Speaker 1 (00:02):

All right, good afternoon. It is 1:32 on November 5th, 2026. We have a hearing OR2025-0027 and CR2025-0018. , Commissioner Zach Brooks, and joining me is Commissioner Leslie Van Beek. , Usual Chairman Brad Holton is unable to be here today. The DSD staff report and any additional exhibits received by the established materials deadline have been posted on the county's website on the land use hearing page for anyone to review. Are there any declarations pertaining to this application, such as conversations or meetings outside of this hearing received by any commissioner?

Speaker 2 (00:49):

Thank you, Chairman. No.

Speaker 1 (00:50):

And no for myself. , Is there any commissioner who for reasons of a person - of a conflict of interest request to be excused from participating in this specific decision?

Speaker 2 (01:01):

Thank you, Chairman. No.

Speaker 1 (01:02):

No for myself. All right. Since it's just, the gallery's not real full, , please make sure you silence your cell phones. If you're gonna have any conversation, we'll ask you to step outside since there really is nobody here. Those microphones in the ceiling will definitely pick up your conversation and it'll be on the record forever. So it'd be best if you gotta take a phone call or something to step outside. , When you come up to speak, name and address and then make sure the green light is on and that you speak into the microphone, please. , Let's see. Applicant will go first and with that we can do the oath or affirmation.

Speaker 3 (01:53):

Emily Bunn, Alex Jones, Bill Hartman, Gary Hickman, and Lynn Troxell. If I could everybody raise your right hand. Do you swear or affirm that the testimony you give will be the truth, the whole truth, nothing but the truth, so help you God? I do. Thank you.

Speaker 1 (02:08):

Floor is yours, sir.

Speaker 4 (02:11):

All right. Thank you, commissioners. Alex Jones with JUB Engineers. , Address is 2760 West Excursion Lane, Suite 400 in Meridian, Idaho. , I am here representing Notice Parma Highway District today. , Today we have before you the two proposed applications, one for a comprehensive plan amendment for 38 acres from agricultural to industrial and another conditional rezone for 38 acres from single fam- family residential to conditional rezone light industrial. And staff will... I know staff will touch on a lot of this, so I'll try to keep it a little brief for now. But just for background, , the current Notice Parma Highway District site is located within the city of Parma, just about two miles away from the subject parcel of today's hearing. They are on a 6.9 acre site surrounded by residential, industrial, and the railroad crossings. , The, one of the issues with this site and the reason for this new subject parcel that

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they're asking for is that it's a very constrained site with only 6.9 acres to be used and it's right next to residential and the railroad.

(03:20):

So it has, you know, been a bit dangerous for local residents, , school crossings and crossing the railroad every single time. And so with that, the Notice Parma High District had bought this, the subject parcel. Next slide please. Which is this one here before you. This new parcel is a 38 acre parcel that is currently zoned R1. , This is the reason we are condi - asking for the proposed zoning of M1. And just to give you an idea of what's around this site, , you have the Highway 95 directly to the east, if that's its access point. And you have the fire station to the east, the cemetery to the south, it ag lands to the west and north, and single family homes farther east and really far south. Next slide.

(04:07):

So the purpose for these proposed application is, as I originally stated, that, , this new site will provide Nota Parma High, Highway District with a safer and more suitable location for their operations, gives them direct access to the freeway or highway and without having to cross railroads or going through residential neighborhoods. , Another reason for the proposed zone change is under the current zoning on the site. All the Notice Parma High District would be a conditional use permit. So any future expansions or modifications to their site would require a public hearing for modifications to that conditional use permit. So we wanted to avoid that altogether and just make it where it's a permitted use with conditions set by the commissioners. That way they don't have to go through timely public hearings or spend thousands of dollars for an upgrade to their conditional use permit. And with the other part of this is that this parcel is quite large at 38 acres and so the Notice Parma Highway District would like the ability to have this industrial zoning.

(05:08):

So if they ever decided to subdivide it and sell off lands to recoup some costs, it would provide opportunity for the area to have more industrial uses and sites with direct freeway access that would, in our opinion, be harmonious with the site. Excellent. During the Planning and Zoning Commission, there were a few concerns and discussion topics, those being screening, potential industrial uses, time operations and noise. , As said before, the current Notice Parma Highway District site is next to residential and is, you know, quite in a noisy area anyways. This will put it by the freeway, which already has quite a bit of road traffic noise, so noise levels should not change. Screening, there's natural screening with the site as when you look at the site, the very northern portion of it's higher up at the farther south you go, the elevations start to drop drastically.

