of this section;**

(5) **Where base flood elevation data are utilized, within Zone A on the community's FHBM or FIRM:**

- (i) **Obtain the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new and substantially improved structures, and**

(ii) Obtain, if the structure has been floodproofed in accordance with paragraph (c)(3)(ii) of this section, the elevation (in relation to mean sea level) to which the structure was floodproofed, and

(iii) Maintain a record of all such information with the official designated by the community under §59.22 (a)(9)(iii);

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Federal Insurance Administrator;

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained;

(8) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

(c) ... the community shall:

(1) Require the standards of paragraph (b) of this section within all A1-30 zones, AE zones, A zones, AH zones, and AO zones, on the community's FIRM;

(2) **Require that all new construction and substantial improvements of residential structures within Zones A1-30, AE and AH zones on the community's FIRM have the lowest floor (including basement) elevated to or above the base flood level,** unless the community is granted an exception by the Federal Insurance Administrator for the allowance of basements in accordance with §60.6 (b) or (c);

(3) Require that all new construction and substantial improvements of non-residential structures within Zones A1-30, AE and AH zones on the community's firm (i) have the lowest floor (including basement) elevated to or above the base flood level or, (ii) together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

(4) Provide that where a non-residential structure is intended to be made watertight below the base flood level,

(i) a registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of paragraph (c)(3)(ii) or (c)(8)(ii) of this section, and

(ii) a record of such certificates which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained with the official designated by the community under §59.22(a)(9)(iii);

(5) **Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.** Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of



enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(6) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites

- (i) Outside of a manufactured home park or subdivision,
- (ii) In a new manufactured home park or subdivision,
- (iii) In an expansion to an existing manufactured home park or subdivision, or
- (iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist floatation collapse and lateral movement.

(10) Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(12) Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A-1-30, AH, and AE on the community's FIRM that are not subject to the provisions of paragraph (c)(6) of this section be elevated so that either

- (i) The lowest floor of the manufactured home is at or above the base flood elevation, or
- (ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

(13) Notwithstanding any other provisions of §60.3, a community may approve certain development in Zones A1-30, AE, and AH, on the community's FIRM which increase the water surface elevation of the base flood by more than one foot, provided that the community first applies for a conditional FIRM revision, fulfills the requirements for such a revision as established under the provisions of §65.12, and receives the approval of the Federal Insurance Administrator.

(14) Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either

- (i) Be on the site for fewer than 180 consecutive days,
- (ii) Be fully licensed and ready for highway use, or
- (iii) Meet the permit requirements of paragraph (b)(1) of this section and the elevation and anchoring requirements for "manufactured homes" in paragraph (c)(6) of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

Should you or staff have any questions this subdivision development please do not hesitate to contact Peter Jackson, State NFIP Coordinator, [peter.jackson@idwr.idaho.gov](mailto:peter.jackson@idwr.idaho.gov) or myself.

Thank you,

*Maureen O'Shea*

Maureen O'Shea, CFM  
Floodplain Specialist

Cc via email:

Dalia Alnajjar, Floodplain Manager

Jay Gibbons, Director

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



Brad Little, Governor  
Jess Byrne, Director

February 5, 2025

Daniel Lister, Assistant Planning Manager  
111 North 11<sup>th</sup> Ave.  
Ste. 310  
Caldwell, Idaho, 83605  
[Daniel.Lister@canyoncounty.id.gov](mailto:Daniel.Lister@canyoncounty.id.gov)

Subject: Agency Notification OR2023-0005/CR2023-0011 / Q2 LLC

Dear Mr. Lister:

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

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

## 1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).  
For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.
- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.  
For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

## **2. WASTEWATER AND RECYCLED WATER**

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

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

## **3. DRINKING WATER**

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



- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

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

#### 4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A 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 Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

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

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

## 6. ADDITIONAL NOTES

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

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

Sincerely,



Troy Smith  
Regional Administrator

**Michelle Barron**

**From:** BRO Admin <BRO.Admin@deq.idaho.gov>  
**Sent:** Monday, March 24, 2025 10:08 AM  
**To:** Michelle Barron  
**Subject:** [External] RE: Legal Notice OR2023-0005/CR2023-0011; Q2 LLC  
**Attachments:** Legal Notice OR2023-0005 CR2023-0011 Q2 LLC\_BRO Comments.pdf

Please see the attached letter from Boise Regional DEQ Administration.

Sincerely,

**Carlene Oberg | Administrative Assistant I**

Idaho Department of Environmental Quality | Boise Regional Office

1445 North Orchard Street

Boise, Idaho 83706

Office: (208) 373-0550

Email: [Carlene.Oberg@deq.idaho.gov](mailto:Carlene.Oberg@deq.idaho.gov)

<http://www.deq.idaho.gov/>

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

**Sent:** Friday, March 14, 2025 12:47 PM

**To:** 'rcollins@cityofcaldwell.org' <rcollins@cityofcaldwell.org>; 'P&Z@cityofcaldwell.org' <P&Z@cityofcaldwell.org>; 'dgeyer@cityofcaldwell.org' <dgeyer@cityofcaldwell.org>; 'jdodson@cityofcaldwell.org' <jdodson@cityofcaldwell.org>; 'mbessaw@cityofcaldwell.org' <mbessaw@cityofcaldwell.org>; 'amy@cityofcaldwell.org' <amy@cityofcaldwell.org>; 'alicep@cityofhomedale.org' <alicep@cityofhomedale.org>; 'jgreen@marsingcity.com' <jgreen@marsingcity.com>; 'mayor@cityofmelba.org' <mayor@cityofmelba.org>; 'cityclerk@cityofmelba.org' <cityclerk@cityofmelba.org>; 'jhutchison@middletoncity.org' <jhutchison@middletoncity.org>; 'jreynolds@middletoncity.org' <jreynolds@middletoncity.org>; 'mhobbs@middletoncity.org' <mhobbs@middletoncity.org>; 'rstewart@middletoncity.org' <rstewart@middletoncity.org>; 'sellersr@cityofnampa.us' <sellersr@cityofnampa.us>; 'watkinsk@cityofnampa.us' <watkinsk@cityofnampa.us>; 'BadgerD@cityofnampa.us' <BadgerD@cityofnampa.us>; 'addressing@cityofnampa.us' <addressing@cityofnampa.us>; 'critchfieldd@cityofnampa.us' <critchfieldd@cityofnampa.us>; 'clerks@cityofnampa.us' <clerks@cityofnampa.us>; 'timc@cityofnampa.us' <timc@cityofnampa.us>; 'notuscityclerk@gmail.com' <notuscityclerk@gmail.com>; 'clerk@cityofparmaidaho.org' <clerk@cityofparmaidaho.org>; 'mayor@cityofparmaidaho.org' <mayor@cityofparmaidaho.org>; 'publicworks@cityofparmaidaho.org' <publicworks@cityofparmaidaho.org>; 'cityhalladmin@cityofparmaidaho.org' <cityhalladmin@cityofparmaidaho.org>; 'snickel@staridaho.org' <snickel@staridaho.org>; 'wsevery@cityofwilder.org' <wsevery@cityofwilder.org>; 'casanderson@caldwellschools.org' <casanderson@caldwellschools.org>; 'nicmiller@cw.edu' <nicmiller@cw.edu>; 'ddenney@homedaleschools.org' <ddenney@homedaleschools.org>; 'bgraves@kunaschools.org' <bgraves@kunaschools.org>; 'tejensen@kunaschools.org' <tejensen@kunaschools.org>; 'nstewart@marsinghschools.org' <nstewart@marsinghschools.org>; 'sadams@melbaschools.org' <sadams@melbaschools.org>; 'Horner.Marci@westada.org' <Horner.Marci@westada.org>; 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'cstauffer@nsd131.org' <cstauffer@nsd131.org>; 'dleon@nsd131.org' <dleon@nsd131.org>; 'krantz@notusschools.org' <krantz@notusschools.org>; 'tkelly@parmaschools.org' <tkelly@parmaschools.org>; 'jenny.titus@vallivue.org' <jenny.titus@vallivue.org>; 'lisa.boyd@vallivue.org' <lisa.boyd@vallivue.org>; 'joseph.palmer@vallivue.org' <joseph.palmer@vallivue.org>; 'jdillon@wilderschools.org' <jdillon@wilderschools.org>; 'lrichard@cityofcaldwell.org' <lrichard@cityofcaldwell.org>; 'alan.perry@cityofcaldwell.org' <alan.perry@cityofcaldwell.org>; 'homedalefd@gmail.com' <homedalefd@gmail.com>; 'tlawrence@kunafire.com' <tlawrence@kunafire.com>; 'khinkle@kunafire.com' <khinkle@kunafire.com>; 'marsingfiredistrict@yahoo.com' <marsingfiredistrict@yahoo.com>; 'marsingruralfire@gmail.com' <marsingruralfire@gmail.com>; 'brian.mccormack@melbafire.id.gov' <brian.mccormack@melbafire.id.gov>; 'kenny.hoagland@melbafire.id.gov' <kenny.hoagland@melbafire.id.gov>; 'vislas@starfirerescue.org'

<vislas@starfirerescue.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'eddy@heritagewifi.com'  
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 <jmaloney@wilderfire.org>; Knute Sandahl <Knute.Sandahl@doi.idaho.gov>; 'chopper@hwydistrict4.org'  
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 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingram@idahopower.com'  
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 <irr.water.3@gmail.com>; 'wilders04@msn.com' <wilders04@msn.com>; 'irrigation.mm.mi@gmail.com'  
 <irrigation.mm.mi@gmail.com>; 'nmid@nmid.org' <nmid@nmid.org>; 'eolvera@nmid.org' <eolvera@nmid.org>;  
 'terri@nyid.org' <terri@nyid.org>; 'kirk@pioneerirrigation.com' <kirk@pioneerirrigation.com>;  
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 'fcdc1875@gmail.com' <fcdc1875@gmail.com>; 'Mack@settlersirrigation.org' <Mack@settlersirrigation.org>;  
 'kchamberlain.fcdc@gmail.com' <kchamberlain.fcdc@gmail.com>; Mitch Kiester <mitch.kiester@phd3.idaho.gov>;  
 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; 'wilderirrigation10@gmail.com'  
 <wilderirrigation10@gmail.com>; 'drain.dist.2@gmail.com' <drain.dist.2@gmail.com>; 'bryce@sawtoothlaw.com'  
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 <scott\_sbi@outlook.com>; 'farmerhouston@gmail.com' <farmerhouston@gmail.com>; projectmgr  
 <projectmgr@boiseriver.org>; 'scott\_sbi@outlook.com' <scott\_sbi@outlook.com>; testrada@starswd.com;  
 'jlucas@achdidaho.org' <jlucas@achdidaho.org>; 'clittle@achdidaho.org' <clittle@achdidaho.org>;  
 'brentc@brownbuscompany.com' <brentc@brownbuscompany.com>; '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>; 'ITDD3PERMITS@ITD.IDAHO.GOV'  
 <ITDD3PERMITS@ITD.IDAHO.GOV>; 'Airport.Planning@itd.idaho.gov' <Airport.Planning@itd.idaho.gov>;  
 'webmaster@valleyregionaltransit.org' <webmaster@valleyregionaltransit.org>; 'smm5156@gmail.com'  
 <smm5156@gmail.com>; 'deb0815@yahoo.com' <deb0815@yahoo.com>; 'kunacemetery@gmail.com'  
 <kunacemetery@gmail.com>; '3tjj@frontiernet.net' <3tjj@frontiernet.net>; 'melbacemetery@gmail.com'  
 <melbacemetery@gmail.com>; 'middletoncemdist13@gmail.com' <middletoncemdist13@gmail.com>;  
 'ann\_jacops@hotmail.com' <ann\_jacops@hotmail.com>; 'prchuston@gmail.com' <prchuston@gmail.com>; Brian  
 Crowthorn <Brian.Crowthorn@canyoncounty.id.gov>; Christine Wendelsdorf  
 <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>;  
 'tryska7307@gmail.com' <tryska7307@gmail.com>; Curt Shankel <shankelc@cityofnampa.us>; Dalia Alnajjar  
 <Dalia.Alnajjar@canyoncounty.id.gov>; Cassie Lamb <Cassie.Lamb@canyoncounty.id.gov>; Tom Crosby  
 <Tom.Crosby@canyoncounty.id.gov>; Eric Arthur <Eric.Arthur@canyoncounty.id.gov>; Kathy Husted  
 <Kathleen.Husted@canyoncounty.id.gov>; Tony Almeida <tony.almeida@canyoncounty.id.gov>; Sage Huggins  
 <Sage.Huggins@canyoncounty.id.gov>; Diana Little <Diana.Little@canyoncounty.id.gov>; Loretta Tweedy  
 <Loretta.Tweedy@canyoncounty.id.gov>; Assessor Website <2cAsr@canyoncounty.id.gov>; Elections Clerk  
 <electionsclerk@canyoncounty.id.gov>; 'roger@amgidaho.com' <roger@amgidaho.com>; Nichole Schwend  
 <Nichole.Schwend@canyoncounty.id.gov>; Nichole Schwend <Nichole.Schwend@canyoncounty.id.gov>; Rick Britton