(05:58):

It's a really big hill. So even the full site's not fully usable. So the area adjacent to the cemetery and other residential uses will be very low impact, low noise and naturally screened with trees. , The planning and zoning commission did recommend approval with updated conditions related to the permitted uses. , That was in regards to the conditional rezone where they made majority of the requested permitted uses in the M1 zone and conditionally permitted in the M1 zone. And I would happy to discuss that more in detail if you would like. Next slide. And with that, I stand for questions.

Speaker 2 (06:38):

Chairman.

Speaker 1 (06:38):

Yes.

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Speaker 2 (06:39):

How much anticipated acreage are they gonna take up? You've indicated 6.9 acres is not enough, but what are they planning for? What will meet their needs?

Speaker 4 (06:49):

At this time, , the Director Lin might be able to speak more on this, but it's not to utilize the full site. It would probably be a similar footprint for now until they can get operations going in a comfortable position to start expanding more. So, , I can't give you a solid answer on that just yet, but it is still very

Speaker 2 (07:08):

Preliminary.

Speaker 4 (07:09):

There's no site plan just yet. We're just getting this done now for time and cost effectiveness.

Speaker 2 (07:17):

Okay. Thank you for that. And then I'm looking at exhibit B2. 12. It's the notice Parma Highway District, City of Parma future land use. So if I'm reading this right, north of the proposed subject property is slated for commercial development in the future. Okay. And so with that, you have there to the southeast on that, that residential, the part that's in the city.

Speaker 5 (07:46):

Mm-Hmm.

Speaker 2 (07:46):

And is there a reason? Is there non-con... Is, is it not contiguous with the city limits? Is that why they didn't choose to go into the city? - Just curious.

Speaker 4 (07:59):

Thank you, commissioner. So we did have conversations with the city. It is contiguous and would have the option to annex if we were to pursue that path. But after talking with the mayor of Parma, they showed no interest in it -

Speaker 2 (08:12):

Okay.

Speaker 4 (08:12):

At the time and really didn't seem to ma - didn't care that if we annexed or not.

Speaker 2 (08:16):

Okay.

Speaker 1 (08:16):

You don't pay enough tax.

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Speaker 2 (08:18):

<Laugh> And then Chairman, I have, I want some clarification if I could. I'm looking at the recommendation and decision options. What I heard you say is that they took some of the allowed uses in the M1 area and made those conditional. And then I, in looking at this, would want to eliminate some of the uses in there entirely from ever being a development portion, given the fact that you're bordering High Netway 95 and that is a gateway to North Idaho.

Speaker 5 (08:51):

Mm-Hmm.

Speaker 2 (08:51):

So I think it matters, especially where it's our jurisdiction and you've just stated for the record that the mayor is not interested in annexing. I want people to look back and be proud of what's on there. Even though I don't live in Parma, I still care about what that looks like. So I, Chairman, would want an expanded discussion and that probably happens during our deliberation period of what we would potentially o- opt to just eliminate altogether. That would never be available to, even if you subdivide, couldn't come back for a conditional. So I think with that for now, those are the questions that I had, Chairman.

Speaker 1 (09:30):

Okay.

Speaker 2 (09:31):

And except, let me just do this. Would you go into detail about what it looks like or have you though that far on how to buffer and landscape that?

Speaker 4 (09:43):

, Yeah. Thank you, commissioner. So with that, there are conditions within this approval that are requiring, , landscape buffers along the highway along with, , which will include screening and a six foot fence as well.

Speaker 5 (09:56):

Mm-Hmm.

Speaker 4 (09:56):

, which we were fine with honoring that and the other landscape buffers between residential uses are potentially non-matching uses as well.

Speaker 2 (10:05):

Okay. And exhibit five is the JUB document. I think I have that 5A. I do not see in there where you've provided any incentives for the board to look at on potential, you know, aesthetics or what the visual could look like.

Speaker 4 (10:20):

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Mm-Hmm.

Speaker 2 (10:20):

You did not include that. Is that correct?

Speaker 4 (10:22):

, That is correct as this is preliminary. We still don't even have the site plan itself. Yeah. It was one of those things where if they can get the land to be zoned this way, they can move forward with it. If not, then we have to redirect how we're going to proceed because that would require the conditional use permit and quite a bit more paperwork.

Speaker 2 (10:38):

Yeah. Okay.

Speaker 4 (10:38):

We need a more solid plan at that time.

Speaker 2 (10:40):

Thank you. Thanks, Chairman.

Speaker 1 (10:43):

Okay. Thank you, sir.

Speaker 2 (10:44):

Okay.

Speaker 1 (10:45):

We'll let staff go right now.

Speaker 5 (10:55):

All right. Good afternoon, Board of Canyon County Commissioners. Today I'm presenting cases CR2025 - 0018 and OR2025 - 0027. The applicants are requesting a comprehensive plan map amendment from the agricultural to industrial future land use designation and a conditional rezone from the single family residential zone to the conditional rezone light industrial zone of the subject property, which is approximately 38 acres. The applicant has proposed to re- restrict several uses within the M1 zone, and you can see exhibit 3A2. 1 for their proposed restricted uses. The planning and zoning commission heard the case on September 17th and recommended approval for both cases to the board of Canyon County Commissioners. For the conditional rezone, the Planning and Zoning Commission restricted the uses on the property to the, to o - the only use, to the ones only required for the operations of Notice Parma Highway District. You can see exhibit one for their FCOs.

(11:55):

The parcel is currently zoned single family residential. The zoning dates back to, , September 6th, 1979, which is when the first, first zoning map was approved. You can see the approximate location of the property on that nine- nine - 1979 zoning map. The subject property is an original parcel. This is the

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comprehensive plan amendment criteria found in Canyon County Zoning Code 0706031. The next several slides identify the Planning and Zoning Commission's findings. The future land use map for 2030 designates the subject property as agriculture and designates the parcels directly to the north, south, and further east as commercial and industrial. Based on the proximity of existing commercial and industrial future land use des- designations and the parcel not being agriculturally productive per the applicant's letter of intent, the industrial future land use designation appears to better fit this location. Additionally, the requested future land use in- industrial designation appears to meet the comprehensive plan as this will group together commercial and industrial designations, zoning and uses found to the north, south, and east of the subject property.

(13:02):

The primary land uses found within the vicinity of the subject property are agricultural, residential, and commercial and industrial. To the north, west and south, there are primarily agricultural uses. To the east and southeast, there are residential subdivisions located within the city of Parma's limits and the Parma Rural Fire District's main office. To the south along US 95, there are a variety of commercial and industrial businesses. To the, , due to the existing industrial commercial uses and zones to the north and south and east of the subject property, the majority of the residential uses being located on the eastern side of US 95 and traffic being directed to US 95 and not towards the agricultural operations. The future land use designation of industrial appears to be more appropriate than the agricultural designation. Development trends in the area do indicate that the current designation and circumstances, circumstances have changed since the comprehensive plan was adopted.

(13:56):

To the south along US 95, there are commercial and industrial businesses that include an agricultural laboratory, a dentist, an agricultural equipment supplier, storage units, and a construction company. There's also existing commercial and industrial zoning to the north and south of the subject property that once developed will increase the number of these types of uses in this area. Based on the traffic analysis zone forecast prepared by Compass, , this, , also shows this area as a growth area between now and 2050 for jobs with the projected growth being 82 jobs. The proposed comprehensive plan amendment is not anticipated to impact public services and facilities. Agencies such as Parma Fire and Idaho Transportation Department do not have significant concerns and their sign off will both be required during the building stage. Per Southwest District Health, the subject property is located within a designated nitrate priority area, so a nitrate, , nutrient pathogen study may be required depending on the wastewater flows.

(14:51):

Per the nitrate priority and well map, the ground monitoring well on the subject property does not contain high nitrate priority levels at this time. This is the conditional rezone criteria found in Canyon County Zoning Code 0706076A. The next several slides identify the planning and zoning commission's findings. The subject property is identified as agriculture in the area immediately to the north, south, and further east as commercial and industrial. City of Parma's comprehensive pl- plan calls for commercial/industrial for this par - , property. The request is consistent with six goals and six policies, the 2030 comprehensive plan. The surrounding area primarily contains agricultural, residential, and commercial/industrial uses. As shown in the zoning and classification map, there's also commercial and industrial zoning to the north. As these properties develop, the corridor is expected to continue transitioning toward a more commercial and industrial character. Given the existing land use pattern, adopted zoning and the potential for land use conflicts between residential, the current zone is R1 and commercial/industrial development.