<Rick.Britton@canyoncounty.id.gov>; 'middletown.rich@gmail.com' <middletown.rich@gmail.com>; Jim Lunders <jlunders@2cmad.org>; 'jshoemaker@blm.gov' <jshoemaker@blm.gov>; 'MGRodriguez@usbr.gov' <MGRodriguez@usbr.gov>; 'edward\_owens@fws.gov' <edward\_owens@fws.gov>; BRO Admin <BRO.Admin@deq.idaho.gov>; Kenny Huston <kenny.huston@oer.idaho.gov>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Jackson, Peter <Peter.Jackson@idwr.idaho.gov>; O'Shea, Maureen <Maureen.OShea@idwr.idaho.gov>; IDWR File <file@idwr.idaho.gov>; 'smith.carolyn.d@epa.gov' <smith.carolyn.d@epa.gov>; 'John.Graves@fema.dhs.gov' <John.Graves@fema.dhs.gov>; 'idahoaaa@gmail.com' <idahoaaa@gmail.com>; 'Zlathim@IDL.idaho.gov' <Zlathim@IDL.idaho.gov>; Flack, Brandon <brandon.flack@idfg.idaho.gov>; 'Aubrie.Hunt@dhw.idaho.gov' <Aubrie.Hunt@dhw.idaho.gov>; 'Marilyn.Peoples@dhw.idaho.gov' <Marilyn.Peoples@dhw.idaho.gov>; Tricia Canaday <Tricia.Canaday@ishs.idaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; Patricia Hoffman <Patricia.Hoffman@ishs.idaho.gov>; Stevie Harris <Stevie.Harris@ISDA.IDAHO.GOV>; Laura Johnson <Laura.Johnson@ISDA.IDAHO.GOV>; 'tate.walters@id.usda.gov' <tate.walters@id.usda.gov>; 'carol.chadwick@usda.gov' <carol.chadwick@usda.gov>; 'noe.ramirez@usda.gov' <noe.ramirez@usda.gov>; 'cenww-rd-boi-tv@usace.army.mil' <cenww-rd-boi-tv@usace.army.mil>; 'laura.j.freedman@usps.gov' <laura.j.freedman@usps.gov>; 'Rakesh.N.Dewan@usps.gov' <Rakesh.N.Dewan@usps.gov>; 'Chad.M.Franklin@usps.gov' <Chad.M.Franklin@usps.gov>; 'Melvin.B.Norton@usps.gov' <Melvin.B.Norton@usps.gov>; 'Tammi.L.Barth@usps.gov' <Tammi.L.Barth@usps.gov>; 'henry.medel@usps.gov' <henry.medel@usps.gov>; 'Khrista.M.Holman@usps.gov' <Khrista.M.Holman@usps.gov>; 'Rochelle.Fuquay@usps.gov' <Rochelle.Fuquay@usps.gov>; 'leroy.eyler@usps.gov' <leroy.eyler@usps.gov>; 'marc.c.boyer@usps.gov' <marc.c.boyer@usps.gov>; 'mhuff@co.owyhee.id.us' <mhuff@co.owyhee.id.us>; 'gmprdjennifer@gmail.com' <gmprdjennifer@gmail.com>; 'lisaitano@me.com' <lisaitano@me.com>; 'scott@fccnw.com' <scott@fccnw.com>; 'srcsbinfo@gmail.com' <srcsbinfo@gmail.com>; 'tottens@amsidaho.com' <tottens@amsidaho.com>; 'melvin.b.norton@usps.gov' <melvin.b.norton@usps.gov>; 'scott.hauser@usrtf.org' <scott.hauser@usrtf.org>; 'info@destinationcaldwell.com' <info@destinationcaldwell.com>; 'makline2@marathonpetroleum.com' <makline2@marathonpetroleum.com>; 'news@kboi2.com' <news@kboi2.com>; 'news@kivity.com' <news@kivity.com>; 'ktvbnews@ktvb.com' <ktvbnews@ktvb.com>; '670@kboi.com' <670@kboi.com>; Newsroom <newsroom@idahopress.com>; 'm Middletonexpress1@gmail.com' <m Middletonexpress1@gmail.com>; 'rmorgan@kellerassociates.com' <rmorgan@kellerassociates.com>  
**Subject:** Legal Notice OR2023-0005/CR2023-0011; Q2 LLC

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Dear Agencies,

Your agency is being notified pursuant to the Local Land Use Planning Act, Idaho Code 67-6509, to all political subdivisions providing services within the planning jurisdiction of Canyon County, including school districts and media.

No response is required from your agency unless you have input on the proposed project.

Contact the planner of record, **Michelle Barron** at [michelle.barron@canyoncounty.id.gov](mailto:michelle.barron@canyoncounty.id.gov) with any questions or additional agency comments or concerns if applicable.

Thank you,



**Caitlin Ross**

Hearing Specialist

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

Direct Line: 208-454-7463

Email: [Caitlin.Ross@canyoncounty.id.gov](mailto:Caitlin.Ross@canyoncounty.id.gov)

Website: [www.canyoncounty.id.gov](http://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.**



March 24, 2025

Michelle Barron, Planner  
111 North 11<sup>th</sup> Ave.  
Ste. 310  
Caldwell, Idaho, 83605  
[michelle.barron@canyoncounty.id.gov](mailto:michelle.barron@canyoncounty.id.gov)

Subject: Legal Notice OR2023-0005/CR2023-0011; Q2 LLC

Dear Ms. Barron:

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

<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

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

## 1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), and trade waste burning (58.01.01.600-617).
- For new development projects, all property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.
- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.

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

## **2. WASTEWATER AND RECYCLED WATER**

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

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

## **3. DRINKING WATER**

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

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



#### 4. SURFACE WATER

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

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

#### 5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

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

#### 6. ADDITIONAL NOTES

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Troy Smith", with a stylized flourish at the end.

Troy Smith  
Regional Administrator



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

**IDAHO TRANSPORTATION DEPARTMENT**  
P.O. Box 8028 • Boise, ID 83707-2028  
(208) 334-8300 • [itd.idaho.gov](http://itd.idaho.gov)

February 18, 2025

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

**VIA EMAIL**

<b>Development Application</b>	<b>OR2023-0005/CR2023-0011</b>
<b>Project Name</b>	<b>Q2 LLC</b>
<b>Project Location</b>	Abuts southside of SH-44 at approximate MP 10.17
<b>Project Description</b>	25 Residential Subdivision
<b>Applicant</b>	Becky Yzagurrie; Ardurra

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

1. This project abuts the state highway system.
2. The access to this parcel is permitted as a joint use approach with ITD Permit No. 3-17-039.
3. Due to change of access use, applicant will need to submit an ITD Right-of-Way Encroachment Application and Permit – Approaches or Public Streets in order to have it properly documented as a Multiple Residential access. Applicant may apply by visiting <https://gisp.itd.idaho.gov/portal/apps/sites/#/itd-permits> or clicking [here](#).
4. ITD requires the applicant to complete a Turn Lane Warrant to determine if any mitigations will be required. Please have applicant contact ITD at the below provided information for more details.

If you have questions regarding this application, you may contact Niki Benyakhlef at [Niki.Benyakhlef@itd.idaho.gov](mailto:Niki.Benyakhlef@itd.idaho.gov) or (208)334-8337.

Sincerely,

*Niki Benyakhlef*

Niki Benyakhlef  
Development Services Coordinator  
ITD District 3  
[Niki.Benyakhlef@itd.idaho.gov](mailto:Niki.Benyakhlef@itd.idaho.gov)

**Michelle Barron**

---

**From:** Flack,Brandon <brandon.flack@idfg.idaho.gov>  
**Sent:** Monday, March 3, 2025 4:19 PM  
**To:** Michelle Barron  
**Subject:** Re: [External] Fw: Agency Notification OR2023-0005/CR2023-0011 / Q2 LLC

Hi Michelle,

Sorry for the slow reply. It's been busy around here!

I appreciate the explanation you provided. We are obviously concerned about contaminants entering the river so that should be avoided as this project is developed. Does the floodplain development permit go out for agency comments, too? Or is that an internal review? If that is something you'd like us to look at when the time comes, please let me know.

As for the pond, it looks like the current water rights for that property are irrigation water rights but there is no storage associated with them. That means they will likely need to change the current water right to include storage as a beneficial use. In addition, if there is any intent to keep the pond full and use it as a stocked fishing pond, they need to be aware that will require a private pond permit from IDFG and they may also need to get a live fish transportation permit from IDFG, as well, if they plan stock the pond themselves.

That's generally sums up our concerns with this project. Please let me know if you have any additional questions.

**Brandon Flack**

Regional Technical Assistance Manager  
Idaho Dept. of Fish and Game  
Southwest Region  
15950 N. Gate Blvd.  
Nampa, ID 83687  
Ph: (208) 854-8947



---

**From:** Michelle Barron <Michelle.Barron@canyoncounty.id.gov>  
**Sent:** Tuesday, February 18, 2025 12:48 PM  
**To:** Flack,Brandon <brandon.flack@idfg.idaho.gov>  
**Subject:** FW: [External] Fw: Agency Notification OR2023-0005/CR2023-0011 / Q2 LLC

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Maybe I should attach the scan? Sorry about that.



*Michelle Barron*  
*Principal Planner*  
*Canyon County Development Services Department*  
*111 N. 11th Ave., #310, Caldwell, ID 83605*  
Direct Line: 208-455-6033  
DSD Office Phone: 208-454-7458  
Email: [Michelle.Barron@canyoncounty.id.gov](mailto:Michelle.Barron@canyoncounty.id.gov)  
Website: [www.canyoncounty.id.gov](http://www.canyoncounty.id.gov)

---

**From:** Michelle Barron  
**Sent:** Tuesday, February 18, 2025 12:48 PM  
**To:** 'Flack,Brandon' <brandon.flack@idfg.idaho.gov>  
**Subject:** FW: [External] Fw: Agency Notification OR2023-0005/CR2023-0011 / Q2 LLC

Good Afternoon Brandon,

Canyon County doesn't have building setbacks for rivers, but they will need to complete a floodplain development permit process which may recommend setbacks or buffer zones. I scanned the concept plan at a higher resolution for you. It is slightly better than what you have. According to plat note 5, it does appear that they are proposing a pond to collect irrigation water for use by the subdivision. Again, that would be analyzed when a floodplain development study is completed.

Let me know if I can answer any other questions. I am now the planner assigned to this case, so you can reply to me directly.

Thanks,

*Michelle Barron*  
*Principal Planner*  
*Canyon County Development Services Department*  
*111 N. 11th Ave., #310, Caldwell, ID 83605*  
Direct Line: 208-455-6033  
DSD Office Phone: 208-454-7458  
Email: [Michelle.Barron@canyoncounty.id.gov](mailto:Michelle.Barron@canyoncounty.id.gov)  
Website: [www.canyoncounty.id.gov](http://www.canyoncounty.id.gov)

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**From:** Flack,Brandon <brandon.flack@idfg.idaho.gov>  
**Sent:** Thursday, February 13, 2025 4:27 PM  
**To:** Dan Lister <[Daniel.Lister@canyoncounty.id.gov](mailto:Daniel.Lister@canyoncounty.id.gov)>  
**Subject:** [External] Fw: Agency Notification OR2023-0005/CR2023-0011 / Q2 LLC

Hi Daniel,

I have a couple of questions that I hope you can clarify before we provide comments on this subdivision proposal.

1. Does Canyon County have building setbacks for rivers?
2. And, in the preliminary plat they provide, is that a proposed pond in the corner of the property by the river?

Thanks,

**Brandon Flack**

Regional Technical Assistance Manager  
Idaho Dept. of Fish and Game  
Southwest Region  
15950 N. Gate Blvd.  
Nampa, ID 83687  
Ph: (208) 854-8947