(15:53):

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The proposed light industrial zoning is more compatible, , with the surrounding area than the existing single family residential zoning. The applicant has agreed to enter into a development agreement in order to potentially mitigate impacts. You can see exhibit 3A2. 1 for the applicant's proposed restricted uses. Due to some of the applicant's proposed restricted uses being potentially impactful to the surrounding area, the Planning Zoning Commission is recommended that only the uses needed for the highway districts facility be allowed and the remaining uses be either required by conditional use permit, director's decision or prohibited. And that's, , in exhibit one. And you can see exhibit 3A, 3B, and 3C for this. The Planning and Zoning Commission is also recommending that lighting be downward facing and directed away from surrounding properties. There be a 70 foot weed-free buffer measured from the western boundary of parcel 38703, which is adjacent to the subject property and has a residence on it, , have a 30 b - 30-foot building setback as there is currently no setback in the M-1 zone, and that a six foot high side screened fence with a 20-foot landscaping buffer be added to the eastern boundary along US 95 frontage, so there's appropriate buffering with the surrounding properties.

(17:05):

These are some site photos of the property. The photos on the slide starting on the top left show the property is seen from the, se- seen from behind the single family residence facing west and southwest. The single family residence from State Highway 95. The shut on the property used for equipment storage and the property facing south. An equip - , an, an indi - an individual septic system is planned for the proposed use. As outlined previously, a nitrate priority study may be required if the wastewater flow excee- exceeds 600 gallons per day. An individual well is on site where the applicant's land use worksheet stormwater drainage will be retained on site. Per the applicant, the property is irrigated via surface irrigation water shares from Far- Farmers Cooperative Ditch Company. The irrigation district does not have any concerns with the proposal as they state it will have no effect on their irrigation system and utility agencies did not comment.

(17:56):

Idaho Transportation Department is not requiring public street improvements at this time and does not have concern to traffic patterns, but reserves the right to make further comments or acquire a traffic analysis study at the time of an encroachment permit for any additional development on site, either through building permits being applied for or at the time of division of the property. Subject property does have legal access for the conditional rezone off of US 95 via two access points which are highlighted in blue. At the, at the time of development, ITD stated an encroachment permit will be required for a commercial two-way approach. During the encroachment per- permit review process, ITD will likely request that the northernmost access be the commercial two-way access due to the alignment with the cross street running east to west and that the other approach be closed to limit the accesses to the state highway.

(18:44):

The proposed use is not an- anticipated to impact essential public services and facilities. There were no comments received from the school district or police. The fire district sent a comment letter which stated the fire district does not have any concerns at this time and due to the proximity of the fire station, the estimated response time would be about a minute. Kenyon County's paramedics responded with three different station response times with the closest being 21.8 minutes. They s - they stated they acknowledge that their times are slightly extended in this location, but it does appear to be across from Parma Fire, which has ALS transport capabilities. At the expiration of materials deadline for the PNZ hearing, 10 agencies comments were received which, which can be found in exhibit 3D and no public comments are received. At the expiration of the materials deadline for the board hearing, one

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agency comment was recei- received, which can be found in exhibit four and no public comments were received.

(19:33):

The board of Kenyon County commissioners may approve or deny the comprehensive plan, , map amendment and conditional rezone or table or continue the hearing to a later date or request additional information. Here is an aerial view of the property and I'll stand for any questions you may have.

Speaker 2 (19:47):

Chairman?

Speaker 1 (19:48):

Yes.

Speaker 2 (19:49):

I am looking at exhibit D3. 1, which is communication between yourself and ITD. In there, you're referencing if there's a sale or a division of parcels in the future that they would need to ensure cross-access agreements. When do they plan for those? You've got some language related to those agreements, or not that agreement. I'm looking for it here. Hold on. But in the, the conditions, tell me how we ensure that they plan for that in the future.

Speaker 5 (20:30):

, Mr. Chair, Commissioner Van Beek, , at the time of like buil- building permits or subdivision or division of land, ITD will have the opportunity to comment for any like additional buildings on the property. Let's say they'll have to go get high highway district approval, , and that would be I- Ida Transportation Department. And then if they do a division, ITD will get noticed. They'll be able to provide comments and then conditions of approval would be added to that case if needed. , So if they wanted to ma - , require them to do cross access easements, if they have like additional parcels split off and they need to access that, , commercial access, they would require them to do it at that stage, if that answers your question.

Speaker 2 (21:06):

It does. I just wanna make sure that we don't miss anything down the road on those road agreements.

Speaker 5 (21:12):

Yeah.

Speaker 2 (21:12):

Yeah,

Speaker 5 (21:12):

Yeah.

Speaker 2 (21:12):

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So I wanted to put something on the record that we're aware. Thank you for vetting that out and letting the applicant know that's fair, that they'll have to deal with that in the future. So thank you.

Speaker 1 (21:22):

Mm-Hmm. Emily, why are we requiring all sorts of landscape improvements when the fire station across the street has none of it?

Speaker 5 (21:32):

, Mr. Chair, it was just a je - it was kind of a, kind of a recommended... It wasn't really recommended, it was just a possible condition to help with like just the, , buffering. , The high... Or the fire district is zoned M1 right now. It's, , old zoning, so they just don't have any of those landscaping requirements. , If you'd like to not do landscaping, you're more than welcome to take it off the condition and just do fencing or whatever you would prefer.

Speaker 2 (21:59):

I wouldn't be in that place, so I guess we can deliver.

Speaker 1 (22:01):

, It's, it's, , we're not treating people fairly when we do this.

Speaker 2 (22:09):

And I can appreciate what you're saying, but we didn't have the control over what happened.

Speaker 1 (22:13):

I know, and it's, it's along an, , state highway. It's like we don't need to beautify it.

Speaker 2 (22:20):

I like to look beautiful.

Speaker 1 (22:23):

I know. , What was the other question?

Speaker 2 (22:35):

Chairman, can I ask - Did you have something else?

Speaker 1 (22:36):

Yeah, go ahead.

Speaker 2 (22:37):

Yeah. Can you identify again where the topography issues are on the property that were, that the applicant, Mr. Jones, I talked about in his presentation?

Speaker 5 (22:49):

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, Mr. Chair, Commissioner Van Beek, I believe it's, like, the center of the property is where it's pretty... It slopes down quite a bit because there's, like, all those trees in the middle. So I think it starts kind of high towards the, like, north part of the property and then starts to slope down from there. But he can go more in detail with that if you'd like during the rebuttal.

Speaker 2 (23:08):

Okay. But they don't have to... I didn't see any requirement for hillside development, so it doesn't exceed a 15% slope.

Speaker 5 (23:14):

, Mr. Chair, Commissioner Van Beek, , yeah, our slope map didn't identify more than 15%, so no.

Speaker 2 (23:20):

Okay. Do we know how much of that, that's under the parcel number, how much acreage that represents on the property?

Speaker 5 (23:29):

, Let me pull up the map really quick. Oh, sorry. I was, I was wrong. No, you're

Speaker 2 (24:09):

Good.

Speaker 5 (24:09):

The slope map does show kind of in the center of the property, this red area as more than 15% slopes. , The hillside development requirements are in our subdivision code, and so if they do subdivide the property, that'll get applied at that point.

Speaker 2 (24:22):

Thanks for clarifying that.

Speaker 1 (24:36):

Any other questions?

Speaker 2 (24:38):

I don't necessarily have any questions at this time, Chairman.

Speaker 1 (24:44):

Okay. Let's go to whoever, whoever likes to, , give testimony.

Speaker 3 (24:50):

Bill Hartman.

Speaker 1 (24:55):

Did you wanna speak, sir? No. Okay?

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Speaker 6 (25:00):

, I'm just... If you have any questions for me, I'm happy to speak, , if I can clarify anything.

Speaker 3 (25:06):

And Gary Hickman?

Speaker 6 (25:08):

I'm good.

Speaker 1 (25:11):

All right, Mr. Jones, you're up for rebuttal. Did you, did you have a chance to look at the proposed list of restrictions for uses?

Speaker 4 (25:28):

, Do I need to reinduce myself for the record, commis - No.

Speaker 1 (25:31):

Okay.

Speaker 4 (25:32):

Thank you, Commissioner. Yes, we, , went through it during the meeting and picked out during the meeting which ones to pick and choose for the... You talking about the - Those were,

Speaker 1 (25:41):

Those were your proposed. Okay. I must have misread that.

Speaker 4 (25:51):

I guess just for clarification, we did have a list of proposed, and then during the, , hearing with the Planning and Zoning Commission, would they altered that list, and then the new conditions are that altered list.

Speaker 2 (26:05):

And Chairman?

Speaker 1 (26:06):

Yeah.

Speaker 2 (26:07):

And Emily, is everything that's listed under 3A and 3B, does that comprise the whole land use matrix of allowed or conditional uses in an M1 zone?

Speaker 5 (26:22):

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, Mr. Chair, commissioner Mabeek, no, because the list was based on the applicant's list of propo - restricted conditions, and some of them are already, like, not permitted. So I think we only focused on the, the, those con - those uses, I think.

Speaker 2 (26:38):

Okay. Thank you. So, and that makes sense. And I'm gonna say that back to you. Anything that's not an allowed use and that was eliminated from being presented, because it's already not in the matrix.