---

**From:** Caitlin Ross <[Caitlin.Ross@canyoncounty.id.gov](mailto:Caitlin.Ross@canyoncounty.id.gov)>

**Sent:** Wednesday, January 22, 2025 2:48 PM

**To:** 'jgreen@marsingcity.com' <[jgreen@marsingcity.com](mailto:jgreen@marsingcity.com)>; 'nstewart@marsingschools.org' <[nstewart@marsingschools.org](mailto:nstewart@marsingschools.org)>; 'marsingfiredistrict@yahoo.com' <[marsingfiredistrict@yahoo.com](mailto:marsingfiredistrict@yahoo.com)>; 'marsingruralfire@gmail.com' <[marsingruralfire@gmail.com](mailto:marsingruralfire@gmail.com)>; Knute Sandahl <[Knute.Sandahl@doi.idaho.gov](mailto:Knute.Sandahl@doi.idaho.gov)>; 'bobw@gghd3.org' <[bobw@gghd3.org](mailto:bobw@gghd3.org)>; 'brandy.walker@centurylink.com' <[brandy.walker@centurylink.com](mailto:brandy.walker@centurylink.com)>; 'eingram@idahopower.com' <[eingram@idahopower.com](mailto:eingram@idahopower.com)>; 'easements@idahopower.com' <[easements@idahopower.com](mailto:easements@idahopower.com)>; 'mkelly@idahopower.com' <[mkelly@idahopower.com](mailto:mkelly@idahopower.com)>; 'monica.taylor@intgas.com' <[monica.taylor@intgas.com](mailto:monica.taylor@intgas.com)>; 'jessica.mansell@intgas.com' <[jessica.mansell@intgas.com](mailto:jessica.mansell@intgas.com)>; 'Contract.Administration.Bid.Box@ziply.com' <[Contract.Administration.Bid.Box@ziply.com](mailto:Contract.Administration.Bid.Box@ziply.com)>; 'tritthaler@boiseproject.org' <[tritthaler@boiseproject.org](mailto:tritthaler@boiseproject.org)>; 'gashley@boiseproject.org' <[gashley@boiseproject.org](mailto:gashley@boiseproject.org)>; 'projectmgr@boiseriver.org' <[projectmgr@boiseriver.org](mailto:projectmgr@boiseriver.org)>; 'scott\_sbi@outlook.com' <[scott\\_sbi@outlook.com](mailto:scott_sbi@outlook.com)>; 'brentc@brownbuscompany.com' <[brentc@brownbuscompany.com](mailto:brentc@brownbuscompany.com)>; 'gis@compassidaho.org' <[gis@compassidaho.org](mailto:gis@compassidaho.org)>; 'D3Development.services@itd.idaho.gov' <[D3Development.services@itd.idaho.gov](mailto:D3Development.services@itd.idaho.gov)>; 'niki.benyakhlef@itd.idaho.gov' <[niki.benyakhlef@itd.idaho.gov](mailto:niki.benyakhlef@itd.idaho.gov)>; Mitch Kiester <[mitch.kiester@phd3.idaho.gov](mailto:mitch.kiester@phd3.idaho.gov)>; 'anthony.lee@phd3.idaho.gov' <[anthony.lee@phd3.idaho.gov](mailto:anthony.lee@phd3.idaho.gov)>; Brian Crawford <[Brian.Crawford@canyoncounty.id.gov](mailto:Brian.Crawford@canyoncounty.id.gov)>; Christine Wendelsdorf <[Christine.Wendelsdorf@canyoncounty.id.gov](mailto:Christine.Wendelsdorf@canyoncounty.id.gov)>; Michael Stowell <[mstowell@ccparamedics.com](mailto:mstowell@ccparamedics.com)>; Dalia Alnajjar <[Dalia.Alnajjar@canyoncounty.id.gov](mailto:Dalia.Alnajjar@canyoncounty.id.gov)>; Cassie Lamb <[Cassie.Lamb@canyoncounty.id.gov](mailto:Cassie.Lamb@canyoncounty.id.gov)>; Tom Crosby <[Tom.Crosby@canyoncounty.id.gov](mailto:Tom.Crosby@canyoncounty.id.gov)>; Eric Arthur <[Eric.Arthur@canyoncounty.id.gov](mailto:Eric.Arthur@canyoncounty.id.gov)>; Kathy Husted <[Kathleen.Husted@canyoncounty.id.gov](mailto:Kathleen.Husted@canyoncounty.id.gov)>; Tony Almeida <[tony.almeida@canyoncounty.id.gov](mailto:tony.almeida@canyoncounty.id.gov)>; Sage Huggins <[Sage.Huggins@canyoncounty.id.gov](mailto:Sage.Huggins@canyoncounty.id.gov)>; Assessor Website <[2cAsr@canyoncounty.id.gov](mailto:2cAsr@canyoncounty.id.gov)>; 'middletown.rich@gmail.com' <[middletown.rich@gmail.com](mailto:middletown.rich@gmail.com)>; 'jshoemaker@blm.gov' <[jshoemaker@blm.gov](mailto:jshoemaker@blm.gov)>; 'MGRodriguez@usbr.gov' <[MGRodriguez@usbr.gov](mailto:MGRodriguez@usbr.gov)>; BRO Admin <[BRO.Admin@deq.idaho.gov](mailto:BRO.Admin@deq.idaho.gov)>; 'John.Graves@fema.dhs.gov' <[John.Graves@fema.dhs.gov](mailto:John.Graves@fema.dhs.gov)>; IDWR File <[file@idwr.idaho.gov](mailto:file@idwr.idaho.gov)>; Flack,Brandon <[brandon.flack@idfg.idaho.gov](mailto:brandon.flack@idfg.idaho.gov)>; Stevie Harris <[Stevie.Harris@ISDA.IDAHO.GOV](mailto:Stevie.Harris@ISDA.IDAHO.GOV)>; 'idahoaaa@gmail.com' <[idahoaaa@gmail.com](mailto:idahoaaa@gmail.com)>

**Subject:** Agency Notification OR2023-0005/CR2023-0011 / Q2 LLC

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Please see the attached agency notice. You are invited to provide written testimony or comments by **February 22, 2025**, although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day. The deadline for written testimony or additional exhibits is to ensure planners can consider

the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

Please direct your comments or questions to Planner **Dan Lister** at [daniel.lister@canyoncounty.id.gov](mailto:daniel.lister@canyoncounty.id.gov).

Thank you,



**Caitlin Ross**

Hearing Specialist

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

Direct Line: 208-454-7463

Email: [Caitlin.Ross@canyoncounty.id.gov](mailto:Caitlin.Ross@canyoncounty.id.gov)

Website: [www.canyoncounty.id.gov](http://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.**



J-U-B COMPANIES



THE  
LANGDON  
GROUP



GATEWAY  
MAPPING  
INC.

Exhibit D7

January 23, 2025

Canyon County Development Services Department  
Attn: Dan Lister, Principal Planner  
111 North 11<sup>th</sup> Ave, Suite 310  
Caldwell, ID 83605  
Phone: (208)455-5959, Email: [daniel.lister@canyoncounty.id.gov](mailto:daniel.lister@canyoncounty.id.gov)

RE: Case No.: OR2023-0005/CR2023-0011, Q2 LLC, Comprehensive Plan Map Amendment and Conditional Rezone Applications Review

Dear Dan,

On behalf of Golden Gate Highway District No. 3 (GGHD), J-U-B Engineers, Inc. has reviewed the subject Comprehensive Plan Map Amendment and Conditional Rezone Applications for the property owned by Q2 LLC located between 12639 Sunny Slope Rd, Caldwell, and the Snake River. The property includes Parcels #R33590012G, R33590012A, and R22590012I (total approximately 70 acres) and is in a portion of the NW1/4, Section 34, T3N, R4W, BM, Canyon County.

The applicant requests a Comprehensive Plan Map Amendment from Agri-Tourism Exclusive Farmland to Rural Residential. Following approval of the Comprehensive Plan Map Amendment, the applicant also requests a Conditional Rezone from Agricultural to Residential. The rezone includes a development agreement limiting development to 25 residential lots, resulting in a 2.8-acre average lot size. Access to the proposed development is near the southwest corner of the property from State Highway 55 (SH55) onto Lizard Butte Ln, a private gravel road. SH55 is owned and maintained by the Idaho Transportation Department (ITD).

At this time, and based upon information provided with the application, the following items apply:

1. Coordination with and permitting through ITD for access on SH55 is required.
2. All proposed private and public roads within the subdivision will be designed and constructed in accordance with the 2022 Association of Canyon County Highway Districts Highway Standards & Development Procedures (ACCHD Standards).

GGHD reserves the right to provide amended comments/conditions of approval in the event of application revision or when additional information becomes available. GGHD requests Canyon County Development Services incorporate these comments into proposed Conditions of Approval for consideration/approval by Canyon County.

Respectfully,

**Christopher S. Pettigrew, P.E.**

*Transportation Services Group, Project Manager/Engineer*

CC: Bob Watkins, GGHD Director of Highways



**FRED BUTLER**  
CHAIRMAN OF THE BOARD

**RICHARD MURGOITIO**  
VICE CHAIRMAN OF THE BOARD

**ROBERT D. CARTER**  
PROJECT MANAGER

**THOMAS RITTHALER**  
ASSISTANT PROJECT MANAGER

**APRYL GARDNER**  
SECRETARY-TREASURER

**MARY SUE CHASE**  
ASSISTANT SECRETARY-  
TREASURER

## **BOISE PROJECT BOARD OF CONTROL**

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD  
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000  
ACRES FOR THE FOLLOWING  
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT  
BOISE-KUNA DISTRICT  
WILDER DISTRICT  
NEW YORK DISTRICT  
BIG BEND DISTRICT

24 January 2025

TEL: (208) 344-1141  
FAX: (208) 344-1437

Canyon County Development Services  
111 North 11<sup>th</sup> Ave., Ste. 310  
Caldwell, Idaho 83605

RE: Q2 LLC-River Butte Estates  
Northside of HYW 55 and Snake River  
Wilder Irrigation District  
Sunny Slope #2 Lateral 72+50  
Sec. 24, T3N, R4W, BM.

**OR2023-005/CR2023-0011**

W-482/485, 482

RECEIVED

JAN 28 2025

RECEIVED

Dan Lister, Planner:

The United States' Kent Drain, Murray Drain and Sunny Slope #2 Wasteway lie within the boundary of the above-mentioned location. The easement for these drains is held in the name of the United States through the Bureau of Reclamation under the authority of the Act of August 30, 1890. (26 Stat. 391; 43 U.S.C. 945)

The Boise Project Board of Control is contracted to operate and maintain these drains and wasteway. We assert the federal easement of 25 feet from the center of these drains and wasteway in both directions. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

The Boise Project does not approve any landscaping other than gravel within its easements, as this will certainly increase our cost of maintenance. Easements must be left a flat drivable surface. No variances will be granted.

All fences, gates, pathways and pressurized irrigation lines, as may be required, must be just off the edge of all Boise Project easements. No variances will be granted.

Per Idaho Statutes, Title 42, local irrigation/drainage ditches that cross this property, to serve neighboring properties, must remain unobstructed and protected by an appropriate easement by the landowner, developer and contractors.

Storm drainage and/or street runoff must be retained on site.

Parking lots, curbing, light poles, signs, etc. and the placing of asphalt and/or cement over Project facility easements must be located outside of these easements or get the proper consent to use agreement through the Bureau of Reclamation and Boise Project prior to any construction being

done within said easement. All work within the easement must take place between October 15th and March 1<sup>st</sup> (the non-irrigation season).

Utilities planning to cross any project facility must do so in accordance with the master policies now held between the Bureau of Reclamation and most of the utilities. In any case no work shall take place within the easement before proper crossing agreements have been secured through both the Bureau of Reclamation and the Boise Project Board of Control.

This development is subject to Idaho Code 31-3805, in accordance, this office is requesting a hard copy of all plans including drainage and irrigation.

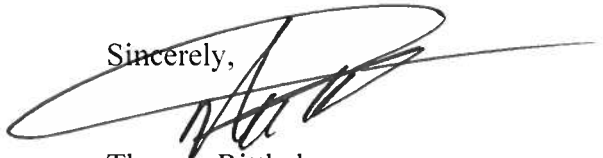
Wording on the preliminary and final recorded plat needs to state that any proposed and/or future usage of the Boise Project Board of Control facilities are subject to Idaho Statutes, Title 42-1209.

We request a copy of the recorded final plat and/or record of survey (to include instrument, book and page numbers) be sent to the Boise Project Board of Control so we may track this project to closure.

Whereas this development is in its preliminary stages, Boise Project Board of Control reserves the right to require changes when our easements and/or facilities are affected by unknown factors even during the construction phase.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,



Thomas Ritthaler  
Assistant Project Manager, BPBC

tbr/tr

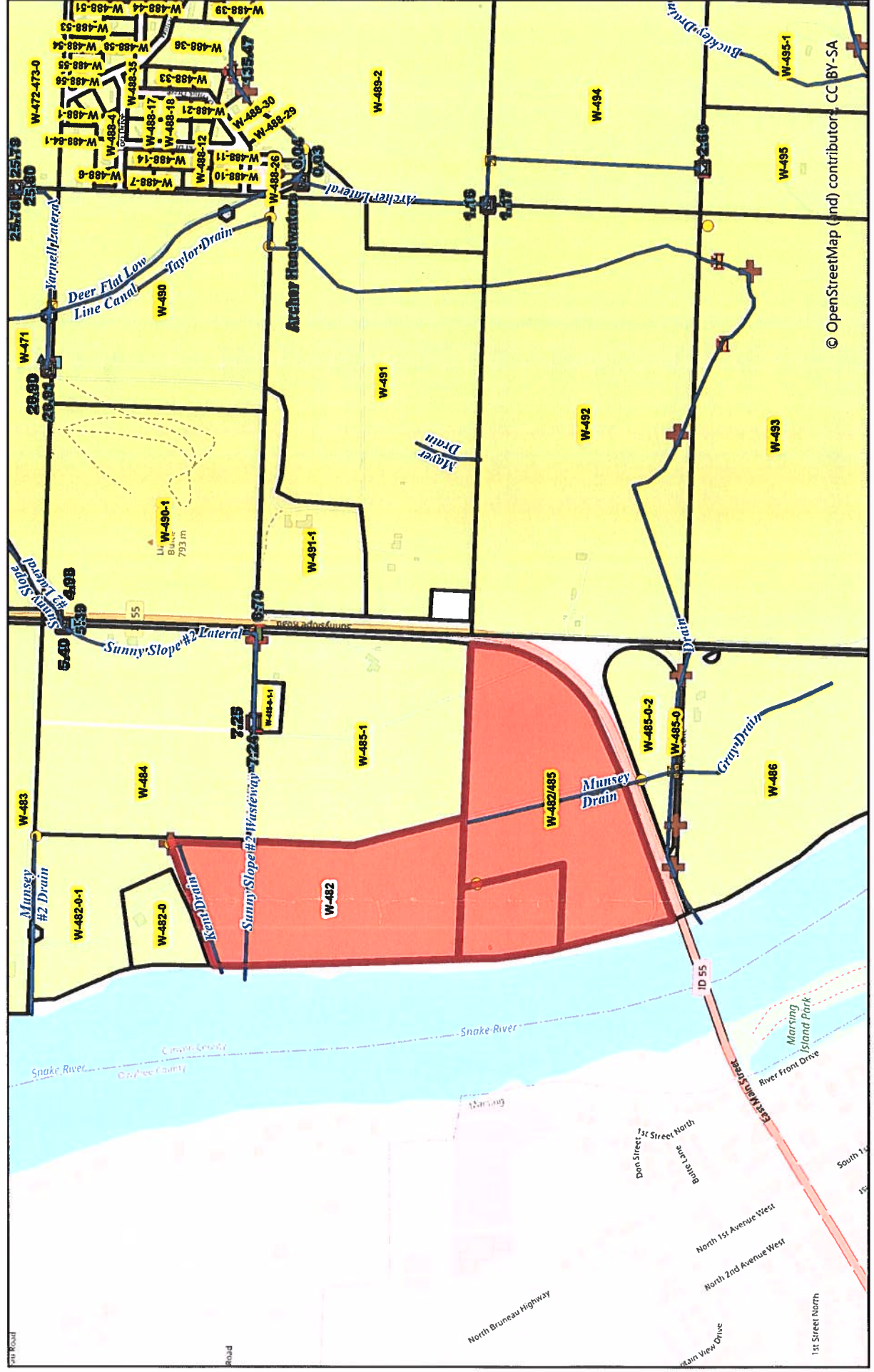
cc:	Tony Avermann	Watermaster, Div. 4, BPBC
	Lisa Sweet	Secretary – Treasurer, WID
	File	

**River Butte Estates, Parcels  
R33590012A, G, & I**

W-482/485	Q2 LLC	SUNNY SLOPE #2, TAP 7.25	40.79 WATER RIGHT ACRES
		SUNNY SLOPE #2, TAP 6.70	1.94 WATER RIGHT ACRES
W-482	Q2 LLC	SUNNY SLOPE #2, TAP 7.25	31.93 WATER RIGHT ACRES

Agency Contact: Canyon County Planning & Zoning  
Contact: Dan Lister, Canyon County Planner    daniel.lister@canyoncounty.id.gov  
Hearing Date: NONE LISTED    Submit Comments by: 2/22/2025

X:\Scans\RiverButteEstates



**Michelle Barron**

**From:** Caitlin Ross  
**Sent:** Friday, March 14, 2025 3:12 PM  
**To:** Michelle Barron  
**Subject:** FW: [External] RE: Legal Notice OR2023-0005/CR2023-0011; Q2 LLC

FYI – thanks!

-Caitlin

---

**From:** Doug Critchfield <critchfielddd@cityofnampa.us>  
**Sent:** Friday, March 14, 2025 2:31 PM  
**To:** Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>  
**Subject:** [External] RE: Legal Notice OR2023-0005/CR2023-0011; Q2 LLC

Michelle – Nampa has no comments. Thanks - Doug



**Doug Critchfield, Principal Planner, ASLA**

O: 208.468.5442, F: 208.468.5439

500 12<sup>th</sup> Ave. S., Nampa, ID 83651

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**NAMPA**Ready

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**From:** Caitlin Ross <[Caitlin.Ross@canyoncounty.id.gov](mailto:Caitlin.Ross@canyoncounty.id.gov)>  
**Sent:** Friday, March 14, 2025 12:47 PM  
**To:** 'rcollins@cityofcaldwell.org' <[rcollins@cityofcaldwell.org](mailto:rcollins@cityofcaldwell.org)>; 'P&Z@cityofcaldwell.org' <[P&Z@cityofcaldwell.org](mailto:P&Z@cityofcaldwell.org)>; 'dgeyer@cityofcaldwell.org' <[dgeyer@cityofcaldwell.org](mailto:dgeyer@cityofcaldwell.org)>; 'jdodson@cityofcaldwell.org' <[jdodson@cityofcaldwell.org](mailto:jdodson@cityofcaldwell.org)>; 'mbessaw@cityofcaldwell.org' <[mbessaw@cityofcaldwell.org](mailto:mbessaw@cityofcaldwell.org)>; 'amy@civildynamics.net' <[amy@civildynamics.net](mailto:amy@civildynamics.net)>; 'alicep@cityofhomedale.org' <[alicep@cityofhomedale.org](mailto:alicep@cityofhomedale.org)>; 'jgreen@marsingcity.com' <[jgreen@marsingcity.com](mailto:jgreen@marsingcity.com)>; 'mayor@cityofmelba.org' <[mayor@cityofmelba.org](mailto:mayor@cityofmelba.org)>; 'cityclerk@cityofmelba.org' <[cityclerk@cityofmelba.org](mailto:cityclerk@cityofmelba.org)>; 'jhutchison@middletoncity.org' <[jhutchison@middletoncity.org](mailto:jhutchison@middletoncity.org)>; 'jreynolds@middletoncity.org' <[jreynolds@middletoncity.org](mailto:jreynolds@middletoncity.org)>; 'mhobbs@middletoncity.org' <[mhobbs@middletoncity.org](mailto:mhobbs@middletoncity.org)>; 'rstewart@middletoncity.org' <[rstewart@middletoncity.org](mailto:rstewart@middletoncity.org)>; Robyn Sellers <[sellersr@cityofnampa.us](mailto:sellersr@cityofnampa.us)>; Kristi Watkins <[watkinsk@cityofnampa.us](mailto:watkinsk@cityofnampa.us)>; Daniel Badger <[BadgerD@cityofnampa.us](mailto:BadgerD@cityofnampa.us)>; Addressing <[Addressing@cityofnampa.us](mailto:Addressing@cityofnampa.us)>; Doug Critchfield <[critchfielddd@cityofnampa.us](mailto:critchfielddd@cityofnampa.us)>; Clerks <[clerks@cityofnampa.us](mailto:clerks@cityofnampa.us)>; Char Tim <[timc@cityofnampa.us](mailto:timc@cityofnampa.us)>; 'notuscityclerk@gmail.com' <[notuscityclerk@gmail.com](mailto:notuscityclerk@gmail.com)>; 'clerk@cityofparmaidaho.org' <[clerk@cityofparmaidaho.org](mailto:clerk@cityofparmaidaho.org)>; 'mayor@cityofparmaidaho.org' <[mayor@cityofparmaidaho.org](mailto:mayor@cityofparmaidaho.org)>; 'publicworks@cityofparmaidaho.org' <[publicworks@cityofparmaidaho.org](mailto:publicworks@cityofparmaidaho.org)>; 'cityhalladmin@cityofparmaidaho.org' <[cityhalladmin@cityofparmaidaho.org](mailto:cityhalladmin@cityofparmaidaho.org)>; 'snickel@staridaho.org' <[snickel@staridaho.org](mailto:snickel@staridaho.org)>; 'wsevery@cityofwilder.org' <[wsevery@cityofwilder.org](mailto:wsevery@cityofwilder.org)>; 'casanderson@caldwellschools.org' <[casanderson@caldwellschools.org](mailto:casanderson@caldwellschools.org)>; 'nicmiller@cw.edu' <[nicmiller@cw.edu](mailto:nicmiller@cw.edu)>; 'ddenney@homedaleschools.org' <[ddenney@homedaleschools.org](mailto:ddenney@homedaleschools.org)>; 'bgraves@kunaschools.org' <[bgraves@kunaschools.org](mailto:bgraves@kunaschools.org)>; 'tejensen@kunaschools.org' <[tejensen@kunaschools.org](mailto:tejensen@kunaschools.org)>; 'nstewart@marsingschools.org' <[nstewart@marsingschools.org](mailto:nstewart@marsingschools.org)>; 'sadams@melbaschools.org' <[sadams@melbaschools.org](mailto:sadams@melbaschools.org)>; 'Horner.Marci@westada.org' <[Horner.Marci@westada.org](mailto:Horner.Marci@westada.org)>; 'lgrooms@msd134.org' <[lgrooms@msd134.org](mailto:lgrooms@msd134.org)>; 'mgee@msd134.org' <[mgee@msd134.org](mailto:mgee@msd134.org)>; 'cstauffer@nsd131.org' <[cstauffer@nsd131.org](mailto:cstauffer@nsd131.org)>;



'dleon@nsd131.org' <[dleon@nsd131.org](mailto:dleon@nsd131.org)>; 'krantz@notusschools.org' <[krantz@notusschools.org](mailto:krantz@notusschools.org)>;  
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 <[lisa.boyd@vallivue.org](mailto:lisa.boyd@vallivue.org)>; 'joseph.palmer@vallivue.org' <[joseph.palmer@vallivue.org](mailto:joseph.palmer@vallivue.org)>; 'jdillon@wilderschools.org'  
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 Johnson <[johnsonrl@nampafire.org](mailto:johnsonrl@nampafire.org)>; 'johnsonre@nampafire.org' <[johnsonre@nampafire.org](mailto:johnsonre@nampafire.org)>; 'Jeff@parmafire.us'  
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 <[developmentreview@blackcanyonirrigation.com](mailto:developmentreview@blackcanyonirrigation.com)>; 'carl@blackcanyonirrigation.com'  
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 'terri@nyid.org' <[terri@nyid.org](mailto:terri@nyid.org)>; 'kirk@pioneerirrigation.com' <[kirk@pioneerirrigation.com](mailto:kirk@pioneerirrigation.com)>;  
 'sheepmama25@gmail.com' <[sheepmama25@gmail.com](mailto:sheepmama25@gmail.com)>; 'fcdc1875@gmail.com' <[fcdc1875@gmail.com](mailto:fcdc1875@gmail.com)>;  
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 'kchamberlain.fcdc@gmail.com' <[kchamberlain.fcdc@gmail.com](mailto:kchamberlain.fcdc@gmail.com)>; 'mitch.kiester@phd3.idaho.gov'  
 <[mitch.kiester@phd3.idaho.gov](mailto:mitch.kiester@phd3.idaho.gov)>; 'anthony.lee@phd3.idaho.gov' <[anthony.lee@phd3.idaho.gov](mailto:anthony.lee@phd3.idaho.gov)>;  
 'wilderirrigation10@gmail.com' <[wilderirrigation10@gmail.com](mailto:wilderirrigation10@gmail.com)>; 'drain.dist.2@gmail.com' <[drain.dist.2@gmail.com](mailto:drain.dist.2@gmail.com)>;  
 'bryce@sawtoothlaw.com' <[bryce@sawtoothlaw.com](mailto:bryce@sawtoothlaw.com)>; 'scott\_sbi@outlook.com' <[scott\\_sbi@outlook.com](mailto:scott_sbi@outlook.com)>;  
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 'projectmgr@boiseriver.org' <[projectmgr@boiseriver.org](mailto:projectmgr@boiseriver.org)>; 'scott\_sbi@outlook.com' <[scott\\_sbi@outlook.com](mailto:scott_sbi@outlook.com)>;  
 'testrada@starswd.com' <[testrada@starswd.com](mailto:testrada@starswd.com)>; 'jlucas@achdidaho.org' <[jlucas@achdidaho.org](mailto:jlucas@achdidaho.org)>;  
 'clittle@achdidaho.org' <[clittle@achdidaho.org](mailto:clittle@achdidaho.org)>; 'brentc@brownbuscompany.com' <[brentc@brownbuscompany.com](mailto:brentc@brownbuscompany.com)>;  
 'gis@compassidaho.org' <[gis@compassidaho.org](mailto:gis@compassidaho.org)>; 'D3Development.services@itd.idaho.gov'  
 <[D3Development.services@itd.idaho.gov](mailto:D3Development.services@itd.idaho.gov)>; 'niki.benyakhlef@itd.idaho.gov' <[niki.benyakhlef@itd.idaho.gov](mailto:niki.benyakhlef@itd.idaho.gov)>;  
 'ITDD3PERMITS@ITD.IDAHO.GOV' <[ITDD3PERMITS@ITD.IDAHO.GOV](mailto:ITDD3PERMITS@ITD.IDAHO.GOV)>; 'Airport.Planning@itd.idaho.gov'  
 <[Airport.Planning@itd.idaho.gov](mailto:Airport.Planning@itd.idaho.gov)>; 'webmaster@valleyregionaltransit.org' <[webmaster@valleyregionaltransit.org](mailto:webmaster@valleyregionaltransit.org)>;  
 'smm5156@gmail.com' <[smm5156@gmail.com](mailto:smm5156@gmail.com)>; 'deb0815@yahoo.com' <[deb0815@yahoo.com](mailto:deb0815@yahoo.com)>;  
 'kunacemetery@gmail.com' <[kunacemetery@gmail.com](mailto:kunacemetery@gmail.com)>; '3tjj@frontiernet.net' <[3tjj@frontiernet.net](mailto:3tjj@frontiernet.net)>;  
 'melbacemetery@gmail.com' <[melbacemetery@gmail.com](mailto:melbacemetery@gmail.com)>; 'middletoncemdist13@gmail.com'  
 <[middletoncemdist13@gmail.com](mailto:middletoncemdist13@gmail.com)>; 'ann\_jacops@hotmail.com' <[ann\\_jacops@hotmail.com](mailto:ann_jacops@hotmail.com)>; 'prchuston@gmail.com'  
 <[prchuston@gmail.com](mailto:prchuston@gmail.com)>; Brian Crawford <[Brian.Crawford@canyoncounty.id.gov](mailto:Brian.Crawford@canyoncounty.id.gov)>; Christine Wendelsdorf