Speaker 4 (26:49):

Yes, that is correct. Okay. We made a more restrictive table. We didn't make anything permitted that was conditionally permitted or not permitted. We only either conditionally permitted things or outright unpermitted them.

Speaker 2 (27:01):

Okay. And Chairman, at what point can we ask, or can I ask a question about poli - potential elimination of certain uses on that should they subdivide?

Speaker 1 (27:15):

Did you wanna look at that list?

Speaker 2 (27:18):

Well, I was looking at what the applicant provided in 3A and 3B. Yeah.

Speaker 1 (27:24):

3A and 3B.

Speaker 2 (27:26):

On, and that, I'm sorry, that's not the exhibit number. I'm looking at the S - the -

Speaker 1 (27:31):

I'm looking at A21.

Speaker 2 (27:33):

Okay.

Speaker 1 (27:34):

Exhibit A21. It's more towards the front.

Speaker 2 (27:38):

Let me get there.

Speaker 1 (27:43):

That's the latest and greatest ones, right? They have the yellow highlighting in them? 'Cause It says current M1 and then proposed M1.

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Speaker 5 (27:56):

, Mr. Chair, yeah, I think the whole list is... I... The ones that are highlighted are the ones that, , I think were changed.

Speaker 1 (28:05):

Okay.

Speaker 5 (28:06):

Yeah. Based on what our land use matrix says is what I remember, is what I'm seeing.

Speaker 1 (28:11):

Starts... If you're looking electronically, it starts page 50. Thanks. Well, Commissioner Van Beeks, looking at that, did you have any, any other comments or further clarification you'd like to provide?

Speaker 4 (28:34):

, Thank you, , Chair. At this time, I don't think so. There was your comment about the landscaping. , With that, if you would be open to it, we migh need to approve it through ITD, but maybe more water-wise landscaping, because we know, you know, we are in a drought in Idaho and paying to water grass and have it cut is a bit more of an expense for Notice Parma. But if that's something that would not be supported by code, I don't... I haven't looked over landscape code extensively yet, so just an idea.

Speaker 1 (29:05):

Is that at this step of the process, Emily?

Speaker 5 (29:09):

, M- Mr. Chair, if you wanted to add a landscaping condition, it would be at this stage, but if you don't, it wouldn't be required unless we add it to the development agreement.

Speaker 1 (29:21):

I though it was already in there as proposed. Maybe I'm confused.

Speaker 5 (29:24):

It was proposed by, , it was like a possible condition proposed to the Planning and Zoning Commission, and they decided to add it to their FCOs. Okay. So it wasn't proposed by the applicant. It was just proposed by staff.

Speaker 1 (29:35):

Okay. So P&Z suggested that we put that -

Speaker 2 (29:39):

Yes.

Speaker 1 (29:39):

Oh, okay.

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Speaker 2 (29:42):

And Chairman, I am having difficulty locating on page 50 the matrix that you're looking at. And maybe I'm on the wrong...

Speaker 1 (29:53):

Oh, yeah. Go to your folder here. Sorry, we're gonna take a technical recess for a second.

Speaker 2 (29:57):

You want here?

Speaker 1 (29:59):

No, no, no. Right here. Go over. 2025 or 2626. Go up. Now go to, go down here and type in 50.

Speaker 2 (30:31):

Thank you. Okay, that's better.

Speaker 1 (30:35):

Blow that up, the yellow highlighting shows on the left what it currently is and then the right is proposed to remove it.

Speaker 2 (31:29):

Emily, does a bulk storage facility include a gas station, anything like that? Or is it just... Define that more for me.

Speaker 5 (31:41):

, Mr. Chair, Commissioner Van Beek, it wouldn't include a gas station. A gas station is under vehicle fueling station with convenience store towards the end of the land use matrix.

Speaker 2 (31:50):

Thank you. And I guess, Chairman, I have a question for the applicant on a batch plant. Is there a... Tell me about your thoughts on that or to have any kind of an asphalt facility that accompanies that. Is that something you would consider eliminating?

Speaker 1 (32:26):

So you... Hold on. I just want clarification. So I'm starting to figure out how you put this in here now after looking at this. So you do not want even, that to even be allowed potentially through a CUP?

Speaker 2 (32:41):

Well, it, I would have to have clarification, which is why I'm asking. The batch plant on Midland was specifically, , allowed to go in because it excluded an asphalt plant with it. So just a batch plant where they can distribute materials they collected. But that ha - that batch plant next to residential has a berm that was at a cost of a million dollars. And so I'm saying there are plenty of other uses that could potentially be in there that wouldn't, even though it's, that's an allowed use, it's a messier use. And so

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that was one of the ways that we mitigated that concern and people really don't notice that in there. It just is a place where they come and get materials and dispatch that out. That's it.