<[Christine.Wendelsdorf@canyoncounty.id.gov](mailto:Christine.Wendelsdorf@canyoncounty.id.gov)>; Michael Stowell <[mstowell@ccparamedics.com](mailto:mstowell@ccparamedics.com)>; 'tryska7307@gmail.com' <[tryska7307@gmail.com](mailto:tryska7307@gmail.com)>; Curt Shankel <[shankelc@cityofnampa.us](mailto:shankelc@cityofnampa.us)>; Dalia Alnajjar <[Dalia.Alnajjar@canyoncounty.id.gov](mailto:Dalia.Alnajjar@canyoncounty.id.gov)>; Cassie Lamb <[Cassie.Lamb@canyoncounty.id.gov](mailto:Cassie.Lamb@canyoncounty.id.gov)>; Tom Crosby <[Tom.Crosby@canyoncounty.id.gov](mailto:Tom.Crosby@canyoncounty.id.gov)>; Eric Arthur <[Eric.Arthur@canyoncounty.id.gov](mailto:Eric.Arthur@canyoncounty.id.gov)>; Kathy Husted <[Kathleen.Husted@canyoncounty.id.gov](mailto:Kathleen.Husted@canyoncounty.id.gov)>; Tony Almeida <[tony.almeida@canyoncounty.id.gov](mailto:tony.almeida@canyoncounty.id.gov)>; Sage Huggins <[Sage.Huggins@canyoncounty.id.gov](mailto:Sage.Huggins@canyoncounty.id.gov)>; Diana Little <[Diana.Little@canyoncounty.id.gov](mailto:Diana.Little@canyoncounty.id.gov)>; Loretta Tweedy <[Loretta.Tweedy@canyoncounty.id.gov](mailto:Loretta.Tweedy@canyoncounty.id.gov)>; Assessor Website <[2cAsr@canyoncounty.id.gov](mailto:2cAsr@canyoncounty.id.gov)>; Elections Clerk <[electionsclerk@canyoncounty.id.gov](mailto:electionsclerk@canyoncounty.id.gov)>; 'roger@amgidaho.com' <[roger@amgidaho.com](mailto:roger@amgidaho.com)>; Nichole Schwend <[Nichole.Schwend@canyoncounty.id.gov](mailto:Nichole.Schwend@canyoncounty.id.gov)>; Rick Britton <[Rick.Britton@canyoncounty.id.gov](mailto:Rick.Britton@canyoncounty.id.gov)>; 'middletown.rich@gmail.com' <[middletown.rich@gmail.com](mailto:middletown.rich@gmail.com)>; Jim Lunders <[jlunders@2cmad.org](mailto:jlunders@2cmad.org)>; 'jshoemaker@blm.gov' <[jshoemaker@blm.gov](mailto:jshoemaker@blm.gov)>; 'MGRodriguez@usbr.gov' <[MGRodriguez@usbr.gov](mailto:MGRodriguez@usbr.gov)>; 'edward\_owens@fws.gov' <[edward\\_owens@fws.gov](mailto:edward_owens@fws.gov)>; 'BRO.Admin@deq.idaho.gov' <[BRO.Admin@deq.idaho.gov](mailto:BRO.Admin@deq.idaho.gov)>; 'kenny.huston@oer.idaho.gov' <[kenny.huston@oer.idaho.gov](mailto:kenny.huston@oer.idaho.gov)>; 'Brenna.Garro@oer.idaho.gov' <[Brenna.Garro@oer.idaho.gov](mailto:Brenna.Garro@oer.idaho.gov)>; 'peter.jackson@idwr.idaho.gov' <[peter.jackson@idwr.idaho.gov](mailto:peter.jackson@idwr.idaho.gov)>; 'maureen.oshea@idwr.idaho.gov' <[maureen.oshea@idwr.idaho.gov](mailto:maureen.oshea@idwr.idaho.gov)>; 'file@idwr.idaho.gov' <[file@idwr.idaho.gov](mailto:file@idwr.idaho.gov)>; 'smith.carolyn.d@epa.gov' <[smith.carolyn.d@epa.gov](mailto:smith.carolyn.d@epa.gov)>; 'John.Graves@fema.dhs.gov' <[John.Graves@fema.dhs.gov](mailto:John.Graves@fema.dhs.gov)>; 'idahoaaa@gmail.com' <[idahoaaa@gmail.com](mailto:idahoaaa@gmail.com)>; 'Zlathim@IDL.idaho.gov' <[Zlathim@IDL.idaho.gov](mailto:Zlathim@IDL.idaho.gov)>; 'brandon.flack@idfg.idaho.gov' <[brandon.flack@idfg.idaho.gov](mailto:brandon.flack@idfg.idaho.gov)>; 'Aubrie.Hunt@dhw.idaho.gov' <[Aubrie.Hunt@dhw.idaho.gov](mailto:Aubrie.Hunt@dhw.idaho.gov)>; 'Marilyn.Peoples@dhw.idaho.gov' <[Marilyn.Peoples@dhw.idaho.gov](mailto:Marilyn.Peoples@dhw.idaho.gov)>; 'tricia.canaday@ishs.idaho.gov' <[tricia.canaday@ishs.idaho.gov](mailto:tricia.canaday@ishs.idaho.gov)>; 'dan.everhart@ishs.idaho.gov' <[dan.everhart@ishs.idaho.gov](mailto:dan.everhart@ishs.idaho.gov)>; 'patricia.hoffman@ishs.idaho.gov' <[patricia.hoffman@ishs.idaho.gov](mailto:patricia.hoffman@ishs.idaho.gov)>; 'stevie.harris@isda.idaho.gov' <[stevie.harris@isda.idaho.gov](mailto:stevie.harris@isda.idaho.gov)>; 'laura.johnson@isda.idaho.gov' <[laura.johnson@isda.idaho.gov](mailto:laura.johnson@isda.idaho.gov)>; 'tate.walters@id.usda.gov' <[tate.walters@id.usda.gov](mailto:tate.walters@id.usda.gov)>; 'carol.chadwick@usda.gov' <[carol.chadwick@usda.gov](mailto:carol.chadwick@usda.gov)>; 'noe.ramirez@usda.gov' <[noe.ramirez@usda.gov](mailto:noe.ramirez@usda.gov)>; 'cenww-rd-boi-tv@usace.army.mil' <[cenww-rd-boi-tv@usace.army.mil](mailto:cenww-rd-boi-tv@usace.army.mil)>; 'laura.j.freedman@usps.gov' <[laura.j.freedman@usps.gov](mailto:laura.j.freedman@usps.gov)>; 'Rakesh.N.Dewan@usps.gov' <[Rakesh.N.Dewan@usps.gov](mailto:Rakesh.N.Dewan@usps.gov)>; 'Chad.M.Franklin@usps.gov' <[Chad.M.Franklin@usps.gov](mailto:Chad.M.Franklin@usps.gov)>; 'Melvin.B.Norton@usps.gov' <[Melvin.B.Norton@usps.gov](mailto:Melvin.B.Norton@usps.gov)>; 'Tammi.L.Barth@usps.gov' <[Tammi.L.Barth@usps.gov](mailto:Tammi.L.Barth@usps.gov)>; 'henry.medel@usps.gov' <[henry.medel@usps.gov](mailto:henry.medel@usps.gov)>; 'Khrista.M.Holman@usps.gov' <[Khrista.M.Holman@usps.gov](mailto:Khrista.M.Holman@usps.gov)>; 'Rochelle.Fuquay@usps.gov' <[Rochelle.Fuquay@usps.gov](mailto:Rochelle.Fuquay@usps.gov)>; 'leroy.eyler@usps.gov' <[leroy.eyler@usps.gov](mailto:leroy.eyler@usps.gov)>; 'marc.c.boyer@usps.gov' <[marc.c.boyer@usps.gov](mailto:marc.c.boyer@usps.gov)>; 'mhuff@co.owyhee.id.us' <[mhuff@co.owyhee.id.us](mailto:mhuff@co.owyhee.id.us)>; 'gmprdjennifer@gmail.com' <[gmprdjennifer@gmail.com](mailto:gmprdjennifer@gmail.com)>; 'lisaitano@me.com' <[lisaitano@me.com](mailto:lisaitano@me.com)>; 'scott@fccnw.com' <[scott@fccnw.com](mailto:scott@fccnw.com)>; 'srcsbinfo@gmail.com' <[srcsbinfo@gmail.com](mailto:srcsbinfo@gmail.com)>; 'tottens@amsidaho.com' <[tottens@amsidaho.com](mailto:tottens@amsidaho.com)>; 'melvin.b.norton@usps.gov' <[melvin.b.norton@usps.gov](mailto:melvin.b.norton@usps.gov)>; 'scott.hauser@usrtf.org' <[scott.hauser@usrtf.org](mailto:scott.hauser@usrtf.org)>; 'info@destinationcaldwell.com' <[info@destinationcaldwell.com](mailto:info@destinationcaldwell.com)>; 'makline2@marathonpetroleum.com' <[makline2@marathonpetroleum.com](mailto:makline2@marathonpetroleum.com)>; Media - KBOI TV News <[news@kboi2.com](mailto:news@kboi2.com)>; Media - KIVI News <[news@kivity.com](mailto:news@kivity.com)>; Media - KTVB News <[ktvbnews@ktvb.com](mailto:ktvbnews@ktvb.com)>; Media - KBOI Radio News <[670@kboi.com](mailto:670@kboi.com)>; Media - IPT Newsroom <[newsroom@idahopress.com](mailto:newsroom@idahopress.com)>; 'miltonexpress1@gmail.com' <[miltonexpress1@gmail.com](mailto:miltonexpress1@gmail.com)>; 'rmorgan@kellerassociates.com' <[rmorgan@kellerassociates.com](mailto:rmorgan@kellerassociates.com)>

**Subject:** Legal Notice OR2023-0005/CR2023-0011; Q2 LLC

**CAUTION:** This email originated OUTSIDE the City of Nampa domain. DO NOT click on links or open attachments unless you recognize the sender or are sure the content is safe. Highlight the suspect email and send using the Outlook Phish Alert Report button or call the IT Helpdesk at (208) 468-5454.

Dear Agencies,

Your agency is being notified pursuant to the Local Land Use Planning Act, Idaho Code 67-6509, to all political subdivisions providing services within the planning jurisdiction of Canyon County, including school districts and media.

No response is required from your agency unless you have input on the proposed project.

Contact the planner of record, **Michelle Barron** at [michelle.barron@canyoncounty.id.gov](mailto:michelle.barron@canyoncounty.id.gov) with any questions or additional agency comments or concerns if applicable.

Thank you,



**Caitlin Ross**

Hearing Specialist

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

Direct Line: 208-454-7463

Email: [Caitlin.Ross@canyoncounty.id.gov](mailto:Caitlin.Ross@canyoncounty.id.gov)

Website: [www.canyoncounty.id.gov](http://www.canyoncounty.id.gov)

Development Services Department (DSD)

**NEW** public office hours

**Effective Jan. 3, 2023**

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

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

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

**EXHIBIT E**

**Public Comments Received by: April 7, 2025**

Planning & Zoning Commission

Case# OR2023-0005 &

CR2023-0011

Hearing date: April 17, 2025



**Michelle Barron**

---

**From:** Alan Mowry <Gyroidaho@hotmail.com>  
**Sent:** Monday, April 7, 2025 2:22 PM  
**To:** Michelle Barron  
**Subject:** Re: [External] Case No OR2023-0005 and CR2023-0011 Hwy 55 and Lizard Butte Lane  
**Attachments:** LBL development letter to county.pdf

Hello Michelle,

Thank you for your response. Attached please find my letter itemizing concerns.  
 I appreciate your assistance.

Thanks again,  
 Alan Mowry  
 208 230 8124

---

**From:** Michelle Barron <Michelle.Barron@canyoncounty.id.gov>  
**Sent:** Monday, April 7, 2025 12:10 PM  
**To:** 'Alan Mowry' <Gyroidaho@hotmail.com>  
**Subject:** RE: [External] Case No OR2023-0005 and CR2023-0011 Hwy 55 and Lizard Butte Lane

Good afternoon Alan,

You can just send it to me via email. I will add it to the file for the Staff Report packet.

Thanks,

*Michelle Barron*  
*Principal Planner*  
*Canyon County Development Services Department*  
*111 N. 11th Ave., #310, Caldwell, ID 83605*  
 Direct Line: 208-455-6033  
 DSD Office Phone: 208-454-7458  
 Email: [Michelle.Barron@canyoncounty.id.gov](mailto:Michelle.Barron@canyoncounty.id.gov)  
 Website: [www.canyoncounty.id.gov](http://www.canyoncounty.id.gov)

---

**From:** Alan Mowry <Gyroidaho@hotmail.com>  
**Sent:** Monday, April 7, 2025 12:03 PM  
**To:** Michelle Barron <Michelle.Barron@canyoncounty.id.gov>  
**Subject:** [External] Case No OR2023-0005 and CR2023-0011 Hwy 55 and Lizard Butte Lane

Hello Michelle,

I live to the north of this proposed project. I have concerns about our access and dust mitigation regarding said access. Unfortunately, I am unable to attend the public meeting due to surgery. I have a letter with my

comments. May I send my letter to you directly? Do I need to deliver it in person to the office? I appreciate any clarification on how best to submit my concerns.

Thank you,  
Alan Mowry

To Whom it May Concern:

This letter is to outline my thoughts on the proposed development on Lizard Butte Ln. I live at the end of Lizard Butte Ln, to the north of this project. My recorded easement and only legal access to my property is along the Snake River, on the west edge of the proposed development.

First, the drawing that was unveiled at the community meeting in 2023 did not show my easement road along the river. I brought that up to the developer and the owner at that time and told them that under no circumstances would I change my easement from the river frontage road. They said that they assumed that I would be in favor of moving my easement to their proposed street down the middle of their development, rather than on the river. That is not the case at all. There are 2 businesses operating on my property, Snake River Stables, and Jake Flint Training. We have no desire to drive our equipment, horses and trailers through a residential neighborhood with kids, traffic, etc. I am firmly against moving my easement. Looking at the current drawing, it again appears the development goes to the top of the riverbank. In reviewing the documents provided, there were questions raised about building setbacks from the river. The question was regarding setbacks in relationship to the river with no mention of the easement. It seems the more appropriate question should be, "What are the building setbacks from the easement?" This leads me to believe that the easement is perhaps not recognized or being considered in the planning. I would like some clarification and reassurance in this matter.

Furthermore, I believe the developer then any future HOA or the new residents should have the responsibility of dust mitigation along the river easement road. This road has been a dusty AG road for many decades, and it would not be just if the zoning is changed from AG to Residential, so these developers can make their millions, and I get stuck with complaints, lawsuits, and expenses over the dust.

Another consideration is access to the highway itself. The amount of traffic on Hwy 55 has doubled, if not tripled in the last 10 years. It is already difficult to safely merge onto the highway from Lizard Butte Lane. This is especially true in the morning and evening when people are heading to and from work, school etc. With 25 new homes, that adds between 25 and 100+ more people, depending on the family size and age of occupants, who need to come and go for their daily activities. I feel the comprehensive plan should include safety improvements to the section of Hwy 55 along Lizard Butte Lane to allow residents and guests to safely access the highway. This can be in the form of turning and/or merging lanes or as best determined by the highway department. Also, where are the mailboxes going for these new homes? The post office has told us that no more boxes can be added along highway 55 without the road being widened to help ensure safe access by both postal employees and residents. It seems reasonable to require the developer to help offset the cost of these safety improvements. I see in correspondence with ITD that a Turn Lane Warrant needs to be completed. I feel that at a minimum, turning lanes should be a requirement of this project.

Is this letter pro or con? I'll leave that up to you to decide. Would I rather drive past green fields of corn or alfalfa rather than houses? Of course. Is it my right to tell my neighbor he can't build on this land? I don't think so. Are we going to tell farmer's children that they can't sell their inherited land for development? That doesn't sound like freedom. This is what has happened in this case, and it would be a hard thing to stop. There are farmers who have no children that want to continue farming. Should we prevent that farmer from selling to developers? No, we can't do that.

So how do we stop development? I tried to purchase the 27-acre parcel next to me, when it first went up for sale. It might have been 2016 or so. My intention was to keep it from development. It would have cost me about \$2000 a month in payments, which would have been difficult for me, but doable. My offer was not high enough, and I did not have the resources to offer more. Lucky Kent tried to purchase it from his sister as well but was unable. It didn't occur to me at the time, but Lucky and I should have tried to purchase that land together. If the community wants to save AG land, then perhaps they should create a fund to purchase that land. I don't see any other way to stop this, other than to make zoning changes more difficult. I don't think that this is the time to try to stop this development. I believe the time to save AG land or open green space is when it first comes on the market, and in many cases, the community should feel part of the financial burden of keeping it so.

A major problem with this system is that developers purchase farmland, get the zoning changed, then they make their millions and disappear. The granting of this zoning change is worth millions and millions. What does the developer do to warrant this windfall? Why is none of this wealth that is generated by the zoning change not shared at all with the community? The community loses the green open fields, and ends up with more homes and traffic, crowded schools, etc. Why should the developer get all the benefit of the zoning change? Shouldn't the community get something for their loss, and share in this wealth that is being created by the community's local government?

At the local meeting in 2023, the developer mentioned that they would be putting the pond back in where JR Kent had his racetrack. Someone in the crowd asked if the public would be able to fish there. The developer would not answer. In the letter from ARDURRAA dated August 30, 2023, in the 'Landscaping/Recreation' section it states, "a recreational pond for the residents and members of the community to enjoy." If this pond is indeed intended for public use, perhaps this newly created wealth will be shared with the community by allowing the public to fish in the pond and have the developer and future management pay to have it stocked at reasonable intervals.

I think the layout and size of the plots is reflective of the rural feel of the area. The 2.8 acre lot size seems reasonable to me for the area. It's much larger than most of the residents in Marsing. There will be plenty of room for pasture, lawn, trees, and the like. The pond with community access is a nice idea to offset the loss of green space.

In conclusion, I am not in favor of trying to stop this development; I think the time to do so has passed. The land should have been purchased by people in the community that wanted to keep it AG. I do not want my easement moved off the river. The developer should shoulder the burden of keeping the easement road to levels of dust acceptable to their residents. Access to the Highway needs to be improved for the safety of new residents and all those who travel past Lizard Butte Lane.

Thank you for the opportunity to express my thoughts and your consideration in this matter.

Alan Mowry

12671 Lizard Butte Ln

208 230 8124

 4-7-25



**Michelle Barron**

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**From:** Anne Delgado <hiphome1@gmail.com>  
**Sent:** Monday, April 7, 2025 4:32 PM  
**To:** Michelle Barron  
**Subject:** [External] Case OR2023-0005 & CR2023-0011  
**Attachments:** FEB2025 2C Stats.JPG; JAN2025 2C Stats.JPG; OR2023-0005.CR2023-0011  
040525.2C.Letter.doc

Hi Michelle,

Thanks for serving Canyon County.

Attached is my letter for Case OR2023-0005 & CR2023-0011, along with attachments of stats for 2C first responders stats.

Kind regards,  
Anne Delgado

April 5, 2025

**Canyon County Development Services Department**

**Attn: Michelle Barron**

CASE No. OR2023-0005 & CR2023-0011

Dear Michelle,

Regarding Case OR2023-0005 & CR2023-0011 requesting a rezone from agriculture designation to rural residential designation of Parcels R33590012G, R33590012A & R33590012I, approximately 70 acres, to amend to County zoning map from an "A" (Agricultural) Zone to a "CR-C-1" (Conditional Rezone – Neighborhood Commercial) Zone.

**CONCERNS:**

Adhere to the 2030 plan to preserve our Agricultural in Canyon County for the Sunny Slope Wine Region. Neighborhood Commercial has a negative impact to the wine region.

- **Agri Tourism Exclusive Farmland:** This land should remain ag based/agri tourism and protected under the 2030 plan. There is a new horse ranch with stables that has been a welcome addition to this beautiful region this year. Opportunities for development like this are ideal to protect our ag land. I strongly oppose the subdivision, as we will lose 70 acres of ag land that Sunny Slope will not recover to Ardurra development with 25 homes on 2.8 acre lots, as River Butte Subdivision. It will make a negative impact to the character of the Sunny Slope Wine Region, and limit newly developing wineries, which is the gateway entry into Canyon County from Owyhyee County. (Wineries with 1.5 miles away)
- **Roadway:** Hwy55/Sunny Slope Road & Lizzard Butte Lane Intersection abuts state highway system before the Marsing bridge. The existing intersection is not scheduled for improvement by Idaho Department of Transportation, until well after 2027, as their focus is on current road improvements made from I-84/Middleton to Farmway. Traffic studies have determined our increase of traffic along Hwy 55 in this area, along with increased accidents and further roadway development with ITD is not final in design for improvement. If Lizzard Butte Lane is the only road for this subdivision, it will add to the congestion & increase accidents in this area/intersection. Concerns of right away ITD Right-of-Way Encroachments.
- **County Recourses:** Sherriff, Fire & Ambulance are currently spread thin with addition demands this will place on our emergency system (which developers have no financial responsibility). The residence will continue to take the hit financially in our county taxes to increase staffing. (see attachments)

It would be a shame to lose another 70 acres of viable ag land, that would be best utilized for new wineries, farming, horse ranches or other agri based tourism, and not to another residential development.

Thank you for your time.

Kind regards,  
Anne Delgado  
15451 Syrah Ct  
Caldwell, ID 83607



# February

Total Calls:  
1,516

TRAFFIC ACCIDENTS:

160

STROKES/CVA:

43

OVERDOSE/POISONING:

22

CARDIAC ARRESTS:

21

Number of Times with NO Ambulances available  
"Level Zero": 13

Number of Times an Ambulance was Shut Down Due to Staffing.

ALS 58 (Wilder) 16

Medic 45 (Nampa) 5

Medic 53 (Middleton) 0

## Canyon County Paramedics

MAR 12 AT 11:37 AM

 MESSAGE CANYON COUNTY P...

   42

10 comments



Like



Comment



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# January

Total Calls:  
1,604

TRAFFIC ACCIDENTS:

164

STROKES/CVA:

38

OVERDOSE/POISONING:

34

CARDIAC ARRESTS:

22

Number of Times with NO Ambulances available "Level Zero": 9

Number of Times an Ambulance was Shut Down Due to Staffing.

ALS 58 (Wilder) 22

Medic 45 (Nampa) 5

Medic 53 (Middleton) 0

## Canyon County Paramedics

**Michelle Barron**

---

**From:** Claudia Haynes <claudialeehaynes@gmail.com>  
**Sent:** Sunday, April 6, 2025 7:16 PM  
**To:** Michelle Barron  
**Subject:** [External] Case # OR2023-0005 & CR2023-0011 P&Z Commissioners Q2 LLC, represented by Ardurra.  
**Attachments:** 4-6-25 Q2LLC BY ARDURRA^.pdf

4-6-25

Attention Michelle Barron

Attached to this email is an exhibit to be added to OR2023-0005 & CR2023-0011  
The application Q2 LLC represented by Ardurra.  
Written testimony sent to you before April 7th 2025 before Planning and  
Zoning Commissioners.

Sincerely,  
Claudia Haynes  
and Rene' Bine  
CANYON COUNTY ALLIANCE FOR RESPONSIBLE GROWTH  
NAMPA AND CALEWELL, IDHAO

# Canyon County Alliance for Responsible Growth

501 C4 Registered with Secretary of State

Rene' Bine President

Claudia Haynes Director

Nampa, and Caldwell, Idaho

Canyon County Planning and Zoning

Case number. OR2023-0005 & CR2023-0011

Q2 LLC by Ardurra, 70 acres for Ag. to Rural Residential.

Conditional Rezone 3 parcels.

Planner Michelle Barron

Attention Planning and Zoning:

**1. Agri- Tourism Exclusive Farm Use (AEFU):** The County's policy is to encourage the use of these lands for agricultural related uses. Agri-Tourism and Business use contributes to our economic base and retention of agricultural land to support this should be encouraged.

**2. RESIDENTIAL:** When considering the surrounding land uses, the proposed conditional rezone is not more appropriate than the current zoning of agriculture. Not comparable, there is the potential of creating land use conflicts. This could be considered spot zoning of more intensive use that will be detriment to surrounding land uses and create inconsistent zoning that leads to nuisance concerns. This request would allow the property to be developed into higher density lots that are in this area.

**3. FEMA FLOOD PLAN AREA:** shows this is in the flood plan and would not be unheard of that it would put residential homes in harm's way. There is not a very large elevation difference in this land that Fema has marked as flood plane and where houses would be proposed. The Snake River is way too close for putting people in harm's way. If the small berm gives way between the river and the land it could create a hazard, and loss of life.

**4. IS THE PROPOSED CONDITIONAL REZONE GENERALLY CONSISTENT WITH THE COMP PLAN.** No, it is not please reference page 27 of the new 2030 Comp Plan.

**5. WHEN CONSIDERING THE SURROUNDING LAND USE IS THIS PROPOSED CONDITION REZONE APPROPRIATE.** No, there is no residential zoning shown on the Future land use map in the 2030 Comp. Plan in at least a 3-mile radios.

**6. COMPATIBLE WITH SURROUNDING LAND USE.** It is not compatible with the surrounded land use in Canyon County. The other side of the river which is totally a different County, and the City of Marsing should not be considered in regard to this property.

**7. WILL THE PROPOSED CONDITIONAL REZONE NEGATIVELY AFFECT THE CHARACTER OF THE AREA?** Yes, it will there is no residential in the area period.

**8. ARE THERE ADEQUATE FACILITIES AND SERVICES INCLUDING SEWER, WATER DRAINAGE IRRIGATION AND UTILITIES TO PROVIDED TO ACCOMMODATE PROPOSED CONDITIONAL REZONE.** There are no facilities in the surround area. There used to be a community well serving Marsing which was approximately 300 ft to the south of this property which has ceased to be used because of **arsenic levels was too high for human consumption.**

**9.LEGAL ACCESS TO THE SUBJECT PROPERTY FOR THE CON. REZONE EXIST?**

There is access to Highway 55 the questions are their guidelines to enter a 55 mile-per-hour zone? Only the highway department can answer this.

**11. WILL THE PROPOSED IMPACT ESSENTIAL PUBLIC SERVICES AND FACILITIES SCHOOLS POLICE FIRE EMERGENCY MEDICAL SERVICES?** **There are no Canyon County facilities or essential services in this area** (with the exception of the Sherriff

Department). The Marsing district would have to accept responsibility for these services.

We strongly recommend denning this application.

Sincerely,

CANYON COUNTY ALLIANCE FOR RESONSIBLE GROWTH

RENE' BINE

CLAUDIA HAYNES

Sun, Apr 6, 2025 at 7:45 PM

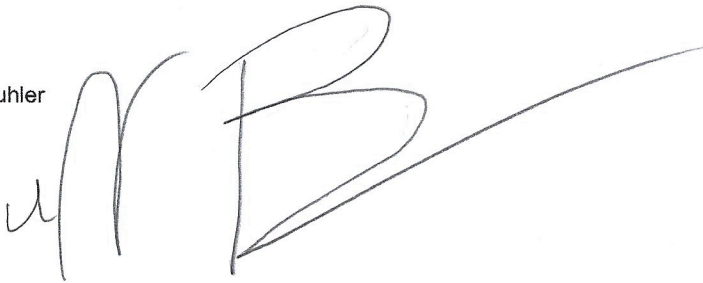
April 6TH, 2025

Canyon County P & Z Case # OR2023-0005 &  
CR2023-0011 Q2 LLC represented by Ardurra.

Attention Michelle Barron

I live at 20055 Churruca Ln. just across Highway 55 to the south from the subject property and  
have lived in the area all my life. Changing the subject property to residential zoning would  
substantially change the area and this would violate the 2030 Comp. Plan

Ciera N. Buhler

A handwritten signature in blue ink, appearing to read 'Ciera N. Buhler', with a long horizontal stroke extending to the right.

20055 Churruca Lane

Caldwell, Idaho 83607



**Michelle Barron**

---

**From:** Gerri Smith <gesmith00@gmail.com>  
**Sent:** Monday, April 7, 2025 2:01 PM  
**To:** Michelle Barron  
**Subject:** [External] Fwd:  
**Attachments:** Screenshot\_20250406\_192042\_Facebook.jpg; Screenshot\_20250406\_192116\_Facebook.jpg; Screenshot\_20250406\_191957\_Facebook.jpg; Screenshot\_20250406\_182028\_Facebook.jpg; Screenshot\_20250406\_192019\_Facebook.jpg

----- Forwarded message -----

From: **Gerri Smith** <[gesmith00@gmail.com](mailto:gesmith00@gmail.com)>  
Date: Mon, Apr 7, 2025 at 1:36 PM  
Subject: OR2023-0005 & CR2023-0011

Today I am writing in OPPOSITION TO THE CHANGE OF ZONING

There are a multitude of reasons this is not an appropriate change. This is agriculture land and it would definitely have a negative affect on those currently farming an to future farmers. History of this area is amazing. Many have farmed since the early 1900's and do not plan on moving. Would it change the area? Absolutely! Does it fit with the surrounding area? NO!