Speaker 1 (33:34):

So let me, let me make sure I'm reading this correctly now from P&Z. , So what you've done in condition three is you've listed what would be approved.

Speaker 5 (33:47):

Yes.

Speaker 1 (33:48):

And then under B, so A is what would be approved.

Speaker 5 (33:52):

Would just be allowed, yep.

Speaker 1 (33:53):

B would only be approved with a CUP.

Speaker 5 (33:56):

Correct.

Speaker 1 (33:57):

Yep. So that's another mitigating factor. And then C is a few things that would be allowed just through the director of DSD.

Speaker 5 (34:06):

Correct.

Speaker 1 (34:07):

Okay.

Speaker 2 (34:08):

And that's -

Speaker 1 (34:08):

And we're on the same page of that understanding.

Speaker 2 (34:12):

Yes. That's why I went here first because I figured that this was what they had gotten filtered into. Okay. So I appreciate the clarifying question.

Speaker 5 (34:22):

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And, , Mr. Chair, commissioner Mbeek, at the hearing, the commission asked the applicant like which uses they would need for their facility. So that's why they made all of those uses allowed. And then the rest of them, they moved to like CUPs because they wanted more review.

Speaker 2 (34:37):

Okay. And to that point, we have had a significant argument in here on kennels and the location of that kind of facility. It's problematic for anybody that's surrounding there. You have barking dogs. So help me understand how a kennel is related specifically to a highway district operation.

Speaker 1 (34:58):

It's not, it's not allowed. They would have to come in and get... Sorry, I'm answering for you, but, , I guess I'm allowed to do that at some level. But you'd have to get a CUP for it.

Speaker 2 (35:10):

And I see that differently. I see that as an allowed use in the CM zone. The conditional uses are under B.

Speaker 5 (35:18):

I wonder, , so I think Commissioner Brooks is looking at the, , Planning and Zoning Commission FCOs.

Speaker 1 (35:26):

Yes.

Speaker 5 (35:26):

Is that correct? Yeah. , you might be looking at the other, the other document that the applicant provided in the Planning Zoning Commission FCOs for the rezone. That's I think where he's looking at.

Speaker 2 (35:37):

So here's -

Speaker 1 (35:39):

Right

Speaker 2 (35:47):

There. Okay.

Speaker 1 (35:49):

So that, that list is saying what is allowed. This next list is what they would have to get a CUP for.

Speaker 2 (35:56):

Okay.

Speaker 1 (35:56):

And then Jay could approve this without us.

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Speaker 2 (36:03):
Okay. And thank you for your patience. There's, we've got digital, we've got a number of different -

Speaker 1 (36:10):
When you get two sets of staff reports too, it makes it a little bit -

Speaker 2 (36:13):
Right.

Speaker 4 (36:14):
I used to work for the city of Caldwell. I completely understand.

Speaker 1 (36:16):
Okay.

Speaker 2 (36:18):
So Chairman, then I would wanna go through here and just ask about the, how do you, on the bulk storage?

Speaker 5 (36:27):
Mm-Hmm.

Speaker 2 (36:28):
And what is bulk s - how, what big of a size of a tank qualifies for bulk storage?

Speaker 5 (36:33):
, I'd have to, I can check in our code to see if we have any standards for them. But, , I think the reason that was added in for like gas, like holding

Speaker 1 (36:45):
Fuel tanks and diesel vehicles.

Speaker 5 (36:48):
Yeah.

Speaker 4 (36:48):
Correct. So, , commissioners, just to chime in a little, Nose Parma, a lot of those permitted will be more of accessory uses to the actual facility itself. So things like bulk storage for things like the gravel, the sand, the fuel, the vehicles, that kind of thing. We just wanna make sure that Nose Parma can do their daily operations without everything, you know, being in question. It's like, are you allowed to do bulk storage? Well, accessory use, yes we are because we're just holding gravel to go use it somewhere else, that kind of thing. So all of those is most likely it slightly touches the actual operation of itself. And then everything conditionally used is more for if we were to ever subdivide the area and new uses came in because then they wouldn't be considered con - like accessory. That would have to be their principal

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uses, which would require all the, the buildings, CUPs and everything, which we are in total agreement and understanding.

(37:47):

We want the neighbors to also, you know, not have to be super intensive.