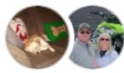
I have sent some attachments that show "facts". We are in a crisis at this time for Emergency Medical! As you can see in our area, every month CCParamedics can not respond to calls. The reason is clear! Their words not mind!. (See attachments) As we all know Hwy 55 is dangerous. If I had more time I would also document the increased number of accidents, fatalities in Canyon County. Did you know CC had the highest number of fatalities?

CC Sheriff can not hire fast enough and can not keep personnel due to low salary. We are a training ground for other departments.

Today, I have two requests.. #1 Deny #2 If you do not have sufficient information to deny please postpone and allow us to gather the necessary statistics

We have a comp plan that says this is AG land, with an overlay of Agratourism. This is neither. The new owners of this property (2022) knew they bought AG land, the immediatly applied for a rezone.. They bought AG... it needs to remain AG

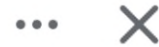
Sincerely,  
Gerri Smith  
22517 Bauman RD, Wilder 83676



**Mike Rusetos and Becky Smith** liked this.



**Canyon County Sheriff's Office**

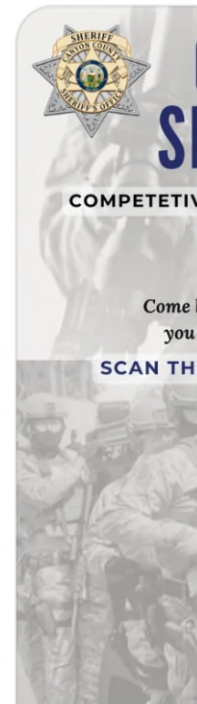


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FY2025 PAY SCALE		
CANYON COUNTY SHERIFF'S OFFICE SWORN PERSONNEL		
Wage Range for Deputies		
Years in Position	Annual Salary	Hourly Rate
Year 0	\$55,102	\$26.49
Year 1	\$56,926	\$27.37
Year 2	\$60,574	\$29.12
Year 3	\$66,047	\$31.75
Year 4	\$73,343	\$35.26
Year 5	\$82,463	\$39.65
Year 6	\$84,287	\$40.52
Year 7	\$86,111	\$41.40
Year 8	\$87,935	\$42.28
Year 9	\$89,759	\$43.15
Year 10	\$91,583	\$44.03



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32

3 comments 15 shares



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Comment



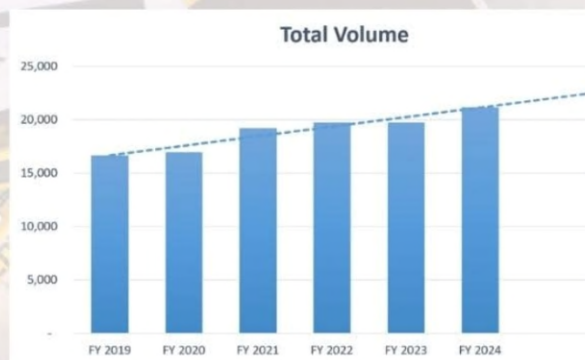
Share

Reels





## 911 Calls are Up But Funding Isn't



**Calls to 911 are up 20% in the last 5 years,  
but funding hasn't kept pace.**

### Canyon County Paramedics

MAR 21 AT 9:49 AM

MESSAGE CANYON COUNTY P...

35

24 shares

Like

Comment

Share



**More People....**

**More 911 Calls....**

**Is EMS Keeping up?!**



**Canyon County is growing FAST.**

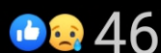
**But is EMS growing with it?**

**Canyon County Paramedics is actually losing staff and  
shutting down stations due to lack of adequate  
funding.**

## **Canyon County Paramedics**

THU AT 5:53 PM

 **MESSAGE CANYON COUNTY P...**



46

13 comments 20 shares



**Like**



**Comment**



**Share**





# February

Total Calls:  
**1,516**

TRAFFIC ACCIDENTS:

160

STROKES/CVA:

43

OVERDOSE/POISONING:

22

CARDIAC ARRESTS:

21

Number of Times with NO Ambulances available  
“Level Zero”: 13

Number of Times an Ambulance was Shut Down Due to Staffing.

ALS 58 (Wilder) 16


Medic 45 (Nampa) 5

Medic 53 (Middleton) 0

## Canyon County Paramedics

MAR 12 AT 11:37 AM

 MESSAGE CANYON COUNTY P...

   42

10 comments



Like



Comment



Share







# January

Total Calls:  
1,604

TRAFFIC ACCIDENTS:

164

STROKES/CVA:

38

OVERDOSE/POISONING:

34

CARDIAC ARRESTS:

22

Number of Times with NO Ambulances available "Level Zero": 9

Number of Times an Ambulance was Shut Down Due to Staffing.

ALS 58 (Wilder) 22

Medic 45 (Nampa) 5

Medic 53 (Middleton) 0

## Canyon County Paramedics

FEB 6 AT 11:44 AM

MESSAGE CANYON COUNTY P...

23

16 shares



Like



Comment



Share



**Michelle Barron**

---

**From:** Hai Longworth <haipl@yahoo.com>  
**Sent:** Monday, April 7, 2025 3:29 PM  
**To:** Michelle Barron  
**Subject:** [External] CASE No. OR2023-0005 & CR2023-0011 - Letter of Concern  
**Attachments:** HPL Letter of Concern.pdf

Michelle,  
Attached is my letter of concern regarding

CASE No. OR2023-0005 & CR2023-0011

Thank you for your consideration.

Hai Longworth

April 7<sup>th</sup>, 2025

Canyon County Development Services Department  
Attn: Michelle Barron  
CASE No. OR2023-0005 & CR2023-0011

Subject: Letter of Concern Regarding Proposed Zoning Change from Agri/Tourism to Rural Residential

Dear Michelle,

My name is Hai P. Longworth. My family resides in Sunnyslope on the Snake River near the proposed development site. I am a Master Naturalist and Advanced Master Gardener. I have participated in many volunteer activities for Deer Flat National Wildlife Refuge, Idaho Fish & Game, Citizen Science Harmful algal bloom monitoring project, Audubon Society, Southwestern Birders Association and Native Plant Society.

I am writing to express my strong concern regarding the proposed zoning change from Agri/Tourism Exclusive Farmland to Rural Residential, which would allow for the development of 25 buildable residential lots.

This shift poses significant environmental and public health risks, primarily due to the anticipated increase in residential wastewater discharge. Key concerns include:

1. Water Quality Degradation:

Residential wastewater may contain harmful pollutants such as pathogens, nutrients (nitrogen and phosphorus), and heavy metals. These substances can contaminate both surface and groundwater, making them unsafe for human use and harming aquatic ecosystems.

2. Eutrophication and Ecosystem Imbalance:

Excess nutrients from wastewater can lead to algal blooms, which block sunlight, deplete oxygen levels, and result in aquatic dead zones where life cannot be sustained.

3. Harm to Aquatic Life and the Food Chain:

Toxic pollutants disrupt aquatic habitats, alter ecosystems, and can accumulate in aquatic organisms, posing risks to both wildlife and human health.

4. Public Health Hazards:

Wastewater infiltration increases the risk of disease transmission and introduces harmful substances into the environment that endanger community health.

5. Soil and Land Contamination:

Wastewater seepage can render soil toxic and unfit for agricultural use due to the accumulation of heavy metals and other contaminants.

6. Additional Environmental Impacts:

Beyond inland concerns, wastewater discharge contributes to algae blooms and marine pollution, threatening broader ecosystems and visual aesthetics in coastal areas.

This proposed development, while potentially serving short-term housing interests, poses long-term threats to the environmental integrity, agricultural viability, and public health of our region.

I would suggest the County to request the developer to submit:

1. A complete study of how this proposed residential area could impact wildlife and wildlife habitat on the Snake River. Results should be provided to the Idaho Department of Fish and Game and the US Fish and Wildlife Service to determine needs to mitigate any adverse impacts to protected and sensitive species.
2. Monitoring plans to ensure no harmful discharge of pollutants to the river

I respectfully urge the County carefully consider these risks and reject or revise the zoning change to safeguard our community and its natural resources.

Sincerely,

Hai P. Longworth, Sc. D.  
20797 Lowell Rd  
Caldwell, Idaho 83607

**Michelle Barron**

---

**From:** CJ & Janet Northrup <famiciwine@gmail.com>  
**Sent:** Wednesday, March 19, 2025 9:16 AM  
**To:** Michelle Barron  
**Subject:** [External] Public Comment on Land hearing: R33590012G, R33590012A & R33590012I

Dear Michael Barron,

Three years ago, I was involved in researching and advocating for the inclusion of the agritourism overlay, which was ultimately approved by the county commissioners after three public hearings. At the time, Leslie Van Beek recommended that the next step should be to form a group to define and organize the framework for agritourism — including what types of businesses would be encouraged and how to best support them. To my knowledge, this step has not yet been taken.

I would like it recorded that I vote against changing these three parcels (R33590012G, R33590012A & R33590012I) from ag land to residential/mixed. I strongly believe we should discourage the conversion of agricultural land to residential use until we create a committee and establish a clear, unified vision to follow for the future of the Sunnyslope area.

Please let me know if you have any questions.

Best Regards,

Janet Northrup

16085 Plum Rd, Caldwell, ID 83607

--



**Michelle Barron**

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**From:** Joanne Bradford <momwithagun@gmail.com>  
**Sent:** Monday, April 7, 2025 5:19 PM  
**To:** Michelle Barron  
**Subject:** [External] Case No. OR2023-0005 & CR2023-0011

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

My name is Joanne Bradford and I own the property located directly west of Lizard Butte and adjoins the proposed development. The official address 12905 Sunnyslope Rd, Caldwell.

I oppose this development due to the following:

At the community meeting, the applicant stated that the proposed pond would be filled with the spring water. There are two springs in the area, one of them being on my property. I have a water right filed on this spring as does the neighbor for the other spring. I do not authorize use of the spring water to support this development.

Per the 2030 Comprehensive Plan for Canyon County...

This project is not supported by the plan due the following:

1. There are no trends to have residential development in Agritourism area.
2. The only entrance to this development is off of Highway 55 which is the main road through this section of Canyon County's Agritourism/Wine trail. This is also the main road that supports all traffic coming through Canyon County via Marsing.
3. The residential development of this area would destroy the entryway into this trail.
4. The trail includes wineries, a restaurant, and agricultural ground that is in production.
5. There is no more appropriate use of the ground than the current use which is producing agricultural ground.
6. Should this development be approved there will be immediate impact to the Equine business that is adjacent to the proposed development as all traffic to and from this business would be routed through the subdivision. This includes large trucks hauling feed, trucks and trailers, etc.
7. This development will change the character of the area. T
8. The housing that is being proposed is above a level that any farm worker could afford.
9. The project does not address safety barriers against the Snake River. The river is dangerous and would be an attraction for children living in the development should it be built.

I respectfully request that you decline this request.

--

Joanne Bradford  
208-880-1208 Cell

**Michelle Barron**

---

**From:** M Hall <madeleine.m.hall@gmail.com>  
**Sent:** Monday, April 7, 2025 12:38 PM  
**To:** Michelle Barron  
**Subject:** [External] Application OR2023-0005 & CR2023-0011- opposition

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Application OR2023-0005 & CR2023-0011

Q2 LLC – Between [12639 Sunnyslope Rd](#) and the Snake River

My name is Madeleine Hall, and I reside at [12905 Sunnyslope Rd, Caldwell, ID](#). I am writing to you in opposition of the proposed rezoning of the land owned by Q2, LLC from Agricultural to Rural Residential. My family has owned the land on the northeast border of the proposed development since 1917. My husband and I are currently raising the fifth generation on my family's farm.

Over the course of the last 100 years there have been times that my family has rented and farmed the land that is listed in this proposal. On page 6 of the application under Land Use it is stated that this is an “unfavorable location for farming.” This parcel of land has been farmed since at least 1917 when my great grandfather came to the Sunnyslope area. Approximately 10 acres of this parcel was taken out of production around 1997 for a sprint boat racetrack, but the rest of it is currently planted in alfalfa. A piece of farmland being sold at development prices does not suddenly make that land unfavorable for farming, especially when that land has been in production for over 100 years.

According to the 2030 Comprehensive Plan this land is Agricultural with an Agritourism overlay. While Sunnyslope is known for their wineries, there are currently 17, we also have a wide variety of other agriculture activities. The 2024 season tourists on Sunnyslope were treated to bright yellow turnip seed fields in the spring, red fields of kale seed, and one huge field of sunflower seeds. These seed fields were all within one mile of the proposed development.

Also included in that mile radius from the development is Yarnageddon. They are one of the largest fiber mills in the West and receive wool from as far away as Colorado for processing. They have a storefront that sells wool and fiber products, promotes the fiber arts with art classes held several times a week and offers tours of their alpaca farm.

There are three different riding arenas on property directly adjacent to this land. These riding arenas bring in people from all over the region for horse training clinics, mounted drill team practices/competitions, barrel racing and pole bending play days.

Other agriculture ventures within one mile are AMVAC Chemical Corporation, Dunning Estates, The Amalgamated Sugar Company Marsing Beet Dump (TASCO), The Slope Organic Farm, and Canyon Creek Gardens. There are also numerous family farms that grow crops like alfalfa, mint, wheat, and seed crops like grass, corn and beans.

If you take the radius to two miles from the development, you add Nederend Dairies which milk around 8,000 head of Holsteins and the forage crops that it takes to keep that size of milking herd. There are orchards that produce apricots, cherries, pluots, plums, pears, peaches and apples. The tasting rooms for Hells Canyon Winery, St. Chapelle, Sawtooth Winery, Williamson Winery, Koenig Distillery, Kindred Vineyard, and acres of vineyards that support those wineries are also within that radius.

Farm ground for McIntyre Pastures is in that two-mile radius. They sell pasture raised eggs, poultry, pork and beef to many restaurants and families throughout the Treasure Valley. Farmers from across the nation come to McIntyre Pastures to learn about their no-till, pasture-based farming practices. They also offer farm tours that are always full.

Agriculture and agritourism are flourishing around Sunnyslope. Considering the current land use on Sunnyslope the proposed development does not conform with the current comprehensive plan and changing the designation from Agriculture to Rural Residential is not appropriate.

With all this agriculture production in the surrounding area comes a lot of heavy and slow-moving traffic. There are three big dairies in Marsing Van Es (4,000 head), Nederend's (8,000 head), DeRuyter (2,400 head). With an average of 90 pounds of milk a day per head that is 1,296,000 pounds of milk that travel up Sunnyslope every single day. During the beet harvest TASCO piles beets on their ground in Marsing. After the harvest all these beets are loaded up and trucked up Sunnyslope to their facility in Nampa. A portion of the forage crops grown on Sunnyslope are hauled down Sunnyslope to the dairies for feed.

And finally, are all of the harvesters, tractors and implements that travel up and down Sunnyslope for a majority of the year. According to the Southwest Center for Agriculture Health, Injury Prevention and Education located at The University of Texas at Tyler Director, Amanda Wickman, "Transportation incidents, including tractor rollovers and roadway collisions, are the leading cause of work-related fatalities to farmers and farm workers."

A study published by the New York Center for Agriculture Medicine and Health states that roadway crashes involving agricultural vehicles were found to be five times more fatal than that of non-ag crashes. Accidents involving tractors and other ag-related equipment on rural roads occurred most often on straightaways with a grade due to motorists attempting to pass slow-moving tractors or agricultural machinery.

More than half of all fatal roadway accidents take place in rural areas according to the US Department of Transportation.

As a resident of Sunnyslope I worry that amending the designation for this property will also have a negative impact on public services. Canyon County Paramedics have been very vocal about the fact that they cannot keep up with the growth in our county. They are losing staff and shutting down stations due to lack of adequate funding despite the record-breaking growth in the county. More houses mean more residents, which leads to more calls for a public service that is already failing to keep up with demands. According to CCP's statistics their call volume is up 20% over the last five years, but their funding has not kept pace with that. CCP has requested taxpayer funding repeatedly, but the voters in the county keep turning them down.

Since June 2024 the Canyon County Paramedics have published their monthly call volumes to their Facebook Page. As a resident of Canyon County, I find these numbers frightening. I worry about what kind of liability these numbers place on a rapidly growing county. And what effect this might have on my family and my neighbors' families if we ever find ourselves in need of Emergency Medical Services.

The following numbers are according to posts on Canyon County Paramedics Facebook page:

In February 2025 they had 1,516 calls. Thirteen times there were NO ambulances available because all ambulances in service were on a call. Twenty-one times over the course of the month they didn't have enough staff to staff an ambulance.

In January 2025 they had 1,604 calls. Nine times there were no ambulances available because all ambulances in service were on a call. Twenty-seven times they didn't have enough staff to staff an ambulance.

In December of 2024 they had 1,634 calls. Eleven times there were no ambulances available because all ambulances in service were on a call. Thirty-three times they didn't have enough staff to staff an ambulance.

In November of 2024 they had 1,590 calls. Fourteen times there were no ambulances available because all ambulances in service were on a call. Thirty-six times they didn't have enough staff to staff an ambulance.

In October of 2024 they had 1,533 calls. Ten times there were no ambulances available because all the ambulances in service were on a call. Fifty times they didn't have enough staff to staff an ambulance.



In September of 2024 they had 1,618 calls. Twenty-three times there were no ambulances available because all of the ambulances in service were on a call. They did not publish how many times they shut down an ambulance due to staffing this month.

In August of 2024 they had 1,775 calls. Eighteen times there were no ambulances available because all of the ambulances in service were on a call. Forty-seven times they didn't have enough staff to staff an ambulance.

In July of 2024 they had 1,660 calls. Thirty-three times there were no ambulances available because all of the ambulances in service were on a call. Sixty-four times they didn't have enough staff to staff an ambulance.

In June of 2024 they had 1,642 calls. Eighteen times there were no ambulances available because all of the ambulances in service were on a call. Fifty-seven times they didn't have enough staff to staff an ambulance.

Anybody who has worked in Emergency Medicine will tell you that seconds count and that they are always fighting against "The golden hour" which is the period of time immediately after a traumatic injury during which there is the highest likelihood that prompt medical treatment will prevent death or permanent injury.

Fifteen years ago, my husband had to request a Canyon County Ambulance to our house on Sunnyslope. While the response time was under ten minutes, those ten minutes seemed to take a lifetime. I can't imagine the feeling when a caller is told that their wait time will be longer because there is not an available ambulance in service. In an emergency rapid intervention is everything. Putting more houses and vehicles on the far end of the county in an already taxed system will have a direct impact on public services for the whole county, not just the residents of Sunnyslope.

I have so many other concerns about how this development will affect traffic and the safety of those traveling on Sunnyslope especially on foggy/inverted days. Draws on the Marsing School District and Marsing Fire Department. The effect that it will have on the local wildlife and fisheries. And the safety of new residents living on the Snake River that don't understand its deadly undertows in the Marsing area. I hope that there are experts that will be able to discuss these issues further.

I would like to thank you for your time reading my letter and the hundreds of pages that I am sure are attached to this application.

Sincerely,

Madeleine M. Hall

Scott E, Hirabayashi L, Jones N, Krupa N, Jenkins P. Characteristics of Agriculture Related Motor Vehicle Crashes in Rural New York State. *J Agromedicine*. 2020 Apr;25(2):173-178. doi: 10.1080/1059924X.2019.1623143. Epub 2019 May 30. PMID: 31144610.

National Center for Statistics and Analysis. (2022, July). *Rural/ urban comparison of traffic fatalities: 2020 data* (Traffic Safety Facts. Report No. DOT HS 813 336). National Highway Traffic Safety Administration.

National Center for Statistics and Analysis. (2024, May, Revised). *Rural/urban comparison of motor vehicle traffic fatalities: 2021 data* (Traffic Safety Facts. Report No. DOT HS 813 488). National Highway Traffic Safety Administration.

National Center for Statistics and Analysis. (2024, July). *Rural/urban traffic fatalities: 2022 data* (Traffic Safety Facts. Report No. DOT HS 813 599). National Highway Traffic Safety Administration.

**Michelle Barron**

---

**From:** Wayne Rundall <skidrundall@gmail.com>  
**Sent:** Wednesday, March 26, 2025 2:39 PM  
**To:** Michelle Barron  
**Subject:** [External] Comments on OR2023-005 / CR2023-011 (Q2-LLC River Butte Estates)  
**Attachments:** Attachment-1\_Q2-LLC.JPG

Wednesday, March 26, 2025

Canyon County Planning and Zoning  
111 N 11th Ave.  
Caldwell, ID 83605

Subject: OR2023-005 / CR2023-011 | Comprehensive Plan Map Amendment / Conditional Rezone

Ms. Barron and Commissioners,

Thank you for the opportunity to provide comments on the Conditional Rezone and Comprehensive Plan Amendment, referenced as CR2023-011 and OR2023-005. I am opposed to both the modification of the Comprehensive Planning Map and the Conditional Rezone.

The property in question is at the very edge of Canyon County. It is located in the Sunnyslope area of the County, and is abutted by Highway 55 | Sunnyslope Road. The proposed location is the primary artery for traffic destined for Canyon County, as well as Northern and Eastern Idaho. My concerns related to the proposed development include:

- The change the development would have on the agricultural character of the Sunnyslope region.
- The precedent set by approving a rezone from AG to Rural Residential at the very border of the Canyon County.
- Impact on Highway 55 congestion until the Highway District completes widening through Pride Lane.
- County cost for essential services.

One argument the developer may use to support the conditional rezone is that the land is not fit for agricultural use. However, a recent Google Earth view of the property shows most of the parcels in agricultural production (see attachment 1).

The financial impacts of allowing 'out-fill' or 'sprawl' residential units was well documented by Canyon County Clerk, Rick Hogaboam in his series of Facebook posts. A general comment on the topic stated:

'...the conversion from productive AG land to residential use creates a service cost in excess of the increased tax revenue, in the net aggregate, in general'.

Mr. Hogaboam also expounded on the costs related to the County's growth of larger residences. Based on the proposal's documentation, I would assume the owners would likely not be workers in the local area, thus little in revenue increases above property taxes. I assume the targeted population might be well healed retirees. That is not a bad thing in itself, though it likely also has an impact on County revenues. One might conclude that in general, retirees who do not have children at home may be predisposed to argue against increased taxation to fund essential services. For example: school bonds; fire stations; jail facilities; etc.

While my concern related to County revenue may be a larger discussion on policy, I urge the Planning and Zoning Commissioners to vote no on these proposals. I would argue that changing the zoning from AG to Rural Residential at the edge of the County would only encourage further sprawl.

Thank you for your time and attention to this matter.

Best regards,

Wayne

Wayne Rundall  
20790 Lowell Rd  
Caldwell ID 83607



Snake River



**Michelle Barron**

---

**From:** Wayne <waynerundall@citlink.net>  
**Sent:** Monday, April 7, 2025 3:43 PM  
**To:** Michelle Barron  
**Subject:** [External] Additional Comments on OR2023-005 / CR2023-011 (Q2-LLC River Butte Estates)

**RE: OR2023-0005 and CR2023-0011**

**Ms. Barron and P&Z Commission,**

I am submitting this second email as it provides more detail related to the Canyon County properties around the proposed development. I apologize for any additional workload it creates.

Sunnyslope Road / Highway 55 serves as the primary southern gateway to the Sunnyslope Wine Region and Canyon County. This corridor has been designated a Scenic Byway and, along with adjacent secondary roads, forms part of the official Sunnyslope Wine Trail.

Using Canyon County's Zoning & Future Land Use Web Map, the County Assessor's public records, and Google Earth, I compiled data on properties along Sunnyslope Road—from the Marsing Bridge to the intersection of True Road and Scotts Lane. This stretch covers approximately 1.25 miles and includes parcels addressed in the proposed Comprehensive Plan Amendment.

According to Idaho Code, approval of a Comprehensive Plan Amendment requires evidence of significant changes that demonstrate a new designation is more appropriate than the current one. Based on the data I've reviewed, I believe the current Comprehensive Plan designation remains the most appropriate and that the proposed amendment is not supported by observed land use or development trends.

Key findings from my review:

- Within the 1.25-mile stretch from the Snake River at the County line to True Road / Scotts Lane, there are 42 parcels visible from Sunnyslope Road, totaling approximately 718 acres, consisting of:
  - 211 acres of alfalfa
  - 139 acres of cattle grazing
  - 75 acres of corn
  - 75 acres dedicated to vineyard and winery-related uses
  - 39 acres used for equine pasture or arenas
- Of these, 21 parcels (totaling about 600 acres) directly abut Sunnyslope Road.
- Since 1980, only five homes have been constructed on these parcels—each on large tracts averaging 34.8 acres.
- Since 2015, only one new home has been built on property abutting Sunnyslope Road, located on a 15-acre parcel.
- A total of 33 homes are visible from Sunnyslope Road in this section, with construction dates ranging back to 1920. Aside from the five mentioned above, all were built prior to the adoption of the current Comprehensive Plan.
- While there are two subdivisions near Sunnyslope Road, they lie beyond the 1.25-mile focus area and originated over 40 years ago. These legacy subdivisions should not be used to justify a Comprehensive Plan amendment based on recent changes.

In summary, my review of available County data does not reveal any material land use changes that would justify altering the current Comprehensive Plan. In fact, existing agricultural uses and the County's continued efforts to promote the Sunnyslope Wine Region reinforce the appropriateness of the current agritourism overlay and agriculture designation.

Thank you for your time and consideration.

**Best regards,**

Wayne Rundall  
20790 Lowell Rd  
Caldwell, ID 83607

April 6, 2025

Canyon County Planning and Zoning  
Case number OR2023-0005 & CR2023-0011  
Q2 LLC by Ardurra  
Planner Michelle Barron:

I am writing to request Planning and Zoning to deny Q2 LLC, for a conditional rezone.

I have farmed the land (38 acres) directly across Highway 55 to the South. The land in the area is good viable farm ground. Changing this parcel will change the agricultural nature of the area as it is designated in the 2030 Comp. Plan. It would also start a precedent which could be used to destroy what is and intended for this area. The fact that the other side of the river has houses should not be considered as that is a different County (Owyhee) and has the city of Marsing adjacent.

Sincerely,

A handwritten signature in cursive script that reads "Wes Archer".

Wes Archer  
10872 Cool Rd.  
Caldwell, Idaho 83607

**Michelle Barron**

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**From:** Connie Lou Aebischer <connielou@tvpidah.com>  
**Sent:** Tuesday, April 1, 2025 10:53 AM  
**To:** Michelle Barron  
**Subject:** [External] Drone Footage for Q2 LLC hearing April 17th

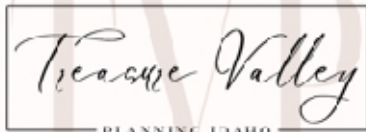
Hi Michelle,

Just wanted to give you a heads up that this afternoon I will be dropping off a thumb drive with Drone footage for the Q2 hearing coming up on April 17<sup>th</sup> to be added to the case file and record.

Just so you know to be looking for it later today. Probably around 2 or 3.

Thanks,  
Connie Lou

Connie Lou Aebischer  
Independent Consultant  
for Treasure Valley Planning, LLC



Victory in life isn't about personal success; it is about helping others who have a need that you can fill. ~Ellen Cole Landreth