Speaker 5 (37:55):

And, , Mr. Chair, commissioner V Beek, I didn't see any definition or standard really for that use. I think it's just an accessory to whatever, like he was, you know, saying they would be an accessory to the primary use. They'd have bulk storage of like their fuel tanks is what that would be.

Speaker 2 (38:12):

And that makes sense. , And I, I guess I, I don't have enough information and there's not anything in our code to, I guess, discuss that, but I would, I, I don't, I don't know how to comment on that.

Speaker 1 (38:33):

Can you bring up, , the aerial photo of the place that they're currently using, please?

Speaker 5 (38:42):

Mm-Hmm.

Speaker 1 (38:56):

Can you zoom in? See if you can see like a tank or something on there. Probably not since PowerPoint though, huh? Do you know the biggest tank that you have on the site? Thousand gallon? 5,000 gallon?

Speaker 6 (39:14):

Probably in the future it would be more like 10,000 so we can buy tanker loads at a time. So -

Speaker 1 (39:19):

Yeah.

Speaker 6 (39:20):

We have 2,000 gallon tanks. 1977, , use a lot less fuel, smaller trucks, smaller equipment back then.

Speaker 1 (39:28):

So it's, it's gonna be a similar size tank to what a farming operation would have.

Speaker 2 (39:35):

And I appreciate what you're saying. Is there, and this is just for discussion and again with, I've already predicated the, my comments, but I'm not the expert. But can we limit the bulk storage to what's needed for the operation or is that implied by having it in here or it's placed?

Speaker 1 (39:55):

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My opinion of that is implied. And if it's above ground, I think now you have to have the concrete swimming pool basically around it to, to take in like a time and a half of what the contents of.

Speaker 4 (40:09):

A lot of these will require building permits that will have to go through view and meet all building engineering and planning standards as well.

Speaker 2 (40:14):

Yeah. Okay. And that does help me because anytime you have either an in-ground or an above ground, you have the potential for leakage. And if you have residential, I don't know what the groundwater flow is, if it's toward the southeast or not, but, , I needed additional information on capture.

Speaker 1 (40:32):

You're, you're required to, you know, have, I mean, concrete walls, basically a concrete basin that the tank sits in that could handle the capacity of whatever the tank is. And then I can't remember if it's another 50% on top of that. So -

Speaker 4 (40:48):

We also -

Speaker 1 (40:48):

If the tank were to spring a massive leak, it, everything would be contained in that -

Speaker 2 (40:53):

Okay.

Speaker 1 (40:53):

Space.

Speaker 4 (40:54):

Also goes through Southwest District Health who has reviewed and has been comfortable with us and we stay very close to them as well in our conversations.

Speaker 2 (41:01):

I appreciate that. And so given the proximity, I just want the discussion on the record that as commissioners, we looked at what the surrounding interests might appreciate for that. So this is now on the record. And then Chairman, if we go down to the uses on batch plants, Emily, isn't there a distinguish in our, on this table matrix between asphalt and just, and I can look as well, but -

Speaker 1 (41:28):

So, so that would require a whole conditional use permit process for that.

Speaker 2 (41:32):

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I understand what you're saying. I do. But like I said, because you're in proximity to the city, to the southeast, to have an asphalt batch plant there is messy. And so I would want to restrict at least that portion of it or eliminate that altogether. It, it is a gateway into the city and Highway 95. I've already put that on the record. , That to me is aesthetically unattractive. This looks like a nice piece of property. And so that would be my proposal. Can we eliminate... And I'll tell you, Chairman, the ones that I have concerns with so we don't have to... Is the batch plant the fertilizer processing facility that has some... Those are messy and they...

(42:15):

Those are how people build bombs. The rendering plants, those are very messy and often they have rail service in and out and they have sometimes leakage. They smell bad. And then the sale of salvage goods, I would submit that also. , I wouldn't want any kind of a re - metal recycling plant or anything along that corridor that would, that to me is more heavy industrial, even though it's a lot of this M1. Those would be the four that I would ask that, and I don't know if they need to take a recess to discuss those four uses to take those off the table. But that's my issue for discussion as district one commissioner.

Speaker 1 (43:01):

Do you want some time to talk about that with your client to see if you wanna just remove them all together to where they're not even, , available for having a CP? Okay. So it is 12:15, -

Speaker 4 (43:15):

Five minutes.

Speaker 1 (43:16):

Okay. We'll come back at 12:21.

Speaker 2 (43:19):

Thank you. Thank you. Thank you.

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